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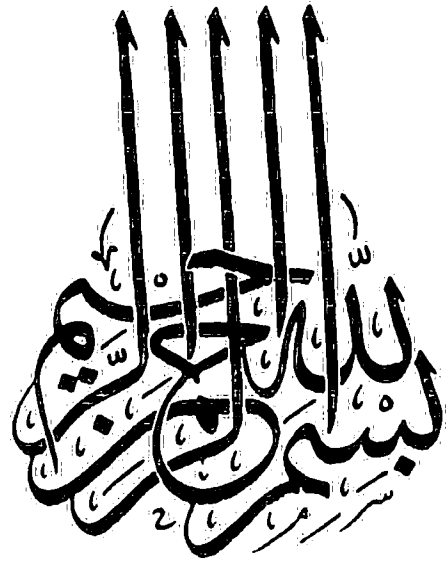
# **Political Development in the Kingdom of Saudi Arabia: an Assessment of the Majlis Ash-Shura**

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**Faisal Bin Misha'al Al Saud**



14 NOV 2000



**In the name of God the most merciful, the most  
compassionate**

# Acknowledgements

## *In the Name of God the Most Merciful, the Most Beneficent*

Praise be to God almighty... With the blessings of God and after four years of hard work I have able to bring this dissertation to fruition.

As a Saudi citizen, I am very much obliged to the Kingdom of Saudi Arabia; a country blessed with great bounties bestowed upon it by God Almighty.

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## Declaration

No portion of the work referred to in this thesis has been submitted in support of an application for another degree or qualification of this or any other university or other institution of learning.



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## Editor's Note

This thesis is submitted to an English university and English expressions are used throughout.

Foreign words and expressions are italicised except for those accepted in common English use, e.g. the Holy Koran. Principal place names are as appearing in *The Times Atlas*. Minor place, tribal and family names are italicised and included in the Glossary of Arabic Terms (below). Diacritical marks are omitted throughout.

Dates are given for the Common Era (C.E.), and comparative tables of *Al Hijra* (A.H.) and Common Era years follows the Glossary.

Throughout the thesis, the Kingdom means the Kingdom of Saudi Arabia, and The Prophet means the Prophet Mohammad *salla-Hahu alayhi wa-salam* ("God bless him and give him peace"). The Majlis Ash-Shura means the Consultative Council, and is referred to as such throughout this thesis.

## Glossary of Arabic Terms

- Awqaf:* Endowments
- Ash-Shura:* Consultation.
- Faatwas:* Islamic religious judgement.
- Faqihs:* Specialists in the interpretation of Islamic law.
- Hadith:* The collected sayings of the Prophet Mohammad.
- Ijtihad:* Method of interpreting Islamic law.
- Janbiyya:* Ceremonial Arabic curved dagger.
- Kuffiya:* Traditional Arabic head-dress.
- Majlis:* Public audience or meeting.
- Shari'a:* Islamic (Divine) law.
- Sunna:* The prophet Mohammed behaviours and saying
- Thobe:* Traditional Arabic full-length garment.
- Ulaama:* Islamic religious elite.

# The Islamic Calendar

## Comparative Tables of AH and CE Dates

The Islamic era is based on the Hijrah, the migration of the Prophet Muhammad from Makkah to al-Madinah, which took place on 16 July 622 CE. The Islamic year is lunar, and has 354 days. There are approximately 103 Hijri years to a Gregorian century; AH stands for Anno Hegirae (hegira being the Latinized form of Hijrah), and CE for Christian Era. The Hijri year begins on the day of the month indicated.

THE HIJRAH MONTHS	AH	CE	AH	CE	AH	CE	AH	CE				
Muharram	1	622	16 July	600	1203	10 September	1160	1747	13 January	1362	1943	8 January
Safar	10	631	9 April	610	1213	23 May	1170	1756	26 September	1363	1943	28 December
Rabi al Awwal	20	640	21 December	620	1223	4 February	1180	1766	9 June	1364	1944	17 December
Rabi al Thani	30	650	4 September	630	1232	18 October	1190	1776	21 February	1365	1945	6 December
Jumada'l Awwal	40	660	17 May	640	1242	1 July	1200	1785	4 November	1366	1946	25 November
Jumada'l Thani	50	670	29 January	650	1252	14 March	1210	1795	18 July	1367	1947	15 November
Rajab	60	679	13 October	660	1261	26 November	1220	1805	1 April	1368	1948	3 November
Shaban	70	689	25 June	670	1271	9 August	1230	1814	14 December	1369	1949	24 October
Ramada	80	699	9 March	680	1281	22 April	1240	1824	26 August	1370	1950	13 October
Shawwal	90	708	20 November	690	1291	4 January	1250	1834	10 May	1371	1951	2 October
Dhu'l-Qadah	100	718	3 August	700	1300	16 September	1260	1844	22 January	1372	1952	21 September
Dhu'l-Hijjah	110	728	16 April	710	1310	31 May	1270	1853	4 October	1372	1953	10 September
	120	737	29 December	720	1320	12 February	1280	1863	18 June	1374	1954	30 August
	130	747	11 September	730	1329	25 October	1290	1873	1 March	1375	1955	20 August
	140	757	25 May	740	1339	9 July	1300	1882	12 November	1376	1956	8 August
	150	767	6 February	750	1349	22 March	1310	1892	26 July	1377	1957	29 July
	160	776	19 October	760	1358	3 December	1318	1900	1 May	1378	1958	18 July
	170	786	3 July	770	1368	16 August	1319	1901	20 April	1379	1959	7 July
	180	796	16 March	780	1378	30 April	1320	1902	10 April	1380	1960	26 June
	190	805	27 November	790	1388	11 January	1321	1903	30 March	1381	1961	15 June
	200	815	11 August	800	1397	24 September	1322	1904	18 March	1382	1962	4 June
	210	825	24 April	810	1407	8 June	1323	1905	8 March	1383	1963	25 May
	220	835	5 January	820	1417	18 February	1324	1906	25 February	1384	1964	13 May
	230	844	18 September	830	1426	2 November	1325	1907	14 February	1385	1965	2 May
	240	854	2 June	840	1436	16 July	1326	1908	4 February	1386	1966	22 April
	250	864	13 February	850	1446	29 March	1327	1909	23 January	1387	1967	11 April
	260	873	27 October	860	1455	11 December	1328	1910	13 January	1388	1968	31 March
	270	883	11 July	870	1465	24 August	1329	1911	2 January	1389	1969	20 March
	280	893	23 March	880	1475	7 May	1330	1911	22 December	1390	1970	9 March
	290	902	5 December	890	1485	18 January	1331	1912	11 December	1391	1971	27 February
	300	912	18 August	900	1494	2 October	1332	1913	30 November	1392	1972	16 February
	310	922	1 May	910	1504	14 June	1333	1914	19 November	1393	1973	4 February
	320	932	13 January	920	1514	26 February	1334	1915	9 November	1394	1974	25 January
	330	941	26 September	930	1523	10 November	1335	1916	28 October	1395	1975	14 January
	340	951	9 June	940	1533	23 July	1336	1917	17 October	1396	1976	3 January
	350	961	20 February	950	1543	6 April	1337	1918	7 October	1397	1976	23 December
	360	970	4 November	960	1552	18 December	1338	1919	26 September	1398	1977	12 December
	370	980	17 July	970	1562	31 August	1339	1920	15 September	1399	1978	2 December
	380	990	31 March	980	1572	14 May	1340	1921	4 September	1400	1979	21 November
	390	999	13 December	990	1582	26 January	1341	1922	24 August	1401	1980	9 November
	400	1009	25 August				1342	1923	14 August	1402	1981	30 October
	410	1019	9 May				1343	1924	2 August	1403	1982	19 October
	420	1029	20 January				1344	1925	22 July	1404	1983	8 October
	430	1038	3 October				1345	1926	12 July	1405	1984	27 September
	440	1048	16 June	1000	1591	19 October	1346	1927	1 July	1406	1985	16 September
	450	1058	28 February	1010	1601	2 July	1347	1928	20 June	1407	1986	6 September
	460	1067	11 November	1020	1611	16 March	1348	1929	9 June	1408	1987	26 August
	470	1077	25 July	1030	1620	26 November	1349	1930	29 May	1409	1988	14 August
	480	1087	8 April	1040	1630	10 August	1350	1931	19 May	1410	1989	4 August
	490	1096	19 December	1050	1640	23 April	1351	1932	7 May	1411	1990	24 July
	500	1106	2 September	1060	1650	4 January	1352	1933	26 April	1412	1991	13 July
	510	1116	16 May	1070	1659	18 September	1353	1934	16 April	1413	1992	2 July
	520	1126	27 January	1080	1669	1 June	1354	1935	5 April	1414	1993	21 June
	530	1135	11 October	1090	1679	12 February	1355	1936	24 March	1415	1994	10 June
	540	1145	24 June	1100	1688	26 October	1356	1937	14 March	1416	1995	31 May
	550	1155	7 March	1110	1698	10 July	1357	1938	3 March	1417	1996	19 May
	560	1164	18 November	1120	1708	23 March	1358	1939	21 February	1418	1997	9 May
	570	1174	2 August	1130	1717	5 December	1359	1940	10 February	1419	1998	28 April
	580	1184	14 April	1140	1727	19 August	1360	1941	29 January	1420	1999	17 April
	590	1193	27 December	1150	1737	1 May	1361	1942	19 January	1421	2000	6 April

*Transfer from Julian to  
Gregorian calendar*



# Introduction

Saudi Arabia has emerged, over the past century, as one of the largest and most powerful states in the Arab Gulf region. The country has made remarkable progress in establishing a vast physical, social and political infrastructure together with the modernisation of all aspects of life that includes economic, agriculture and trade. Accordingly, Saudi Arabia felt a need to develop a stable basis for lasting social and political prosperity. It felt a need to modernise its society without losing its Islamic and Arabian character. In other words there has been a need to restructure its socio-political orientation to deal with the perspective of its increasingly educated populace. Saudi Arabia can rise to these challenges through its increased ability to meet the internal needs of its growing population as well as the external political, economic and military challenges to which it has been exposed. The task, however, has not yet been completed. This can be explained on the grounds that social and political developments are constantly changing.

Modern Saudi Arabia has its roots in the rise of Islam. By the time of the death of the Prophet Mohammed (peace be upon him) in 632 (all dates are given as Common Era (C.E.) unless stated otherwise), most of the Arabia Peninsula had become united under Arab rule. The combination of Arabian culture and Islam has shaped the character of the region ever since. Although the Arabian Peninsula came under the nominal suzerainty of the Ottoman sultans in Istanbul in the sixteenth century, it remained largely under the rule of various tribes and families, and religion was more important than politics (see map of Saudi tribes). The importance of religion was evident in the eighteenth century when a major religious



reformer, Mohammed Ibn Abdul Wahhab, began to preach a return to the strict practices of Islam. Ibn Abdul Wahhab formed an alliance with the Saudi dynasty, which then dominated much of Najd the central region of Saudi Arabia. Strengthened by the military and political leadership of the dynasty, the reform movement quickly grew in strength and expanded far beyond its base in Najd. In response to this expansion, the Ottoman Empire sent a force that could defeat the Arab forces but could not permanently control the area. The Saudi dynasty continued to rule the interior until 1890, when the Rashids, a rival Turkish-backed family, seized control of Riyadh. In 1902, Abdul Aziz Al Saud (known as Ibn Saud) attacked Riyadh and regained power over the region. He revived the Arab and the reform movement cause, and became the ruler of Najd. At the start of World War I, he controlled central Arabia and the Al-Hasa coast, although the Hejaz and Western Arabia still acknowledged Ottoman rule. In 1916, Hussein Ibn Ali, the Hashemite sheriff of Mecca, proclaimed independence, declared war on the Ottoman Empire, and claimed the title of King of the Hejaz. In the battles that followed, Hussein liberated much of western Arabia, while Abdul Aziz subdued Al-Hasa, the rest of Najd, and the borders of Hejaz. A growing rivalry started between Abdul Aziz and Hussein after World War I. This rivalry turned into a war when Hussein proclaimed himself Caliph of Islam in 1924. In 1926, Abdul Aziz attacked the Hejaz and conquered Mecca and Jeddah. Abdul Aziz steadily expanded his rule to include much of western, southern, and eastern Arabia. In 1932, Abdul Aziz Al Saud announced the unity of all regions into the modern Kingdom of Saudi Arabia.

Within the six Gulf States (Saudi Arabia, Bahrain, United Arab Emirates, Qatar, Oman and Kuwait), nearly 60% of the total population now lives in Saudi Arabia. The Saudi dynasty is in secure control of the state. It is the

key source of power in the Saudi Arabian government. In Saudi Arabia there is no formal constitution because the laws of Islam provide the real constitution of the government. This approach means that the King's power is limited by Islam. The King must also observe Saudi traditions and maintain the support of the religious leaders, the *Ulama*.

Like the other Gulf countries, Saudi Arabia has a long tradition of public access to high officials, usually at a *Majlis*, (public audience) and the right to petition such officials directly. Since 1953, a Council of Ministers has been appointed by the King, and has advised on the formation of general policy and helped direct the activities of the growing bureaucracy.

Political changes in Saudi Arabia keep unfolding and the country needs to broaden its power base. On March 2, 1992, King Fahd announced the establishment of the *Majlis Ash-Shura* or Consultation Council. There were other reforms, that included the introduction of a basic body of governing laws, (see Appendix III), and increased autonomy for the provinces. Saudi Arabia views the Koran as the constitution under Islamic law. The basic laws (Appendix II, III, IV and V) however, perform much the same function as constitutional guarantees from an Islamic perspective and in the reaction to the demands of both fundamentalists and secular reformers for greater participation in the government. Whilst the *Majlis Ash-Shura* (Consultative Council) may not mark a shift towards a western style representative democracy, it does mark a significant change towards the broadening of the power base in Saudi Arabia.

Saudi Arabia is caught up in a constant struggle between efforts to preserve the nation's character as an Islamic state and the need to modernise the political, economic and social systems. What was once a rural and isolated

Saudi society, divided into regional and tribal groups, has become a society that is largely urbanised, exposed to a wide range of electronic media, and dependent on a modern petroleum-driven economy.

This introduction constitutes the framework through which each of the topics above will be further explained and analysed in the course of this research study.

### **Unique Aspects of this Research**

Saudi Arabia's unique brand of monarchy, guided by Islamic laws and percepts, makes it a remarkable example of Islamic politics. Its growth and development representing a resurgence or reawakening of Islam, the second largest and fastest growing religion in the world. Scholars from various disciplines are initiating studies on contemporary Islamic phenomena, seeking to understand the implications of Islamic politics for Western systems. Being the home of the annual pilgrimage to Mecca, Saudi Arabia represents the Muslim leadership and serves as a meeting place for the Muslims of the world. Saudi Arabia's potential as a leader in world affairs in the coming century makes it a worthy subject for academic study. The present study focuses on the historical developments that have been realised through the persistent efforts of successive Saudi rulers. These achievements paved the way for the emergence of the *Majlis Ash-Shura*. In this research study, *Majlis Ash-Shura* is, for the first time, projected and studied as a prime achievement of the Saudi political drive.

The Kingdom of Saudi Arabia has been exposed to all kinds of criticism: allegedly, amongst other things, a lack of legitimacy, totalitarianism and absence of freedom of speech. This research aims to study the process of

developments that lead to the creation of the modern Saudi governmental mechanism. As a socio-political phenomenon, the structure, mechanism, texture and efficacy of *Majlis Ash-Shura* are analysed and tested against the reaction and opinions of the council members pertinent to this Islamic-based initiative. The efficacy of the Consultative Council is viewed as a norm against which the important decisions of the government are evaluated.

This research utilises the concept of religion as supportive evidence in giving legitimacy to the recent practice of Saudi public representation in the decision making process, through in the selected members of the *Majlis Ash-Shura*. Moslems regard Islamic principles as the purest form of constitution and they excel any man-made constitution. Democracy and social equality can be realised through an adherence to the commands of God. The difficult part in the Saudi struggle lies in the need for Saudi Arabia to continue its pursuit of development and modernisation along Islamic guidelines. At the same time it must accommodate its internal and international responsibilities to construct institutions that are able to interact with Western governments co-operatively. This makes it of the utmost importance that the Islamic government of Saudi Arabia is studied to find its way into the mainstream of political dialogue, where it can advance its own authentic definitions and ideology in comparison rather than in competition with other forms of governments. This study is a step in that direction.

## **Research Methodology**

In order to bring light to the Saudi reform process, a discussion of historical developments that have led to the present form of Saudi government is

provided. Of course there must have been causes for this social and political reform; these causes are discussed. Important landmarks that are considered distinctive in Saudi political achievements are discussed; an example of which is the Saudi experience with the Consultative Assembly (*Ash-Shura*) and the "public audience" (open meeting). These two socio-political aspects have not been chosen because they are novelties but rather since they are social traditions practised by Arabs and exhorted by Islam. The legitimacy of a Muslim ruler is questioned should he not exercise the principle of consultation as exhorted by the Koran. This practice is reckoned with as an Islamic principle traditionally observed by all Muslim caliphs.

This study will follow the analytical method of research. Analysis will be based on selected readings of the major contributors to the science of political theory and two political ideologies as case studies: Western liberal democracy and Marxism in comparison with Islamic model of government.

Considering the nature of the research problem, a description and explanation of *Ash-Shura* experience in Saudi Arabia, is presented in two ways:

1. Descriptive survey methods in which data regarding the attitudes of the *Ash-Shura* Council members in respect to political development in Saudi Arabia has been collected. Their opinions in organisational, administrative, and decision-making procedures were also collected and subjected to analysis.
2. Study-correlation between variables in which the relationship between the opinions and attitudes of *Ash-Shura* Council members towards the

political developments in Saudi Arabia were studied against certain demographic variables, like educational, geographic, and previous experience backgrounds.

A questionnaire (Appendix I) was designed as a tool for this research. It includes a section on demographic information, social and educational backgrounds, opinions of members on various activities of the Council and their attitudes towards it. The questionnaire, also contains open ended questions on members' opinions and suggestions on ways to improve the efficiency and operations of the Council.

### **Study Sample**

The study population are all members of the Saudi *Majlis Ash-Shura* which is ninety in number. The questionnaire was distributed through the *Ash-Shura* administrative office. The first round was distributed in 1998 and two months later 29 responses were received. A second round of distributed questionnaire took place in November 1999 to members who had not responded to the first survey, which yielded an additional nine responses. A total of 38 members were finally included in the study, representing 42.2% of the Council and this we took as a study sample. The low number of respondents is attributed to a Council policy that prohibits the release of information pertaining to the Council by its members. The majority, (65.8%) of the sample group has served on the Council for two years or less.

The objective of this questionnaire is to explore the efficacy, performance, validity and the essential role of *Ash-Shura* in the process of government decision-making. The other purpose of the questionnaire is to know, from

the perspective of the Council members, how far *Ash-Shura* is a representation of the Saudi social strata. No previous study has ever addressed the Consultative Council from this perspective. In this research endeavours was directed to seeking out the truth by means of projecting the role of the religion of Islam as a reliable method for realising justice and equality for all people. The concept of Islam is implied in this research as a channel through which an Islam-based political participation is exercised. This research focuses on the development of the Saudi dynasty until it reached a modern stage of political, social and administrative maturity. Each chapter is interlined to provide data on both old and current situations.

### **Structure of this Thesis**

**Chapter One.** This provides an analytical, historical discussion of the early Saudi States and factors that have paved the way for the emergence of traditional Islamic principles e.g. “the public audience” (*Majlis*) and “consultation” (*Ash-Shura*). The early struggle against adversity and parochial enemies of the dynasty are discussed along with successive stages of expansion. The firm role played by the religion of Islam is projected as a prime factor that gives legitimacy to the Saudi dynasty and consequently consolidates the basic laws adopted it.

Even though the Kingdom, at its first stage, was in need of a properly constituted government, still, as it is shown in this chapter, the Saudi rulers maintained some sort of balance between traditions and the demands of modernity. The early government set the task of overhauling the administrative machine and devising improvements. Thus, the chapter is a preliminary introduction to the achievements based on which the present Saudi government can claim to have established a responsible constitution



with sound methods of government. The tangible and effective participation of the public representation can be seen in the role of the Consultative Council discussed in chapters seven and eight.

**Chapter Two.** This chapter falls into two parts: the first part discusses the process of change that have paved the way for the emergence of drastic changes in Saudi Society; the second part is a contrastive analysis of the situation in the Arab Gulf states. The bases of traditional politics in the Gulf States are discussed. In a related matter, the conventional wisdom of the tribal and religious nature of politics in the Gulf is discussed. How institutions of tribalism and Islam have developed to become a significant support for the existing political systems in the Gulf is also discussed. The causes that led to the formal announcement of the *Majlis Ash-Shura* are discussed, from analytical and contrastive perspectives.

**Chapter Three.** It is not intended by the discussions in this chapter to present a detailed analysis of the historical events but rather to provide a review and explanation of the process of political development as a case study of the Saudi state towards its maturity from the point of view of the Western, Marxist and the Islamic concepts. Explanation of the principles of sovereignty and legitimacy in the Islamic state are presented in this chapter. The roots of the Saudi dynasty are discussed from an historical perspective so that the legitimacy of the Saudi dynasty can be analysed in its Islamic context. The Saudi dynasty is viewed here as a family destined to struggle for the welfare of the Saudi public. The initial steps of this struggle emerged from the famous Dariya village where the great grandfather of Ibn Saud lived. The rulers from the Saudi dynasty, historically speaking, never spared themselves in their efforts to measure up to their responsibilities. The chronological discussion and presentation of the early history of the

dynasty has shown how this family has been able to develop from primitivism and the doldrums of penury to the first signs of the proper formation of a Saudi government recognized by countries world wide.

**Chapter Four.** The discussion in this chapter shows that the test of the Saudi dynasty to rule has depended primarily on a will to root out dishonest elements who had battered so long on honest folk born and bred, originally, in austerity. The analysis has shown that the big charge that the nucleus Saudi government had to face was how to depend on its capacity to grapple with the grave problems of internal administration and to check the power of the civil service. The kind of progress achieved at the political administrative levels can prove that the dynasty has succeeded in that challenge. Two points were also discussed in this chapter: (1) a discussion of the dynasty's achievements and generous contributions in maintaining the progress of Saudi society; (2) a discussion of the essence and socio-political purpose of *Majlis*.

**Chapter Five.** This chapter provides an historical analysis of the stages and development that paved the way for the emergence of a solid government administrative structure. The obstacles that hindered the processes of development are discussed. An account of the formation of different government departments is also provided. The Council of Ministers is discussed in this chapter as the last stage in the national consolidation process of the Kingdom. The basic government system is discussed, for it is the basis on which the Kingdom is governed. The fundamental Islamic concept behind the official practice of the public audience is also discussed. Mechanisms observed in conducting open meetings e.g. etiquettes, formalities and other related procedures, are also discussed.

**Chapter Six.** In this chapter the perception and essence of *Ash-Shura* as an Islamic principle is discussed. An analytical study of the personalities of the *Majlis Ash-Shura* members is provided along with a discussion on the views and reactions of the members to the mechanism of the *Majlis Ash-Shura* . The roots of the topic of discussion are discussed from an historical perspective. The discussions in this chapter provide a justification of the religious essence based on which the principle of consultation is exhorted by all Muslim scholars. The basic law, decreed by the King is discussed to provide a description of the texture of both the dynasty and the Saudi Society in general. The basic law depicts the foundation on which the *Majlis Ash-Shura* was instituted.

**Chapter Seven.** Consists of a descriptive survey method, in which data pertinent to the attitudes of the *Majlis Ash-Shura* members in respect to personal reactions, traits, personal experience, educational background, and sense of satisfaction, are also collected and subjected to analysis.

**Chapter Eight.** In this chapter, *Majlis Ash-Shura* as a modern Saudi experience, is analysed and tested against the reactions as well as the opinions of the *Majlis Ash-Shura* members. Relationships between their opinions and attitudes are studied. The questionnaire is an open-ended approach that aims to solicit opinions on how to improve the efficacy of the Council, and accordingly propose methods for improved mechanisms.

## **Conclusion**

Following from the above presentations, it can be concluded that the destruction of domestic discords and the propagation of the Muslim creed served the dynasty in establishing their permanence and legitimacy. Thus,

the tribal system was broken beyond all possibility of repair. The Saudi dynasty, represented by the founder of the Kingdom, Ibn Saud, was able to sow the seeds of a just rule that could last for many generations to come. The legitimacy of the Saudi dynasty is empowered and strengthened by the Saudis' conviction that their rulers do abide within the laws of Islam. Owing to their great concern about the salvation of their souls in life after death, Saudi citizens have extended all possible support to their ruler, for they dare not violate the command of God, "Obey thy rulers". Both the support of the people and an adherence to the laws of Islam enabled the dynasty to have the Saudi Kingdom united as never before. For the first time in human memory, Arabia had a single ruler whom all citizens could and did respect.

As the dual Kingdom of the Hijaz and Najd regions, Arabia was renamed the Kingdom of Saudi Arabia. It became a unique example of human statecraft combining the spiritual and temporal government of men. It is founded on the firm foundation of Islamic faith and justice. In the Saudi realm, the will of the people is as essential as the will of the monarch. The Saudi rulers intended to make the realm serve the best interest of Islam. Their decisions were not purely nominal but were crystallised to give the representatives of the public a chance to participate at the highest possible levels.

The stages of development at the administrative level are discussed simply to show that the early administrative system was simplicity itself: few administrators had the experience and talent needed to conduct affairs of government. Anyway, the old order is steadily yielding to the new. There has been a need for the administrative mechanism to be adjusted to fit the needs of the new form of government. In fact there has been a need to carry

out drastic changes to fit the need for personnel more capable of running the country. The development did occur, but maintained the Koranic spirit and text. The government encouraged education and gave scholarships and bursaries to capable Saudi candidates. This approach contributed to the emergence of a better society where *Ash-Shura* as an Islamic form of political participation found itself a place to grow in to a fully-fledged political phenomenon. The initiative made by some oil companies in making substantial down-payments for the right to explore oil fields helped to cover the dire need of the Saudi state for finance. But a negative aspect in the administrative structure of the Saudi infant state displayed itself in the form a lack of technical knowledge that the country needed most for its survival. The miraculous discovery of oil and the provision of the necessary means towards progress have combined in the last decade to realise those social expectations that prevailed more than a quarter century ago. It is this achievement that sums up the process of progress that gave birth to the modern state of the Saudi dynasty. In the Saudi State, the door is left wide open to practices such as *Majlis* and *Ash-Shura*. These practices are viewed as important landmarks in the modern Saudi form of government. As the chapters of this research study unfold, these two phenomena will be discussed as socio-political factors in the formation of democratic function and representation.

# Chapter One

## Historical Background of the Kingdom of Saudi Arabia

The Kingdom of Saudi Arabia occupies more than three-quarters of the Arabian Peninsula (2,630,000 square kilometres), about nine times the area of the British Isles. It borders Kuwait, Iraq and Jordan in the north, Yemen and Oman in the south, the United Arab Emirates and Qatar as well as the Arabian Gulf in the east. The Red Sea borders the Kingdom of Saudi Arabia in the west (Figure 1.1). Saudi Arabia can be divided into five geographical regions: *Najd* or the Central region, *Hijaz* or the Western region along the Red Sea, Al-Hassa or the Eastern region, Asir or the Southern region and the Northern region along the borders of Jordan and Iraq (Al-Shalhoub, 1991) (Figures 1.1 and 1.2).

### Central Saudi Arabia (*Najd*)

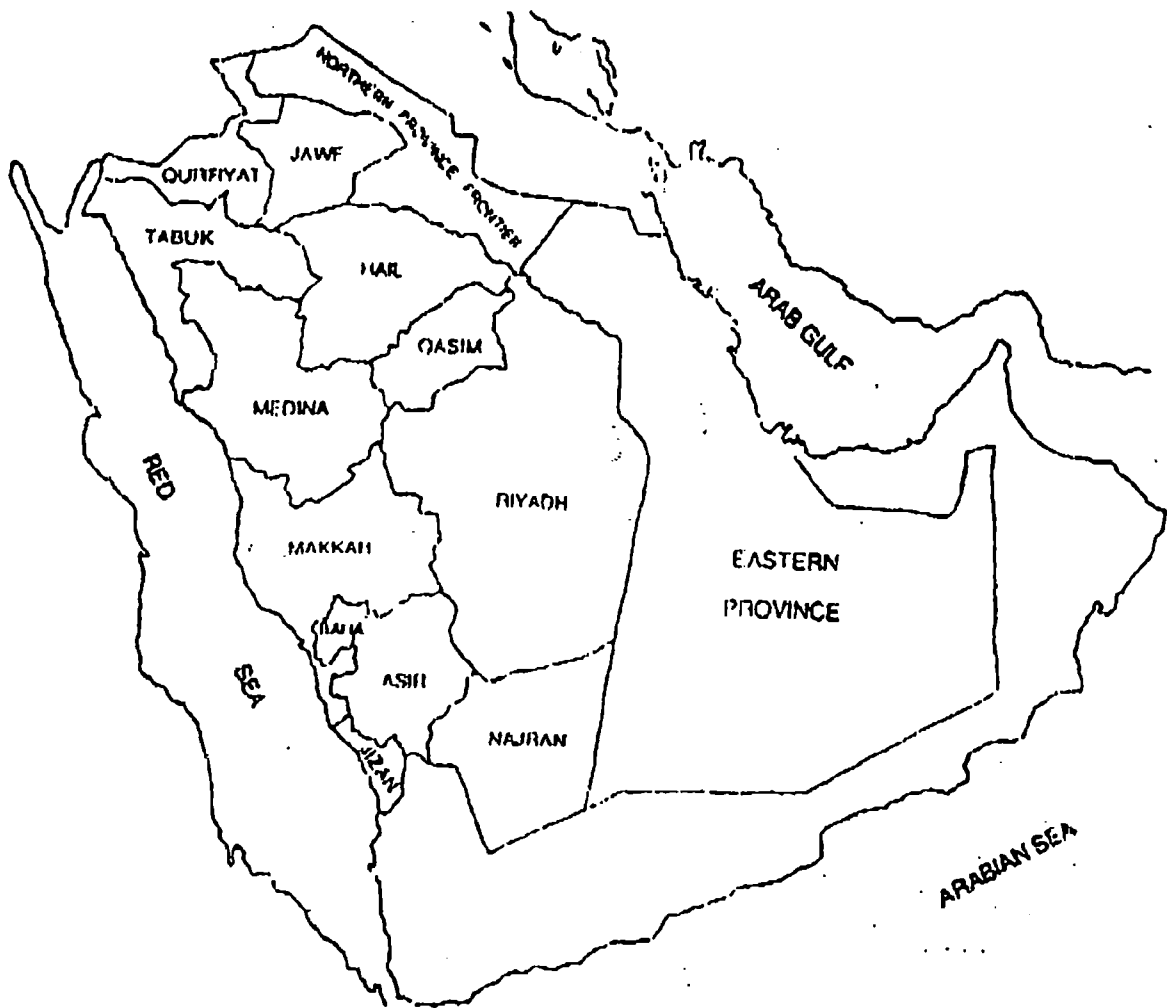
Al-Rehani (1981) describes *Najd* as "the highland". It consists mainly of sedimentary plateaux interspersed with sand deserts and low isolated mountain ranges (Long, 1997).

*Najd* extends to the Rub-Al-Khali desert in the south, which forms its only natural boundary. The other three are the Nafud desert to the north, the Al-Dahna desert to the east and *Hijaz* to the west (Al-Rehani, 1981).



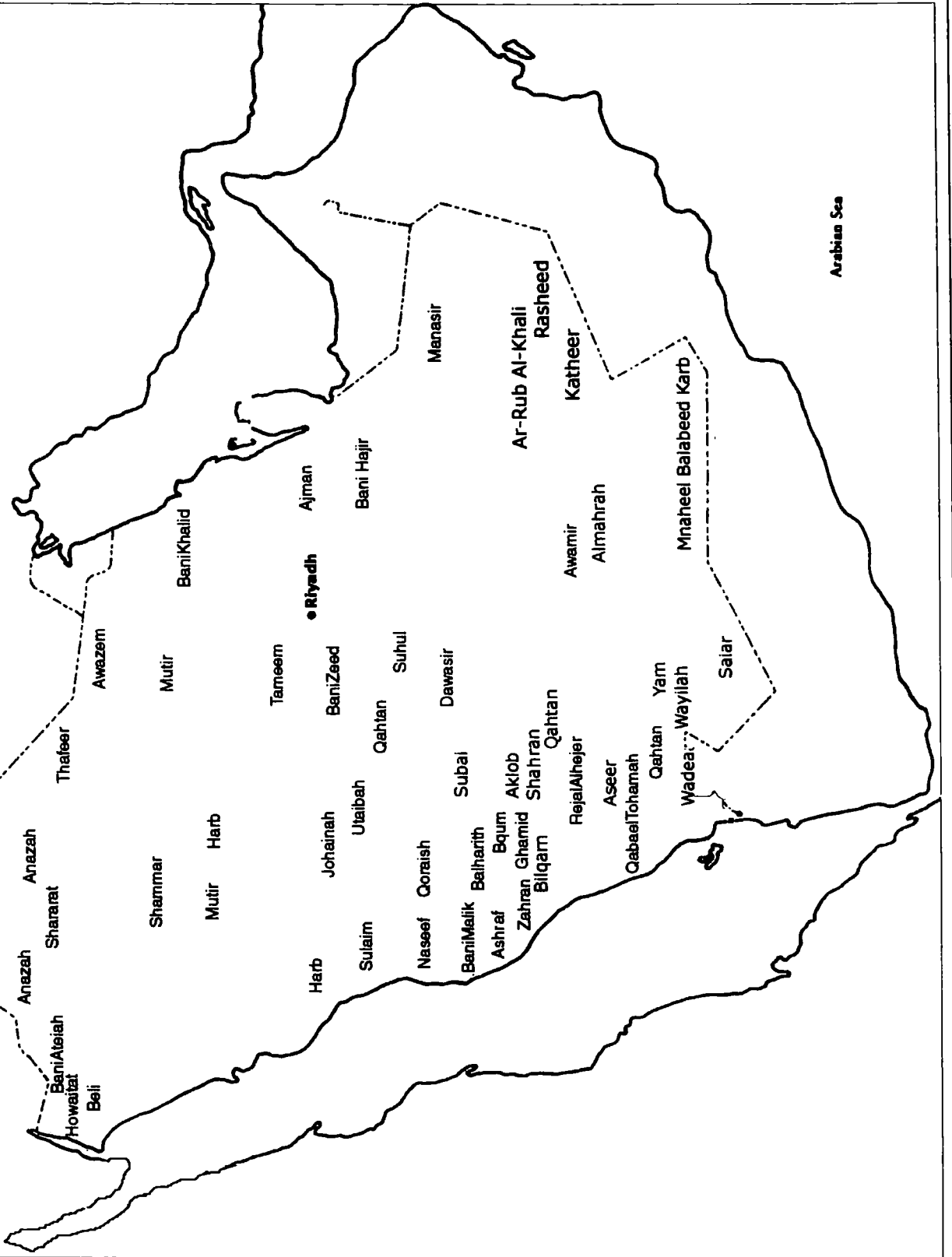
## Figure 1.2 Administrative Divisions in Saudi Arabia

(Source: Adapted from Hussein Hamza Bindagji, Department of Geography, Faculty of Arts, King 'Abdul' Aziz University, Jeddah.





# Tribal Map of Saudi Arabia



Arabian Sea

Al-Riyadh, the capital city of Saudi Arabia, is the largest city in *Najd*. In Arabic, Riyadh means 'the garden'. The name is due to the number of vegetable gardens and date groves located on the Wadi Hanifeh.

### **Western Saudi Arabia (*Hijaz*)**

The Western region of Saudi Arabia consists traditionally of two parts. The *Hijaz* (Arabic meaning: barrier) which extends from the Jordanian borders on the Red Sea in the north, to Taif in the south. It includes the two most holy cities of Islam, Mecca and Medinah. Mecca is the holiest place in the Islamic religion. Every Muslim, if physically and financially able, must perform *Hajj* (visit Mecca) (5<sup>th</sup> pillar of Islam) once in a lifetime. Medinah is the city to which Prophet Mohammed immigrated from Mecca and lived a portion of his life. Most pilgrims also pay their visit to this city during *Hajj*. *Hijaz* was conquered by King Abdul Aziz in 1925 and has become part of the Saudi state since then. Jeddah, on the Red sea coast, was the centre for foreign embassies in Saudi Arabia until the 1970s when these centres moved to Riyadh the capital of the country.

### **Southern Saudi Arabia (*Asir*)**

*Asir* (Arabic meaning: difficult or dangerous) is now the centre of the southern region of Saudi Arabia. It was conquered by King Abdul Aziz in the 1920s and 1930s. *Asir* is characterised by its high and steep mountains that face the Red Sea in the west and slope down to Jizan, a modest city on the coast. In the east, the mountains slope down gradually towards *Najd* and for Rub-Al-Khali. Abha is the main city on top of the *Asir* mountains.

## **Eastern Saudi Arabia**

Eastern Saudi Arabia covers the area between the Al-Dahna desert and the Arabian Gulf. Nakhle (1980) argues that Al-Hassa, which is now called the Eastern Region of Saudi Arabia, and which is the largest oasis in the world, used to cover the major part of an area on the west coast of the Gulf that extends from Basra in the north to Oman in the South and was originally called "Al-Bahrain".

Al-Hassa, (Arabic meaning: water under sand and on top of a hard surface) is an agricultural area, with abundant water springs. Al-Hofuf, Al-Qateef, Al-Oqair and Al-Jubail are some of its major old cities. Dammam, Dahrán, Khobar and Ras Tanoura are new cities in this region and were developed owing to oil exploration in this area, which is known to be one of the richest oil producing areas in the world (Nakhle, 1997). Al-Hassa was conquered by King Abdul Aziz Al-Saud in 1913.

## **Northern Saudi Arabia**

Northern Saudi Arabia extends along the Kingdom's northern frontiers with Iraq and Jordan. Its major cities are Hail, Al-Jawaf, Skaka, Arar, and Qurayat. Tabuk is the largest city of this region. Hail is the city of origin of the Al-Rasheed family that controlled *Najd* during the later stage of the Second Saudi state. King Abdul Aziz recaptured Riyadh from the Al-Rasheeds in 1902.

## **Climate in Saudi Arabia**

Saudi Arabia is the largest country in the world without permanent rivers. The annual rainfall ranges between 5.9mm. In Asir, the annual rainfall can reach 91mm (Al-Shalhoub, 1999). The weather is mostly desert-like, characterised by extreme cold in winter. Temperature may reach as high as 49°C on summer days, and may drop below freezing in winter. On the Red Sea and the Gulf, relative humidity may reach 100% most of the year.

## **Population and Economy**

The last census in Saudi Arabia, conducted in 1992, showed a Saudi population of over 12 million people and an expatriate population of 4,624,450. The Saudi economy in earlier states depended mainly on agriculture and herd raising. Revenues from pilgrimage of Muslims to Mecca were a major source of income to the Kingdom during these days. However since the discovery of oil and its production after the Second World War, the economy has drastically changed all aspects of life in the country. The Saudi Arabian Monetary Agency Report (1999) shows that the average oil production in 1998 was 8.28 million barrels per year while the proven reserves reached 259,200 million barrels. The Kingdom over the last 30 years initiated 6 development plans aimed at improving the economy towards changing the economic base and encouraging production. These plans ended in vast improvement in all aspects of education, health, agriculture and infrastructure (Ministry of Planning, 1996).

Discussions in this chapter are structured on the basis of an historical perspective that can serve to explain the rapid changes and other developments that the Saudi realm has been undertaking since the dawn of

its formation. However a full understanding of the social and political changes that have emerged in this country would remain incomplete unless a historical discussion of successive events were introduced. To start this presentation, there has been need to consult the annals of history. An example of this is (Al-Rihani, 1978) who argues that Ibrahim Ibn Musa was the securely ensconced ruler of his own little principality - Dariya<sup>1</sup>. That principality was unchallenged by outside forces and steadily Ibrahim expanded beyond his narrow Dariya borders. One of his sons, Abdul-Rahman, went forth to found and develop the settlement of Dhurma, which was destined to play a conspicuous part in the subsequent history of the land and incidentally to acquire a reputation for the dour courage and sturdy independence of its citizens.

Al-Rihani, (1978) also states that another son, Saif, was the progenitor of the Abuyahya settlers of Abul Kabash, north of Dariya, a rather mysterious ruin today, with a great clay mound, composed of the disintegrated walls and towers of an older fort. Abdullah, a third son, was the ancestor of Al-Watban. Other elements of the settlement which survive do so in fragmentary and insignificant form. But the fourth son, Markhan, deserves pride of place as the fountain of the ultimate Saudi dispensation through his younger son Migrin, whose son, Mohammed, was the father of the first Saud.

### **The First and Second Saudi States**

According to Kostiner, (1990) Saud Ibn Mohammad Ibn Migrin, was the eponymous founder of a dynasty which, in spite of many tribulations, maintained its hold on Dariya, which reached its zenith with the long and glorious reign of Abdul Aziz Ibn Saud. It was incidentally in 1721AD

during his grandfather's tenure of the Dariya barony, that there was born, at Dariya, the late King's almost equally famous namesake, the first Abdul Aziz, son of Mohammed Ibn Saud. Saud himself was not destined to see the flowering of his progeny: nor could he have been aware of the existence, at the neighbouring town of Oyaina, of a young and earnest theological student of some twenty years of age, whom destiny had cast for the role of guide, philosopher and friend of his own son and grandson. This was Mohammad Ibn Abdul-Wahhab, who was born at Ayaina in 1703. Imam Mohammed bin Saud, the ruler of Dariya adopted the call of the preacher Sheikh Mohamed bin Abdul Wahhab in 1745 and offered him support. (Al-Shalhoub, 1999, p.133) argues that unlike the familiar alliances that took place between tribes or princes in those days, the alliance between the Imam and the Sheikh was between a religious reformer and a political leader, an alliance between the *Koran* and the sword. Al-Shalboub adds: "This alliance paved the way for what has been known as the first Saudi state." The first Saudi state witnessed harsh, adverse situations but the members of the Saudi dynasty proved themselves to be national heroes striving to unite the tribes in Arabia and to found the kernel of a strong government to be inherited by their descendants. The rulers of the first Saudi state, according to Al-Zarkally (1991, p.37) are shown in Table 1.1.

**Table 1.1 Rulers of the First Saudi State**

1.	Mohammed Ibn Saud	1726-1765
2.	Abdul Aziz Ibn Mohammed	1765-1803
3.	Saud Ibn Abdul Aziz Ibn Mohammed Ibn Saud	1803-1814
4.	Abdullah Ibn Saud Ibn Abdul Aziz Ibn	
	Mohammad Ibn Saud	1814 –1818

Al-Zarkally (1991) adds that the Saudi state at the reign of Abdul Aziz Ibn Saud reached the frontiers of Damascus in the north to the Ruba Al-Khali in the desert south and the Red Sea in the west to the Gulf sea shore in the east. The second Imam in this state, Abdul Aziz Ibn Saud, was killed in 1803 and his son Saud took over. It was during Saud's era that the state witnessed its maximum expansion. He personally led most of the military expeditions and was recognised as a religious personality and excellent fighter. (Al-Zarkally, 1991, p.29) states:

“The land of Saud extended from Oman and Hadramaut valley, Najran, Asir at the shores of the Euphrates to the Syrian desert near Damascus; and from the Gulf to the Red Sea”

However at this episode of the Saudi dynasty rule, an interruption occurred owing both to the foreign Egyptian Turkish occupation and the siege which the Turks imposed on Dariya. The siege brought tragic end to the rule of Al-Saud in 1818 (Ibn Bishr, part 11982 pp.384-422). But five years later and by force of the same causes and reasons stated above, the Saudi rulers were able to restore their rule. In this regard (Holden, 1981) argues that the second generation of Al-Saud rulers could establish their Kingdom on the ruins left by the Turks. Turki Ibn Abdullah Ibn Mohammad Ibn Saud, empowered with the help, love, admiration and respect of the people for the dynasty, could establish the second Saudi state.

The sacrifices extended by the Saudi rulers gave them a national right to govern the Kingdom. Among other factors that empowered them to rule was: their nationalistic efforts, love for the people, adherence to the basic laws of Islam, respect for the Sheiks or the heads of the tribes, the peoples' belief in the noble purpose of the dynasty, and the sense of common purpose that combined religious momentum with political and nationalistic

objectives, (Al-Rihani, 1983). The Saudi rulers continued to rule with these nationalistic, religious, and personality traits. And their traditional rule-system continued to the second Saudi state. (Al-Rihani, 1983) states that into the second Saudi state lasted from 1823 – 1843. This period was blessed by the nationalistic contributions extended to the country by the following dynasty members.

**Table 1.2 Rulers of the Second Saudi State**

1	Turki Ibn Abdullah Ibn Mohammed Ibn Saud	1824-1833
2	Faisal Ibn Turki Ibn Mohammed Ibn Saud	1834-1838
3	Khalid Ibn Saud Ibn Abdul Aziz Ibn Mohammed	1838-1841
	Abdullah Ibn Thunyan Ibn Ibrahim Ibn Thunayan	
	Ibn Saud	1841-1843

Those rulers benefited themselves from the experience of their predecessors. The experience that they had gained, was utilised by means of restless efforts, that brought changes in the system of administration, tax-levying, and regional house of court and the judges. They reinforced the loyalties extended by the people to their grandfathers. They were able to restore the shattered fortunes of the Saudi state and restore the dignity and prestige of the dynasty as attested by (Al-Rihani, 1983).

The period 1838-1843 has witnessed dramatic moves that were reflected in the return of the Turks led by Mohammed Ali Pasha, under the cover, aid and assistance of Khalid Ibn Saud who took over the rule while Faisal Ibn Turki left for Egypt. The decades to follow were a period of unrest characterized by the seizure of Riyadh by Ibn Rasheed, who took this opportunity to establish the House of Rasheed and practically put an end to the second Saudi state in 1891.



## **The Modern Saudi State: from 1902 to the Present Day**

At the aftermath of a prolonged period of misery and difficult years of exile, Prince Abdul Aziz Bin Saud, (known in the West as Ibn Saud), managed to restore the rule of Al-Saud in the city of Riyadh in the year 1902. (Kostiner, 1990) argues that Abdul Aziz Ibn Saud was a man of destiny. He used spiritual weapons, so to speak, to establish peace and order in the midst of anarchy. He was destined to guide his people out of the wilderness into a land flowing with milk and honey, where the ancient virtue and culture of the desert came inevitably into contact with and under the influence of materialistic standards.

A flood of innovations very rapidly swept away all the landmarks of an ancient social habits and practices. The material climate of the Arabs has changed out of all recognition and the change cannot but be permanent. These changes have been sociopolitical and as this research unfolds, the nature and essence of these changes will be explained. In addition to this brief introduction of the origins of the present Saudi dynasty, it seems tempting to present an analysis of the salient contributions of the king (Abdul Aziz Ibn Saud) and of the problems left by him for his successor; the early struggles against adversity and parochial enemies; the succeeding stage of expansion on an international scale and the period of consolidation. All these activities, occupying the space of about forty years, played an important role in the chronological changes and developments realized by the Saudi dynasty. (Helms, 1981) argues that in 1930 there was nothing to suggest that the new era would be markedly different from anything that had preceded it. Although Wahhabi<sup>ii</sup> fanaticism had been abandoned as an instrument of policy, there was to be no slackening in the

respect due to Islam, nor in the strict observance of its precepts and obligations by all who sought the hospitality of Arabia.

The economic situation, though improved by the revenues of pilgrimage, clearly precluded any grandiose conceptions of reconstruction or development. (Helm, 1981) argues that in 1942 Abdul Aziz Ibn Saud was at the peak of his career and reputation; however, some ten years earlier he had taken a characteristically unorthodox decision, which began to cast its shadows ahead. He had allowed the Americans to enter his realm in search of oil. It was found, but its development was arrested by the outbreak of war.

Saudi Arabia was back in the doldrums of penury, as the flow of pilgrims of Mecca had been discontinued simultaneously. According to (Helms, 1981) Ibn Saud who had kept his country going comfortably enough in the old days on an income of L 100,000 a year, and had latterly become accustomed to an annual revenue of fifty times that amount, was in despair. The oil began to flow in a satisfying trickle. The king understood the importance of money, although not for himself, for he never abandoned the simplicity of manners to which his upbringing had accustomed him. According to Al (Al-Rihani, 1978) Ibn Saud was always generous and hospitable. In the days of poverty, he gave without stint when there was much to give, straining the resources of the state to satisfy insatiable appetites with his bounty. (Al-Hamad, 1986) argues that during the last few years of his life, when the signs of decline were too obvious to escape notice, there was a general relaxation of discipline and control, with disastrous effects on the economy and reputation of the country. He could rise to majestic heights of wrath or eloquence under provocation of some

heinous crime against the moral code. His presence was always a warning to the would-be transgressor.

The old King passed away and the task confronting the succeeding regime was a formidable one. This point of historical development marks an end of a chain of events that paved the way for the emergence of different kinds of socio-political changes. No one knew that task better than the new king, his eldest surviving son and successor, Saud, the fourth of his name to rule in Arabia. Saud had shared his father's responsibilities for the best part of the twenty years before being called upon to assume the major burden himself with the support of his brother, Amir Faisal, at that point Crown Prince and the prospective ruler of the land.

Holden and Johns (1981) argued that in spite of various ill-founded prognostications there never had been any prospect of trouble over the succession. The old king's huge family was so united in loyalty to him, that there never could have been any question of a challenge to the arrangements prescribed by him for the future of his realm. The country was in urgent need of a properly constituted government, which would be in a position to tide over any transitional period in the event of the King's demise. Holden and Johns (1981) also note that when a government was formed under the premiership of the Crown Prince, the King's death overtook it before it had time to take effective shape. The constitutional problem had to stand over for later consideration while the new King, Saud, was busy taking the measure of his task. His assistants under the presidency of the new Crown Prince, were set to the task of overhauling the administrative machine and deriving improvements therein, while he himself made extensive tours of his realm to see and be seen by his people. He made visits to Egypt and Pakistan and met the king of Jordan. This

move provided opportunities of taking stock of the international commitments of Saudi Arabia. According to Holden (1981) there were consultations also with the rulers of Bahrain, Kuwait, Qatar and the Yemen. Relations with the new regime in Syria and with the Lebanon also came under review.

The king never spared himself in his efforts to measure up to his responsibilities. In his book *Arabia Unified*, (Al-Mana, 1980) argues that it was but four months since his accession, that the new government was formally inaugurated by him with suitable pomp and ceremony and a speech from the throne, which at last provided some indication of the lines on which the king and his advisers were thinking. This still left Saudis guessing what the new government would do to improve public and administrative affairs, and how it would do so. In so far as the domestic administration of the realm was concerned, it was made quite clear that the country would no longer be left to the tender mercies of the Finance Ministry which was poor and to be dismembered and its fragments distributed among other departments, including some new ones. That was a proper inception of proper administrative progress to be realised. In this regard, Al Mana (1980) states that two of the King's brothers were nominated as ministers, while the King himself and the Crown Prince remained as President of the Council and Vice-President respectively.

Still the financial situation of the country at that time could scarcely be regarded as satisfactory even though the country was rich beyond the wildest dreams of the early founders. In this regard Winder (1965) argued that the test of the King's capacity to rule must primarily depend on his will and power to root out the dishonest elements which have battered so long on honest folk born and bred in austerity and utterly unaccustomed to the

proper use of riches. According to Winder, (1965) these people themselves are by no means without blame, but the trouble began with the adventurers who came down to Arabia from neighbouring lands. Here we get to another landmark in the process of drastic change that the dynasty had to live with. Basic to the discussion introduced so far, it can be argued that the future of the new Saudi government, under His Majesty King Saud the Fourth, depended entirely on its capacity to grapple with the grave problem of internal administration and to check the capacity of a civil service inspired by unexceptionable nationalistic ideals but entirely devoid of anything which can be seriously regarded as public spirit. Winder (1965) argued that the wave of the adventurers who came to Arabia explain why the nationalistic ideas were void of public spirit. He added that the traditional anarchy of the Bedouin tribes yielded pride of place to the selfish irresponsibility of the new bureaucracy, whose thin veneer of education had in a couple of decades, done more harm to the reputation of a great country than the wild men of the desert had ever done in thousands of years. But there were signs of an incipient recognition of this distressing fact at the highest levels of authority. Moreover, it was a good augury that the king had taken one decision which would at least lighten the heavy burden of his crown and which stands as a striking early example of political reform. He divested himself of the responsibility for the conduct of the administration by relinquishing the presidency of the Council of Ministers in favour of the Crown Prince, Amir Faisal Ibn Abdul Aziz Ibn Saud.

Based on this preliminary and limited presentation of the early constitutional stages in the Saudi realm, it can be concluded that the solid foundation of Saudi rule is based primarily on religious principles. (Safran, 1985) argues that the secret of the success realised by the early Saudi rulers lay, perhaps, in the fact that they understood the true character of the

volatile Bedouin and semi-Bedouin society. They had been the first to realize that the propagation of an Islamic creed could serve the double purpose of creating an empire and destroying the domestic discords, which constituted the main obstacle to its permanence. By the time that the Saudi realm had reached its logical limits, the tribal system of the Arabs had been broken beyond all possibility of repair.

A new Saudi era had begun and the progress of the infant state to its maturity formed the climax of a great political development. That development begun in days of yore when the first Saud, from Dariya in Wadi Hanifeh, had become the eponymous founder of Arabia.

### **The Expansion of the Realm**

The laxity and backsliding that were so prevalent at the dawn of first Saudi state in the middle of the eighteenth century are interesting examples of the importance we attach to religious observances by the inhabitants of Arabia. Religious factors have been, and are still, playing a major role in the expansion realised by the Saudi form of rule, since they provide reliable clues to the legitimate rule of the Saudi dynasty. Kelly (1980) argued that when the Saudi reform movement had definitely taken root and thus ensured the easy and rapid mobilisation of a powerful force inspired by a fanatical ideals, Ibn Saud was the acknowledged master of central Arabia, or *Najd*: from the Wadi Dawasir province in the south, to the southern border of Jabal Shammar in the north, and from the eastern frontier of Al Ahsa to the western frontier of the *Hijaz* (see tribal map). These two provinces were linked by an arch of Turkish territory comprising Iraq and Syria, while Jabal Shammar, also under Ottoman suzerainty, formed a buffer state occupying the hinterland of Iraq, Syria and the northern part of

the *Hijaz*. At no point did the Saudi realm reach the sea, while on every side except the south, where the vast desert of the Rub Al-Khali provided a natural defence line against the territories of the Indian Ocean coast, was hemmed in by the colonial outposts of a traditionally hostile power, whose position along the Red Sea was further strengthened by its occupation of the Yemen and Asir. At the southern end lay the British colony, and protectorate of Aden. The territory of Kuwait, the only interruption of the immense loop of Turkish possessions flanking the Saudi realm on three sides, was at this time under British protection or guarantee (Holden and Johns, 1981).

It is important to highlight this aspect simply because the issue of religion which constitutes a solid core of the process of development that the Saudi dynasty has been able to realize. Besides, in this research, it becomes clear that religion explains and justifies both the morality and political mentality of the Saudi rulers. Because consultation (*Ash-Shura*) is exhorted by the *Koran* it can be argued that Muslims view it as a divine order that should be observed by any Muslim ruler. Throughout the line of Saudi ancestry, the practice of participation represented by this religion exhorted principle, has been observed. King Abdul Aziz, like his forefathers, never undertook any enterprise without consulting other people and mainly Shaikh Mohammed Ibn Abdul Wahhab. With an adherence to the principle of consultation, the early Saudi state, the infant of the Saudi dynasty, had made remarkable progress in the expansion which was to carry it within the next three decades far beyond the wildest dreams of the “prince and the clergy” who had combined to create it. Thus the early signs of legitimacy earned by the Saudi pioneer had emerged from an adherence to the principle of consultation stated in the Holy Book. And by means of this principle the dynasty earned the support of the Saudis. In Arabia, the ruler,

besides being Imam of his people, was and is commonly referred to as “Al Sheikh”, while the only other person in the realm entitled to such an address would be the prince regent or the acknowledged heir to the throne (Al-Rihani, 1970). One obvious advantage of this traditional arrangement is that it obviates any need for the sometimes disagreeable process of abdication on the part of a ruling monarch, and ensures the continuity of the sovereign power in the state in the event of the incapacity or death of the ruler. Upon the accession to the throne and the taking of the oath of allegiance and loyalty by the people before their King or other duly constituted official committee, the citizens, as from that moment, swore to render faithful service to Ibn Saud, not only as their future Imam, but as their actual regent, entitled to their respect and obedience. In his long obituary notice of Abdul Aziz, (Al Hamad, 1986) paints for his readers a highly idyllic picture of conditions in *Najd* during his reign. The constant alarms and excursions of the latter half of the eighteenth century scarcely seem to warrant the statements made by him regarding the absolute security of life and property throughout the realm, even in the uttermost part of the desert, where, according to Al Hamad, horses and camels could be left unattended, or tended by a single individual. But by means of an adherence to Islam, the Saudi dynasty was able to earn the obedience of the people and restore peace and love among them.

It was the aim of the Saudi rulers to work relentlessly to maintain such an achievement. But it was to fall to the lot and credit of a much later generation of the family to maintain it in the Arabian desert. (Al Hamad, 1986) argues that of the piety and charity of Abdul Aziz there can be no doubt whatever; but his life was lived in a wicked world, and his self appointed task of “commanding virtue and condemning vice”, always needed the aid of his strong right arm to protect the weak against the



strong. In this regard Al-Sha'er (1991) argued that Abdul Aziz always faced that task without flinching, while his patience with rebels against his authority, even under the gravest provocation, was perhaps as remarkable as his generally successful resort to force in taming the wild men of his land. Taxes were paid regularly enough, and his call on the towns and tribes for the armed quotas, to which the state was entitled in connection with its military activities, were generally met promptly. Al Sha'er (1991) does not give us anything like a full account of the economic resources of the state in the days of Abdul Aziz. It would seem that the state was prosperous enough in a modest way while its expenditure on religious establishments and education must have absorbed a large percentage of the country's revenue. This approach enhanced the citizens conviction in the legitimacy of a ruler who utilised all possible efforts to implement the laws of Islam. Aspects of modern reforms and the pattern of administration, presumably evolved in response to the conditions of a desert country in centuries long preceding the Saudi reform movement, descended practically unchanged from the middle of the eighteenth century almost to our own times, when they have had to be modified out of all recognition in their technical aspects owing to the flood of wealth which has marked the period following the second world war. But before giving any further analysis of this imperative change, one psychological aspect of the citizens in the Saudi realm must be considered. This psychological factor can be explained by the fact that it was always simple and well understood of the people, who, in the old days, although they have suffered from natural calamities like famine, locusts and pestilence, never had any economic reasons for dissatisfaction with their governments, which rose and fell mainly as the result of personal factors. In the modern form of governmental administration, some features of the old methods still survive in spite of the modernisation of living conditions: for instance the state's

obligation to maintain such financially unremunerative services as the ecclesiastical administration, charity and hospitality. In this regard, Al Shaer (1991) speaks about the methods of provincial government, which is shared in respect of executive and legal functions respectively by a governor and a judge apart from the recent intrusion of customs and finance officials to collect and account for such state revenue as may occur in the various areas. He presents a brief glimpse of the provincial framework devised by Abdul Aziz to cope with the administrative needs of the empire which had taken shape during his reign. This discussion may provide a fitting conclusion to the detailed process of progress given in this chapter. Al Sha'er (1991) argued that the early signs of a proper government that the Saudi dynasty was able to realize are illustrated in the provinces and principal officials of Abdul Aziz's realms and were bequeathed to his successor, King Saud.

What enabled the first Saudi government to design such a form of administrative structure was the fact that Saudi Arabia was united as never before within the utmost limits practicable in the international circumstances of the time. Within these limits, the Saudi realm would not be challenged. For the first time in human memory, Arabia had a single ruler whom all could and did respect. Ibn Saud stands tall as a prime example of a democratic ruler. He exercised that form of government when he was at the prime of his life and his example was followed by all his Saudi successors.

Today, Saudi Arabia has to be ruled in the presence of numerous and critical spectators, and under very different conditions. First of all it should be brought to the attention of the reader that by birth and breeding, the Saudi rulers were aristocrats to the core with a firm belief in the divine

right of kings and in their duty to provide justice and equality to all subjects. In this regard, Al-Rihani (1983) argued that Ibn Saud, as an example, was by temperament a democrat familiar enough with the processes of common consultation. Consultation, as an Islamic principle, means giving the public a chance to participate in the way the country is governed. The principle of consultation (*Ash-Shura*) has been and still is an integral element of Arab Muslim life.

It was perhaps the personality of the dynasty which reconciled the two strains in their character in an easy assumption of leadership. The proper function of which Ibn Saud himself often interpret with a quotation from the *Koran*: "*Take counsel among yourselves, and if they agree with you, well and good, but if otherwise, then put your trust in God, and do that which you deem best*" (*Ash-Shura Sourat*). This method had served the Saudi rulers well enough in situations demanding legitimacy and the exercise of that instinctive skill which is the prerogative of the expert.

Some years later the dual Kingdom of the *Hijaz* and *Najd*, was renamed Saudi Arabia with a clear foundation of faith and justice. In order to maintain this achievement the dynasty had to view the will of the people as essential as the will of the monarch. Those people who had risked their lives to achieve a spiritual ideal and earnestly desired its application to the graceless lands they had conquered. But few among them had the administrative knowledge and experience needed for the development of the new situation in which conquest had landed them.

## **Early Administrative Mechanism**

The early Saudi rulers, without exception, intended to establish the modern realm in the best interests of Islam and they proposed to accept full responsibility for doing so properly. These developments were not merely nominal, but reflected the decision of all early Saudi rulers to bring all their territories under a homogeneous administrative system especially in the fields of financial and revenue control which were somewhat haphazard and at the mercy of provincial governors. Thus the old order was steadily yielding to the new and the Saudis were considerate and astute enough to make allowances for their old and well-tried colleagues during the period of their incumbency. The system was simplicity itself. According to Rentz (1947) a governor was responsible for collecting the revenues of his province and remitting a fixed proportion thereof to the central treasury. The balance was his own salary and allowances out of which he had to meet all the expenses of his administration. On the other hand the Turkish regular administration, on which the new Saudi system was inevitably based in the early days, was notoriously inefficient and corrupt to the core, and it can scarcely be said that its major defects have been entirely eradicated in Arab lands. Nevertheless, in view of the new role which Saudi Arabia would have to play in the international and economic spheres, it was inevitable that her administrative machinery should be adjusted to the needs of the modern world. Furthermore it was obvious that, in order to provide the personnel to operate the new machinery, some modifications in the educational system were essential. The conflict between the old and the new systems would have to be fought out in the delicate borderland between religion and civilization. In its old connotation, education was deemed exclusively to be concerned with the humanities, Arabian humanities of course: with religion at the center, and avenues leading

therefrom into every branch of intellectual speculation suggested by *Koranic* and traditional texts, and developed in the voluminous literature of the exegetes, the historians, the geographers, the philosophers, the scientists, and other, and even anticipated by the pre-Islamic poets of the Arabian golden age. Al-Rihani (1970) talks about that change in education from another perspective. He argues that the need for modern education was certainly not felt in Saudi Arabia before the conquest of *Hijaz*. And an urgent need of secular education, was readily admitted as a desirable sequel to a thorough grounding in the traditional subjects. But unfortunately, education had for the time being to be sought abroad owing to the lack of suitable teaching facilities in Arabia. The government encouraged the process by giving scholarships and bursaries to suitable candidates, enabling them to proceed to Egyptian and Syrian schools in the first place, and gradually farther afield to educational institutions in Great Britain, France, Germany and other countries, including America, since the Second World War.

At this point of analytical presentation it can be stated that in the greatly changed conditions of 1930, it seemed possible that some oil company might be ready to make a substantial down payment for the right to explore eastern Arabia, especially as oil had been found on one of the islands of Bahrain. This initiative came at a time where Saudi Arabia was in need for some ready money to ride out the economic storm until the re-establishment of the pilgrimage on a more profitable basis. Wealth brought its temptations; which soon exposed the weakness of a system so devoid of any of the technical devices of accountancy, audit, reserve building and the like. The creation of a government with the Crown Prince as Prime Minister and Foreign Minister set a pattern for the future. But in short it may be said that closer contact with the civilised world and almost

miraculous discovery of the necessary means to progress have combined in the last decade of the kings reign to create a social and economic revolution far surpassing the wildest dreams of those who saw the early Saudi armies march into Jeddah little more than a quarter of a century ago.

## **Conclusion**

It can be argued that the discussions in this chapter have explained the historical and social causes that led to rapid developments experienced in the Saudi realm. Annals of history prove that Saudi rulers were rooted in the principality of Dariyia. Early Saudi rulers e.g. Ibn Saud, resorted to spiritual weapons to establish peace and order in the midst of the anarchy which prevailed then. The discussions also proved that a flood of innovations rapidly swept away all the landmarks of ancient habits. The material climate of the Arabs has changed and the change has been permanent. Ibn Saud's activities, occupying a space of about forty years, played an important role in the chronological changes and development, realised by successive Saudi rulers. The personal characteristics of Ibn Saud have been discussed and showed the dynastic traits of courage, generosity, piety and perseverance. The discussions on the essence and purpose of the reform movement show that the movement fought the pagan practices, to show that the wheel of change had come full circle back to its Islamic starting point, and it was unlikely that Saudi society would ever roll back on its ancient path of blood. This made Saud, son of Ibn Saud, shoulder his task after the death of his father where he was confronted with a series of challenges. But the family was united in loyalty to him and the country was in urgent need for a properly constituted government. Signs of consultation that characterised the approach adopted by King Saud have

been discussed to show that the roots of present consultative practice go as far back as 150 years.

In the course of that change, Bedouin tribes yielded pride of place to the new bureaucracy. All consequent changes that have been realised are based on a strong sense of belief in the religion of Islam. Through this approach the Saudi rulers have been able to destroy domestic discords and establish their permanence. Even though Saudi development began in days of yore, still some religious factors played a major role in the expansion realised by Saudi rulers. Throughout the stages of expansion and development, the practice of consultation was observed because it is exhorted by the *Koran*. This approach gave birth to the modern practice of the *Majlis Ash-Shura*.

The Saudi rulers have earned their proper legitimacy simply because they impose upon themselves the practice and teaching of Islam and adhere to the principle of *Ash-Shura*. A Muslim ruler who does not observe this principle is illegal and should be toppled. Believing in this principle, the Saudi rulers proved to be true practitioners of Islam and thus their rule gained legitimacy. They commanded virtue and condemned vice.

In view of the new role that Saudi Arabia would have to play in international and economic spheres, it was inevitable that its administrative machinery should be adjusted to the needs of the modern world. Accordingly modifications in the educational system were essential. The conflict between the old and the new systems would have to be fought in the delicate borderland between religion and civilisation. The government gave scholarships and bursaries to suitable candidates to pursue their education in Arab and Western countries. The advent of oil wealth facilitated that goal and provided the government with financial means. Its

discovery of the necessary means to progress and the rising level of education among Saudis all combined in the last decade to create social and economic revolution. The successive developments that Saudi society has witnessed, e.g. the formation of the *Majlis Ash-Shura*, are to be discussed as the chapters of this study unfold.

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- i *Dariya lay in the deep valley of the Wadi Hanifeh, some 500 yards wide on the average and extending about four miles from north to south, with dense palm groves on one side of the flood channel and 100 foot cliffs on both banks. In the groves lay a number of hamlets or villages occupied by the bulk of the permanent population, while above them towered the citadel of Turaif, perched on a projection of the cliff on the right bank and occupied by the palaces and mansions of the Al Saud family and their retainers, the miscues and other animates of an Arab town. The citadel was separated from the adjacent right bank by a deep gully, on the other side of which sprawled a suburb of mean huts and buildings in which lived the artisans and other folk of low degree.*
- ii *The puritans of Najd never referred to themselves as Wahabis (followers of Mohammed Ibn Abdulwahhab) any more than the first adherents of Islam in Hijaz had called themselves Mohammedans. The followers of the true creed called themselves Muslims and their religion Islam. The people of Arabia follow, mostly the Hanbali school (or followers of Ahmad Ibn Hanbal, the founder of one of the four orthodox schools of Islamic thought).*



## Chapter Two

### The Basis of Traditional Politics in the Gulf States

Tribalism and Islam are central concepts for the understanding of the origins of government in the Arab Gulf States. But the relationships between the instructions of religion and tribalism and the government have changed markedly, particularly since the advent of enormous oil wealth in the 1970s. It is not enough to say that the political systems in the Gulf are based upon tribalism and Islam; we must look at how those factors can affect present politics. Almond and Coleman (1960) argue that the symbols and rhetoric of tribalism and Islam have become so prominent that the institutions embodying these social formations have undergone drastic change. This is an indication to the fact that the state has turned to provide directly to the individual many of the benefits that in the past came from the tribe. The economic bases of central Arabian tribalism have ceased to exist. The balance of power between the central authorities and the tribes is now on the side of the former. These changes have not been accidental. The Gulf States have absorbed all the institutions of Islam into their states. The people of these states are permitted to organise socially and participate politically through these institutions (Colman, 1980). The changes that occurred at the socio-political level were not limited to tribalism. Here it can be argued that the relationship between Islamic institutions and political authority has changed. This relation in Saudi Arabia has been closer than in the other Gulf States. King Abdul Aziz Al Saud (Ibn Saud), the founder of the modern kingdom, relied heavily on those trained in

religious learning for advice and administrative support. His potent Saudi military force, originally recruited by religious means and methods, became a powerful political force in the kingdom in 1910s and 1920s, spearheading the Saudi conquest of the western part of Saudi Arabia (*Hijaz*) including the holy cities of Mecca and Medina. That momentum made the Saudi religious leadership critical of any hint that the Saudis were straying from the path of the Saudi reform movement of Ibn Saud and Ibn Abdulwahhab.

Browman (1986) argued that with the emergence of a bureaucratic Saudi apparatus in 1950s and 1960s, secularly educated Saudis staffed many of the new bureau and provided a set of political advisers and administrative cadres. Those trained in religious learning *Ulama* remained an important interest group within the Kingdom whose voice is heard by the Saudi rulers. By means of comparison, it can be stated here that during the 1950s the Sultan of Oman faced a challenge to his control from the Ibadi Imam. Ibadism is an offshoot of the *Kharijite* movement of the first Islamic century, which rejected both Sunnism and Shi'ism. Eickleman (1989) argued that it is political, rather than theological, loyalties that distinguish the sect. He also argued that from the beginnings of the twentieth century the Sultan in Muscat and the Ibadi Imam in Nizwa had a temporary working settlement, dividing their spheres of influence. In the 1950's efforts by the British-backed Sultan to extend his influence, combined with the more aggressive stance taken by the new Imam, led to armed conflict between the two. The British-led forces of the Sultan put down the Imam's challenges and established direct Omani control over the interior. Since that time there have been new indications of political opposition in the Sultanate. Omani rulers sought to make Islamic institutions into agencies of the state. The official *Ulama* thus became an important element in the state's legitimisation strategies, providing religious sanction to the political

order. Religious courts have been placed under the control of the Ministry of Justice, with judges appointed by the state authorities from among religious scholars.

The governments in the Arab Gulf States have established or taken over financial and administrative responsibilities for religious schools and training institutions. The governments designate officials, such as the Grand Mufti of Oman, or committees within their Ministries of *Awqaf* and religious affairs to issue *faatwa* (religious judgment) on major issues. In Saudi Arabia, a Ministry of Justice was established in 1970 to supervise the court systems. The function for authoritative religious interpretation has been assumed by a committee called "the Directorate of Religious Research, *Faatwas*, Proselytisation and Guidance".

The influence of this religious phenomenon in the tradition of Gulf politics can also be seen in the fact that the relation between the higher echelons of the men of religion and the men of power in the Gulf States has historically been close. In the past a local mosque preacher in a middle-sized Arabian city would have been chosen by the local notables, or would have inherited his position from his father or uncle whom he had followed in pursuing a religious education. His salary would come from the local community or from the income generated from *awqaf* set up as bequests by wealthy patrons in the past. Now, the same local mosque is likely to have been built or re-furnished with government funds and the preacher is likely to be appointed by the state as a salaried employee. Bill (1984) reported that in the decade after the 1973 oil boom, the number of mosques in the Gulf Arab States tripled. While some were privately financed, most mosque construction is being planned and financed by governments. A mosque is likely to be built with private funds and a preacher is hired on an individual

basis e.g. in the communities of Kuwait, Bahrain, and Saudi Arabia. Al Yassini (1985) argued that members of the *Ulama* in Saudi Arabia have access to the state media for religious instruction and proselytisation and enjoy enormous influence over the content of non-religious writings and programming under state auspices. The highest levels of the *Ulama* also enjoy direct access to the King for discussion of matters of concern to them. Doumato (1991) argued that certain aspects of state social policy, such as the role of women in society and some elements of educational policy, have been turned over to the *Ulama* by the government.

There are some peculiarities that make Saudi Arabia distinctive. Saudi Arabia's special place in the Muslim world, as the home of the holy cities of Mecca and Medina, the particular legitimising role of Islam in the political system, and the vast oil wealth at the state's disposal have combined to produce a state religious bureaucracy of far greater size and power than those of the other Gulf States or dynasties. Given this situation, an entire Ministry of the Saudi government is devoted to managing the annual pilgrimage to Mecca, in which the Kingdom plays host to approximately two million visitors. An intended consequence of the development of this vast complex of Saudi religious institutions is to produce and provide employment for a large cadre of graduates from religious educational institutions. By providing the *Ulama* with salaries, social status, positions of political importance and opportunities to spread their message outside the Kingdom, the Saudi dynasty has tried to link the ideological and political interests of the men of religion to the Saudi mechanism of governance.

Another aspect of comparison is discussed by Crystal (1990), who argued that even though, generally, all Gulf dynasties have been settled in urban

areas for at least 200 years, if not longer, they maintained their historic ties to the nomadic tribes and asserted the right to rule based (to a greater degree in the smaller states than in Saudi Arabia) upon their tribal linkage and Islamic traditional heritage.

The Al Sabah family in Kuwait and Al Khalifa in Bahrain both established their rule in the late eighteenth century, as part of a migration to the coast by segments of the Bani Utab tribe of the Unayza confederation. The Al Nahyan laid claim to Abu Dhabi in the 1760s, as the hereditary paramount Sheikhs of the Bani Yas tribal confederation, some of whose members had moved to the coast from the interior of the Arabian peninsula. The Al Sa'id of Oman originate from the Al Bu Sa'id tribe, which has been an important base of their support, but their claim to govern all Oman stems from the election of the founder of the dynasty to the Ibadi Imamate in the early 1700s.

According to Davis (1991), whatever administrative mechanisms existed, outside religious institutions, were mediated through the Sheikhs. But the tribes could easily shift their allegiances, either in response to challenges from within the ruler's family or tribal group, or to rival claimants. They were difficult to discipline, particularly to extract tax revenue from, as they could mobilise their own military forces. If sufficiently provoked, those tribes in some cases would simply pack up their possessions and move to another jurisdiction. Given this situation, Gulf rulers over the last three centuries have followed a number of strategies to lessen their dependence upon tribal loyalties. They cultivated support from urban populations, some of whom still claim tribal affiliations but could be mobilised on the basis of economic interests and urban solidarity. This fact is attested to by Al Rasheed (1991). In the coastal emirates, according to Bey, (1989) the rulers

came to rely on local merchants, particularly those involved in the pearl trade, for taxes and political support.

British protection was vital in maintaining the smaller emirates of the Gulf coast against the more powerful forces of the Ottoman and Persian empires in the first half of the twentieth century. Bey (1989) claimed that British support lessened the rulers' need for tax revenues and gave them the ability to offer the tribes financial inducements for loyalty. Bahrain provides an example of how British intervention altered the relationship between the ruling family and the tribes. Prior to the 1920s, most of the important economic activity on the island was organised on an explicit tribal basis. Agricultural land was divided up and administered directly by members of Al Khalifa family, ruling over largely *Shi'a* peasantry. Peterson (1977) claimed that in the 1920s the tribal courts were abolished and replaced by a centralised court system administered from the capital. The Al Khalifa agricultural estates system was ended with the introduction of private property and laws governing landlord-tenant relations. Peterson also claimed that one third of the oil revenues accruing to the state (the first oil concession in Bahrain was granted in 1928; oil was discovered in 1932) was set aside for the ruling family. The right to collect taxes was reserved to the state. Military formations, particularly in the estates, were disbanded, and efforts undertaken to establish a central police force. A municipal council was set up in the capital of Bahrain and the customary council, which adjudicated commercial issues, was organised, the agent appointing five of its members and the ruler five. But these changes did not occur peacefully. Khuri (1980) argued that Britain forced the abdication of the ruler, Sheikh Isa, in favour of his son Hamad in 1923 because of Isa's opposition to the changes. There were also attacks on Shi'a villages by members of Al Khalifa, who lost control over their estates and by tribes

hurt by the centralisation. Some of the Al Khalifa responsible for the attacks were bought before state courts by the British forces and others were exiled. In subsequent Bahraini political history, the curbing of tribal and family autonomy did not end tribal and family power, it simply changed the way it was exercised. The office of the ruler and the administrative instruments of his state became dominant. Oil revenues, going directly to the state, increased its power. But once the Sunni Arab tribes and ruling family were no longer major threats, the rulers turned to them to staff many important state offices.

The Al Khalifa have come to control the political (as opposed to the technocratic) ministries in the government and a number of other bureaucratic positions. Peterson (1977) argued that the armed forces and police forces were headed by members of the family and recruited largely from Bahrainis with tribal backgrounds. The British reforms in Bahrain changed the balance of power between the ruler and these previously autonomous groups, but did not break the political alliances holding them together.

Yapp (1980) argued that the political map of the Arab side of the Gulf, both in terms of state boundaries and ruling dynasties (with the exception of the Saudis), was determined by British policy in the area during the late nineteenth and early twentieth centuries. He adds that Britain entered a very fluid tribal and political milieu on the Arab side of the Gulf in the nineteenth and early twentieth centuries, where clan and tribal political entities rose and fell, and territorial boundaries were both amorphous and fluctuating. Both for their own immediate political purposes, and out of a mistaken belief that what they saw on the ground at the time must have been the case from time immemorial, the British froze the existing tribal

political map. By recognising and protecting some families as rulers in certain territories, they interrupted the historical process of rise and decline. By strengthening the hands of the rulers, they altered the balance of political power domestically. By protecting the smaller states militarily, they halted the expansion of the Saudi state in the first half of the twentieth century. As a result, in the 1960s and 1970s, they bequeathed independent sovereign states to the heirs of those ruling families. Zahlan (1989) argued that in 1868 the British recognised the Al Thani as the predominant clan in Doha, autonomous from Bahrain and Abu Dhabi, and in 1916 signed a protectorate agreement with them guaranteeing their rule over Qatar.

There are two emirates in the UAE governed by clans from the Bani Yas confederation (Abu Dhabi and Dubai) and two from the Qasimi confederation (Sharja and Ras Al Khayma), as well as other emirates controlled by very small and historically minor tribes. This is not simply the result of tribal fractions. Bey (1982) argued that it was Britain who encouraged these kinds of divisions. During the twentieth century, Britain came to control not only foreign policy but domestic politics in the smaller emirates as well. Bahrain was the first of the emirates in which Britain took a decisive role in internal affairs, as discussed; in many ways, it served as a model for subsequent policy elsewhere. According to Faud Khuri (1980), British administrators ran what bureaucracy there was. British officers commanded the police and armed forces, British tax collectors collected excise duties. He also claimed that rulers who were inconvenient, because of excessive independence or excessive incompetence, were removed from power by Britain. As recently as 1970, a year before the end of their protectorate treaty with Oman, the British engineered the abdication of Sultan Said and the succession of his son Qabus.



With the advent of oil revenues, the rulers in Gulf states ceased to rely upon local groupings for financial support. Yapp (1980) argued that tribal leaders were put on state payrolls, with generous regular salaries replacing the irregular and less lucrative subsidies of the past. Their ability to provide for their tribesmen has decreased from this dependence on the state, rather than on their own and their tribal resources. Through the new mechanisms of the state, the rulers can appeal directly to tribesmen, without the mediating figure of the Sheikh. Education, medical treatment, subsidised food, housing, and state employment are granted directly to the populace, shifting their political focus (if not always their political loyalty) toward the state and away from the tribe. The concentration of education, state employment, and economic activity in major cities drew some Gulf tribesmen out of the desert into urban life. The most telling sign of the changed political role of the tribes in the Arabian Peninsula is their increasing urbanisation and sedentarisation. Take the example of Saudi Arabia; by 1970, only approximately 10 percent of the Saudi population lived in a nomadic lifestyle, as opposed to roughly 40 percent in the 1950s. The oil boom of the 1970s decreased that percentage even further. These and other figures are documented by Cole (1975).

Perhaps the strongest indication of the changes that have occurred in the past century to the relations between states and the tribes in the Gulf dynasties is with the situation in the Yemen. Peterson (1978) argued that with oil discovered there only in the 1980s, and as yet in limited amounts, the Yemeni government has not had the financial resources with which to entice the Yemeni tribes into a subordinate opposition within the political system. Nor has it been able to muster the military capacity to break tribal autonomy in any final way. As a result, tribal forces in Yemen are still independent, in some cases well armed, actors in Yemeni politics. Many

tribes in Yemen have been able to maintain an independent military capacity. Davis (1991) argued that the rulers' efforts to maintain ties with the symbols of the past and to use those authority structures to bolster the legitimacy of the rulers is obvious. In this regard he mentions the state of Oman when the Sultan of Oman makes a yearly progress through the interior and southern parts of the country, receiving tribal leaders and local notables. In Kuwait, the only Gulf monarchy with an elected parliament, the government has drawn the districts to over-represent tribal constituencies. Many of the tribes hold, in effect primary elections to produce the candidates (two in each district) whom the tribe will support. While such elections are not technically permitted under Kuwaiti electoral law, they are tolerated, if not encouraged, by the government.

Another aspect of contrast between Gulf states even in matters as apparently mundane as dress, there is an effort to portray rulers as true inheritors of the Arabian tribal traditions. All the Gulf rulers have continued to wear the traditional full-length garment (*thobe*), and head-dress (*kuffiya*). It is interesting to note that the leaders of Yemen and Iraq, who donned western-style suits or military uniforms after their revolutions, are now frequently pictured on official occasions in tribal garb. In Oman, all state employees on official business are required to wear the curved dagger called "*janbiyya*". Al-Najjar (1991) stated that the exhibit "Saudi Arabia: Yesterday and Today", that toured the United States in 1989-1990, emphasised the seamless integration of tribal traditions, Islam, modern technologies, and advanced social services in the Kingdom.

A practice that is common in this contrastive approach is that all Gulf governments claim the *Shari'a* Islamic law as a basis of their legal systems and Islam as the religion of the state. The interpretations of the Gulf

dynasties of tribal and Islamic values are obviously accepted by large numbers of the people. These interpretations strike many in their societies as culturally authentic. Tribal heritage and Islam are extremely important in the lives of many of the people of these states. The Gulf dynasties are not appealing to a sentiment foreign to the Islamic and traditional sentiments of those whom they rule.

It can be argued that the preceding discussion assures the concept of the conventional wisdom about the tribal and religious nature of politics in the Gulf states. Tribalism and Islam are important markers of personal and social identity. The institutions of tribalism and Islam have developed into significant supports for the existing political systems in the Gulf dynasties. Political groups and social institutions throughout the Gulf states have called for more regular and formal access to the decision-making process. Gulf governments have responded with promises of reform and change. The Consultative Council is an aspect of this transformation. The analytical presentation provided here shows that Islam and tribalism are important to understanding the politics of the Gulf dynasties. The balance between the two has been changed in favour of the general public. Oil resources were made available to the dynasties to bypass tribal economic and political structures. Oil revenues also helped to build large bureaucratic structures that monitor society and control their economics. The dynasties' ideological plans have been transmitted to the populace through educational institutions, religious systems, and media. Oil and religion have substantially altered the relationship between state and society in the Arab Gulf States.

It would be a mistake to assume that there are no impulses from society in the Gulf Arab states for representative and participatory institutions.

Demands for a say in decision-making have been mediated through numerous institutions. In this regard, Lucani (1990) argued that some demands are traditional social formations like tribes and religious institutions, which have adapted extremely well to representing the interests of their constituents before government. Others are more self-consciously modern institutions, based on class, functional, and ideological interests - political parties, of both leftist-nationalist and Islamist learnings, have even operated in a semi-public way in Kuwait and Bahrain, the two states with some experience in elected assemblies, though they have never been able to declare themselves formally Islamic groups like the Muslim Brotherhood and the *Salafi* movement on the Sunni side, and various *Shi'a* groups have been increasingly important political actors in many of the Gulf countries. Since 1990, political groups and social institutions throughout the Gulf have called for more regular and formal access to the decision making process. Gulf governments have responded with promises of reform and change, some of which have been fulfilled already. An aspect of this transformation is the consultative council, discussed in the next chapter.

## **Roots of Reform and the Reactions of Governments in the Gulf**

Having experienced the relative penury of the pre-oil boom period, the Arabs in the Gulf states are happy to be receiving jobs and benefits from the government. Given the small populations of all these countries, a very large proportion of the populace did see real improvement in their material conditions. Accordingly they attribute credit to their dynasties.

As the role of the state in these countries has grown, it has begun to call forth new demands for representative institutions and responsible government from society. Those demands spring from the very processes of state growth and expansion occasioned by oil boom. The Gulf states have become the motor of economic development, the major employer, and the provider of numerous services in all the Gulf dynasties, and thus are central to the everyday life of these people, to an extent that would have been literally unimaginable even four decades ago. It is natural that the people should seek some control over an institution that so powerfully affects their lives for good and ill, if only to reduce the chance of drastic and unexpected changes in its policies. Much as taxpayers want responsible governments to spend their money, the beneficiaries of entire states want responsible governments to sign their cheques. Their financial dealings with the state are as important to their daily lives, if not more important, than those of taxpayer in Western democratic countries. After twenty years of state benefits derived from oil, people have come to regard these benefits no longer as a temporary benefit from their rulers, and instead have come to see the benefits as their right. Because of this change in the way the Arabs have started to view things, the Gulf states have taken on a more general obligations to encourage economic growth and safeguard the health of the economy as a whole. On both personal and national levels, people increasingly hold the state accountable for economic conditions. It is the urge to institutionalise that accountability that leads people to demand some role in the political process. It is precisely because the state has become so important and so powerful that people want a say in it.

Along the line of the socio-economic factors, Crystal (1990) argued that populations in all Gulf states are increasing; oil prices are fluctuating, the governments have been providing employment opportunities to all school

leavers. Bureaucracies are no longer expanding dramatically; measured economic growth has replaced the "black gold" rush. As the efficacy of other avenues of political influence and participation has declined, the expansion of the state educational system in all the Gulf monarchies, funded by oil money, has produced a growing number of people who have the intellectual resources and proclivity to voice their political demands in general terms. Those educated, or for that matter learned, generations have been exposed to critical approaches for analysing political issues. They have been taught in state curricula to take a country-wide view of their political allegiance and responsibilities, even if these curricula have not encouraged thoughts of direct political participation.

From the above analyses proceeds the argument that although oil wealth did, at the beginning, reduce demands for participation in the early years of the oil boom or at least gave rulers the resources to divert what demands there were, the processes of state growth and educational expansion have led to a new wave of participatory demands from societies in the Arab Gulf dynasties. These demands are the unintentional, but in many ways inevitable, results of state policies pursued over that last two decades. In short it is a mistake to assume that oil wealth has once and for all depoliticised the populace in these states. The strength of tribal social structures does not preclude demands by the people for a role in politics. As noted above some Kuwaiti tribes conduct primary elections to nominate legislative candidates whom the entire tribes support in the general election (a process common in Jordan and Yemen). Al Torki and Cole (1989) argue that Islamic groups throughout the Gulf states point to the *Koranic* injunction that rulers practice consultation (*Shura*) in government to support their calls for representative institutions that can act as a check on the arbitrary power of the executive. In Bahrain, the *Shi'i* social religious

institution called ma'atim (funerary societies that plan the yearly *A'shoor'a* celebrations commemorating the martyrdom of Husain) have been an important basis for political organisation (Khuri, 1980). Thus it can be argued that Islam and tribalism are not immutable political facts. They are frameworks for identity.

It would also be a mistake to assume that the only bases of political organisation in the Gulf States are family, tribal, or sectarian. Other civil society groups e.g. the Kuwaiti Chamber of Commerce have been active participants in the policymaking process. Chaudhury (1989) argued that in Saudi Arabia the Council of Chamber of Commerce co-ordinates the activities of the nineteen regional chambers. The various arms of the council are consulted by government ministries in drafting legislation, and the Council and its regional chambers actively lobby the government and the royal family on issues of concern. Nakhleh (1990) argued that some intellectuals have taken to heart the rhetoric of Gulf unity that accompanied the founding of the Gulf Co-operation Council in 1981 to establish organisations that act across country borders to include members from the Gulf oil dynasties. He also claimed that a group of Gulf intellectuals, businessmen, and administrators has been meeting yearly since 1979 to discuss economic and social issues. In 1986, they adopted the name "*muntada al-tanmiyya*", the Development Forum. The group sometimes broadly addresses political issues, such as participation in the political process, the role of women in society, and the role of the media. In May 1992, in the wake of the Gulf war, ninety Gulf intellectuals, academics, businessmen, and political figures established the Gulf National Forum. Nakhleh claimed that the forum was established with the explicit aims of confirming democratic values and political participation, and encouraging the development of "civil society institutions" in the GCC States.

Gulf dynasties witnessed an increase in open political activity in the period after the Iraqi invasion of Kuwait. King Fahd's announcement in November 1990 of plans to institute a consultative assembly (*Majlis Ash-Shura*) seems to have been taken as an indication that the doors were open for Saudi people to present their demands in more organised ways, which was evident in the establishment of the *Majlis Ash-Shura* and announcement of the Basic Law of Government, the Law of the Council of Ministers, and the Law of the Provinces in 1992.

In December 1991, 54 prominent Qataris addressed a petition to the Amir. The petitioners criticised the absence of freedom of expression in the media and confusion surrounding the rights of the people and the naturalisation process, a major issue in a country where non-Saudis outnumber Saudis by almost three to one. Their specific recommendation to the ruler was in the area of institution, not policies. Peterson (1977) argued that the Amir has chosen to extend the life of the original appointed body over the past twenty years rather than permit elections.

An English version of the petition can be found in *Arabian Monitor*, Vol. 2, Nos. 4-5 (May-June 1992). In July 1992, a petition signed by over two hundred Bahrainis was submitted to the Amir, calling for the restoration of the National Assembly (suspended in 1975) through direct and free elections. The petition stated that an appointed council "to widen the scope of the consultation that the government wants to undertake" would not conflict with the responsibilities of the National Assembly, but nor would it take the place of the National Assembly as a constitutional legislative power.



*Al Hayat* (28 October 1991, 8 December 1992) argued that no similar petitions had emerged in the UAE or Oman, but the issues raised in the other Gulf States were discussed in both countries, particularly in UAE. *Al-Hayat* periodical (2 March 1993, p.7) stated that in March 1993, at a public meeting held with members of the UAE Federal National Council, the consultative council appointed by the rules, a number of political and intellectual figures supported the writing of a permanent constitution for the state, an expanded legislative and oversight role for the Federal National Council, and direct election of its members.

According to Samman (1990), who argued that in states with established constitutions such as Kuwait and Bahrain, appeals to rulers stress the importance of the constitution as the only acceptable basis of politics. In Qatar, with a provisional constitution, the demand was for a constituent legislative body to draw up a permanent constitution. In Saudi Arabia, both Islamist and liberal petition emphasised the importance of implementing *Shari'a*.

Another important common theme is the need for an institutionalised mechanism for political participation. In Kuwait and Bahrain, with a history of elected legislative assemblies, demands were for the restoration of those bodies. In Qatar this sentiment was voiced through the request for a new consultative body, with more independence and wider powers than the current consultative council. In Saudi Arabia, all three petitions expressed support for the proposed *Majlis*. In Kuwait, popular demands were not for change, but for a return to the constitutional status, No. 9. The Kuwaiti dynasty was shaken by the Iraqi invasion, and was in desperate need of support from their own people. In this regard *Al-Hayat* (2 March 1992) stated that given the impact of that invasion, the *Majlis Al Umma*

was elected in a very open manner. Government authorities observed strict formal neutrality, though there were persistent rumours that the ruling family members indirectly supported friendly candidates. The government took the results of the election to heart. Shortly after the polling, the Amir met with ten parliamentarians from various groups, and told them that he would meet monthly with the president of the *Majlis*, his deputy and the heads of the major parliamentary committees. He indirectly pledged not to dissolve this *Majlis* as he had the previous one. In its issue of 13 October 1992, *Al Hayat* stated that the Amir consulted deputies on the make-up of the new government. The deputies reaffirmed the Amir's constitutional right to choose the Prime Minister. Some political groups, including the Democratic Forum and the Islamic Constitutional Movement, had advocated during the campaign formal separation of the offices of Prime Minister and Crown Prince. The fact that the political groups were willing to accept a continued link between the position of head of government and Al Sabah family is an indication of the limited nature of their opposition to the Kuwaiti status quo. With this issue resolved, the Amir quickly re-appointed Crown Prince Sa'ad Abdullah as prime minister. After extensive consultations with deputies, Sa'ad announced his new government on 17 October 1992. In the first year of its term, the new *Majlis* exhibited a strong tendency toward independence from the government and assertion of its oversight role. The Leader of Representatives Bloc and speaker of the previous *Majlis*, Ahmed Al Sa'dun, was an outspoken critic of the government.

Basic to the above contrastive analysis, it can be argued that the experience of the Gulf dynasties in areas of political participation and representation is new and different in many of its aspects. First there are no inherent cultural or historical impediments inhibiting the populace from wanting a say in

how their countries are run. People are allowed by their respective governments to advance their interests. People can form organisations, referred to in the West as traditional bases or tribal ties and Islamic institutions. Those traditional institutions have shown remarkable flexibility in adjusting to the circumstances of large bureaucratic states, modern technologies, and dramatically changed economies. The growing role of the state in the life of the people over the past twenty years has called forth the new demands for political participation and government accountability that these states have recently witnessed. As the state has become to mean more in peoples' everyday existence, they naturally want to have some control over its actions. The vast expansion of educational opportunities, funded by the states' oil wealth, has produced a larger body of people able to articulate concerns in abstract and theoretical terms, rather than as personal appeals for individual favours.

### **Saudi Recent Laws**

Along the line of contrastive analysis, it can be argued that in other Gulf dynasties, government responses to popular demands for participation were more limited, but still significant. On 1 March 1992 King Fahad of Saudi Arabia announced three Royal Decrees that established three important changes in Saudi domestic political law: a "Basic Law of Government", a constitution-like document; "The Statute for a New *Majlis As-Shura*"; and "A System of Regional Government for the Kingdom's Fourteen Provinces". On 20 August 1993, the King issued four more decrees, appointing the members of the *Majlis Ash-Shura*, setting out its rules of operation, and amending the character of the Council of Ministers, the Saudi Cabinet.

A clear picture of the nature of the Saudi government can be made possible through a discussion of certain selected articles from the Basic Law. The Basic Law specifically states that the constitution of the Kingdom is founded on the *Koran* and the *Sunna*, the traditions of Prophet Mohammed, maintaining the position that Saudi Arabia, as the Islamic state par excellence and has no need of a formal constitution. The basic system is clearly intended to set out the foundations of the state and the distributions of political powers within it. Article 5 asserts that the system of government is monarchical, with rulership resting in the sons and grandsons of King Abdul Aziz Al Saud, the founder of the modern Kingdom. Article 7 reaffirms Islamic law as the basis of the Kingdom, stating that the government draws its authority from the *Koran* and the *Sunna*, and that these two sources govern all administrative regulations of the state. In the section on rights and duties, Article 23 enjoins the state to protect the principles of Islam, enforce its *Sharia*' (laws of Islam), ordain what is good and forbid what is evil (again a *Koranic* injunction) and undertake the duty of the call to God. Article 44 defines the powers of the state as the judicial power, the executive power and the power to issue administrative law (as the immutable *Shari'a* is the legal basis of the state). The basic system is at pains to avoid reference to "legislative power". Articles 56, 57, 58 and 60 state that the King is the Prime Minister, and Supreme Commander of all military forces. Even though Article 46 defines the judiciary as an independent branch of government, Article 52 states that the King appoints judges and oversees the application of the Islamic *Shari'a*, the administrative regulations, and the general policy of the state. The King has the right to choose the Crown Prince, formerly reserved to informal councils within the dynasty (Article 5). (For a complete version of the Basic Law in English see Appendix III.)

It is the articles that established the rights of the Saudi people that the Saudi government has begun to respond to demands voiced in petitions for the rule of law. Articles 33 and 40 guarantee the sanctity of private homes and private communications from intervention or inspection by state authorities, except by due process of law. Articles 27 and 31 oblige the state to provide health care for all Saudi people. Freedom from arbitrary arrest and punishment is assured by Articles 36 and 38.

Equality of Saudi people under the *Shari'a* is mandated by Article 8. Article 26 states that the state protects human rights according to the Islamic *Sharia*'. The state also guarantees the freedom and protection of private property (Article 18). In Article 43 it is mandated that the public audience of the King and the Crown Prince be open to any Saudi person for petition for redress of grievances. Besides, the basic system contains a number of provisions meant to ensure accountability in dealing with the public treasury. Article 16 states that public funds are sacrosanct. The complete text of the basic system can also be found in *Al Sharq, Al-Awsat*, 2 March 1992, pp.4-5.

Amendments to the chapters of the Charter of the Council of Ministers were issued in a royal decree in August 1993. This Royal Decree reaffirms the central role of the council as both the legislative and executive organ of the Saudi government, setting out the policy of the country in all areas in an effort to encourage upward mobility among Saudi technocrats. The decree also sets a four-year limit on the service of any minister in one position, unless specific permission for an extension of service is given by the King. (See Appendix IV)

Following on the King's promise of November 1990, Article 68 of the Basic Law mandates establishment of the *Majlis Al-Shura*. The King issued by royal decree the founding statute of the council that sets the membership of the council at sixty members, and a president, all appointed by the King (Article 3). Details of the *Majlis Ash-Shura* are given below in chapter 6.

The third statute announced by King Fahad on 2 March 1997 regarded the system of regional governance for the Kingdom's fourteen provinces. (See Appendix V). The statute established greater autonomy for the provincial governors over spending and development priorities in their regions, and authorised the establishment of provincial consultative councils on the model of the national consultative council. This initiative is viewed by the dynasty as a major effort to decentralise authority in the Kingdom. In September 1993, the King appointed the local councils, twenty-member councils for the major cities of Riyadh, Mecca and Madina; fifteen-member councils for the other ten regions. Included in the local councils are the regional representatives of the major government ministries.

These constitutional innovations in the Saudi political system are an attempt to respond to various Saudi constituencies. The petitions discussed earlier have been powerful social trends to which a response from the government was due. Most of what was new in the proposals seemed to come from the liberal agenda; the *Majlis Ash-Shura* administrative devolution and greater local participation. In his speech of 1 March 1999, King Fahad emphasised the central role of Islam and *Shari'a* in the three Royal Decrees and in the changes he was announcing. The King also said that the Book of God and the tradition of His Prophet govern everything that the state decrees in these systems of government. The new system for the *Majlis Ash-Shurais* an updating and development of what exists

already, the King added. (The text of the King's speech can be found in *Al Hayat*, 2 March 1997, p 6.)

## **Conclusion**

The states in the Gulf region have become the basic provider for their people to an extent that their growth in economic power would have been unimaginable four decades ago. Accordingly, it has become natural for the people to seek some control over an institution that so powerfully affects their lives. Benefits derived from the state are not seen by the people as temporary benefits from their rulers. The people have come to see them as their right.

As the efficacy of some avenues of political influence has declined, the expansion of the state educational system in all Gulf monarchies has produced a growing number of graduates who can voice their political demands. Even though public demands could be unintentional, nevertheless they are the results of state policies. It is a mistake to assume that oil wealth has once and for all de-politicised the peoples of the Gulf States. The analysis in this chapter has shown that Islam and tribalism are not immutable political facts: they are frameworks for identity.

## **Chapter Three**

### **Conceptual Analysis of Political Development**

In order to understand political development in Saudi Arabia, there is a need to provide alternative concepts of this socio-political phenomenon. Before beginning an analysis of the various concepts of political development, it is important that we determine the meaning of "political development" as used by scholars of political science. The connection between modern organisation, specialisation and division of labour and professionalism will be addressed within this discussion, as will various political ideologies, specifically, Western liberal democracy, Marxism, and Islamism. Within the context of various political and economic ideologies and theories, the concept of political development takes on many definitions, its various dimensions sometimes being common, and at other times contrasting, indicating that the word "development" is relative and can be interpreted to suit the objectives and desires of specific and general ideals, political and otherwise. As we seek to examine the varying perspectives of writers and scholars on the issue, e.g. Max Weber, a discussion of topics such as bureaucracy and political transformation is also examined.

#### **Meanings and Definitions of Political Development**

The two primary geo-political blocs (East and West), represented by the now defunct Soviet Union and the Western liberal democracies, have historically



been divided in accordance with the understanding and objectives of development in both the narrow and broad sense of the term. In respect to economic development, there is a dichotomy between communism, socialism and capitalism, each having its own unique set of social and political requirements. One common aspect of political development in respect to these three polar concepts, is a preoccupation with the advancement of public policy and the development and establishment of political structures and organisation of government that lead to the functional administration of government along specific ideological guidelines.

Weber (1971) observed that modern organisations require a high degree of specialisation. He argues that the attributes of modern organisation are public administration of hierarchy, responsibility, rationality, achievement, orientation, specialisation, differentiation, discipline, and professionalism. Weber contended that unless a public bureaucracy manifest these attributes, it cannot be an effective instrument in bringing about significant economic and socio-political transformation. Weber, having examined the role of bureaucracy in the determination of public policy, stated "It is obvious, technically, that the great modern state is absolutely dependent upon a bureaucratic basis". At the turn of the century, Weber observed that bureaucracy strives to maximise efficiency and objectivity through impersonality and hierarchical authority relations. Weber claims that the function and structure of a bureaucracy in pursuit of economic development is conditioned by the distribution of power within society and the organisation of the state. He did not ignore the view that bureaucratic organisation is often used as an apparatus for the domination of society. He clearly recognised the significance of bureaucratic tendencies towards domination. Weber, (1971)

asserts that bureaucracy is a form of power, since human, technical, and capital resources are organised under a single operating apparatus.

Mills and Gerth (1946) argued that Weber speaks of three ideal types of legitimate authority: 1) traditional authority, 2) charismatic authority, and 3) rational legal authority. Weber's three models represent the characteristics of an idealised bureaucracy that represents legitimate authority, yet in reality, none of them exist in a pure form. Mills and Gerth argued that theorists and researchers, concerned with the political and economic power of the bureaucracy, have benefited greatly from Weber's ideas. They have served in furthering the understanding of social stratification and power relations in society.

Huntington (1979) defined levels of political institutionalisation in terms of political development, whereas political development according to Bill, (1979) is "the capacity of a political system to initiate, absorb, and sustain continuous transformation." Bill submits that it is a process of admitting all groups and interests, including a newly recognised interest, into full participation without disrupting the efficiency of the political system and without limiting the ability of the system to choose and pursue policy goals. A higher level of institutionalisation in a political system tends to increase the efficiency of a political - bureaucratic system and its control over the environment, but may fail to meet the test suggested by Bill. Although an institutionalised system is in a better position to rationalise and maximise the use of its country's resources, and in effect create conditions for a more efficient society, James Bill's definition of political development remains consistent with the efficiency and capacity of a political system to choose and pursue its public

policy goals without disrupting the system itself. If we apply Huntington's institutionalisation criteria of adaptability, complexity, autonomy, and coherence to the case of Saudi Arabia, one will find the level of institutionalisation comparatively low, yet the state has maintained stability while incorporating newly identified interests and groups into the society, and continuing an ongoing process of political, social and economic transformation: thereby meeting Bill's definition of political development.

In their review of the literature on political development from the early 1960s until 1975, Huntington and Dominguez, (1979), argued that the concept is used in four general ways: 1) geographical, 2) derivative, 3) teleological, and 4) functional. Geographical refers to the politics of developing countries in Asia, Africa, the Middle East, and Latin America. In this sense, political development has no specific content or characteristic except that it is connected with poorer and less industrialised countries. The term derivative refers to the linkage of political development to the broader process of modernisation, and often identifies political development with political modernisation. In these cases the concern is with the transition from a traditional, agrarian society to a modern industrial one. Among the other concepts used to make fairly similar distinctions are Migdal's (1983): elite-mass, diffracted-fused, great tradition-little tradition, urban-rural, and ortho-traditional neo traditional. Riggs, (1946) in his discussion on the topic, adds intermediate terms such as transitional or prismatic which will prove to be theoretically important for studying a society in transition, as is Saudi Arabia.

According to Ferre (1984) the political development as viewed from a teleological perspective is a movement toward one or more goals or states of

being within the political. The goals may be single or multiple, such as democracy, stability, legitimacy, participation, mobilisation, equality, differentiation, institutionalisation, integration, rationalisation, bureaucratisation, and liberty. The functional aspects of these terms refer to movement toward a certain kind of political system or toward the political characteristics of a modern industrial society. In both Western and Eastern governments, whether democratic or communist, political parties may be considered a functional necessity in a society.

If we were to follow these various definitions and approaches closely, we would likely observe that the operational definition of political development used in this study describes the political development in the Kingdom of Saudi Arabia. The Kingdom of Saudi Arabia has embarked upon a process or movement away from the status quo, and toward new goals and functions for the state. Those new goals and functions referred to herewith are: greater participation, democratisation, integration, nation building, and civil liberty.

When defining development in this way, the following two points should be carefully considered:

1. The political development process is one of transition from the status quo to a new status.
2. Political development is itself a goal, the functions and outcomes of which do not necessarily take place simultaneously.

Unfortunately some scholars use the concept of political development synonymously with nation building, suggesting that the term implies a process of evolution from a previous state of being into a nation state. Hans Kohn (1966) argued that nationalism has been observed as a state of mind in which an individual's supreme loyalty is owed to the nation. Politically, nationalism relates to the awakening and activation of a population during and after a period of colonial domination.

Almond and Powell (1966) defined political development as the consequence of challenges which may emanate from the international environment, the domestic society, or the political elite within the political system. In their view, whatever the source, these impulses "involve some significant change in the magnitude and content of the flow of input into the political system." Four types of challenges which exert pressure on any existing political system were identified by Almond and Powell:

1. State building, referring to the requirement of increased integration and penetration of the system.
2. Nation building, referring to the requirement of greater loyalty and commitment to the system.
3. Participation, referring to pressure from groups to have a part in the decision-making process.
4. Pressure to ameliorate unequal distribution of wealth and income among the people by the state.

Following this same route of analysis, the conclusion of Almond and Powell is reached: "A political development is a cumulative process of role differentiation, structural autonomy, and secularisation. And all are related to system capabilities and system maintenance."

Scholars such as Diamant (1966) saw and defined political development as a process by which a political system acquires the capacity to continuously sustain new types of goals and demands while creating new types of organisation. Eisenstandt (1973) provided a similar definition when he discusses a political system's ability to meet changing demands and then to absorb them in terms of policy making. In this respect Eisenstandt argued that the political system can assure its own continuity in the face of continuous new demands and new forms of political organisation. Eisenstant and Diamond equate political development with the ability of political systems to grow or adjust to new demands put upon them. However, having found most other meanings partially insufficient, Pye (1966) defined ten major meanings of political development. Political development, for Pye, was "political modernisation, operation of a national state, administrative and legal development, a political prerequisite for economic development, politics typical of industrial societies, mass mobilisation and participation, the building of democracy, stability and orderly change, mobilisation and power, and one aspect of a multi-dimensional process of social change."

Other scholars, when focusing on defining political development, centre their attention on other aspects, such as political participation, institutionalisation, and integration. Theorist such as Jaguaribe (1973) defined the political development process as political modernisation plus political

institutionalisation. This theory indicates that political modernisation is a process of increasing the operational variables of a polity. The variables at work are rational orientation, structural differentiation and capability. In addition, this view defined political institutionalisation as the process of increasing political mobilisation, political integration and political representation. Jaguaribe saw political modernisation and political institutionalisation as closely interrelated with political development and requiring an appropriate balance between the two. The greater the imbalance between high levels of modernisation and low levels of institutionalisation, the more dependent the political system will be on the use of violence.

Other writers, such as Binder (1971), viewed political development as a process of admitting all groups, including newly recognised interests as well as new generations, into full political participation without disrupting the workings of the political system. Without explaining the details of Binder's views, suffice it to say that his view coincides with those of the five other contributors. They reduce political development to the three key concepts of differentiation, equality, and capacity; collectively, these constitute what is called the "development syndrome". According to Binder (1971) this differentiation refers to a process in society of progressive separation and specialisation of roles, both institutional and associational. The concept of equality as connected with political development has three components: national citizenship, universal legal order, and achievement norms. The third key concept "capacity" refers to the ability of a system to innovate, to manage continuous change, to adapt, and to create. Riggs (1967) made an important contribution to the literature of political development. He utilises the concept of differentiation and specialisation, yet does so with a specific concentration

on "key governmental technologies", relating these to two additional aspects of political development, equality and capacity. It is evident that Riggs considered these four variables as the collective aspects of political development. He defines key government technologies as bureaucracies, political parties, and legislatures. In addition to these, Riggs added a host of minor technologies, one being a test for recruitment. Riggs suggested that judicial procedures exist for the settling of disputes, and the creation of private associations and corporations, such as labour unions. For Benjamin, political development is seen as a process of political participation, political institutionalisation and national integration. Needler (1968) shared Benjamin's view, but extended the policy to include the maximum number of participants in the political process in terms of equality.

Thus the endless dispute over the concept of political development continues along the fields and lines of politics and political science. From this brief review of a variety of attempts to define the concept of political development, it is evident that no agreement exists among political scientists as to its exact definition. The concept is loosely used to refer to a process of organic change in the nature of political institutions. There is implicit in any notion the assumption of cumulative change and growth. Generally speaking, the scholars cited share what might be called a "positive orientation" in the sense that they agree that politics achieve political development while pointing toward requirements to be met by political systems striving to become politically developed. The stress is on the potentialities for movement from what they consider a less desirable to a more desirable situation in the political system, for example, from a non-party to a party system.



Since political development is thought to involve inclusion into mainstream politics, new groups and interests, some amount of discussion should focus on the impact on society felt when groups are prevented from participation or inclusion in the mainstream political culture. Structural differentiation may occur, as well as structural homogenisation. Huntington (1965) argued that national disintegration is as much a phenomenon as national integration, therefore concepts of political development should be seen as reversible. They should define both political development and circumstances under which political decay is observed. This being the case it is evident that political development as a concept undergoes a serious stage of complexity of definition to the extent that universal definition may not be possible to attain. The assumption that a universal or all-embracing definition is preferable does not necessarily mean that such a definition would be helpful or beneficial. This point, however, is moot since truly universal definitions are impossible to construct due to cultural variation. One can, nevertheless, resort to other forms of definition in order to facilitate the task. This would require the use of stipulated definitions where a relational definition is attempted, giving a description of the attributes of the problem in question. An example might be in the case of development to consider economic growth, public participation, and disparity of income, as components of "development." We might also consider classifications where existing meanings, interpretations, and definitions are presented more broadly.

### **The Western Concept of Political Development**

Modern western political development theory dates back to the end of World War Two. Blomstrom and Hettne (1965) noted that the earliest modern theory

of development was purely economic and based upon simple modes of growth in which capital formation was a key factor. These models were almost entirely based on the economic conditions existing in industrialised Western societies. The authors note that their application of such theories to the problems of the underdeveloped countries revealed an immense gap between fact and theory. Problems with application were compounded by the fact that most third world countries mechanically imitated western methods of study, yet culture never yielded to requirements for successful application.

Most contributions to development theory, whether economic, political, sociological, or originated in a basic paradigm, are most commonly referred to as "the modernisation paradigm." Development was seen in an evolutionary unilinear perspective and the underdevelopment was defined in terms of observable differences between rich and poor countries. Development in this instance meant the bridging of these gaps through an imitative process, where the less developed countries were expected to become more and more like the industrialised nations. The benefits of modernisation were, for the most part, taken for granted should emulation occur.

Rostow (1965) saw development as consisting of a number of stages which were basically derived from the distinction between "tradition" and "modernity." His approach was probably the most well-known economic theory contribution within the tradition of modernisation theory. Rostow's doctrine was influential during the late 1950s and early 1960s, and was a typical expression of the western development paradigm. Other western authors focused upon a variety of criteria but most considered political development to be an aspect of modernisation. This characterisation also

applies to those scholars within the specialised fields of political development. Most of the major works representing the predominant scholarly perspectives of approaches to the study of political development were written in the 1960s and 1970s. These approaches can be classified: 1) the historical approach, 2) the structural-functional approach, 3) the normative approach, 4) the institutional and universal approach, and 5) the contextual approach.

### **The Marxist Concept of Political Development**

The Marxist approach to the concept of political development has been another important school of thought on the topic. Marxism advocates fundamental "structural change" in the political system as a prerequisite for modernisation. Two important categories are observed in this theory, there is the Marxist theory of development, as expounded by Vladimir Lenin and his followers and a second category, the "dependency movement", with Raoul Prebisch (1965) as its first advocate.

In Marxist sociological literature, class is defined in three different categories: wealth, power, and status. Marx contends that there are different bases of power in society. Wealth is but one of the significant variables that determines one's position in the class structure. Despite the significance of wealth, it cannot necessarily be translated automatically into power. It remains a sign of status in society. According to Weber (1971) in modern society, class analysis has been utilised by prominent scholars other than Karl Marx, including David Ricardo, Joseph Schumpeter and Max Weber. According to these theorists, economic surplus is utilised for either consumption or production and shapes the process of economic development. Marx associated class primarily with

economic power - which is considered the fundamental base of social stratification. Al Sultan, (1988) argues that Max Weber agreed with Marx that property and lack of property are the basic tools utilised to measure all class structures. Bill, (1981) also suggests the incorporation of wealth, power and status into the definition of class. All three dimensions are interrelated in the sense that the possession of one may strongly affect the possession of the other, yet wealth is considered one of the most significant variables that determines one's position in the class structure. Thus, the basis of power, may be identified as the same in economic, political, social, religious, and educational systems. Bill's conceptualisation of class in terms of power is formulated and presented in an attempt to "account for the complexities and subtleties that occur in many stratification systems". An emphasis on power helps incorporate the social and political dimensions of stratification into the analysis along side economic considerations. These factors provide the analyst greater flexibility, making analysis more relevant to the study of different societies.

Bill and Hardgrave (1981) argued that the introduction of a broader definition of class helps to incorporate groups in the study of class structures in a society. They defined class as aggregates of individuals "united by similar modes of employment and maintaining similar power positions in society. This definition of class, according to Bill (1972), does not preclude the study of group, since, "intra and inter-class analysis is regarded as group analysis. He argues that "group" is defined accordingly as "an aggregate of individuals categorised other than by class who interact in varying degrees in pursuance of common interests. Class is defined in a way that makes room for kinship, tribalism, religious grouping and regional aggregates. Bill and Hardgrave

claim than an individual may belong to many groups, but holds membership in only one "class". The definition of class is given this flexibility to combine class with group analysis - making it relevant to the examination of the Saudi class structure. The Saudi social structure is composed of the following groups and classes: the Saudi ruling class, senior bureaucrats, upper business classes, religious *Ulama*, middle-class and the lower class of society, including nomads and rural farmers. At the top of the social structure, the dynasty holds economic and political power. Below the royal group is a lower upper-class consisting of wealthy businessmen and land owners, high government officials and the leading members of the *Ulama*, or religious scholars. Nyraop, (1977) claims that government policies are designed to insure that these class and power relations remain unchanged. Local merchants, domestic and international contractors, and the population at large have benefited in one way or another from government expenditure aimed toward social and economic development.

As related to national development, the pragmatic revolutionary leader, Lenin, was forced to amend Marx's thesis. Tucker (1979) explained that the capitalist world found ways to lessen the misery of its workers by exporting exploitation to colonies in the Third World. Therefore, Lenin suggests that imperialism is the weakest link of capitalism, and revolution will erupt in colonies where poverty and underdevelopment are used as tools to further communism. Connor (1968) claimed that the theory of imperialism advanced Lenin the "most important single step he took in changing Marxism into an ideology that was relevant to the non-industrialised areas of the world."

Lenin's strategy for development became the foundation of the dependency theory, which can be considered the main reaction to orthodox views of political development. It is also an attempt to determine the causes and consequences of underdevelopment.

Definitions of "dependency" differ profoundly, but for the purpose of discussion, and due to the limitations of time and space, it shall suffice to note that this section does not attempt to identify a common core in the literature or to search for common assertions in dependency linkages.

It appears that the main argument of dependency theorists is that developed by capitalist nations (i.e. the United States and Western Europe) penetrated the economies of the underdeveloped nations in Africa, Asia and Latin America and transformed parts of the local economy into a modern enclave, such as the fishing or textile industries.

### **The Islamic Concept of Political Development**

Since the resurgence of Islam in the Muslim world, and a growing orthodoxy among its adherents, political scientists are increasingly talking about "*Islamism*" (Hippler and Lueg, 1995; Bullet, 1999; Fuller, 1999; Huntington, 1993) Among the influential ideologies *Islamism* has come to be called "political Islam". *Islamism* can be examined in comparison with its historic counterparts.

As contemporary political scientists progress in their understanding of Islamic political and economic ideology, it has become increasingly apparent that

Islam has much to say in respect to development at the economic, social, and political levels. Although Islam, like other religions, is primarily concerned with the salvation of human souls and other esoteric pursuits, its view of mankind as a total being, possessing spiritual and material needs, produces Islamic principles and methodology that govern, or guide adherents individually, and their societies collectively toward both material and spiritual prosperity (Ahmad, 1997; Fadlallah, 1990; Abdulmajid, 1991).

Islam shares many common aspects with its ideological counterparts, yet it has its own unique vision with regard to political and economic methodology. Islamic economics is concerned with the economic independence and self-sufficiency of the populace of the Islamic state, along with the preservation of their inalienable right to own property, as well as privately to own and control the means of production (Qutb, 1988). Qutb argued that the Islamic government sets limits that discourage corruption, usury, and other violations of Islamic law, which inflict undue hardships on the poor, or that limit the rights of people to pursue financial security and advantage according to their output of labour and investment. Islamic law also provides checks and balances for economic systems that are purposefully designed to protect women, children and orphans and their assets (Rahman, 1998).

The foundation of the Islamic political system is "*Shura*" which means "consultation." This requirement is found in the *Koran* and *Sunnah* which distinguish Islamic political idealism from other ideologies. Whereas Western liberal democracy is viewed as participative governance, the people being the sovereign authority, ruling so to speak by majority vote, *Islamism* requires that government be led by a central authority that recognises God as the sovereign

and the human governments obligation to certain laws and precepts that have been revealed by God (Al-Gazzali, 1971). The *Shura* or consultative branch of the Islamic government structure, provides a mechanism through which the Islamic government is accessed by the people, not as sovereigns, but as participants through consultation in government affairs. Thus Islam is against dictatorship and authoritarianism, focusing instead on justice and working for the benefit of the entire society (*Encyclopedia of Seerah*, 1988).

Issues of succession and legitimacy are key to the stability of the Islamic government and its ability to sustain itself in competition with the secular ideologies. Whereas legitimacy according to democratic ideals is determined by the will of the people, legitimacy of authority in Islam is dependent upon virtue as well (Daiber, 1993). This means that there are only certain people deemed qualified to lead an Islamic state, and these qualifications must be met if the government is to be viewed as a legitimate government. What is primary among these virtues is the requirement that all government officials accept that there is only one God, that Mohammed is a prophet of God, and the laws of the *Koran* and the teachings of *hadith* (the sayings of Prophet Mohammed) are the Constitution of any Islamic government (*Sahih Muslim*). This does not mean that a literal interpretation of the *Koran* is the basis of Islamic law, nor that implementation in contemporary settings must mimic ancient methods or seek to obtain ancient objectives. Through the use of "*ijtihad*," a tool that is accessible to jurists who interpret and deliberate Islamic law, Islamic law and principles are refreshed from generation to generation (Al-Awani, 1994).



Both the legislative branch of Islamic government and the judiciary branch function in a way that allows government to understand and implement the teachings of *Koran* and *Sunnah* in a modern language. The *faqih*, or jurist in Islam is charged with the contemporary interpretation of the legal precepts of Koran. Being part of the *Majlis Ash-Shura*, *faqihs* lend their knowledge and expertise on these subjects to the executive branch and assist in the development of public policies that run parallel with Islamic guidelines. Thus *faqih* indirectly facilitates the pursuit of modern goals. (Al-Awani, 1994).

The Islamic political system is an independent system characterised by freedom from the limitations implied by terminologies found in dictionaries and encyclopedias of political science. The Islamic political system can be viewed as a form of democracy, it has tendencies towards socialism, as well as capitalism, and can be considered totalitarian if structured in a way that limits ideological diversity (Malik, 1999). No single definition suits every possibility, since Islam allows each Islamic government to shape its character according to the culture of a given people, requiring only the avoidance of prohibited acts and laws that condone, or seek to legalise what *Koran* and the *Sunnah* have prohibited.

If we accept that one of the fundamental understandings of political development is the ability to make organised changes and achieve political stability while increasing a system's capabilities, we can also accept that *Islamism* is capable of facilitating political growth in a society, and this growth is one of its primary objectives.

Islamic political theory is dependent upon belief and faith in the oneness of God. It approaches from a posture of humility, recognising that the human mind is not capable of understanding, nor discovering all the possibilities and potentials of life found in the created laws and truths that govern our universe. Such perfect and complete knowledge is known only to God. Absolute belief in the oneness of God, unity, and the unity of His creation leads to our understanding of the indivisibility of truth and integration of revelation and hypothesis. For this reason contemporary Islamic political idealism has come to represent the final message in terms of revelation, that being the *Koran*, and *Sunnah*, the two divinely revealed sources. These sources cannot be bound by time and place and represent a conclusive and authoritative communication between God and His prophets, the last of which was Mohammed ibn Abdullah of Mecca. Basic to this approach researchers handling theories of political development from the Islamic perspective must look to the *Koran* and *Sunnah* as their standard measurement that determines ends, objectives, and all truths concerning human beings.

The Islamic perspective observes human phenomena as complex and multi-dimensional; it cannot be divided, not even on the analytical level. The Islamic political concept includes all the social, economic and cultural aspects, since politics is defined herewith as administrating issues towards reform, or rather, reforming human beings by directing them to the proper way of life through which they obtain success, prosperity, and happiness. On the other hand, the European concept of politics is limited to discussions of power, authority, class, and state.

The Islamic perspective assumes that historical events neither end by vanishing, nor lose relevance in the face of modernity. History, in Islam, remains alive and relevant in life and memory. Thus history serves us by allowing us to look back and garner wisdom and direction on the best way to do things, and aids us in our understanding of the relation between cause, effect and consequence. This connection should always be sought in dealing with current events. For this reason Muslims view the historic establishment of the first Islamic state as an ongoing process guided by a methodology or *Sunnah* that will result in the establishment of other Islamic states. This is considered a possibility that is available to the Muslim throughout time. "Islamisation," as it is called by some, or "reclamation," as it is referred to by others, is a process through which the Muslim seeks to bring all of creation within the intellectual view of God's revelation, which is a timeless view.

Islam considers the location of a specific political phenomena as a sub-variable, or something that is subject to other dimensions of the human phenomena. The Islamic view of political development is that it starts from a position determined by a people's level of awareness and moves from this point of orientation to a clear purpose, and transformation which results in an Islamic nation. As people become more aware of their created nature and the God that created them, they begin to recognise, learn, trust and act upon His guidance. The result is that the people are transformed into an Islamic nation, which is referred to, in the Islamic terminology, as a community of believers, or *Ummah*.

Depending on the previous definitions elaborated as political development, one can put forward the argument that Islam is both a religion, that touches

every aspect of the human being, and a way of life. Muslim states, their governments and rulers are assigned and encouraged to practice, apply and rule according to Islamic regulations on a universal level. According to the Holy Koran, Islam is a religion and a condition through which Muslims practice social and political affairs in their purest and most perfect way. Thus mankind's efforts to develop the economic, social and political aspects of life are seen as working for the benefit, comfort and welfare of the entire community, Muslim and non-Muslim. If we take this approach, the notion that Islam is rigid or dogmatic can be refuted. There is a general agreement among many authors and thinkers of political science and theorists that Islam is comprehensive. For these authors and thinkers there is no doubt that Islam compressed faith, ethics, and law as set forth in the Koran, exemplified by the life of the Prophet Mohammed and his companions ( the *sunnah*), and later developed by Muslim theologians and jurists (the '*ulama*' and *fuqaha*') into the *Shari'a*, through which Islam provides a unique form of continuous modernisation and progressive attitudes that match modern currents of development and progress. This vocal denunciation of secularism, however, does not imply that these authors make no distinction between the spheres of religion proper and of worldly affairs; between the eternal and the temporal. In fact, this very distinction is reflected in modern Islamic legal theory, which distinguishes between the worship rituals of God which involve a person's interaction with his or her Creator. These rituals are identified essentially as the five pillars of Islam: 1) profession of faith, 2) prayer, 3) fasting, 4) alms giving, and 5) the pilgrimage. This suggests that there are two differentiated spheres of human life and activity: one revolving around faith and worship and the other around worldly affairs. These two spheres are subject to the precepts of Islam. By contrast, secularists believe that the two spheres are

separate and that one takes priority over the other. Worldly affairs are subject only to the judgments of human beings who measure all things according to a man-made criteria of what is right and wrong. Islam says that mankind must make judgments based on God's criteria of right and wrong.

The hallmark of the truly Islamic system is the application of the *Shari'a* and not necessarily any particular political order or organisational structure, except that in all instances the elected ruler must be just and he must be subject to *Shura*, taking counsel from the knowledgeable and wise in both spiritual and material sciences. Primary among Islamic state objectives is to fulfill the purpose of the state, utilising the principles upon which it rests. These principles are to be found in the *Koran* and the *Sunnah*, and include most notably, justice, equality, freedom, and struggle in the path of God (*Jihad*). Some go even further in their opinion regarding the objectives of an Islamic state, declaring that any Muslim ruler who does not apply God's criteria of judgment and follow divine law is to be considered a sinner, a tyrant, and an infidel, and his rule illegitimate.

Usually no sharp distinction is made between Islam and the *Shari'a*, or Islamic law as a rule, both terms are used interchangeably. In accordance with the functional theory of government, *Shari'a* is the cornerstone of an Islamic order. The government is merely the executor of God's law. The current debate among Islamic political scholars focuses on how the *Shari'a* should be defined - whether as a comprehensive set of norms and values regulating human life to the most minute detail, or as a set of strict and pre established laws. There is general consensus that the *Shari'a* is comprehensive but at the same time flexible and therefore suited for all times, places and circumstances.

This leads to the crucial distinction between an untouchable and immutable core that has been decisively defined by God's word and the *Sharia's* flexible components. It's modern interpretation being derived by human reason from an ancient presentation, thus rendering a contemporary Islamic jurisprudence through the utilisation of (*Ijtihad*).

This distinction provides one of the criteria by which one may delineate conservatives, modernists, and progressives. The aim of "enlightened" modernist reformers has, of necessity, been to define the scope of human interpretation as extensively as possible, an endeavour characterised somewhat uncharitably by Kerr as an attempt to define the *Shari'a* primarily as being full of "empty spaces." Such criticism is looked upon as a lack of knowledge about Islam.

In the case of politics, the "*Ulama*" or scholars who on the basis of their social views qualify as conservatives, hold remarkably modern ideas, saying:

To apply the *Shari'a* requires social organisation and a state. But God in his wisdom left the details of political organisation of the Muslim to the Muslims' discretion, allowing Muslims to interpret, advance, or suspend certain law according to the societies' needs and aspirations. Government and politics are part of the *Mu'amalat* (administrative procedures) that are to be regulated so as to realise the common good which, if properly understood, coincides with the purposes (*maqasid*) of the *Shari'a*.

Whilst the Islamic state is considered to be central to the enforcement of Islamic law, its form and organisation are declared to be secondary, a matter

not of substance but of technique. This has to be seen in relation to the common assertion that Muslims are not prohibited from adapting techniques and modes of organisation of non-Islamic origin, provided they do not adopt any non-Islamic values. If government organisation is a matter of convenience and mere technique, then the adoption of democracy, or of certain democratic elements, may be acceptable, recommended, or even mandatory - provided this does not lead to the neglect or violation of Islamic norms and values. Western secular liberal, with its base rooted in the ideal that man is sovereign, is of course incompatible with Islamic values or political idealism. Yet this is not the only form of democracy, assuming that the term democracy is merely representative of participative and representative government. The simple conclusion is that, Islam, as a state and as a religion, works and provides for economic social and political development at all times, levels and locations. It is not authoritarian nor a democratic in the Western sense. In this form Islam as a state avoids all the disadvantages of both systems.

### **Sovereignty and Legitimacy in the Muslim State**

Muslim governments may differ in their structures from other states. The general framework of all authorities in a Muslim state makes that state emerge from a set of divine laws based on which the purposes, politics and even behaviour of the Muslim groups are defined. Accordingly, all Muslim communities should adhere to the divine laws. From an Islamic perspective it can also be argued that basic factors such as people, land and political authority are not enough to establish a Muslim state. In addition to such materialistic factors, an establishment of an Islamic state requires satirical factors, called "the legal status of the Muslim state". There has to be a set of

principles and rules stipulated by Islam based on the purposes as well as a definition of the relationship between the governed population and the governor. Since a Muslim state is governed by divine laws, Muslim communities are not authorised to change these laws, even authorities in the Muslim state are not allowed to alter them. Sovereignty of a Muslim state is directly related to the law and revelation of God (Anaadi, 1999). An Islamic state and its position regarding a present political system should not be characterised or defined by any of the terminologies approved by any mandated constitutional law e.g. democracy, socialism etc. It is also illegal to attribute to it a political system simply because it calls itself an Islamic state. Unless it is recognised that the Islamic state is distinctive and differs from all present non-Islamic states, a number of issues will continue to be viewed as contradictory, e.g. an Islamic state that combines religious doctrine and public policies, and respecting the opinion of the majority in a form similar to present day democratic systems.

Sovereignty, as it is proclaimed by Jean Bodin, is a relative modern theory; but Jean-Jacques Rousseau has been the one who has spread this approach within democratic thought. According to Annadi (1999) two theories developed from Rousseau's approach: 1) sovereignty of the nation, and 2) sovereignty of people. This approach was not known to early Muslim philosophers simply because that concept was not a controversial issue in their societies. Besides, the first Islamic state, as it was established by Prophet Mohammed did not have any problem related to the issue of sovereignty. The issue of sovereignty wasn't raised until recent times, under the influence of western political concepts and theories. In Western states, the issue of sovereignty was raised because the rulers then claimed that they ruled by the



name of God. A conflict between the rulers and their subjects continued until some political theoreticians proclaimed the separation of the King from the legislative power. That occurred when the separation between the King and sovereignty began. Among those theoreticians are Luke in England, Mistseko and Zussea in France. They sought to define the role of the rulers and undermine the principle of the sovereignty of the King (Abu Eid, 1989). This approach paved the way for a number of revolutions in both 17th and 18th century. People in Europe revolted against the tyranny of the kings and the confiscation of the freedom of the public.

Rulers in Muslim states did not proclaim such divine sovereignty (Kung, 1986). They ruled their people within the range of the people's inalienable rights. Even though some rulers transgressed their limits and abused the implementation of the laws of Islam, this never became a "norm" in Islamic governance, and the *Shari'a* has maintained its validity as the rule of law in the Muslim society (Abu Eid, 1989). Muslim rulers never enjoyed the authority of legislation as practised in mediaeval Europe. Learners and those who were well-versed in *Koran* and the traditions of Prophet Mohammed used to decide on matters that were not mentioned in the two fundamental religious sources of Islam. They practised this approach based on defined methodological regulations that guarantee no violation of the basic divine laws of Islam. Those scholars did not tackle the issue of sovereignty, simply because it was not of any concern to their society.

Contemporary Muslim scholars question the compatibility of sovereignty with the laws of Islam. Annadi (1999) discussed several trends in Islamic thinking, among which are:

1. The sovereignty of the nation. Some Muslim scholars argue that sovereignty is based on the well being of the nation as long as it keeps itself within the framework of *Shari'a*. Besides, sovereignty is justified as long as it is founded on this principle. Once it transgresses the limits of *Shari'a* and does not concord with the welfare of the nation, it loses its legitimacy. This approach argues that the Muslim nation is the source of sovereignty in any Muslim state. But this approach is rejected because the only sovereignty accepted by Muslims is the sovereignty of God. No nation can claim that it has a sovereignty similar to that of God.
  
2. The source of sovereignty is God. It is the belief in this approach that it is God who stipulates and ordains the behaviour and destiny of both rulers and the general public. Once sovereignty is attributed to any party (e.g. the nation rather than God), a violation of the basic religious principle of Islam occurs.
  
3. The theory of double sovereignty. Advocates of this approach believe that sovereignty in Islam is founded on two axes: 1) absolute sovereignty represented in the *Koran* and the traditions of Prophet Mohammed, and 2) limited public sovereignty represented by the majority of Muslims, provided there is no religious text from the *Koran* to annul this right. This double approach can be attributed to the fact that Islam does not leave people to run their affairs according to their own whims.

Proponents of this approach do not support the idea of public sovereignty. They also maintain that Islam does not deny a form of rule based on the vote of majority. But there is a need here to differentiate between two approaches,

1) mandates stipulated by the Holy Book and the traditions of Prophet Mohammed and 2) a religious text that is available but likely to be misinterpreted. If 1) is applicable, then the rule of the nation is excluded, if 2) is applicable then the opinion of the majority is weighed and taken into consideration. This approach is justified on the grounds of some sayings of the Prophet Mohammed. e.g. "God supports a collective stand by the group" and "The nation of Islam can never collectively approach a misdemeanour". Based on this analytical understanding of the issue of collective opinion in Islam, it can be argued that the principle of consultation in Islam has emerged as a lawful approach.

A scrutiny of this theory would lead us to results that are utterly unacceptable. We might find out through this scrutiny, that the approach has been strongly influenced by subjective beliefs such as the theory of the sovereignty of the people. Advocates of this approach tried to establish some legal or philosophical base for the issue of sovereignty in Islam with the results that their approach made the issue more problematic. To argue that sovereignty is common between God and those who are governed is unacceptable for it divides sovereignty between God and people. This falls in contradiction to the principle of Islam which mandates that God Almighty is the sole sovereignty and his sovereignty is individual. Individuals might exercise various roles in a society but again this regulation is run by a tight divine mechanism. Annadi (1999) argued that to reach a precise solution to the problem of sovereignty, there is a need to differentiate between 1) the source of sovereignty, and 2) a party that has the right to exercise sovereignty. He claimed that the source of sovereignty can be defined as represented in the divine entity. That is because every act and every human will derive their actuality and legitimacy from God

Almighty. This sort of sovereignty is indivisible and absolute. This sovereignty leaves room for human beings to utilise their logic in deciding matters provided whatever they decide does not contradict the basic laws of God. With reference to the question who has the right to exercise sovereignty in a Muslim state, Annadi argued that it is the members of the nation of Islam who can exercise such a right. The right is not exclusive to one particular individual or a sect. This situation necessitates a public authority and the responsibility of establishing such an authority lies with the nation of Islam at large. This Islamic approach of sovereignty is embodied within a tight framework and a defined system stipulated by Almighty God. It allows for people a limited space to behave but in a way that never transgresses the limits defined by the divine revelation. The divine sovereignty has defined the right and freedom of the public in a way that guarantees the happiness of people in their life on earth and their life after death. Thus no gap is left for the practice of tyranny or suppression. Islam does not restrict the freedom of the general public; this freedom is restricted only according to the demands of the public interests of Muslim societies.

### **Legitimacy of Authority in Islam**

The issue of legitimacy tops the list of quantitative solutions for a given political problem. This is because legitimacy is the supportive pillar of any modern state; it obliges people in office to abide within a constitution. This adherence prevents them from claiming the right to rule, as long as they live. Secondly, legitimacy is the basic foundation for any principle of other political organisations e.g. sovereignty of the nation and the principle of separation between authorities, as it is the case in the west. Thus legitimacy is the

common denominator and the essence of all organisations. It is also the pillar of support that maintains the structure of any political organisation. Islam was the first ideology to bring people's attention to this principle. Islam mandates that officials in office are governed by values and norms of an Islamic political system originally stipulated by the holy book and the traditions of Prophet Mohammed. According to Abdul Hafiz (1996), the implication of the political problem questions the means that, if practised, would block all sort of tyranny in the practice of authority. Rulers in any Muslim society should abide within the rule of the *Koran* and the tradition of Prophet Mohammed; and in return their subjects are supposed to show them obedience as long as they rule by the means of the *Koran*. It seems that legitimacy remains the purpose of any Islamic political organisation. Any political system is judged as being Islamic on the basis on its fulfilment of this purpose. The continuity of an Islamic authority in office is dependent upon the government's adherence the laws of Islam.

All rules stated in *Koran* and the traditions of Prophet Mohammed should be applied and practised on an equal basis. Abdul Hafiz (1996) argued that the principle of legitimacy in Islam is represented in an observance, by the ruler, to establish an Islamic society as depicted in both the *Koran* and the traditions of Prophet Mohammed. Basic to this approach it can be argued that legitimacy turns to be a norm against which the religiosity and Islamatisation of the government is measured : its legality of illegality is accordingly judged.

## **Historical Legitimacy of the Saudi Political System**

The analytical presentation introduced in chapter one is indicative of the shape, content, and process of development that Saudi society has been undergoing since the beginning of the Saudi state and especially since the death of Ibn Saud on 9 November 1953. Basic to our analytical approach, it can be argued that with his death, a great reign was ended and with it ends the chronicle of the acts and achievements of that generation of a great dynasty, which has ruled in Arabia for five centuries and is hoped, will reign for many generations yet to come. The legitimacy of this dynasty to rule can be explained, first, on the ground of the heroic adventures initiated by the early members of the family who took out from the matrix of the Saudi desert the city state of Dariya; second, that legitimacy is derived from the love and admiration of the Saudi people for the first founders of this Kingdom and for the effort and sacrifice the dynasty exercised to unite all the regions of the vast Kingdom under the banner of monotheism, justice, love and brotherhood. The Saudi dynasty is defined by its adherence to the immutable characteristics of Islam and tribalism. Al Khuli, (1981) argues that tribes in the Kingdom of Saudi Arabia have been providing the Saudi dynasty with military and political support since the time of the first Saudi founders, and that the dynasty resorted to the Islamic ideologies to link various tribes in the peninsula. This does not mean that the relationships between the institutions of religion and tribalism and the government have not changed since the advent of oil wealth in 1970s. But before talking about this change it is important to state that Al Mana (1980) argued that the Saudi rulers have been an embodiment of Arabian tribal values and of Muslim piety. This embodiment has been constant all along the changes that affected the relationships between the

religious institutions and the Saudi dynasty. Al Sweel and Wright (1993) argued that the dynasty now has turned to provide directly to individual Saudis many of the benefits that in the past came from the tribe. The balance of power between the central authorities and the tribes is now squarely on the side of the former. They also argue that the religious institutions are now much more dependent upon the state than was the case in the past. These changes, that are supportive of the legitimacy of the dynasty, have not been accidental; owing to economic reasons, the independent powers of the tribes have been curtailed to become part of the general Saudi political system. Doi (1984) argued that, driven by a sense of love and respect to the religion of Islam, the Saudi dynasty has absorbed all local institutions of Islam into the state apparatus. The versions of tribalism and Islam have provided institutional, constitutional support, and ideological legitimisation to the dynasty. Dawisha (1992) argued that through this new approach Saudi populace are permitted to organise socially and participate politically. The Saudi dynasty has no monopoly on the political interpretation of Islam. Basic to its adherence to the laws and divine commandments of God along with the tribal support to it, the Saudi dynasty can now claim religious justification for its rule. The origins of this claim date as far back as 1745, when Mohammed Ibn Saud, ruler of Dariya (the central Arabian oasis) formed an alliance with Mohammed Ibn Abdul Wahhab, a scholar who was preaching a reform of religious practice through a return to the strict interpretations of Islam. According to Meadows (1971), the other source that provides the dynasty with additional means of legitimacy is the support of the tribes of the dynasty's religious interpretation of Islam as basis for the Saudi state. Both Islamic ideology and tribal support have been the cement that hold the coalition between the people and the Saudi rulers. The dynasty views the *Koran* as the

constitution under Islamic law. Thus the basic laws in the modern Saudi state, perform much the same functions as constitutional guarantees in the West (Meadows, 1971). The aspect of legitimacy can also be discussed from an analytical perspective of the situations in other neighbouring states. The social and political backgrounds of varied regions in the Arab peninsula are very much alike and the life lead by the tribes in these areas was and still is, relatively speaking, similar. What ever gave the right for certain tribe or group of people to govern and rule can be claimed by other tribes in another desert area. In the past, the whole region shared a difficult economic situation and tough means of living. Such difficult social and environmental living-conditions forced the Arab tribes into a unique stream of social, religious and political traditions and affiliations. The tribe and even the head of the tribe, is respected and honoured, for he is the provider at times of drought, calamity or any looming danger. This means that the tribe owes its existence and triumph to the wise guidance of its greatest chieftain. But this dominant role of the tribe that was prevalent in all Gulf countries has changed not only in Saudi Arabia, as shown earlier, but in all Gulf states as well. That change gave room to the belief that an Islamic state is committed to the main cause of the populace, in providing for their welfare and social cohesiveness, and consequently for their unity within a unified social and political entity. The holy book the *Koran* exhorts Muslims to respect, accept and obey their rulers as long as they govern the country in accordance with the laws of Islam (the *Shari'a*) and do not spread immoral practices, that are in essence in contradiction with the commandments of Islam. The basic principles of Islam, as long as they are observed and practised by a Muslim ruler, can justify, first of all, the legitimacy of the ruler to govern a Muslim society. Secondly, they are seen to represent a comprehensive ruling method that can provide for the



spiritual and secular needs of the populace. The reasons *Shari'a* is viewed as the perfect method is because it was revealed to Prophet Mohammed by God. This should be a valid reason to support its divine characteristic. Basic to this analysis it can be argued that the most important features of the Arab traditional political systems are the prevalence of Islamic values and the way they are observed and practised by the state. According to Al Rashid (1976), the laws of Islam, on the basis of which any true Muslim country is run and administered, are derived from two infallible sources: The Holy Book and the traditions of Prophet Mohammed. The *Koran* dictates that it is the commandment of God that Muslims should live in a Muslim state and be governed by a righteous Muslim leader. The legitimacy of the leader is automatically gained and justified as long as the laws of Islam are protected, exercised and observed by the government. The role of religion, in this case, is to unify Muslims within the boundaries of the creed of Islam and to unify them within one sound society and in the crucible of justice, equality and brotherhood. In regard to the historical legitimacy of the Saudi dynasty, Kinnedy (1987) argued that the short reign of Turki Ibn Abdullah had been of the utmost importance in restoring something of the shattered fortunes of the Saudi state and the prestige of the house of Saud. Through strong adherence to Islamic belief, he could at least repair the foundations on which both state and dynasty had risen during the half century preceding the disaster of Dariya to the dimensions of an empire such as Arabia had not known since pre-Islamic times and on which they could, and indeed would, rise again to take their place in a modern world far beyond the wildest dreams of Turki and his contemporaries. Kinnedy (1987) also argued that there would be ups and downs in the process of restoration and development. But it is fair to say that had it not been for Turki's patient and persistent efforts, empowered by

Islamic traditions, to repair the ruin he had inherited, the Saudi Arabia of his great-grandson would never have had a chance of realisation.

Basic to the analysis of the religious reasons that justify the legitimacy of the Saudi rule and in addition to the historical discussions of the heroic struggle exerted by Saudi rulers, it can be argued that the roots of this legitimacy go as far back as the year 1745 which marks the alliance that took place then between the ruler and the religious reformer. This legitimacy has been growing, and has been enforced, and consolidated by successive political, constitutional, social and educational reforms. The achievement realised in modern Saudi society can attest to the authenticity of this legitimacy and can equally claim that the Saudi dynasty has manipulated all its resources to the best interests of Saudi populace.

The political and social situation in the neighbouring Arab states along with wars which it incurred, have been discussed to show the range of support and loyalty extended and entrusted to the Saudi leaders. These incidents have shown that the members of the dynasty have struggled to establish peace, justice and equality for all Arab tribes in Arabia. The ideals, morals, courage and persistency enjoyed by almost all members of the Saudi dynasty have definitely contributed to the political, constitutional, and social changes that the present Saudi society has been undergoing.

In modern Saudi society, the process of change and development has been taking place rapidly, but with one eye on the traditional Islamic principles and the other on the proper means of development, so that a bright future for the rising Saudi generations can be realised. Throughout this process, it can easily

be noticed that the traditional form of morality and sound Islamic principles were maintained. The present political system has been functioning to represent the ideal form of government as defined by the laws of the religion of Islam. In this regard (Al-Awa, 1989) argues that in the Saudi form of government, a strong religious sense is intertwined with any activity carried out by a Saudi official. The strong religious conscience of the public is always active and supervises all that commands virtue and abhors vice. In the Islamic method of government, there is no legislative authority because the legislation in *Koran* is the best legislation possible. Legislative authority is denied, on the ground that the laws of God, as represented in the laws and commandments that had been revealed to Prophet Mohammed, should suffice for the best legislation possible. Islam allows room for judiciary and executive authorities. The expression "secular legislation" for Muslims, is accepted as long as it is consistent with all the laws of Islam. This is simply because the laws of Islam are viewed by Muslims as a guide and a framework good enough to maintain a decent way of life in this world and to secure the blessing and happiness of God in the life after death. At this point of analysis there is a need to define sources of the laws of Islam (*Sharia*). They are: the Koran, the sayings and traditions of Prophet Mohammed, namely *Qiyas*, and *Ijmaa*. term *Qiyas* means that Muslim scholars, or individuals, who are well versed in Islam may weigh individual cases by comparing them to established religious principles. These principles should have been approved either by the Prophet Mohammed or his follow companions. The term of "*Ijmaa*" refers to a collective opinion concluded and adopted by Muslim scholars after deliberation, consultation and exchange of religious point of views. The *Ejmaa* adopted by the majority of the Muslim scholars is authoritative and should be observed and respected in all its related social practices. Examples are not provided here because the

purpose of this presentation is to provide an additional explanation of the laws of Islam and not an analytical description of each one of them.

## **Religious Legitimacy of the Saudi Political System**

The Divine Laws in Islam designate appropriate terms to replace secular terminologies such as "political parties", "parliaments", and other political institutions. Islam provides terminologies such as *Majlis Ash-Shura* "consultation council", "Council of the Nation of Islam" (*Umma*), or a council that represents public (People's Council). Basic to this religion-related structure, the whole Muslim community can be represented by councils characterised as being Islamic in practice, methodology and representation. Any unanimous opinion or decision adopted by these councils is imperative and should be observed by the Muslim ruler.

Basic to this religious ideological approach, it can be argued that Saudi Arabia has maintained *Sharia* law (Divine Law). In Saudi society, aspects of social life are completely influenced and effected by the laws and teachings of Islam, which are, in essence, the laws and commandments of God. Hobday (1978) argued that the *Koran* is remarkable for the amount of ground it covers in relation to everyday life. It is the most complete document; it sets out not only the religious acts that must be performed but seeks to create a society in which every act (social, political and economic), is governed by the divine law. The other reason is that religious conservatism with strict adherence to the laws of God continues to be a major force in the Kingdom. The momentum of conservative opinion continues to grow as a power that derives its legitimacy and energy from the sound principles that were revealed to Prophet

Mohammed. This growth became magnified as the base of economic change increased. According to Al Qassimi, (1990) conservatives and modernisers differed in opinion regarding what kinds of technology might be appropriately used and how to make best use of the Kingdom's great wealth. The dichotomy between the two is found at the core of much of the country's political affairs. But the unanimous accord concluded by Saudi Muslim scholars states that any process of modernisation should reflect Islamic texture and values. In an article published by El Bilad Press (1941) King Abdul Aziz is quoted in Taif, as saying:

" We have no reason to be proud without Islam and we have no peace without upholding it. By defending Islam, we are in fact defending our own integrity and peace; its loss will be a total loss for us. Without Islam we shall be worthy of the wrath of God. What I want and ask from you is to uphold the principles of our religion. This is my policy which I am determined to pursue and I shall not depart from it no matter how much dare the sacrifice shall be".

The laws of Islam are observed, respected and practised at the highest rank of office. They are deeply vested in the tradition of the dynasty. *Shari'a* allows for general practices whenever a need for a divine constitution rises. This explains the absence of secular constitutional bodies for such organisations are automatically represented by a mere adherence to the laws of Islam (*Shari'a*).

It can be argued that the legitimacy of the Saudi dynasty is based on the following factors:

1. Religious factor. The Saudi dynasty is characterised by a sense of adherence to the immutable characteristics of Islam. This approach has



been strongly welcomed by the tribes in the Arab peninsula. This religious spirit adopted by old and present Saudi rulers. Accordingly the tribes provided the Saudi dynasty with military and political support. In return the dynasty provided the tribes with Islamic ideologies.

2. The advent of oil changed the traditional relationships between the institution of religion and the government. The dynasty acted as an embodiment of Arabian tribal values. The dynasty provided directly to the individuals many of the benefits that in the past came from the tribe. Due to growing legitimacy, the balance of power between the central authorities (the Saudi rulers) and the tribes has become squarely on the side of the former.
3. Due to certain economic and tribal-related changes, the religious institutions have become much more dependent upon the state. It follows that religious leaders in the Kingdom now fully support the dynasty. Besides, the independent power of the tribes have been curtailed and have been brought into the general Saudi political system. The dynasty has absorbed all the local institutions of Islam into the state apparatus by force of its love and respect of religion. Further, as legitimacy justified from a historical perspective, it can be argued that the origins of that legitimacy date back to 1745, when Mohammed Ibn Saud ruler of Deriya formed an alliance with the pious scholar (Mohammed Ibn Abdulwahhab) who preached a reform of religious practice through a return to the strict interpretation of Islam.

4. The struggle, and chain of sacrifices exhorted by the Saudi dynasty justify their right to rule, and their right to preserve the noble purpose of providing the people of the peninsula with means of secure, social, and political environment. The discussions of the expeditions and other adventures conducted by early Saudi rulers, e.g. Faisal, attest to the authenticity of this claim.
5. The range of support and loyalty that had been extended to the Saudi rulers by chieftains from other Gulf states is discussed to show the legality and justice of the struggle initiated by Saudi rulers to realise peace and brotherhood among tribes. The Saudi rulers has succeeded in bringing Saudi society from the annals of dissension to early signs of a modern society governed by laws of Islam (Shari'a).

## **Conclusion**

The concept of political development is handled by various scholars of political science without a unanimous agreement on the meaning and definition of the term. Scholars like Max Weber have linked the term closely to bureaucracy and public policy as well as to the means of domination, arguing that bureaucracy is a form of power. On the other hand, Huntington defined political institutionalisation in terms of political development, whereas James Bill defined it as the capacity of the political system to absorb and sustain continuous changes and transformations.

Political development is used in this study and applied to the Kingdom of Saudi Arabia as a process of transformation initiated by policy makers who

see political development as a movement from status quo towards systems capable of obtaining emerging goals while providing needed institutions which facilitate government functions. However, for some scholars, political development is equivalent to the concept of nation-building which is very useful to this study. The Kingdom of Saudi Arabia is passing through a vital stage of nation building. However early the stage, it can be argued that Saudi Arabia has reached a critical period of political institution formation, which is the functional basis of the state. The Kingdom of Saudi Arabia is also managing to cope with some very important challenges within the political system itself. One such challenge is the formation of the *Shura* Council.

In consideration of the Western concept of political development, the term is closely related to economic factors such as the rate of growth and capital. It appears in this case that political development is correlated to aspects of modernisation.

Political development from the Marxist approach focuses upon "structural approaches" in the political system as a vital condition for modernisation. Marxist theory departs from Western democratic theory and capitalism with its focus on free markets and limited government, saying that classes and social stratification are highly expressed in the form of wealth, power and status, and that the state must regulate these expressions through social and economic policy.

The Islamic concept of political development, unlike the Western concept which depends upon man made law, depends upon achieving integration of sources of hypothesis by linking revelation and materialism. This approach is



necessary to achieve the required balance between the constants and variables in human life. Revelation determines the former, leaving the latter to be determined by human reason through life experience guided by the *Shari'a*.

It is the truth of the oneness of God, or Tawhid, through which the fundamental Islamic hypothesis derives its insistence on *Koran* and *Sunnah*. The major concept of Islamic political idea is to maintain the welfare of human beings, keep *Koran* and *Sunnah* a criteria (*al-furqan*) or measurement of good and evil, and to observe the prohibited and permissible in all social, economic and political affairs. Islamic political development offers a good deal of consideration to time and environment, thus recognising the vital role these factors play in orienting the nations purpose and objectives.

Although this discussion of political ideology has focused on the ideals of contemporary political scientists, offering a comparative analysis, and little attention has been paid to the prophets and the philosophers who centuries ago initiated these discussions of human government, social order, and structures from which modern scientists develop their ideas, it is important to mention here that the prophets of God brought one message of universal proportion and the philosophers of Islam, the Greek and other Western philosophers agreed upon some basic principles of human governance derived from these teachings but often ignored in our modern discussions and debates.

When we look to the ideas of Plato, Aristotle, Epicurus and Zeno we find oceans of common ideas and sentiments shared with Islamic philosophers such as Al-Farabi, Ibn Sina, Ibn Rushd, Ibn Khaldun, and others. Though many spend time seeking to discern what impact Islam had on the Western

philosophers and ideologies, and vice versa, and focus on the numerous philosophic, religious, and political debates and discussions, the truth is that intellectuals and thinkers of all times have been effected by the ideals and experiences of the great men and women who preceded them which include the prophets of God. There is little doubt that the teachings of the prophet Issa, known as Jesus in the West, impacted the development of Western political thought. This clearly evidenced in the doctrines of just war developed by the Christian theologians, and Western concepts of human rights.

It is compatible with the belief in the Oneness and Unity of all of God's creation to submit that perhaps these great thinkers admired and studied the ideals put forward over time from various quarters of the world, and by men of varied religions and philosophies because they were all seekers of truth who recognised that there are universal truths that link mankind as one nation under the dominion of one God. It is this concept of "universal" truth that has suffered as modern man has mostly discarded the concept of truth and exchanged it for relativity. Ibn Taymiyyah, a noted Islamic scholar, in a famous essay entitled *Al Uboodiya*, speaks to the concept of universal truth saying that universal truths are the truths created by God and shared by all men, while one must witness the "religious" truth to attain salvation, this being that there is Only One God, and Muhammad is a prophet of God. While all men may not be in pursuit of salvation, most of us are in pursuit of a harmonious and prosperous life. In ignorance of the universal truths which include justice as a priority of all governments, and the principled obedience to the laws formulated by international bodies for the protection of the rights of all men and women and children, we have moved into a period of lawlessness that is being dictated by "might."

In the absence of the divine universal truths we have written history as a vain testament to a particular race's, or class's superiority over others, seldom looking at universal truth as a testament to our commonality as beings created by One God and as mortal beings who must die and meet an unknown fate. It is the commonly good characteristics of humanity that preserve peace. Yet only when we encourage and seek to strengthen our common virtues, while discouraging and making unlawful the common vices, are we able to accept each other's imperfections as human beings while depending solely on the Grace of God for perfection, without any pretence of superiority, or fear of each others violence, greed and passions.

Whereas the political ideologies differ in method and objectives, we are bound to recognise that in our diversity there is in operation the Wisdom of God.

## **Chapter Four**

### **Development and Process of the Saudi Political System**

The process of change and development in the Saudi realm has affected varied aspects of Saudi social and political features. This rapidity can be understood and justified by the vast growth of wealth and the accumulated affluence of oil that have been utilised to modernise the Saudi infrastructure and ultimately the way of life of all citizens. Such progress has been realised with a clear adherence to the laws of Islam as stipulated in the *Koran* and the traditions of Prophet Mohammed.

This religious approach coupled with the available means of economy have enabled the government to realise a long-term goal. This transformation has made the example of Saudi Arabia less likely to be matched in any third world country in our history.

As discussed in previous chapters, the Saudi realm has been in need of stable government. After bringing the regions of the Kingdom into one united realm, the Arabs in the peninsula were in a state of illiteracy and object poverty. Given such situation, Saudi leaders have capitalised on the Arabs' adherence to Islam because this religious sense was innate in their psychology, morals and way of life. The other reason that made Saudi rulers adopt this approach is because the members of the dynasty themselves are true believers in God and in the religion of Islam. They have a strong belief that the laws of Islam can be the best possible

mechanism through which they can rule especially in a region that witnessed the birth of Islam. Besides, their realm contains the house of God, Mecca. This Holy Place also attracts and compels all believers to perform the *Hajj* as one of the basic pillars in the religion of Islam. Based on these crystal clear convictions and religious orientations, the political and other social achievements have been a reality. No political or social developments would have been made possible had they not been founded and cherished by Islamic principles. Besides, the initial momentum of the Saudi expansion and conquest aimed to eliminate inequality and put an end to the tyranny of the strong over the weak. This elected approach was a result of an intermarriage or an alliance between the religious Wahhabi movement and a national aspirations. This alliance was determined to bring this part of the world from the alleys of ignorance into the righteous practices of Islam.

### **Modern Mechanisms and Related Developments**

Basic to the above discussion it can be argued that the modern political system in the Kingdom of Saudi Arabia has been designed and shaped in accordance with Islamic ideology, where any separation between the state and religion is absolutely impossible. In the light of such development there has been an imperative need for further socio-political developments. In this regard, Nyep (1984) argued that Saudi society in the early 1980s represented a marked contrast with the impoverished, largely isolated, and underdeveloped nation formed scarcely 50 years earlier. He also states that the Arabian peninsula of the early twentieth century was one of the most backward regions of the Middle East. There were a few modern schools with a secular curriculum in the cities of the *Hijaz*. However, the pilgrimage centers of Mecca and Medina attracted devout Muslims and

scholars from throughout the Muslim world. From a social perspective, Fisher (1969) argued that the Arab peninsula was the home of bedouin, nomads and oasis farmers. The few towns and cities were the domain of merchants, who exercised sometimes remote but effective control over the region. She also argued that tribal loyalties were paramount; political organization was a shifting pattern of alliances that were inherently unstable; the process of raiding and feuding among the fractious tribesmen was unending and frequently escalated. That is how the political and social stage was before the onset of the present form of government. It is in essence a complete contrast to the modernity that has been achieved. Due to the lack of any educational secular element embedded in the personality of the Arab *bedouin* (with an exception of the teachings of the Islamic creed,) the role played by the religion of Islam emerged to be a strong factor in all developments. The intermixture of tribal tradition and the sound principles of Islam has paved the way for an adoption of the *Shari'a*, as the essence of the Saudi constitutional and judicial systems.

Tribal feuds, raids, wars launched against Turks, poverty, famine and natural disasters all justify as much as demand a designed framework for social and political developments. In this regard, Holden and Johns (1981) argued that Abdul Aziz Ibn Abdul Rahman skillfully manipulated the tribal conditions and the call for reform in order to weld the refractory bedouin and villagers of Arabia into a modern state. This incident is viewed as the first development realised in the Kingdom of Saudi Arabia. This development gained momentum from a previous development represented by the alliance between the reform movement and a favorable reciprocity from the Saudi dynasty. Again historically speaking it can be argued that the other reason that necessitated social development is the fact that the social and political practices were in a state of complete disorder and

conflict. The tribe used to be headed by the Sheikh who represents the organised political and social unit of the community with all activities of daily life evolving around his personality. The authority of the head of the tribe is derived and dependent upon his personality traits of courage, shrewdness, intelligence, prudence, generosity and fortune, and the effect of respect extended to him because of these qualities. There were settled areas known as Emirates where Amirs could maintain their authority due to the services they extend to these areas. Simons (1998) argued that the royal dynasty started with an additional burden that it had shouldered to provide alternatives to the primitive social practices that were traditionally prevalent. This social chaos made it imperative for the present Saudi government to think of alternative forms of change that would contribute to a comprehensive social and political development of the Saudi kingdom.

According to Willard (1980) it was the norms that were respected, adopted, and prevalent throughout the Arab peninsula that facilitated the transfer of rule from the King to the Crown Prince and then to other Princes. In this regard, Al Hamad (1986) argued that regional rulers were demanded by the central government in Ayaina (the place of birth of Mohammed Ibn Abdulwahhab, the founder of the reform movement) to pay an annual allowance of victuals and cash. Al Hamad also claims that such allowances cannot be regarded as tribute in any form but were rather in the nature of an insurance premium covering the right of the merchants of the coastal area to trade with the hinterland and their protection from molestation. This was part of the administrative mechanism through which the dynasty could levy taxes to support the state. This mechanism is justified on the ground of a *Koranic* text which says:

“The ruler who believes in one God and works as well, shall have the Kingdom of the country and its people; for good is the divine unity which has been proclaimed by all the prophets.”

Basic to this *Koranic* principle, the King is entitled to certain revenues on the earnings of his subjects from agriculture and trade and the rest. In this regard Al-Hamad (1986) claimed that one fifth of all the spoils of war was the perquisite of the central treasury on which the ruler and the preacher (Mohammed Ibn Abdulwahhab) drew for the maintenance of themselves and the performance of their respective functions. Al Raihani (1986) also argued that the ruler and the preacher seem to have acted in complete harmony as a single entity with dual function. Half a century of such harmonious co-operation can surely have but few parallels; yet such, within a year or two was the measure of the Sheikh's dominance in the affairs of a realm, of which he must at least be regarded as a co-founder. According to Al Raihani (1986), when the growth of the state began to lay even heavier burdens on the Sheikh, it was he who transferred the executive responsibility for the political and financial administration to the King, while the latter continued to consult him in all matters. That was the time when the first signs of consultation began; and since then this religion-based principle of consultation has been firmly adopted as a factor in the constitution of the modern state. This approach will be discussed fully in the next chapter. Simons (1998) argued that taxes were paid regularly enough under the threat of substantial fines in the event of delay or evasion. In addition to the issue to taxation, Simons (1998) addressed the state's preparation for war. He claimed that the King's calls on the towns and tribes for the armed quotas, to which the state was entitled in connection with its military activities, were generally met promptly and in full under the goad of sanctions against default.



Another aspect of an organised onset of administration revealed itself in the method that was designed to support the treasury of the state. In this regard, Al Hamad (1986) argued that a fee of no more than five pounds per pilgrim was imposed but that was in the days when the pound sterling was on the gold standard. The continued payment of fees in gold or its market equivalent certainly had the appearance, from the point of view of the pilgrims, of greatly increasing their burden; but that has happened all over the world. The pilgrims of today have not even that grievance to ventilate: the pilgrim fees were abolished under the orders of the king as soon as government resources from oil and other sources made the occasion possible, and enabled the government to bear the whole cost of the ever-increasing amenities (tarmac roads with several lines of traffic, for instance, from Mecca to Arafat) provided for the benefit of all persons making the pilgrimage.

An additional example of harmony would be the co-operation between the regional rulers and the dynasty. In this regard, Al Hamad (1986) wrote about the incident when Abdullah Ibn Faisal's call for help was answered by Mohammed Ibn Rashid, Sheikh of Ha'ail. This happened in 1885, the beginning of the third Saudi State. This incident can also be indicative to the implied belief on the part of the tribal leaders in the legitimacy of the Al Saud dynasty.

The modern state of the Saudi dynasty was crowned by achievements made real by Abdul Aziz Ibn Saud. Hobday (1978) argued that what characterises this era is the range of the socio-political changes brought to the administrative mechanism of Ibn Saud. This discussion is not meant to be an historical analysis of these achievements; rather it is meant to be a prelude to the political system that characterises the present Saudi

government. Even though many changes and developments have taken place, Ibn Saud's era is viewed by many historians as a basic starting point. Now the modern Saudi state, at long last, has been founded.

### **The Analysis of the Modern State**

This approach starts from Riyadh, the state capital of the Saudi dynasty. After the recovery of Riyadh, and after the Rashid governor, Ajlan, had been slain with many members of his garrison, the citizens of Riyadh pledged their loyalty to Ibn Saud. Father and son settled down to discuss the problems confronting the new regime and design a nucleus strategy to administer the affairs of the state. It was easily arranged between them that, while Abdul Rahman should retain the title of Imam as the head of the dynasty, his son should be the effective head of the state and commander of the army. In this regard, Al Yassini (1985) argued that in practice this somewhat anomalous positions created no difficulty, as the son always referred to the father in matters of ceremonial, while the father never interfered with affairs of state, on which his mature counsel was always unreservedly at the disposal of his son. Al Yassini (1985) also argued that thus was born an association of great charm, based on the interplay of paternal pride and filial respect, which was destined to endure and be fully observed by many dynasty generations to come. According to Al Yassini, that association was unclouded by the slightest friction or disagreement, until the Imam Abdul Rahman's death in 1928 at the age of 78. And, as much of this long period was inevitably spent by the son in the field, it fell to the father to act as his deputy in all matters concerning the central administration at the capital (Al Yassini, 1985).

To show, from a historical perspective, how the legitimacy of the Saudi dynasty was strengthened, here is an additional example. Ibn Saud proceeded in person to re-establish control in the southern provinces and in the tribal areas, which had never taken very kindly to the rule of Ibn Rashid. The northern provinces had to be left for a future occasion as the local loyalists were not in a position to challenge the *de facto* jurisdiction of the Rashid governors. But since this is not a minute detailed explanation of historical events, the researcher of this thesis would rather make it short and get to the inevitable end: Ibn Rashid was defeated, or rather shot dead, and the Qasim region ceased to be the pivot of Arabian politics and the source of anxiety which it had been throughout the critical years of Ibn Saud's struggle for dominance in Najd. A strong hand was required to keep the independent spirit of Qasim under control and the new governor general was none other than Ibn Saud's own doughty cousin, Abdullah Ibn Jilawi, who was to remain in charge for the next five years. At this point of juncture, Al Hamad (1986) argued that the new ruler of Hail (also named Saud) hastened to see an accommodation with Ibn Saud who readily agreed to recognise the independence of Jebel Shammar on condition of its ceasing to trouble his peace. The people of Majma'a apologised for their equivocal attitude and proclaimed their allegiance to the new order.

According to Al Yassini (1985), the whole of central Arabia was at that time in the throes of a great drought, which lasted for several years and became famous in the country's annals by the name of *Al Sahut* ("the extreme sterility"). In this regard, Assah (1969) argued that in spite of it, or perhaps because of it, an era of general dissension and instability set in, during which Ibn Saud's slender resources were taxed to the utmost. It was to these harsh situation that Ibn Saud had to address himself and be determined to find a cure if possible. Al Mana (1980) argued that the

history of his house readily suggested religion as the principal ingredient, and there can be no doubt that both he and his father were devout Wahhabis. The idea of another Wahhabi revival was germinating in Ibn Saud's mind as an important instrument of policy. And accordingly, a sound nucleus for a strong government to come was started. Al Mana (1980) argued that evidently there was some basic weakness in the constitution of this desert society: capable as it was of heroic effort under the impulse of a great cause or a great personality, it was temperamentally unable to maintain indefinitely the discipline necessary to develop the fruits of victory for the common good. The desert tribes and the city-state were alike obsessed by a sense of local or parochial loyalty that over-rode the greater patriotism and public spirit necessary to the maintenance of an ordered realm. However, according to Al Mana, Ibn Saud had grafted a new conception on the normal type of such revivals, and had made a special point of concentrating the efforts of his missionaries on the Bedouin tribes, with results which began to be apparent in 1912. In that year a mixed group of Harb and Mutair tribesmen, duly impressed by the warnings of everlasting retribution conveyed to them by the missionaries, gathered near Majma' to seek further information on the matter from more authoritative sources. In this they received ready help from local zealots. But Ibn Saud's efforts began to flourish and the idea of an Islamic revival began to sow its seeds in a state destined to play a major role in the life of all Muslims. According to Assah (1969), the new fraternity, soon to become known as the Ikwan, or Brethren, and now numbering some fifth men and their families, decided to migrate to less compromising surroundings. They chose a place on the caravan route between Kuwait and Qasim called the wells of Artawiya. There they founded their hermit colony that soon became the prototype of the militant religious cantonments. Others sprang up in rapid succession all over the country. Ibn

Saud placed all necessary facilities at their disposal: money, food and agricultural implements, religious teachers, and the wherewithal for building mosques, schools and the dwellings and even arms and ammunition for the defence of the faith, the basic article of which was the renunciation of all the heathen customs and practices of the old tribal code (Assah, 1969). The essence of the dynasty's authority can be projected as follows: *The brotherhood of all men who accepted the new order, regardless of their tribal affiliations and social status, canalised the warlike propensities of the Arabs in the service of God and his representative on earth namely the rulers who govern Muslims by means of the laws of Islam.*

Winder (1965) argued that the activities of the first Ikhwan were widely canvassed in the tribes which they had abandoned, and recruits came in from near and far to swell their numbers. Villages sprang up in every suitable centre with surprising rapidity. Almost before the year was out, Ibn Saud found himself in command of a voluntary territorial army whose loyalty he could count on to the death. In such a manner did the strong Saudi realm start and its legitimacy be earned. Based on this honourable inception, the Saudi state was founded. Al-Mana (1980) argued that the armies of Ibn Saud always included a contingent of Ikhwan levies, marching under their own banners in company with the still unregenerate *bedouin* and the steadier yeomen of the old citizen army. Each category had its special function to perform in the ensuing operations.

From the above analysis, discussions of the historical events, and aspects that pave the way for the emergence of the modern Saudi state, proceeds that there was a need to provide an organised mechanism of administrative rule. In this regard Muhammad Al Mana (1980) argued that an Amir was

appointed in each community to see that civil justice was done between the weak and the strong, while its spiritual needs were catered for by a prelate whose duty was to teach the principles of the faith and to interpret the sacred law of Islam. Thus Arabia, over which Ibn Saud was to rule for nearly three more decades, was united as never before: within the utmost limits practicable in the international circumstances of the time, and exceeding anything which any of his ancestors had effectively controlled. Within these limits the dynasty would not be challenged again and the Saudi realm would descend intact to his successors.

## **Conclusion**

This chapter has discussed the developments that led to the present form of Saudi government. Based on the discussions included in chapter one, this chapter has confirmed that, in the modern Saudi realm, the idea of a separation between the state and religion is absolutely rejected. The first part of this chapter has discussed the reasons that accelerated the rapid development in the Saudi socio-political structure. The government found it imperative to strike a balance between demands of modernity and the obligation to traditional Saudi heritage and culture. The second part of this chapter discussed aspects of the administrative mechanism of the government. It is an analytical approach that displays how Saudi Arabia has developed from being an underdeveloped nation in to a modern society.

The third part of the chapter discussed the contributions of the Saudi rulers to the chain of developments. It also discusses how traditions have been guarded and maintained in Saudi society. This discussion shows what the second generation of the Saudi rulers did to reinforce all the benefits that

their grandfather had reaped. The dynasty members in the second state were able to restore the shattered fortunes of the first Wahhabi state.

A defined mechanism for taxation was designed by the dynasty: the regional rulers were the central government annual allowances of victuals and cash from the regional rulers. This administrative mechanism is justified on the ground of the *Koranic* principle that permits a Muslim ruler to collect revenues on the earnings of his subjects. As a sign of the Saudi government's generosity, it has been shown that with the advent of the oil fortune the king abolished the fees imposed on pilgrimage. Signs of a first approach towards consultation were ardent when the preacher (Mohammad Ibn Abdulwahhab) transferred the executive responsibility for the political and financial administration to the king, while the latter continued to consult him in all matters. Besides, there has been co-operation between the regional leaders and the members of the dynasty.

The discussions in this chapter have not mainly been concentrated on events but rather projected on the analytical approaches meant to show how the struggle of the Saudi dynasty lead to the modern Saudi state.

The third Saudi state is characterised by the complete harmony which existed between Ibn Saud and his son. It is characterised by an interplay of paternal pride and filial respect. The father-son relationship was destined to endure and be fully observed by many dynasty generations to come. Generally speaking this chapter has provided a discussion about the revival of Islam and what Ibn Saud did or extended to it in order to flourish, progress and grow in strength. Because it is hard to separate religion and the state in the Saudi realm, the Ikhwan movement played an important role

that confirm the belief that the effect of the religious momentum in Saudi society can not be ignored.

From an administrative perspective, the sources of the government financial sustenance (e.g. taxes, tithes, levies) have briefly been discussed in order to show how it is in the nature of the Saudi dynasty to address itself to hard times in order to ensure a better life for the community. Along the lines of administration mechanism, the princes were designated to govern certain regions. Their collective efforts contributed to the consolidation of the present Saudi realm.

The “public audience” and the “principle of consultation”, as used to be traditionally observed by the successive Saudi rulers, have come back to modern Saudi society. These two socio-political phenomena are indicative of an Islam-based political participation that, along with other socio-political reforms, are discussed in other chapters.



## **Chapter Five**

### **Saudi Government Structure**

#### **Evaluation of the Administrative Mechanism**

Basic to the preliminary discussions implied in chapter three and from the standpoint of geographic unity, stability, and development, it can be argued that, in 1932, most regions of the Arabian Peninsula experienced a new era of political and social change. With regard to the situation in Saudi Arabia, Helms (1981) argued that during the reign of King Abdul Aziz, which began in 1932, a limited administrative government functioned but with a narrow range. It was comprised of affiliated organs such as the Royal Court, Judiciary Department, Internal Security, Defence and Treasury. With the advent of the affluence arising from oil, the Saudi dynasty found itself well placed to improve the economic and social standards of the people. In this regard, Al Hamad (1986) argued that schools were built, roads were constructed and PTT was introduced, and were improved later. As an initial step towards constitutional progress, the dynasty set up departments for agriculture, commerce, civil aviation, defence and the armed forces. Al Hamad also argued that before 1950, only three ministries were in existence; they were: Foreign Affairs, Finance and Defence. A number of other government departments were working, but within a narrow range. However, soon the dynasty began to co-ordinate the responsibilities of those departments. Eventually, these developments were entrusted to a single department. Likewise similar departments were grouped into ministries (Sheikh Hafiz Wahba). Again from an historical

perspective, Wahba (1964) argued that in the early stage of its formation, the Saudi realm consisted of four major emirates: *Najd*, *Al-Ahsa*, *Al Hijaz* and *Aseer*. These Emirates constituted the nucleus of the Saudi realm. Sadiq (1995) argued that each emirate maintained its distinctive characteristics. The administrative functions in each emirate were limited to providing basic services and maintaining peace, law, and order. With this administrative mechanism in practice, it was the fundamental assumption of the polity of Saudi Arabia that the Holy *Koran*, correctly implemented, is more suitable for Saudi Muslims than any secular constitution. The researcher considers that the Holy *Koran*, according to Muslims, is the word of God, and it is sufficient to cope with the events and terms of all times, if rightly followed. When dealing with Islamic law (*Shari'a*), a distinction should be made between those general rules which are un-emendable and unchangeable and those which are interpretive applications of the general rules. The latter may be modified according to changing times and circumstances. As for the general rules embodied in the Holy *Koran*, these are the constitution and major system of the Islamic *Shari'a*, from which are derived the explanatory and detailed rules.

As an essential concomitant of this religious approach and due to a strong sense of belief in the religion of Islam, all changes and administrative reforms were conducted within this perspective. This approach can be made clear through a discussion of the history of the changes in the Saudi administrative mechanism. In one of the publications of the Ministry of Finance and National Economy, (1971) it is stated that, during the early stages of the formation of the Saudi government only two types of public administration were active: one was in *Hijaz* area and the other was to look after the affairs of the rest of the Kingdom. In the same publication

it is argued that the administrative system of government which was enacted in 1926, the formation of the following directorates was mandated:

1. International Affairs: the Directorates of Public Security, Health, Public Telephone and Telegram (PTT) and Municipalities.
2. The Directorate of Finance.
3. The Directorate of Education.
4. *Shari'a* Affairs: The Departments of the Judiciary, Pilgrims and Endowments, and the Holy Mosque.
5. Audit Bureau.
6. Consultation Council (to be discussed in a separate chapter)
7. The Directorate of Military Affairs.
8. The Directorate of Foreign Affairs.
9. The Directorate of General Inspection.

The last three directorates are directly affiliated and attached to His Majesty the King. The rest of the directorates were attached to the office of the King's Deputy in *Hijaz*. From a social and administrative perspective, Browman (1986) argued that owing to the State's reliance on tribal organisation, the rest of the kingdom was run by tribal councils. This was an initial stage towards the formation of the Amir System in regions, cities,

and villages. Browman also argued that the administration in *Hijaz* used to serve pilgrims and collect revenue due to the state. The government administrations in the rest of the Kingdom used to keep law and order, resolve disputes and collect *zakat* (tithes).

With the lapse of time, some of these directorates were changed into ministries e.g. the Ministry of Foreign Affairs was established in 1930, the Ministry of Defence in 1944, and the Ministry of Finance in 1932. As a sign of an additional striking change, Browman (1986) argued that as the resources of the Dynasty increased, government machinery expanded and the public officials increased in number. The various regions of the Saudi Realm have come to enjoy services extended to education, health and municipality. As the oil in Arabia was discovered in 1938 and later its wealth became affluent, the Ministry of Health was established in 1951 and the Ministries of Education, Agriculture and Commerce were established in 1952 (Abdel Wassie, 1970). The need for the development of government mechanism and creating a central processing unit, so to speak, to coordinate the activities of the established ministries, all necessitated the Council of Ministers to be established. A Royal Decree to that effect (No. 4288) was enacted. Al Tawail (1977) wrote in this regard that the Royal Decree above indicates the beginning of modern government administration in the Saudi Kingdom. Al Awa (1989) argued that in order to modernise its administrative system, the Dynasty imported technical assistance from the International Monetary Fund (IMF) and availed itself of the recommendation and advice submitted by the IMF experts. In order to overcome financial problems and improve the performance of the government administrative mechanism, the King requested relevant assistance from the United Nations to help throughout the period from 1958 to 1960. Al Tawail (1977) argued that these reforms resulted in a

remarkable change and an increase in both the government budget (from 1498 million Saudi Riyals between 1958 and 1959) and the number of government employees (from 22,217 to 31,097 during the same period).

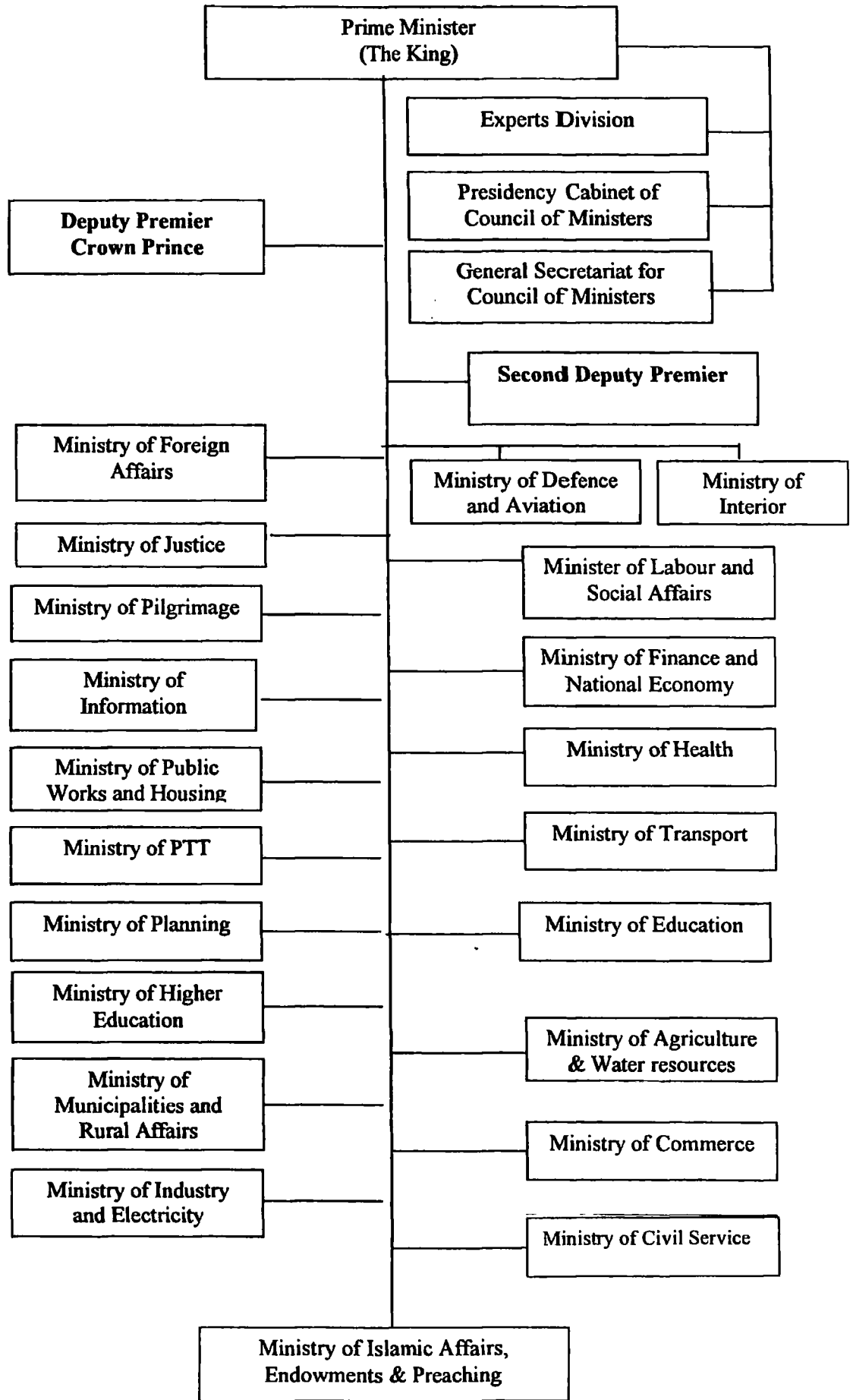
As the financial resources of the Saudi government increased, the objectives of the Council of Ministers were planned to realise more sublime goals. Regulatory measures were issued by the Council of Ministers in 1963. According to Assah, (1969) the public administrative structure of the Saudi government can be divided into three categories: (1) the central administration (2) the regional and local administration and (3) the municipal administration.

The Council of Ministers, as established in 1953, has become a legislative and executive authority. It was and still is the most authoritative body in the Kingdom. It is within its jurisdiction to formulate government policy on internal and foreign affairs. Harrington (1958) argued that of all the agencies and organised bodies of the government of Saudi Arabia, the Council of Ministers is the most potent. It derives the power directly from the King and it can examine almost any matter in the Kingdom.

According to Dahlan (1990) the Saudi Council of Ministers represents a type of an official body which, in part, is the result of the influence of religion and local tradition. This Council can administer affairs such as: state, domestic and foreign policies, the approval of the annual budget, the making of new appropriations the approval of international treaties and agreements, the appointment or dismissal of high officials, the examination of draft regulations prepared by the consultation council and the amendment or rejection of proposed laws. These items are translated from the "Regulatory Law" issued in 1954.

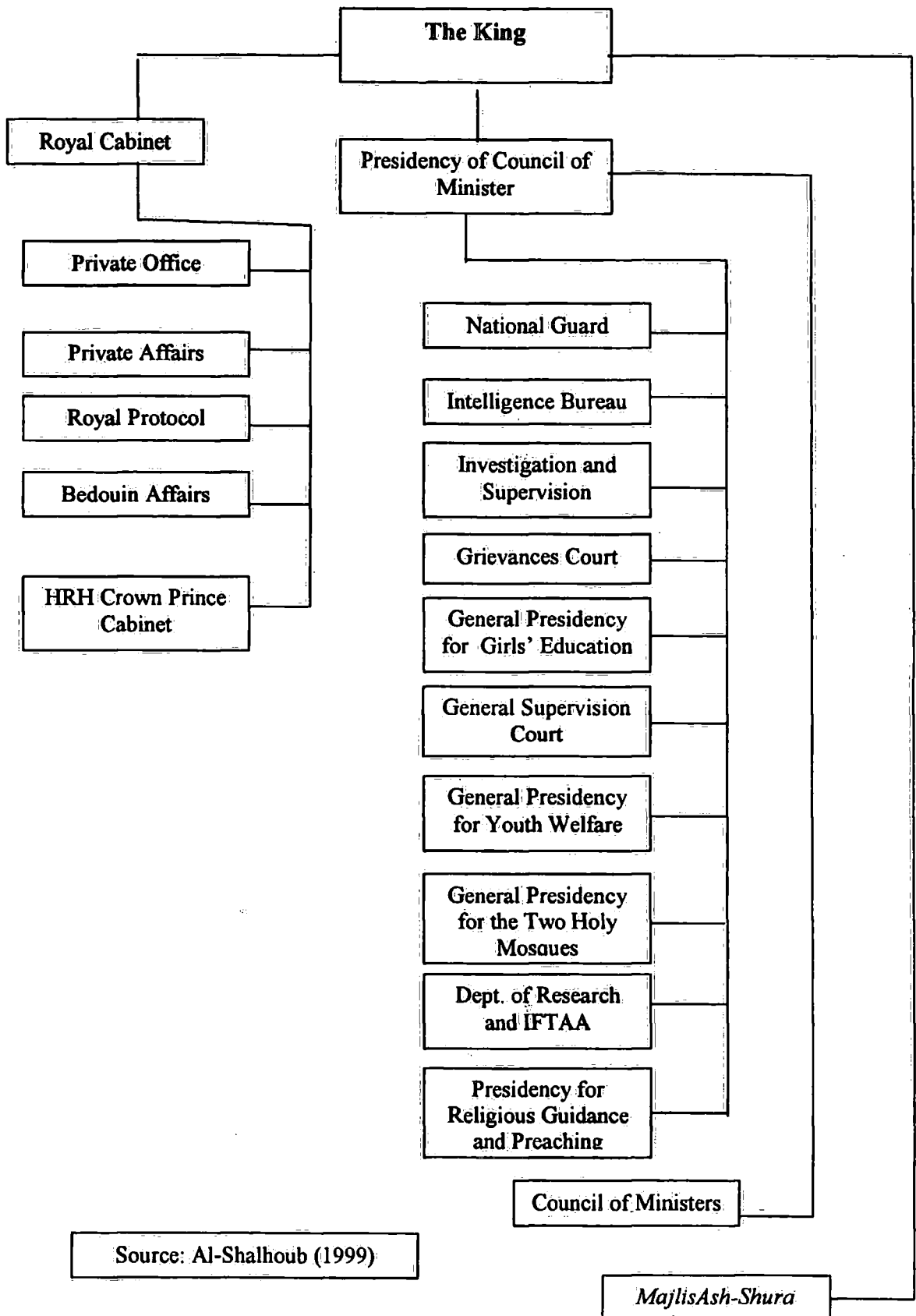
By means of contrast, a glimpse of the historical developments that preceded the formation of the Modern Saudi Council of Ministers is needed here. Accordingly it can be argued that just before the death of King Abdul Aziz in 1953, the number of Ministries was nine, which was later increased to twelve. Nyrop (1984) argued that three more ministries were added during the reign of King Saud and two ministries were established in the reign of King Faisal. The Council of Ministers hold regular weekly meetings. Its decisions do not come into effect unless they are approved by the King in his capacity as Prime Minister. The Crown Prince can act as Deputy Prime Minister. Despite its relatively recent origins, the Saudi Council of Ministers emerged in 1953 as the natural political outcome of Abdul Aziz Bin Saud's final consolidation of power and his unification of the Kingdom. King Abdul Aziz established two major bodies, to govern the affairs of the *Hijaz* and the Western province. The first body, which still exists, was the Consultative Council (*Majlis Ash-Shura*). A second body, created later, was the Council of Deputies, which in 1953 evolved into the Council of Ministers. The Council of Deputies derived its authority directly from the King and was able to issue direct instructions, originated in the Council, to various government development bodies and agencies.

**Organisational Chart of Council of Ministers**



Source: Al-Shalhoub (1999)

**Organisational Chart for the Kingdom of Saudi Arabia**



Source: Al-Shalhoub (1999)



In the early 1940s, having achieved its immediate objective, namely the elimination of the dual administration, the Council of Deputies began to decline, while the Central Government began to exercise more comprehensive authority over the whole country as well as provide more services at the national and local levels. With the expansion of the area centrally administered and of services provided by the central government, new ministries and departments had to be established. In 1951, the jurisdiction of the Minister of the Interior was extended to the whole of the nation, functioning as an agency of the interior rather than as a ministry. The successful integration of the *Hijaz* within the Kingdom enhanced the efforts of King Abdul Aziz to establish the country's first central administrative body, the Saudi Council of Ministers. It was the last stage in the national consolidation of the Kingdom.

The structure of regional governments and the composition of the regional governing bodies and regional councils provide further evidence of the Kingdom's strategy to increase the involvement of the people in the government of Saudi Arabia while maintaining stability and continuity. These measures should not be seen as cautious attempts to move towards Western-style democratic institutions. Rather should they be construed as logical and eminently sensible extensions of the traditional participative mechanisms that have facilitated good government in the Kingdom and that have allowed the inevitable tensions of any fast developing society to be resolved through the emergence of a broad – based consensus.

The basic system, which incorporates the arrangements for the *Majlis Ash-Shura* and for regional government, was established in written form both as a description of the essential structure and organisation of government and, in effect, as a bill of rights for the citizen. The basic system sets out the

general principles on which the Kingdom of Saudi Arabia is founded (Appendix III). Article 1 clearly established the central tenets of the Kingdom. Article 1: the Kingdom of Saudi Arabia is an Arab and Islamic Sovereign State; its religion is Islam and its constitution is the Holy *Koran* and the Prophet's tradition. The form of the government is monarchical (Article 5). Rule in the Kingdom depends upon and must confirm to the teachings of Islam (Article 7), and this rule provides justice, consultation and equality in accordance with the Islamic *Shari'a* (Article 8).

The basic system goes on to define the responsibilities of the state in some detail, giving special reference to the Kingdom's duties as guardian of the Holy places, and setting guidelines for the exploitation of the state's wealth to ensure the economic and social development of the Kingdom. The people rights (to security, to self-fulfilment through education and freedom of opportunity, and to the ownership of property) are all safeguarded. A right to privacy is also guaranteed.

The basic system sets out, with remarkable clarity, the basis on which the Kingdom is governed, and the rights and obligations of both the state and the citizen. As the processes of consultation are extended, it becomes necessary to formalise the principles underlying the traditions, which have enabled the Kingdom to pass through periods of extraordinary change with an equal extraordinary degree of stability. The promulgation of the basic system, the formation of the consultative council, and the restructuring of the Kingdom's regional government, all form part of this necessary progress.

## Regional and Local Administration

Each area in the Saudi realm is administered by an Amir appointed by the King. Local officials and administrators are subordinate to the Amir. It was not until 1963 that local administrations were formally institutionalised. The Saudi realm was divided into Emirates governed by local Emirs who hold ministerial status and act as representatives of the King in their designated Emirates. Formally, the Emirates are affiliated to the central government through the Ministry of Interior. The responsibilities of the Amir include receiving petitions from people in his *Majlis* (this term is to be discussed in the next chapter). Maintaining peace and security within his Emirate, overseeing the activities of the government agencies and municipal officials within the Emirates. Dahlan (1990) argued that Article 17 of the ordinance of the Deputies Council, issued in 1932, states that the municipalities in the Western region should be kept under the authority of the Ministry of the Interior, while others are left to be supervised by the regional governors (the Emirs). It also mandates that municipalities shall secure their revenues from fees charged on services with the help of grants from the government budget. The ordinance of 1936 is vital and effective, for it sets the strategy, the policy and the kind of administrative organisation, based on which all Saudi cities can be developed into modern municipalities. This ordinance was put into effect throughout the period from 1936 to 1977.

In 1960 the Municipal Administration was established within the framework of the Ministry of Interior. In 1962 the Council of Ministers approved the establishment of an independent control system in the ministry of Interior to deal with Municipalities. According to Dahlan

(1990) this sub-ministry was named the Deputy Ministry of the Interior for Municipal Affairs.

The overall organisational structure of government in the Saudi realm evolved during the pre-development stage which extended up to the year 1970. This evolution is attributed to the strong will of the government to complete the establishment of agencies that can be held responsible for the preparation of: future development plans, the adoption of government recommendations extended by World Bank experts, the United Nations Technical Co-operation Administration and the Ford Foundation, during the period from 1958 to 1970.

The development stage marked the first five-year plan for economic and social development (1970-1975) prepared by the Central Planning Organisation (now called the Ministry of Planning) in co-operation with the Stanford Research Institute. This was followed by successive five-year plans: 1975-1980, 1980-1985 and 1985-1990. In his study published in 1990, Dahlan wrote that the Kingdom has completed a comprehensive organisational structure that can be sketched as follows: The executive and legislative body is represented in the Council of Ministers. Twenty Ministries have been established along with twelve government agencies; fourteen regional municipalities, six municipalities in major cities, a hundred municipalities of different classes; forty five rural compounds to provide services for rural areas; three agencies for central control, thirty-two public corporations (includes seven universities); five independent agencies; and six agencies for administrative development.

Basic to the nature of their function, the Ministries are divided into three sectors:

1. The Sovereign Affairs Sector includes the Ministries of: Foreign Affairs, Defence and Aviation, the Interior, and the Presidency of the National Guard.
2. The Service Sector includes Ministries of Education, Higher Education, Communication, PTT, Public Works and Housing, Labour and Social Affairs, Pilgrimage and Endowment, Information, and Municipal and Rural Affairs.
3. The Development Sector includes the Ministries of Finance and National Economy, Commerce, Planning, Industry and Electricity, Oil and Mineral Resources, and Agriculture and Water. In order to render proper services to the people, most ministries and government agencies have branch regional offices.

There are local administration agencies whose job is to assist the central government department in realising services designed to boost the welfare of the people. These agencies supervise the provision of all municipal services such as the implementation of plans approved by the authorities concerned in order to maintain cities in a clean and beautiful state, the delivery of basic services, the protection of the environment and public health, and the management of municipal projects.

In spite of all the progress and developments that have been realised in the Saudi realm, the Saudi government felt a need for more developments. However, the program introduced implied negative aspects simply because they were not planned or designed on scientific methods. Therefore, international assistance was called and experts from various fields were brought in to provide appropriate development-related solutions. In a

response to this national request, a number of experts were sent by the Ford Foundation. The recommendations of those experts were studied by the Saudi Cabinet and consequently the Ministry of Finance was authorised to take any necessary measures, to facilitate the attainment of the suggested recommendations. Later on, a number of administrative and planning agencies and institutes were founded, example of which are: (1) the Institution of Public Administration (1961), the Supreme Committee for Administrative Reform headed by the King (1963), (2) the Central Planning Organisation founded in (1964) and headed by a official of ministerial rank and staffed by selected specialists. This organisation was entitled to lead and co-ordinate the activities of the other Ministries and national organisations in executing all development plans initiated by the government. In 1975 this organisation was converted into what is called now "The Ministry of Planning". The General Personnel Bureau, headed by an official of ministerial rank to undertake the development of an advanced manpower force. In 1977, its title was changed to the Council of the Civil Service, for planning and the supervision of civil service regulations.

The methodology adopted in the mechanism of the government administrative body suffered obstacles that have been too difficult to overcome. The development plans that were proposed faced problems of an organisational nature, such as an overlap of activities and services. This negative phenomenon resulted in an over expansion of jobs and a huge increase in the cost of government projects and civil services. A slackness and lassitude at the administrative level resulted in an inability to cope with the pace of rapid international development. Adequate utilisation of modern technology was needed to cope with the demands for efficient services. There has been an under-utilisation of the abilities of qualified

personnel due to obsolete bureaucratic procedures and excessive centralisation of authority. In short, the pace of development has exceeded the ability and talent of the public administration agencies to catch up and adapt to the new challenges and change. Besides, the behaviour of the employees has been characterised as irresponsible which in turn influenced the achievements and progress of the agencies where they are hired. The behaviour of the majority of the employees was propelled towards the acquisition of personal goods. Favouritism played a clear role in hindering the progress of the various government administrations. Such public phenomena necessitated reform efforts designed and planned on sound principles. In 1956 the government solicited technical assistance the better to improve the organisation of its financial strategies and ultimately to obtain proposals for and solutions to its administrative problems. The apparent solution, which was unanimously approved by the international experts, was to invest in the education of the general public. This approach resulted in the formation of the Supreme Council for Administrations Reform, and the Civil Service Council. In this regard, Tawail (1986) argued, that the new process of development were based this time on scientific principles and experiences that had proved to be fruitful. Accordingly, the basic system of government mechanism was issued, based on Royal Decree No. A/90, dated 1992. Essential to this approach on 27/8/1992, a Royal Decree was issued to the effect that a *Majlis Ash-Shura* should be instituted. That was followed by another decree that stipulated the constituency of the internal regulations of the *Majlis Ash-Shura*. The properties, official characteristics, and duties of this *Majlis Ash-Shura* will be discussed in detail in chapter six. This democratic phenomenon is to be discussed for it represents a landmark in the process of achievement that the kingdom has been able to achieve. It crowns the struggle of the Kingdom to bring its people from primitivism in to the modern sphere of

civilisation. From the above analysis it follows that the issue of the administrative system has been discussed in this chapter as an integral part of the wider Saudi political system. The long struggle of the dynasty to bring the Kingdom to its present state of progress would not have been possible if it had not been for the persistent efforts that the dynasty invested in the development of the individual Saudi citizen.

The discussion of the stages through which the dynasty has struggled to provide the Saudis with a reputable place on the world map has necessitated an analytical presentation of the means and methods that brought about a reliable government mechanism. The official mechanism has, in this chapter, been viewed as a political methodology that paved the way for the kind of modern progress enjoyed by each and every Saudi citizen. A presentation of the developments that have been realised in this country would not have been complete without a discussion of the successive stages of development and an analysis of the nature of the obstacles that the dynasty had to overcome.

Basic to the above analytical approach, it can be argued that the methods, plans, strategies, and other moral and financial means have been imperative to prepare the Saudi citizen to become an active member in the general administrative system of the country. This active participation is based on a long process of education, training, and Islamic assets has enabled the educated Saudi citizen to exercise his right and duty in the process of general social and political development. Signs of this promising progress are represented in the Saudi people's participation in the *Majlis Ash-Shura* (discussed below in the final chapter of this research study).



## **Modern Saudi Reforms**

In addition to this symbolic achievement in the process of political developments, the Saudi government built houses for nomads and distributed seeds to farmers along with basic needs and knowledge pertinent to farming and land cultivation. People in towns and villages were provided with desalinated water. Wells were drilled to pump water for irrigation. In the field of health care, the government built as well as equipped the hospitals and regional clinics with best equipment. The government provided skilled manpower to render the best possible services to all. The government also provided free treatment and medication for all Saudi people. In this regard, Lipscombe (1977) argued that the tremendous efforts exerted by the Saudi royal family, after decades of isolation and internal feudal disputes, have resulted in an undisputed progress whose authenticity is attested, first of all, by Saudi people and other nations as well.

The persistent efforts of the Saudi rulers brought the kingdom to the centre of international world affairs; and accordingly it was projected as a strong economic power. If it were not for the sincere and honourable efforts exercised by the Saudi ruling family, Arabia would have stayed a hotbed for fractious feuding tribes and remained in the line of the most underdeveloped regions of the Arab world. The reforms can be seen as marking an important new chapter in both the life of the Kingdom and King Fahad's desire to accelerate the pace of modernisation within the religious and cultural traditions of the Kingdom. It has been argued (e.g. Middle East Watch, "Empty Reforms: Saudi Arabia's New Basic Laws," May, 1992) that, while oil wealth has transformed the economy and infrastructure of Saudi Arabia in the past three decades, the political

machinery of the kingdom had previously remained immune to serious change. These measures are seen by Cleron (1978) as the start of a commutative process facilitating the modernisation of Saudi Arabian government. Furthermore, the nature of the initial reforms should serve to reassure the religious conservatives. The development plans have considered every aspect of the Kingdom's economy, identifying its infrastructural, agricultural, industrial and commercial needs and formulating strategies, each compatible with others, to achieve defined national goals. The government has provided the essential infrastructure without which the economy could not mature.

The Saudi dynasty's capitalisation in the education of the Saudi Citizen required certain means and methods necessary to realize such remarkable progress. The discovery of oil has facilitated and provided the basic material needs. One of the striking examples of progress that has been realised in this country is the level of education obtained by Saudi people through unrestrained financial generosity of the government. That progress has been a drastic transformation from a state of semi ignorance and illiteracy to a state where a Saudi citizen has become acquainted with varied means of civilisation, technology, and development. Through the generous, and sometimes lavish, expenditure of the government on education attainment, Saudis have practically freed themselves from the parochial tribal mentality and become active members in social progress. With almost total loyalty to the Saudi government, now the ordinary educated citizen can understand the process of resorting to the Saudi dynasty for help and justice instead of seeking the parochial traditional method of approaching the chieftain. That is where the concept of the *Al-Majlis* "public audience" derives its spirit. The Saudi rulers have eliminated most of the bureaucratic procedures and made it easy for the

people to complain and directly address their leaders, or write about their social, political, health and economic ailments.

In the present phase of its modern history, the Kingdom of Saudi Arabia has come to witness varied important changes. In this regard Al-Ushair (1995) argued that Saudi society has entered a new phase of its socio-political development. This phase can be called a stage for “completing and restructuring Saudi social institutes”. Having laid the foundation of social unity and security, now the Saudi government has directed its attention towards renewing its system, and reorganising its institutions. This new process of change is done in response to perspective challenges of development. The *Majlis Ash-Shura* is one of the salient institutions in this regard. It is viewed as an important political body that can conduct a tangible role in the Saudi political momentum.

In order to develop the Saudi state, cope with the demands of the modern requirements and relevant challenges, the Kingdom of Saudi Arabia and throughout the last ten years, issued a number of new regulations, besides, some ministries and government organisations have been established. Throughout the period form 1992 to 1994 there were four major political developments:

1. The promulgation of the Basic Law of Government.
2. The new Law of the Council of Ministers
3. The formation of *Majlis Ash-Shura* (the Consultative Council);
4. The promulgation of the Kingdom’s Law of Provinces.

5. The Foreign Investment System (enacted in April, 2000 – incentives were recommended to polarise and encourage the investment of foreign capitals in all sectors).
6. The Higher Council for Economic Affairs.
7. The Higher Council for Petroleum.

These developments formed part of a carefully constructed strategy to modernise the Kingdom's System of Government within the unalterable framework of Islam and the Kingdom's traditions. In addition to the establishment of *Ash-Shura*, a number of Ministries and new government apparatus has been founded. A related example is the reinstatement of the Ministry of Pilgrimage (*Hajj*) and endowment: this ministry was made into two ministries. (1) The Ministry of Islamic Affairs, Endowment and Promulgation (DAWA). Included in its remit are the building and maintenance of mosques throughout the Kingdom, as well as the administration of land held by religious trust. (2) The Ministry of *Hajj* and Endowment.

A second example is the establishment of the Ministry of the Civil Service which is known as the Civil Services Bureau (refer to chart on p.101, 1002). The function of the new Ministry is to plan the civil manpower required in the government sector and to ensure that the competence of civil servants matches the requirements of the Kingdom as it implements its various development programs. It also plans to eliminate unemployment. A third example is the institution of the Region Councils (*Majlis*). Each region council incorporates people and heads of government departments, and is presided by the prince of the region concerned. The job of the

council is to define priorities of the region needs, oversee development plans and other region related projects. This job is done with the participation of the local inhabitants. A fourth example is the establishment of the Higher Economy Council which is in charge of designing the economic policy of the state, planning long-run economic strategies, searching for new national financial resources, and responding to world economic challenges. The Higher Council for Petroleum presided by King Fahd is the fifth example. This Council designs state oil strategies and studies offers presented by some international oil investment companies. For the first time in the history of the Saudi state, a National Saudi Commission for tourism has been established based on the concept of diversifying national financial resources and accordingly a tourist visa is now made available. As a government branch, the Communication Sector has been transferred to become the Communication Company; thus it has changed from the public to the private sector. The Saudi government has succeeded in these achievements simply because it has completed the building of its infrastructure e.g. roads, airports, universities and many other public services. These achievements were realised when the price of oil was as high as \$30. When the prices dipped to lower than \$10 the Saudi state still maintained the high performance of its development sectors. This process continued until prices improved relatively, and the other regional crises which emerged in the early 1980s were overcome.

### **Concept of the *Majlis***

As a practice, *Majlis*, mainly the public audience “as extended to the public by the king”, goes as far back as the time of Mohammad Ibn Saud and the Wahhabi Movement. Howarth (1980) argued that this direct contact between the ruler and the people was and still is practised on a daily, and

sometimes, weekly basis. In both social and official circles, the public audience is referred to as another aspect of a political practice where people can directly talk to the highest authorities in the country. A proper solution to their petitions or problems is provided on the spot. The members of the dynasty, (especially the King, the Crown Prince, and the Second Deputy) are proud of this practice. Based on their previous experience, they have come to learn that through direct open channels between them and the ordinary people, they keep themselves well abreast of social, economic, and tribal problems. This tradition of public audience has provided the king and the crown prince with first hand information pertinent to the realities of their subjects. Besides, rulers are always in need of such vital information based on which they can design plans for the future of the rising generation. This traditional method of public audience has saved the government a lot of the time needed to obtain knowledge about the welfare of the people. This approach has provided them with authentic data that they can use in their plans on how to run the country.

Saudi rulers maintain wide public relations with people and tribal leaders. They meet the people not from behind western style desks, but in the tribal traditions of the *Majlis*. Now, such meetings rarely occur in tents, but usually in air-conditioned palaces, and are recorded so that clips can be shown on evening television programs. The most domestic important role played by dynasties in the Gulf, prior to World War II, was judicial, establishing a rudimentary system of courts, culminating in the ruler's *Majlis*, to adjudicate disputes and some kind of police power to enforce their decisions. The Saudi basic system mandates that the *Majlis* of the King and the Crown Prince, should be open to any citizen (Article 43).

The *Majlis* is traditionally recognised and it is, from an Islamic point of view, considered a fundamental concept rooted in the Islamic method of government. The Prophet Mohammed, in his capacity as the Imam and Leader of Muslims all over the world, used to meet Moslems in the mosque. He used to discuss with them religious and personal matters. He also used to provide solutions to their religion related misunderstandings; he would answer all their complaints and ailments, and even misconceptions relating to doomsday and life after death. This principle was also conducted by all successive caliphs. The example of the prophet Mohammed is so sublime that it should be practised by all Muslim rulers. Traditionally and from an Islamic perspective, the practice of the “public audience” was, and still is, a phenomenon that reflects wise social practices. In the *Majlis*, the guests, relative neighbours, local people and the like are invited into a notable’s home to talk about problems or related development issues. In the *Majlis* they are treated with good hospitality. A tribe leader would have an open meeting where the guests and other invited individuals receive even more generous treatment. The *Majlis* is an occasion where tribal leaders and notables can meet and exchange opinions.

As far as the places of meeting are concerned, the *Majlis*’ are practised in the Royal Palace, in the palace of the Crown Prince, in the office of an official, or in the reception hall of the governor or mayor. The King or the Crown Prince would meet the people in a reception room, which is as big as 5000 square feet. Areas as big as 2000 square feet are assigned to governors and officials who attend such royal meetings. Al Hamad (1986) argued that the practice of the *Majlis* stems from the matrix of the Islamic political authority. Being an essential practice in Islam and a tradition practised by Prophet Mohammed the Saudi officials and leaders are very

keen to maintain it, preserve it and encourage people to make use of its sessions. The King holds the *Majlis* in the Royal Cabinet twice a week; but a dinner for the public is served once a week. Stemming from an inherited Islamic tradition, the King also meets with the Saudi Muslim religious leaders once a week. The Crown Prince meets with the people twice a week and offers an open dinner once a week. He assigns a weekly evening where he meets with the heads of the Saudi National Guard. The Second Deputy meets with people twice a based on scheduled morning and evening hours. While the morning meeting takes place in the Ministry of Defence, the evening meetings take place in his palace where a dinner is offered. The Minister of the Interior holds open meeting on daily bases for he is in constant contact with people and he is charged with security-related matters. His open meetings handle issues related to peoples' needs and domestic problems.

Other Saudi ministers hold their open meetings whenever a need arises. The schedule and the duration of the meetings are decided based on the volume of received petitions and the size of problems. Al Yassini (1985) argued that any citizen can attend the open meetings irrespective of his colour, religion, nationality, caste or social level. He refers to the kinds of problem that are discussed in the *Majlis*, which include tribal conflicts, problem over water resources, personal security issues, problem over personal property or real estate or title transactions. People in the *Majlis* can inquire about politics, personal needs (loans and financial aid to those who are in need or of limited income). Those with a health problem may ask for permission to be admitted to a specialist hospital where they can receive appropriate medical treatment. Al Yassini also argued that the King, the First Deputy (the Crown Prince) and the Second Deputy welcome candid opinions and encourage candour. They solicit feedback from the



people regarding government domestic and foreign policies. This atmosphere allows an expression of one's opinion in a candid manner while Saudi values, traditions, and mutual respect are exercised within a framework of rational communication.

Formalities, etiquette and official procedures demand that such important meetings should be conducted and based on some accepted mechanism. In public audience sessions, people are seated and must wait for the King to enter the *Majlis*. Upon his arrival he greets the people, takes his place, and listens to them and receives their petitions. While people wait for their turn, priority is given to the elderly. Then the King addresses his audience on issues of common concern. Some imperative issues are attended by the King on the spot and relevant solutions are provided. Sometimes, the King is presented with a problem that had been judged by an Islamic court based on the rules and regulations of Islam. Such cases are considered final and the King does not allow himself to change what has been decided once it has been based on the principles of the Holy Book. Sometimes the First Deputy, or the Second Deputy, deputise for the Kings but still they restrict themselves within the limits observed by the King. The technicalities are observed and applicable as well to all other Saudi Ministers and high officials. The open meetings that concern the Minister of the Interior are slightly different in that they are prolonged. People who seem to be ignorant of the procedures applicable to their problems are allowed more time and provided with explanations pertinent to the relevant laws.

Governors and mayors prefer to read the synopses and summaries of the peoples' problems. Some ten to fifteen clerks handle paperwork and prepare synopses for the authorities concerned. Some cases can not be solved unless supporting evidence is provided. Accordingly, evidence is

sought and brought to the attention of the official concerned by authorised and reliable clerks.

In order to obtain a reaction to the essence, efficacy, and mechanism of the *Majlis*, the opinion of Prince Salman Ibn Abdul Aziz, Governor of Riyadh Region was solicited. This prince has been selected for he is known to have had considerable experience that goes as far back as 1960. It is known that up to thousand people coming to his *Majlis* on a daily basis. In a personal interview conducted by the researcher in 1988 HRH stated:

“The *Majlis* is an old Islamic and Arab tradition. Its practice goes back to the times of Prophet Mohammed (PBUH). The Kingdom, as an Islamic country, has opted to follow this tradition and it has been administered since the early times of our great – grand fathers who founded the first Saudi State. King Abdul Aziz used to meet his people at their well. All successive kings (Saud, Faisal, Khalid, Fahad) followed the same manner. Crown Prince Abdullah and all other officials from the Saudi dynasty practise the same procedure. We pray to God that this tradition may continue and last effectively”.

Even though this is a traditional practice and not a law, nevertheless the King encourages all Saudi officials to practise it. Prince Salman said, in the same interview, that “Saudi people have become accustomed to the practice of the *Majlis*. The main aim here is to establish some sense of close relationship between the leaders and the general public. Attending the *Majlis* has become a deep-rooted custom and a tradition which some people would not like to miss”.

HRH Prince Salman perceives the *Majlis* as a direct form of democracy where people are provided with proper methods to express their opinions and talk to their leaders. HRH thinks that the sort of quarrel and argument

heard in a *Majlis* is healthy. He believes that officials, through these *Majlis* meetings, can obtain first hand knowledge about what is happening in their community and accordingly they can design plans to improve the social conditions of the general public. The positive aspects and returns of this practice outweigh its demerits. He also said that as long as this practice is welcomed and demanded by the people, the Saudi dynasty will continue it and exert all efforts required towards the realisation of that end. In an answer to the question on the type of problems and issues presented to the officials in such meetings, HRH said: "We have been handling issues of a personal or individual nature, some issues over property while others are of a tribal and feudal nature. Political problems are also discussed".

On his assessment of the people's reaction to the procedures and solution provided by the Saudi officials, HRH said: "Most people leave the *Majlis* quite satisfied with the way they have been received and the solutions provided to their problems. This traditional practice can drastically minimise the burden of the bureaucratic procedure that a citizen has to endure. It saves him time, provides him with a solution to a particular problem, and puts him in direct contact with an official. As the problems presented to the officials are varied and have changed in nature, we find it imperative to develop ourselves in a manner that can cope with that change. Due to the improved level of education enjoyed by the Saudis, the problems presented to the official are not simple in nature any more. We have come to notice that not only ordinary laymen attend the *Majlis* but well-educated people have become frequent attendants of the *Majlis*. Besides, the number of educated people who attend the *Majlis*, in comparison to those who are not educated, is relatively low. This disparity can be explained on the ground that the educated Saudi is familiar with

government procedures and knows how to raise his problem as a petition and follow it up through the proper channels.

The *Majlis* is not the last word for people seeking justice. Saudi people who happen to be dissatisfied with a verdict can resort to the Court of Grievances. This type of court is in practice, similar to the British Court of Appeal. These people can also appeal to the Department of General Inspection and Investigation where Saudi officials can be sued for abuse of authority or malpractice.

## **Conclusion**

The Saudi Kingdom has witnessed changes that were, at the beginning, parochial, but with the advent of large oil revenues the structure of the administrative mechanism was improved. The discussions in this chapter depict the unique administrative structure of Saudi Arabia and provide an account of the formation of different government branches and departments. It also speaks of the formation of the Council of Ministers as an executive body in the government of the Kingdom. The developments occurred in the administrative mechanism have paved the way for the emergence of progressive phenomena such as the *Majlis Ash-Shura*, discussed above in chapter two.

The Saudi government has prepared and educated the general public to assume effective participation through representatives of the people. A discussion of the history of the Saudi administrative changes and mechanism has been projected as an analysis of the government decisions that resulted in the formation of the modern solid Saudi administrative mechanism. The government relied on tribal organisation resulted in a

mechanism run by tribal councils with an exception of the directorates that were affiliated to the office of the King's deputy in *Hijaz*. With the lapse of time, this administrative structure was changed or rather developed. The year 1930 was the beginning of the formation of the Saudi Ministries. As the resources of the dynasty increased, the administrative structure of the government expanded and the number of the public officials increased. The need for the development of government mechanism and the creation of a central processing unit, so to speak, to co-ordinate the activities of the established ministries all necessitated the establishment of the Council of Ministers. Lack of experience in the new government demanded help from United Nations. Being the most potent government body that derives its power directly from the King, (the duties and responsibilities) of the Council of Ministers has been discussed. This discussion is provided within a historical perspective. In 1951, the jurisdiction of the Ministry of the Interior was extended to the whole of the nation. It functioned from then on as an agency of the interior rather than as a ministry. The establishment of the Council of Ministers was the last stage in the national consolidation of the Kingdom. The king's strategy to increase the involvement of the citizen in the government while maintaining stability and continuity should not be seen as a cautious attempt to move towards Western style democratic institutions; rather they should be construed as logical and eminently sensible extensions of the traditional participative mechanisms.

Along this line of developments, there has been a need for a basic government system. Its articles and content have been discussed. It is the basis on which the Kingdom is governed. As the processes of consultation are extended, there has been a need to formulate a strategy for the *Ash-Shura*.

A discussion of the regional and local administration has shown that the governors of the regions (the Amirs) hold ministerial status and act as representatives of the King in their designated Emirates. Formally they are affiliated to the central government through the Ministry of the Interior. Of course, the process of change was not completely smooth; therefore obstacles that hindered that process have been discussed. Negative aspects in the processes of bureaucratic procedures are discussed to show that there has been a severe lack of both talent and qualified personnel to administer the affairs of local regions. This phenomenon encouraged the government to design plans on sound principles with help from world organisations. Accordingly, the general Saudi public was provided with means and prospective methods of education.

It can be argued that the *Majlis* is an Islamic Saudi practice maintained by the dynasty as part of the Islamic heritage. Through this tradition, Saudi people can benefit from having direct contact with the rulers. The approach of the concept of the *Majlis* has changed simply because the level of the Saudis' education has improved. With the improvement of public education, the Saudi rulers have developed proper mechanisms to suit this social progress. It has been proved that the practice of the *Majlis* exhibits the strength of brotherly ties between the officials and the people. These ties derive their strength from the fact that Prophet Mohammed observed it in his own time and encouraged his followers to practise it. Among other methods that secure equality and justice to all people is the "Court of Grievances" which is similar to the Court of Appeal. People who are not pleased with a verdict obtained in a *Majlis* can resort to this court. The department of General Inspection and Investigation has been discussed to show that even high ranking official can be sued for abuse of authority or malpractice. Discussions in this chapter have shown the range of changes

which have occurred in Saudi society over a period that reaches from primitive *bedouin* life to the early signs of civilisation. His Royal Highness Prince Salman has stressed the importance of the *Majlis* in establishing direct contact with the rulers, freedom of speech and democracy. The kind of social and educational progress realised in Saudi society has demanded that problems of the Saudi people should be handled within an intellectual framework through which their expectations can be realised. Thus the concept of the public audience has emerged to play a role in the process of Islamic democratic practice. These processes have lightened the burden of the bureaucratic procedures that the people have to endure in order to be equated and their complaints and needs are answered.

At the psychological level, ordinary people have come to realise that they live in a country where the dynasty members respect their feelings and provide them with justice, equality and dignity. Even the educated among Saudi people, have involved themselves in this practice and benefited from this socio-political phenomenon. The range of education has spread so wide that greater number of Saudis have availed themselves from the bounties extended by the government. This active participation on the part of the Saudi citizen in *Majlis* has been a result of the government investment in the education of the general public. The public audience is not just a channel through which the Saudi leader can obtain first hand knowledge on what is happening in the Saudi community, but it is also a civilised, democratic process that boosts the moral of the people, facilitates a solution to their problems and establishes good psychological bonds between the leaders and the public.

## Chapter Six

### *Ash-Shura* in the Kingdom of Saudi Arabia

*Ash-Shura* (Consultation) is one of the most important pillars of the Islamic political system. The Koran stipulates that it should be applied in the political life of Moslems. Thus it is an obligation for the individual Muslim ruler to apply this principle, although methods of application are left open to Muslims according to their respective conditions and situations. *Ash-Shura* is the most important principle in the Islamic political theory and Islamic constitutional system. The Kingdom of Saudi Arabia has been following this principle, utilising different methods and levels, the last of which was the establishment of the *Majlis Ash-Shura*, or Consultative Council, the Kingdom's most prominent political institution. This council assumes important roles of which the most significant one is the enactment of laws and provision of advice to the ruler. The aim of this chapter is to shed light on the proceedings of the *Majlis Ash-Shura*, its various authorities, its achievements, and the prospective views as regards the political participation, through the *Majlis Ash-Shura*, in the Kingdom of Saudi Arabia. This section includes three aspects:

1. *Ash-Shura* and its deep roots in Islam.
2. *Ash-Shura* in the Kingdom of Saudi Arabia.



## ***Ash-Shura* and its Position in Islam**

The word "*Ash-Shura*" has been used by Arabs before Islam. The Arab language dictionaries contain definitions of the word and its derivatives. The word *Ash-Shura* is the infinitive of the verb "*Shawara*", i.e. "consulted". "*Shawartahu*" means "I asked his advice and consultation." It also means "appearance and extraction."

Idiomatically, the definitions of the word are very close to the literal ones, as one definition means "seeking the advice and consultation of scholars and informed people in the affairs that concern the nation and its interests". Al-Awa (1989) defines *Ash-Shura* as "decision-making in the light of the opinions of concerned parties in the country."

The definition adopted by this study, of the word "*Ash-Shura*" is: "*Ash-Shura*: the exchange of viewpoints and opinions with others to formulate, together, an authentic opinion. Such an opinion will not be authentic unless it agrees with the core of religion, does not contradict a Koranic text and serves the national interest". In the light of this definition, *Ash-Shura* urges that one should not be opinionated or obstinate. Instead, one should seek the best and most authentic opinion. *Ash-Shura* includes three elements:

1. The person consulting, (who seeks others' opinions).
2. The subject in question.
3. The advisor (who provides the advice).

*Ash-Shura* is considered one of the main pillars upon which the Islamic political system is based. Al-Awa (1989) argued that the various Islamic entities which looked into, and studied, the government system in Islam, are almost unanimous that *Ash-Shura* is one of the most important political constitutional principles in Islam. Further, it represents the general framework within which the Islamic ruling authorities (legislative, executive and judiciary) must act. Being so, Al-Annadi (1999) argued that it excludes obstinacy and stubbornness, helps draw accurate conclusions, realises the unity of the nation, and harmonises the hearts of its people.

*Ash-Shura* is one the sources of *Shari'a* (Divine Law) and a fundamental pillar in the Islamic constitutional system. Its significance is reflected by the right it provides to the nation to manage its own affairs (general *Ash-Shura*), and being the base for the enactment of regulations and rules in areas that have no reference in the Koran or *Sunna* (organisation at *Ash-Shura*). Al Annadi (1999) argued that *Ash-Shura* is an essential guarantee that prevents violation of laws and power abuse, as the decision taken by the ruling authorities would not be implemented unless it were investigated and verified, and the concerned parties consulted in this regard.

Being a significant constitutional principle in the Islamic state, *Ash-Shura* has the following benefits:

1. It turns politics in a joint activity between the ruler and his people and establishes strong relations between them.
2. It leads to political co-operation between the nation and its rulers to manipulate the nation's affairs on the basis of mutual responsibility. Thus the government and the nation will take advantage of the

powers, capabilities and potential of its people in managing political and government affairs.

In *Fiqh* (Islamic jurisprudence), the most dominant thought amongst Muslim scholars is that *Ash-Shura* is an obligation, which means the ruler must consult the nation regarding general affairs. Abdul Hameed (1998) argued that *Shari'a* does not legitimate the government system unless it is based on *Ash-Shura* which is, from the Islamic point of view, the accurate base of rule and a pillar of Islamic government. Islam was keen to stress this principle and obliged Muslims to abide by it, so they would not take any action prior to consulting each other.

The importance of *Ash-Shura* and its high position in Islam on one hand, and its condition as an obligation of the Muslim ruler on the other, can be inferred from the Islamic legislative courses. The Holy Koran urges the commitment to *Ash-Shura* principle, and prophet Mohammed emphasised it, practiced it and made it a method in many affairs. Al-Annadi (1999) argued that the companions of the prophet and orthodox Caliphs, acted according to this principle and followed its course in many of their affairs. Islamic history is laden with *Ash-Shura* applications and practices in different forms and at different levels. The following is the Koranic verse that stipulates the principle of *Ash-Shura*:

"It is part of the mercy of Allah that thou does deal gently with them. Weren't thou severe or harsh hearted, they would have broken away from about these: so pass over their faults and ask for Allah's forgiveness for them; and consult them in affairs of moment. Then when thou has taken a decision, put thy trust in Allah. For Allah loves those who put their trust in him". (The Holy Koran, Al-Omrran Soura, Verse 159.)

This Koranic verse is clear in considering *Ash-Shura* as an obligation, as God ordered Prophet Mohammed to consult his companions in whatever needs consultation. It leaves no place for doubt that *Ash-Shura* is an essential principle in the Islamic political system, and a precious value to which the Muslim nation must adhere under any condition and in any field.

In a whole *soura* chapter named *Ash-Shura*, in the Holy Koran, the following words appear in one of its verses: they describe a good Moslem and stress the importance of abiding by the *Ash-Shura* principle.

"Those who respond to their lord, and regular prayer, and mutual consultation; who spend out of what we bestow on them for sustenance". (The Holy *Quran*. *Ash-Shura* Soura. Verse 38.)

The existence of a *soura* in the Holy Koran by the name "*Ash-Shura*", the stipulation that *Ash-Shura* is one of believers traits, and the order, in another *Soura* to adhere to *Ash-Shura*, are considered, by Muslim scholars, as clear evidence of Islam's concern about *Ash-Shura* which is considered by Islam one of the fundamentals of the Islamic governmental system and of every action relating to the management of an Islamic nation's affairs.

*Ash-Shura*, in Islam, did not emerge as a result of the conditions of the society in which Prophet Mohammed lived in Arabia. Al-Qassimi (1990) argued that, in the view of Muslims, it is a divine order to Prophet Mohammed and his followers that aims at establishing the righteous and stable society. During the era of Prophet Mohammed, *Ash-Shura* could be classified into two categories:

- *Ash-Shura* practised at the request of the Prophet, i.e. the Prophet asked people to offer him advice.

- *Ash-Shura* initiated, without his request, by some of his companions. Examples of each category are abundant.

Al-Qassimi (1990) further argued that Prophet Mohammed consulted his companions in times of peace and of war. He consulted them when concluding treaties and agreements with his rivals, and when encamping. He was quoted as saying: "People, advise me" on many occasions. Sometimes he would take a decision he deemed necessary to serve Muslims' interest, but when he consulted his companions and realised how powerful and logical their arguments were, he changed his mind and did not act according to his own preferences. His sayings in this regard included, but are not limited to: "The advisor is trusted", "People who consult each other will be guided to the best conclusion", "Whoever consults will never regret", "Seek help in your affairs by consulting". He practised these sayings as he used to consult and agree on his companions' opinion.

Annadi (1999) argued that Islamic jurisprudence (*Fiqh*) states the question of *Shura* as the most prominent concept that dominates the thought of all Muslim scholars. Those scholars unanimously agree that *Ash-Shura*, as an obligatory act, obliges any Muslim ruler to consult and ask the opinion of those who are well versed in a given matter. The legitimacy of any Muslim ruler is determined by the extent of his adherence to this Koran-based principle. It was not only Prophet Mohammed but even his companions and other Muslim Caliphs, who ruled the Muslim nation after the Prophet, observed and abode within this principle. *Ash-Shura* did not emerge as a result of certain social conditions endured by Prophet Mohammed and the Muslims around him. Later it is, in essence, a divine order that should be observed and practised by any true Muslim. Al Qassimi (1990) argued that

at the time of Prophet Mohammed, even the unbelievers admitted that *Ash-Shura* as a principle was a result of a unique discernment aimed at the establishment of a righteous and stable society.

Any part of the Koran is as holy and binding as the whole body of the Holy Book. The principle of consultation, as being part of the Koran, has been adopted as one of the commandments dictated by a holy revelation. The Saudi general public and Muslims in general believe that this principle facilitates and induces all means of modification, development and progress. To realise such end-results, however, Al Awaji (1971) argued that the talent, capabilities and other assets to be invested in the *Majlis Ash-Shura* should be carefully chosen so that proper and reliable advice can be practical and useful for the progress and development of society.

After the death of the Prophet, the adhesion to the principles of *Ash-Shura* and its application continued during the reign of the orthodox Caliphs creating several precedents. They consulted each other concerning the caliphate, what action was to be taken against apostates, the grandfather and his portion in the inheritance, and many other matters. Abu Bakr, the first Caliph, usually, when encountering a problem, referred to the Koran seeking a decision on a problem or matter. If he did not find guidance in the Koran, he sought it in the *Sunna*, and in case he did not come across a verdict to the issue, he resorted to the people asking them: "Have you ever been informed that the Prophet had decided on that matter?" If one of them told him about such a decision, he would follow it, and if not, he gathered the people and asked them to advise him, and he proceeded when they were unanimous.

Omar, the second Caliph followed the same procedure. It had been known that if he could not find a judgement in Islamic sources (*Koran* and *Sunna*), he would consult people and follow the decision they advised. Al-Qassimi (1990) argued that Caliph Omar made the first steps towards organising *Ash-Shura* in the government system, and he deemed it general on one part and special on the other. Caliph Omar said that Muslims in general are obliged to consult those with expertise and specialisation and to consult with each other. He recognised that what had been said in the *Koran* about *Ash-Shura* was the origin from which no single Muslim ruler should deviate. Caliph Omar went further by saying that the Muslim Caliph who is entrusted with ruling Muslims has no right to do so according to his own way of thinking. Instead, he should listen to the thoughts and ideas of experts and specialists. This, in terms of current constitutional affairs, means that the ruler or president must have beside him a council that takes, through majority or consensus, decisions to be implemented by him.

### ***Ash-Shura* in the Kingdom of Saudi Arabia**

The Saudi *Majlis Ash-Shura* (Consultative Council) started when Imam Mohammad Ibn Saud and Sheikh Mohammad Ibn Abdulwahhab used to consult men of knowledge in their society during war time. The two men would call a temporary advisory council to assist the Imam.

During the reign of King Abdul Aziz, all important state plans and decisions were concluded by means based on opinions solicited from well-versed and righteous individuals. This approach was conducted through consultative methods. After the conquest of Mecca in 1924 King Abdul Aziz held a meeting to consult experts and men of knowledge on how to outline a constitution that could be a nucleus for a permanent consultative

assembly. According to Al Duraib (1984) the King made a statement in which he said that the goal of the dynasty was to purify the holy land from all forms of bad practices, and to apply the laws of Islam. He also said that the King called for a Muslim conference to be attended by delegates from Muslim countries all over the world, the purpose of which was to decide on the form of Muslim government to execute the orders of God in the Holy Land. Ten days later, the King met with scholars from Mecca and asked them to hold a general convention with the participation of scholars, merchants and local notables. The purpose of such a gathering was to elect a number of individuals to act as representatives of people. Khairidin Zarkally, (1985, p.69) argued that the convention was held within two days and a *Majlis Ash-Shura* was elected to represent and serve the public interest. That council was called the "*Majlis Ash-Shura Al Ahli*" (Domestic Consultative Council). It comprised twelve members and assumed its duties for six months. Later the King decided to expand the range of participation; and accordingly he allowed free elections. The chairman of the *Majlis Ash-Shura* and his deputy were elected by means of confidential voting. Al Duraib also argued that the duties and functions of the selected *Majlis Ash-Shura* would include: an overseeing of municipal affairs, ensuring that equality and justice are observed by all local courts, and to ensure that all state revenues are audited and allocated according to the laws of Islam. The *Majlis Ash-Shura* was also given the duty of overseeing the police and security system in the region. It was expected that the *Majlis Ash-Shura* would promote the means and methods of religious education. At this stage of progress, the King decreed that the *Majlis Ash-Shura* could form committees to consider and settle local problems by means of consultative methods and without any violation of the laws of Islam.



Al Johany (1992) argued that after the outbreak of the Second World War, the King appointed his son Prince Faisal to deputise for him in the Hijaz area and assigned to him a consultative council of three members. An eight-member council was elected by Hijaz representatives (notables) along with an additional five members appointed by the King. A royal decree to this effect, as it is argued by Al Johany, was issued pertinent to the cities of Madina, Jeddah, Yanbu and Taif. All such councils were formed through elections. The scholars, merchants, notables, professionals and heads of vocations had the right to vote and elect. Elected members were to serve on the *Majlis Ash-Shura* for one year only. According to Dahlan (1990) the King dissolved the *Majlis Ash-Shura*, only to revive its activities and increase the members' term on the council to two years. Half of the members of the *Majlis Ash-Shura* were selected by the government through consultative means conducted by men of knowledge. The other half was left to direct appointment by the government. The new procedures enabled the elected *Majlis Ash-Shura* to carry out a number of activities: discuss the budget of the government; oversee government projects; enact regulations and laws pertinent to expatriates and verify contracts and auctions conducted and administered by government officials.

Al Johany (1992) argued that the mechanism of the *Majlis Ash-Shura* selection and its functions drew satisfaction from the local community simply because the essence of their practice was Islamic. Zarkally (1985) reported that the *Majlis Ash-Shura* held 119 sessions, and adopted 221 resolutions during 1949. The three main committees in the assembly were: Finance, Rules and Regulations, and Administrative Affairs. Within the first two years, the *Majlis Ash-Shura*, with its affiliated committees, were very active: 50 rules and regulations were issued. By-laws were issued along with regulations pertinent to such as education, the professions,

business, customs and firms. The *Majlis Ash-Shura* assumed its duties until 1953. During that term, 4010 sessions were held and 7,239 resolutions were adopted.

With the formation of the Council of Ministers in 1953, some duties of the *Majlis Ash-Shura* were re-assigned to the newly formed council. However, the *Majlis Ash-Shura* continued to convene on a regular basis and discuss all issues referred to it. In 1975 the number of members was increased to eleven, 754 sessions were held, with a total of 99 resolutions adopted. Here it can be noted that the number of sessions and the number of resolutions adopted decreased. The transference of some authorities from the *Majlis Ash-Shura* to the Council of Ministers explains the cause of this decrease.

### **Modern Formation of *Majlis Ash-Shura***

Al Johany (1992) argued that the development of the state and the modernised mechanism of administration have necessitated the establishment of a Supreme Committee. That committee was entrusted with the duty of designing strict regulations based on which any future *Majlis Ash-Shura* could be founded. In 1982, King Fahad, the then Crown Prince, chaired the sessions of the Supreme Committee. On 1 March 1992, having become King, he issued three royal decrees that established three important changes in the Saudi domestic political system: a "Basic System of Government", a constitution-like document; the Statute for a new *Majlis Ash-Shura* (Consultative Council); and a System of Regional Government for the Kingdom's Fourteen Provinces. In his speech to the Saudi nation, King Fahad stated that there had been no vacuum in the Saudi constitution cycle. The Saudi constitution is itself the *Shari'a* of Islam for it is founded on the principles of the Koran and the traditions of Prophet Mohammed.

These two sources, as viewed by the Saudi officials and public alike, provide a reliable means of guidance once adopted in any Muslim society. It is the general belief that through *Ash-Shura* no social or political formula is implemented unless it is in complete accord with the core of the religion of Islam. All regulations have to be in complete harmony with the text and spirit of the Koran, and above all should serve the interest of Muslims. The essence of *Shari'a* is derived from the belief that the relationship between the governor and the governed should be based on mutual respect, a strong belief in the principle of brotherhood, and an exchange of advice, goodwill and co-operation. The way the affairs of Muslims should be administered is deeply rooted in the Saudi traditions of love, compassion, justice and fair treatment for all. This approach is supported by the Koranic text:

“And those who respond to God and perform prayers and hold consultations among themselves and spend of what we have made available to them.” (The Holy *Quran*, *Ash-Shura* Soura, Verse 38.)

Article 68 of the Basic Law mandates the establishment of a *Majlis Ash-Shura*. By Royal decree, the King issued the founding statute of the *Majlis Ash-Shura* that sets the membership of the *Majlis Ash-Shura* at 60 members, and along with a President, all appointed by the King (Article 3). *Majlis Ash-Shura* will have four-year terms, and at least one-half of the membership of every *Majlis Ash-Shura* must be composed of new members (Article 13). Article 9 mandates that no member of the government can sit in the *Majlis Ash-Shura*, and from the composition of the first *Majlis Ash-Shura* it is clear that ruling family members will not be appointed. Article 15 states that the *Majlis Ash-Shura* has a wide mandate to comment on affairs of state, including “the general plan for economic and social development” and administrative statutes and regulations, treaties and international agreements, and concessions”. Article 18 seems to

imply that administrative regulation and treaties must be submitted to the *Majlis Ash-Shura* for review. Ministers and state departments are required to submit annual reports to the *Majlis Ash-Shura* for review, and the president of the *Majlis Ash-Shura* may request attendance of any government official at *Majlis Ash-Shura* sessions related to his responsibilities (Articles 15 and 22). The King or his representative will address the *Majlis Ash-Shura* annually, "setting out the domestic and foreign policy of the Kingdom" (Article 14). Article 23 mandates that any ten members of the *Majlis Ash-Shura* together have the right "to recommend a new administrative regulation, or an amendment to a new administrative regulation" to the president of the *Majlis Ash-Shura*, who is then obliged to submit the recommendation to the King.

King Fahad appointed the 60 members of the first *Majlis Ash-Shura* in his Royal decree of 20 August 1993. Its President, the former Minister of Justice Sheikh Mohammed Ibn Jubayr, was chosen by the King in September 1992. The members seem to represent a cross section of Saudi elite, including important constituencies like the religious establishment, technocrats and merchants. Approximately a third of members are university professors. The occupational background of the appointees was reported in an article by Saudi political scientist Salih Al Mani (*Al Sharq - Al Awsat*, 27 August 1993, p.4). As far as the regional background of the members is concerned, at least ten *Hijazis* were appointed, "at least four *Asiris*, and at least two from the Eastern Province" (*Al Sharq - Al Awsat*, 22 August 1993, p.3).

Based on the above analyses it can be argued that the *Majlis Ash-Shura* is not an elected body but rather a selected one. It is not a legislative body

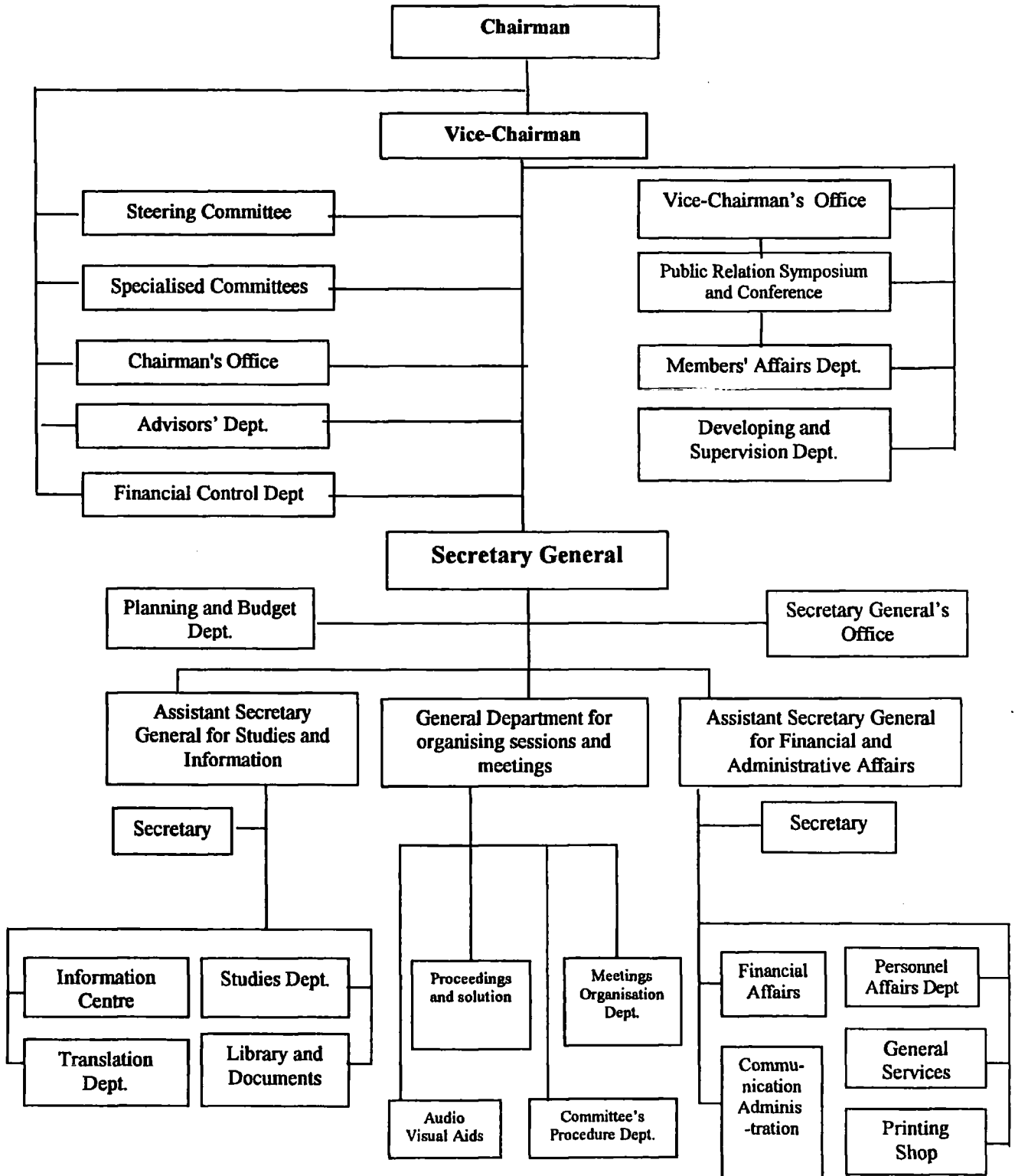
either, having no powers other than those of recommendation. The Council of Ministers remains the legislative body in the Kingdom.

Figure 6.1 (below) shows the administrative organisation of the *Majlis Ash-Shura* as issued by its Chairman in 1994, thus defining the organisation. As can be observed, the Steering Committee, the Specialised Committees, the Chairman's Office and the Advisors and Finance Departments report to the Chairman where all other departments are overseen by the Deputy Chairman. Eight committees, originally not represented in this chart, work under the Specialised Committees department and report directly to the chairman. Each committee has a chairman and a co-chairman, and a membership that can reach 11 members. Committees are not represented in the organisational chart basically because they are to a certain extent self-contained and work in parallel to the *Majlis Ash-Shura*. These committees are listed in Table 6.1.

**Table 6.1 Committees of the *Majlis Ash-Shura***

Religious Committee
External Affairs
Security Affairs
Economic and Financial
Social and Health
Educational, Travel and the Media
Services and Public Institutes
Policies and Administration

**Organisational Chart of Saudi *Majlis Ash-Shura*  
(Consultative Council)**



Source: Mohama, M. A. Record of achievements of *Majlis Ash-Shura* (Arabic) 1999.  
Media and Public Relations Dept. *Majlis Ash-Shura*

According to the by-laws of the *Majlis Ash-Shura*, each committee should include no fewer than five members named by the *Majlis Ash-Shura*. These committees can be modified as necessary. The chairman or his deputy, if he is not available, chairs its sessions. *Majlis Ash-Shura* committees meet by a call to order from its chairman, the *Majlis Ash-Shura*, or the *Majlis Ash-Shura* chairman. Its sessions are not public and its decisions are taken by majority vote. Appendix II.

To provide further information on the official reaction and understanding of the Royal decrees, it can be added that in his speech the King pointed to the unique role of the Kingdom in the Muslim World. This belief is based on the history of Al Saud's connection with the earlier Saudi reform movement and the family's custodianship of the holy sites of Mecca and Medina. To him, western democracy is an inappropriate basis for politics in the peninsula. In an interview (New York Times, 30 March 1992, p.A6) the King said, "The nature of our people is different ... The democratic system prevailing in the world does not suit us in this region of the world."

Thus, the *Majlis Ash-Shura* has come to enjoy a strong sense of stability, and complete freedom of self-expression. In this regard, Dhohayan (1992) argued that the voting procedures of the *Majlis Ash-Shura* are characterised as free from any form of supervision. The issues debated by the assembly proved to be very effective for they influence the welfare of the people and the general economic and social development of the country. The *Majlis Ash-Shura* has become a prominent political institution, with members of varied social and educational backgrounds. They can directly participate in law-enactment and consequently provide related advice to the ruler.

## *Ash-Shura* in the Gulf States

These significant changes in Saudi Arabia can be discussed again by means of contrastive analyses. In this regard it can be argued that the Saudi strategy of introducing greater political participation has been echoed or anticipated in other Gulf dynasties. The experiment in Oman is interesting. According to Peterson (1978) the Sultan's regime was subject to intense military and ideological pressure during the Dhufar rebellion of the early 1970s. With the defeat of the rebellion, overt political opposition all but disappeared. A political public ethos was fostered by the government as built on commitment to economic and infrastructural development under the leadership of the Sultan. Eickelman (1984) argued that a state *Majlis Ash-Shura* was appointed in 1981. It was dominated by government members, met frequently, and had few powers. Eickelman also argued that by the time of the Gulf crisis, the political atmosphere in Oman was the most tranquil in the entire region. It thus came as a surprise to outsiders when the Sultan announced in November 1990 that Oman would have a new *Majlis Ash-Shura*, filled through indirect election on a provincial basis, with expanded powers.

According to *Al-Hayat* (14 October 1991), in May-June 1991 the provincial governors convoked the notables in their areas to recommend three potential *Majlis Ash-Shura* members to the Sultan, who then chose the members for that province. In some of the urban provinces, ballots were cast among attendees to determine the three nominees. Peterson (1978) argued that former government officials make up the largest group in the *Majlis Ash-Shura*, with tribal leaders and businessmen also heavily represented. This system of indirect nomination by province is not a direct election from the perspective of democratic theory. The designation of



notables is in the hands of the government, calling into question the representative nature of the electorate. The provinces do not have equal population, so urban areas are under-represented in the *Majlis Ash-Shura*. But the willingness to bring some of the public into the process of nominating its representatives was an important departure in recent Omani politics. In his opening address to the *Majlis Ash-Shura* in December 1991, the Sultan asserted that the *Majlis Ash-Shura* was a complete and equal branch of government, not part of or subject to the executive branch (*Al Hayat*, 22 December 1992, p.4). Whereas members of the bureaucracy dominated the state *Majlis Ash-Shura*, government officials are not permitted to sit on the new *Majlis Ash-Shura*.

Eickelman (1989) argued that the new *Majlis Ash-Shura* has greater legislative powers than its predecessor. It has the right to review all legislation regarding cultural, educational, social and economic issues, and state development plans, and to recommend amendments by a two-thirds vote. It also has right to question those who head ministries, delivering public services, such as Health, Education, Housing, Information, Electricity and Water. They must submit an annual report to the *Majlis Ash-Shura*. The new *Majlis Ash-Shura* ended its first year of operation in October 1992 and displayed a spirit of independence from the government (Eickelman, 1997). Its most notable activity was its questioning of ministers. It was a new experience for the ministers especially those who had spent two decades in government without ever having to answer in a public forum for their activities. The Sultan agreed to a decree that allows the election of *Majlis Ash-Shura* members directly by the people (*Al-Sharq Al-Awsat*, 8 May 2000).

An appointed *Majlis Ash-Shura* has also been established in Bahrain. In his national day address of 16 December 1992, Sheikh Isa, Amir of Bahrain, announced his intention to establish such a body. By the beginning of 1993, 30 members were appointed. In this regard *Al-Hayat* (21 December 1992) wrote that 18 of the members were merchants and / or contractors. Lawyers, religious judges, and doctors were also represented, as well as a journalist, and a university professor. The Bahraini *Majlis Ash-Shura* held its first session in 1993. Lawson (1980) argued that its powers are limited to the review of legislation sent to it by the Council of Ministers and to the oversight of government activity through the questioning of ministers. Unlike the Saudi experiment and the current Omani one, the changes in Bahrain do not have the same character of being a step forward. Lawson also argued that the original National Assembly in Bahrain, suspended in 1975, was directly elected and had extensive legislative powers. However, worries about the strength of Islamic political currents, in religious communities in the country, led the dynasty to take the appointed route favoured in Saudi Arabia and Oman, rather than risk elections on the Kuwaiti model.

In Qatar, the *Majlis Ash-Shura* appointed in 1972 still sits, its term periodically extended so as to avoid the stipulation in the provisional constitution for elections to the next *Majlis Ash-Shura*.

In March 1993 the UAE Federal National *Majlis Ash-Shura* resumed meetings after a two-year gap. *Al Hayat* (2 March 1993) reported that seventy percent of its members, appointed by the rulers of the seven emirates, were new, but the rumours that they would be chosen by direct election and that the powers of that body to initiate legislation and overturn government ministries would be expanded, proved to be groundless.

## Conclusion

Basic to the above contrastive analysis it can be argued that the experience of the Gulf dynasties in areas of political participation and representation is new and different in many of its aspects. First there are no inherent cultural or historical impediments inhibiting the populace from wanting a say in how their countries are run. The people are allowed, by their respective governments, to advance their interests. The people can also form organisations referred to in the West as traditional bases or tribal ties and Islamic institutions. Those traditional institutions have shown remarkable flexibility in adjusting to the circumstances of large bureaucratic states, modern technologies, and dramatically changed economies. The growing role of the state in the life of citizens over the past twenty years has called forth the new demands for political participation and government accountability that these states have recently witnessed. As the state has come to mean more in peoples' everyday existence, they naturally want to have some control over the actions of the state. The vast expansion of educational opportunities, funded by the states' oil wealth, has enabled many more people to articulate their concerns in abstract and theoretical terms, rather than simply as personal appeals for individual favours.

This chapter has discussed the *Majlis Ash-Shura* as an Islam-related socio-political phenomenon. Discussions showed that Islam historically exhorted Muslim leaders in general and Saudi rulers in particular to adhere to the sound principles of Islam and practice consultation. The constitution of Islam can lead societies to prosperity and peace of mind in this life and thereafter. The principle of consultation has become a social as well as a political need. It has to be implemented and observed in any Moslem society that aims to realise progress in its quest for development. Basic to

the principle of Islam, which is deeply rooted in the government tradition in the Saudi realm, this chapter asserts that the *Ash-Shura* process in consultation has been a religious practice exercised by Prophet Mohammed and successive caliphs. This approach has been explained within a historical framework to show that dynasty members are traditionally accustomed to observe *Ash-Shura* as demanded by the religion of Islam. In the course of the discussion in this chapter it has been emphasised that an adherence to the principle of *Ash-Shura*, as exhorted by the religion of God, enhances the religious legitimacy of any Muslim government. An absence of this principle would undermine the legitimacy of the government. As a social and political phenomena, *Ash-Shura* has not emerged as a result of the social conditions endured by modern Saudi society, but rather emerged and has been practised, in essence, as a religions duty. Those who can be selected to serve on the *Majlis Ash-Shura* should be:

1. A Saudi national in terms of origin by birth;
2. Renowned for being well-qualified and of good reputation;
3. Not less that 30 years old;
4. Pious, righteous, educated and with reliable experience.

The by-laws of the *Majlis Ash-Shura*, discussed in this chapter and can be summed up as follows:

Firstly, a member of the *Majlis Ash-Shura* has the right to apply for exemption to the speaker, and in turn the speaker should submit the matter

to the King. If a member neglects his duties, an investigation should be conducted against him and he should be tried. If for any reason, a seat of a member falls vacant the King will name an alternative by Royal decree. A member should not exploit his membership to serve his own interest. Members of the *Majlis Ash-Shura* should not associate themselves with another private or public appointment unless the King should see a need for this. The speaker of the *Majlis Ash-Shura* can and should appoint his Deputy and the Secretary General of the *Majlis Ash-Shura*. Their tenure of office, their salaries, rights and duties and various other affairs relating to their office are determined by a Royal Decree.

In Royal Decree No. A/91, dated 1992 (the original Arabic version of these explanations) it is stated that the speaker, the members and the Secretary General of the *Majlis Ash-Shura* should take the following oath before taking up their appointments:

“I swear by Almighty Allah (God) that I shall remain faithful to my religion, to my King and country, and never divulge a secret of state. I swear to preserve the interests of the state and its regulations, and to perform my duties with truth, honesty, justice and faith”.

The term of the *Majlis Ash-Shura* is set for four years, with a clear stipulation that, when a new *Majlis Ash-Shura* is formed, at least half of those appointed must be new members. The setting of fixed terms in this regard may indicate a shift away from the past policy of indefinite tenure of political office. The headquarters for the *Majlis Ash-Shura* are to be based in Riyadh, but it may hold meetings elsewhere in the Kingdom if they are approved by the King. In terms of establishing a quorum, it was decreed that a *Majlis Ash-Shura* meeting requires the presence of two-thirds of its membership. For a *Majlis Ash-Shura* resolution to be legal, a simple

majority vote is required. *Majlis Ash-Shura* resolutions are to be submitted to the Prime Minister who will refer them to the Council of Ministers. If the views of the *Majlis Ash-Shura* and the Council of Ministers are coincident, a royal approval will be issued. If the views of the two councils diverge, the matter will be referred to the King for a decision.

This chapter has shown that the *Majlis Ash-Shura* has the right to express its opinions on the general policies of the state which are referred to it by the Prime Minister. Table 6.2 shows the exclusive functions of the *Majlis Ash-Shura*.

**Table 6.2 Exclusive functions of the *Majlis Ash-Shura***

To discuss and express its opinion on the general policy for social and economic development.
To study and to suggest what is proper and pertinent to the Kingdom's rules, regulations, tactics, international accords, and concessions.
To interpret regulations.
To discuss and offer suggestions relating to the annual reports submitted by the ministers and other government departments.

The *Majlis Ash-Shura* will be given the opportunity to review regulations, conventions, international agreements and principles before they are issued or duly amended by a Royal decree. The *Majlis Ash-Shura* may also establish specialised committees made up of its members, to discuss items on its agenda. With the approval of the speaker, these committees may seek the assistance of non-members whose speciality qualifies them to provide advice.

This chapter has argued that the members of the *Majlis Ash-Shura* are chosen to represent a wide mix of clan and religious leaders, business and professional men, as well as government officials. Academics form the largest group, however, and there is an impressive number of members with advanced degrees, more than 60% having Ph.D. degrees. In practice, members of the *Majlis Ash-Shura* are allowed to initiate legislation and review the domestic and foreign policies of the government. Any government action not approved by the *Majlis Ash-Shura* will have to be referred back to the King. The King remains the final arbiter of state affairs and he retains the power to appoint and dismiss both ministers and *Majlis Ash-Shura* members. He also has the power to dissolve the *Majlis Ash-Shura*, restructure it, and appoint a new one at any time. The Kingdom's purpose behind establishing the *Majlis Ash-Shura* and introducing other reforms is to provide an institutional framework through which the traditional form of Saudi government, based on consultation within the context of the tenets and requirements of Islam, can be most effective. These reforms can be seen as marking an important new chapter in the history of the Saudi Kingdom. The reforms also mark the King's desire to accelerate the pace of modernisation within the religious and cultural traditions of the Kingdom. The reforms do not mean that the Kingdom has moved away from its Islamic traditions. King Fahad himself stressed that his reforms were based on the Islamic principles of fairness, decency and popular consultation.

The *Majlis Ash-Shura*, as constituted at the present time, has no law-making power, merely the right to summon and question ministers. The reform process is intended to be gradual in pace and judicious in development. In essence, the *Majlis Ash-Shura* should be seen not as a modest move towards western style democracy, but rather as an organic

development of the consultative processes on which the Kingdom has been governed since its inception. These processes arose from a tradition that goes as far back as the time of Prophet Mohammed.



## Chapter Seven

### Survey of the *Majlis Ash-Shura*

As an introduction to the discussion of *Majlis Ash-Shura* mechanism, it should be noted that there is a distinction between consultation as an Islamic principle and the method and means that should be adopted for its institutionalisation. The principle of the *Majlis Ash-Shura* is set out by the Holy Book and should be respected by any Muslim ruler. But traditionally, the Prophet Mohammed did not prescribe the specific methods or procedures to be adopted by successive Muslim generations. The Prophet, by not defining such mechanism, left room for Muslims to implement the kind of procedures or mechanisms that would suit their social conditions, which are, usually, in constant change. Basic to this perception, the Saudi *Majlis Ash-Shura* has been established with specific tasks and courses of action that suit the demands of current situations.

At this point it can be argued that the practice of consultation has been adopted by all successive Saudi rulers. The practice of the *Majlis Ash-Shura* is a public representation justified by religious conceptions. As an Islamic practical method, *Ash-Shura* necessitates public participation in the process of decision-making. The principle of consultation was, and still is, a common denominator that distinguishes all Saudi ruling episodes.

This section includes the steps, procedure and results of the research survey undertaken by the researcher to explore the opinions of *Majlis Ash-Shura* members on the activities and efficacy of the *Majlis Ash-Shura*. The *Majlis*

*Ash-Shura* is studied in this survey as a progressive phenomenon along with inter-related variables. The descriptive method adopted to solicit opinions depended on collected data based on the reactions of the members of the *Majlis Ash-Shura* to political developments in Saudi Arabia. The views and opinions of the members pertinent to the organisational, administrative, and decision-making procedures were sought. In order to weigh the functions, procedures and reactions of the *Majlis Ash-Shura* members, the survey carried out sought reliable information from close sources. The complete text of the questionnaire is in Appendix I.

## Methodology

The purpose of this research is to study the reaction of the members of the *Majlis Ash-Shura* regarding the political achievement realised in the institutionalisation of the Saudi *Majlis Ash-Shura*. This objective is selected simply because it is the researcher's belief that the amount of satisfaction that the members achieve from the appointment can reflect how pleased they are with the participation represented by selected individuals. From opinions of *Majlis Ash-Shura* members who are selected on the basis of their high qualification record, the researcher believes that their satisfaction with the procedures administered by the *Majlis Ash-Shura* would reflect the efficacy of this political experience.

In addition to the question of their satisfaction with this experience, the opinions of the *Majlis Ash-Shura* members regarding the organisational, administrative and decision making measures were solicited by means of a questionnaire tailored to serve that end. It is not the methodology of the procedures administered by the *Majlis Ash-Shura* that should be studied as such but rather the reaction of the members to those procedures as designed

and adopted to facilitate the task of the *Majlis Ash-Shura*. The extent of satisfaction of the members with these procedures would reflect their validity as supportive methods to the main function and duties of the members. The essence of the relationship between variables such as the beliefs, attitudes, and behaviour of the members are scrutinised, with correlation between them taken into account. Those variables are studied against other variables, such as the members' levels of education, previous experience, and social background. As it is stated earlier, most of the members are university professors, businessmen, high-ranking government administrators and men of knowledge. Their rich varied background is considered an additional asset. Since the members belong to different geographic areas of the Kingdom, their satisfaction with the missions and discussion administered by the *Majlis Ash-Shura* is an indirect indication of the range of services rendered first to the country as a whole and secondly to their respective areas.

This study is descriptive, considering the nature of the research problem that requires a description and explanation of the phenomenon and its relationships to different variables interconnected with it. This methodology in particular has been used in two ways:

1. Descriptive survey methods in which data regarding the attitudes of *Ash-Shura* Council with regard to political development in Saudi Arabia was collected. Their opinions in organisational, administrative, and, decision-making procedures were also collected.
2. A study of correlation between variables. In this the relationship between the opinions and attitudes of *Majlis Ash-Shura* Council members in the political development of Saudi Arabia were studied

against certain variables like educational, geographic, and previous experience backgrounds.

The research method is conducted on 90 members of the *Majlis Ash-Shura*, the president of the council, Sheikh Mohammed Ibn Jubair, included. Owing to the limited number of the subjects, whose opinions and reactions should be solicited, the researcher has been keen to encourage every member to respond to the distributed questionnaire and has taken into consideration the possibility that some of the members would opt not to answer the questionnaire owing to personal law-related or administrative reasons, which will be explained later.

Anyhow, as a technical procedure, a permit from the head of the *Majlis Ash-Shura* had to be secured. The researcher wrote a letter to that effect which explained the purpose, the objectives, and methods of the proposed study. The head of the assembly approved the request and accordingly a letter was drafted to each member of the assembly where they were assured in writing that their answers would be considered in strict confidence. They were not even asked to state their name or any thing indicative of their personality or character.

It is of utmost importance to state here that the *Majlis Ash-Shura* members were assured of confidentiality. The researcher met with a few members before initiating the field-work, for purpose of discussions on *Majlis Ash-Shura* sessions, policies and procedures. However, no personal interviews or direct contacts took place thereafter between the researcher and any of the members, mainly to rule out any possible effect or bias on their answers to the questionnaire that was distributed later.

In order to keep the questionnaire anonymous, the researcher handed the questionnaire along with the permission obtained from the head of the *Majlis Ash-Shura* to an official from the administrative office of the *Majlis Ash-Shura* in November 1998 and asked him to hand each member a copy. It was two months before the researcher started to receive answers from just 29 members. Accordingly it was decided to initiate a second attempt, and the researcher adopted the same procedure where copies of the questionnaire were distributed to all members. In February 1999, that yielded a response from another 8 members. A total of 38 (42.2%) members were finally included in the study. This rate is relatively low and could be explained by the fact that some *Majlis Ash-Shura* sessions were held in Jeddah on the west coast, away from the *Majlis Ash-Shura* headquarter in Riyadh. The other reason is that most of the members can get very busy and cannot spare the time to answer the questionnaire. As a matter of fact, some members might opt not to answer the questionnaire because they are too strict in their interpretation of the rules and regulations of the *Majlis Ash-Shura*. In other words, they consider themselves not allowed to release any information at all pertinent to the assembly. However, the writer was lucky that those who responded to my questionnaire had a different interpretation of these rules.

## **Research Techniques**

A questionnaire was designed as a tool for this research. The following is description of all the steps that were followed in preparation of this questionnaire:

1. Before designing the study questionnaire, the researcher of this thesis visited the Chairman of *Majlis Ash-Shura*, Sheikh Mohammed Bin

Jubair. He also separately met with three members. The reason for these meetings were to explain the study and discuss aspects related to the laws, policies and procedures of the *Majlis*. The researcher also attended several real sessions of the *Majlis* to get first hand knowledge about the manner and the method utilised in the discussions, voting, and resolutions of the *Majlis Ash-Shura*.

2. The questionnaire was prepared considering the previously mentioned meeting and other variables that cover various aspects related to the study subject. It included sections on the demographic characteristics of members, i.e. social and educational backgrounds, the operation of the *Majlis Ash-Shura* and the opinions of the members on its various activities and their satisfaction with it. Finally, the questionnaire contained open-ended questions on members opinions related to strengths and weaknesses of the *Majlis Ash-Shura* and their suggestions to improve the efficiency and operations of the *Majlis*.
3. After preparing the basic and reviewed draft of the questionnaire, a copy was handed to each of the following persons:
  - 3.1 Sheikh Mohammed Bin Jubair, Chairman, *Majlis Ash-Shura*
  - 3.2 Dr. Homoud Al-Badr, Secretary General, *Majlis Ash-Shura*
  - 3.3 Dr. Fahd A. Al-Harhi, Member, *Majlis Ash-Shura*
  - 3.4 Dr. Bader Al-Ammaj, Member, *Majlis Ash-Shura*

3.5 Dr. Mohammed Al-Helwa, Faculty of Political Science, King Saud University.

Input from meetings with above panel and their comments were incorporated into the questionnaire to ensure its validity.

4. A pilot study on 4 members of *Majlis Ash-Shura* was conducted to test the questionnaire for practicality. It was modified as per recommendations of these members and a final draft was obtained and distributed to all members of *Majlis Ash-Shura* through the Administrative Office of the Majlis as mentioned previously.

## **Results**

Reliability testing was conducted on the questionnaire using the SPSS for Windows statistical package, Version 6. Two reliability tests were conducted separately on questions that have three possible answers and questions with five possible answers. The reason was to ensure that these questions are phrased properly to yield a consistent measurement result across of the survey.

Jaeger (1983) stated, "Reliability is a measurement concept that represents the consistency with which an instrument measures a given performance of behaviour". The split-Half method is used in this survey to calculate the reliability coefficient of the study questionnaire. This procedure consists of splitting the total number of survey questionnaire items (odd and even), from a single administration of a single form of an instrument and correlating the two halves (Gall, 1989). Reliability coefficients have a

value from zero to 1.0 the higher the coefficient is, the greater the reliability of the questionnaire (Borg and Gall, 1989)

To the following questions, it was possible to give one of three answers: 16A, 24, 25, 27, 33, 37, 46, 48, 49. The alpha Cronbach value of the reliability test was 0.77, which can be considered a good level, therefore this part of the questionnaire may be considered to have high reliability.

The same test was repeated on questions with five possible answers: 12, 13, 14, 29, 35, 52. The alpha Cronbach value of the reliability test for these questions was 0.61 which could also be considered to have good reliability. Hence this part of the questionnaire can also be considered as having fairly high reliability. The justification for choosing the variables of the study are discussed in order of their appearance in the results report.

Table 7.1 below shows the age distribution in the study sample. Of 38 members (42.2%) who responded by completing and returning the questionnaire, 28.6% of the sample were in the age group under 50 years, (i.e. 71.4% were in the age group 50 years or more). The age of members ranged between 41 and 71 years, with a mean age of 55.05 years and a standard deviation of 7.73. Standard deviation (SD) shows the clustering of data around the mean. The higher standard deviation is, the more data is dispersed This distribution reflects the presence of varied generations of Saudi citizens.



**Table 7.1 Age Distribution of Study Subjects**

<b>Age</b>	<b>Persons</b>	<b>Percentage</b>
41-45	3	9
46-50	9	26
51-60	14	40
> 60	9	25
<b>Total</b>	<b>35</b>	<b>100</b>

Table 7.1 above shows that whilst 38 members (42%) responded to the questionnaire, three did not answer this specific question. 34% of the sample are in the age groups under 50 years; 71.4% were in the age group 50 years or above. The members' age ranged between 41 to 70 years with a mean age of 55 years and S.D. 7.73. This age distribution is indicative of the fact that both old and young Saudi generations are represented in the assembly.

The following table shows the subject's place of birth.

**Table 7.2 Place of Birth Distribution**

<b>Place of Birth</b>	<b>Persons</b>	<b>Percentage</b>
Village	11	29
City	27	71
<b>Total</b>	<b>38</b>	<b>100</b>

A study of place of birth and growth would give a clue to their geographic affiliation and the areas represented by them in the *Majlis Ash-Shura*. As it is shown in Table 7.2 none of the members was born in the desert. Eleven members (29%) were born in a village and 27 other members (72%) were born in cities.

Table 7.3 below shows the distribution of the study sample according to regional locations.

**Table 7.3 Distribution of Study Sample According to Geographical Location**

Area	Persons	Percentage
Central	14	37
Northern	3	8
Southern	2	5
Western	16	42
Eastern	3	8
Total	38	100

In comparison to other regions, the central and western regions are known to represent the highest population concentrations in the Kingdom. The table above shows that the central region is represented by 37% while the western region is represented by 42%. Again, this approach has come to prove that the density of population is proportionally represented in the *Majlis Ash-Shura*.

Table 7.4 shows the percentage distribution of this educational variable.

**Table 7.4 Educational Level of Study Subjects**

Education Degree	Persons	Percentage
BA	9	24
MA	5	13
Ph.D	24	63
Total	38	100

Table 7.4 shows that 75% of the *Majlis Ash-Shura* members have reached the level of MA and or Ph.D. from western universities. This is indicative that their learning and education had been obtained from reputable

educational institutions. This is also indicative that the Saudi government has exerted considerable efforts to educate its citizens. This fact can be justified on the ground that 72% of the sample are still in their fifties, which means that this age group has availed themselves of the generous financial subsidies that the government had assigned to education. This distribution of the levels of education highlights the importance given to the academics to function and represent the interests of the public in the *Majlis Ash-Shura*.

Pertinent to the education that the members have been exposed to, Table 7.5 shows what percentage of them studied in a western or an Arab country.

**Table 7.5 Distribution of Subjects According to Place of Study**

Country	Person	%
Local Saudi University	5	14
Arab Country	3	8
Western Country	27	75
Other	1	3
Total	36	100

Here it can also be argued that the percentage obtained reflects the kind of Western or Arabic training that might have influenced the mentality of certain groups or members. In other words, the type of their background training is viewed here as an additional personal trait.

Due to the importance of previous training and experience in regard to the achievement of any individual, a question to this effect was included in the questionnaire and the results are displayed in Table 7.6.

**Table 7.6 Public Sector Experience**

<b>Range of Experience</b>	<b>Persons</b>	<b>Percentage</b>
2 to 5 years	3	8
13 to 24 years	10	27
24 and above	24	65
<b>Total</b>	<b>37</b>	<b>100</b>

The majority of the sample studied proved to be experienced and well-trained in public sector services. About two thirds of the sample reported a work experience that exceeds 24 years. On the other hand, 47% of the members reported having had work experience in the private sector ranging from one to 21 years.

Table 7.7 illustrates specific information regarding the nature of the occupations exercised by the study subjects.

**Table 7.7 Type of Previous Occupations**

<b>Type</b>	<b>No Experience</b>	<b>%</b>	<b>Experience</b>	<b>%</b>
Administration	14	38	23	62
Business	33	89	4	11
Military	32	89	5	14
Academic	19	51	18	49
Other	27	73	10	27

Table 7.7 shows that 23 members (62%) have had administrative experience. 4 (11%) practised business or commercial type of work, 5 (13%) were in the armed forces, and 18 (49%) were academics. This pattern can be explained by the high education level enjoyed by members. Basic to the statistical fact that more than half of the sample have had previous experience in an administrative sector, it can be argued that they

have held leading government or public positions. Very few have had experience in business.

To explore an additional asset in the experience and personality of members on the *Majlis Ash-Shura*, a study of the time that each member has had in the assembly is conducted with results shown in Table 8.

**Table 7.8 Years of Service in the *Majlis Ash-Shura***

<b>Experience</b>	<b>Persons</b>	<b>%</b>
<Two years	25	66
5 to 6 years	13	34
>six years	None	None

Based on the information included in the table above, 25 members (66%) were relatively new members, whilst 13 (34%) had spent between five and six years working in the assembly. The mean time period was 2.9 years, S.D. 2.0 and a range of 1-6 years. The relatively short length of service can be explained on the grounds that the modern form of the *Majlis Ash-Shura* has only recently been developed.

Table 7.9 exhibits the belief and conviction of the sample members about reasons behind the initiation of the Saudi *Majlis Ash-Shura*. However, before commenting on the results displayed in this table, there is a need to discuss the reasons for the criteria adopted in this part of the research. First of all it can be argued that a category of such criteria would give a clue to the belief that the members had had when they decided to accept such a appointment. In other words there is an implicit interest in knowing what a member of the *Majlis Ash-Shura* thinks regarding the need for such a Council in a country that is initially run and administered by the laws of Islam. As a criterion relevant to this approach, "Expanding the range of

responsibility” has been selected, to know if those members do believe that the range of responsibilities, as practised by high-ranking officials, has been parochial and should be expanded by additional constructive participation from the public. This approach is applicable to the second criterion, “A need to complete the building of government institutions”. This criterion for selection based on the inquisitive nature of the researcher. That is, the researcher wanted to know if the members believe that it is not the public participation in sharing responsibilities as much as a gap in the constitutional structure of the government that can be bridged by the establishment of such a *Majlis Ash-Shura*. This analysis is applicable to criterion number three.

**Table 7.9 Reasons behind the Initiation of the *Majlis Ash-Shura***

Reason	No	%	Yes	%
Expanding the range of responsibilities.	29	76	9	24
A need to complete the building of government institutions.	12	32	26	68
Encourage public participation.	12	32	26	68
Involve qualified Saudis in development.	11	29	27	71
Promote <i>Ash-Shura</i> work.	14	37	24	63
A need to develop present policies.	16	42	22	58

Criterion No. 4, “To involve qualified persons in development”, is listed in the category in order to know whether the members really believe that before the establishment of the *Majlis Ash-Shura*, the participation of qualified Saudis in the process of development has been limited and consequently the door has to be open to their participation through an official Council dictated by means of religion. If this is not what the members believe, then the establishment of the *Majlis Ash-Shura* can be

explained based on a need to develop present government policies as stated in criterion No. 6.

Basic to the above analyses of the criteria chosen, it can be argued that the personal belief of the members is highly important because it can be an indirect indicative of the validity, performance and efficacy of the *Majlis Ash-Shura*. An analysis of such criteria would explain, from the perspective of the most educated Saudis, the real need for this Council. In short, the criteria have been chosen based on a personal analytical perspective founded on a personal experience with the Saudi social, administrative and political spheres.

Based on the results stated in Table 7.9, it can be concluded that 24% of the members believe that the reason the *Majlis Ash-Shura* was established has been to expand government responsibilities and allow a wide social strata to participate in the government's functions and duties. The percentage of those who believe that the building of the state's institutes would be complete by the *Majlis Ash-Shura*, amounts to sixty eight percent, or 26 members. The percentage of those who oppose this approach amounted to 32%. The percentage of those who support the willingness of the government to expand the scope of public participation amounted to 68%. On the other side of this equation there has been 71% that support the belief that the government wanted to make use of the available qualified Saudi talents. Twenty four members (63%) believe that the reason behind establishing the *Majlis Ash-Shura* has been to emphasise the *Majlis Ash-Shura* in a systematic way. The idea that there has been a need to upgrade and develop the government policies and procedures has been supported by 22 individuals (58%). The majority of the members on the *Majlis Ash-Shura* reported a combination of the variables included in adopted criteria.

Seven members (18%) believe that there is a totality of the reasons that contribute to the establishment of the *Majlis Ash-Shura*, while 31 members or (82%) are in favour of last three reasons in the category of the criteria implemented.

A study of the reaction of the members to the *Majlis Ash-Shura* would remain incomplete unless the opinions of the members regarding (1) the efficacy of the assembly in the process of decision making, and (2) the voicing of one's opinion, (freedom of speech in the process of debate) are explored. This analytical approach is explained in Table 7.10, which is divided into three separate but relevant sections:

**Table 7.10 (a) The Efficacy of the *Majlis Ash-Shura***

Range of Satisfaction	Persons	%
Very satisfied	11	29
Somewhat satisfied	24	63
Unsure	0	0
Somewhat dissatisfied	2	5
Very dissatisfied	1	3
Total	38	100

**Table 7.10 (b) Decision Making**

Range of satisfaction	Persons	%
Very satisfied	8	21
Some what satisfied	27	71
Unsure	1	3
Some what dissatisfied	2	5
Very dissatisfied	0	0
Total	38	100



**Table 7.10 (c) Freedom to Voice an Opinion**

<b>Range of satisfaction</b>	<b>Persons</b>	<b>Percentage</b>
Very satisfied	24	63
Somewhat satisfied	13	34
Unsure	0	0
Somewhat dissatisfied	1	3
Very dissatisfied	0	0
Total	38	100

Analysis of the figures listed in Table 7.10 (a) shows that 35 members (92%) were either somewhat satisfied or very satisfied with the issue of efficacy (a duly fulfilment of duties and responsibilities). The percentage of those who are somewhat dissatisfied amounted to 5% while 3% reported to be very dissatisfied. Generally speaking, the total result pertinent to “efficacy” shows that the majority of the members are satisfied. Responses from those who are not satisfied can be viewed as individual responses and can not be fitted into the adopted pattern. Besides, the 63% that reported as somewhat satisfied may mean that there is a strong potential for improvement in the efficacy of the *Majlis Ash-Shura*.

Table 7.10 (b) shows that a majority (92%) of the 38 members were either somewhat satisfied or very satisfied with the freedom of speech observed in the process of deliberation. Just two members were somewhat dissatisfied.

Table 7.10 (c) shows that a majority of this sample were very satisfied with the process. This phenomenon could be an indication of a belief that the assembly members enjoy freedom to express their opinions. Such freedom makes room for the conduct of intellectual debates by educated assembly members.

At the level of technicalities, the time factor is researched because it is viewed as a supportive factor in the process of decision making. Table 7.11 shows the reaction of the sample members to time granted to members to review an issue before passing a vote.

**Table 7.11 Availability of Enough Time to Review Issues Before Voting**

Availability of Enough Time	Members	Percentage
Yes	27	37
No	9	24
Most of time	1	39
Total	38	100

The figures in Table 7.11 show that 27 members (73%) admit that they are allowed enough time to review or collectively discuss an issue before an official session is held. Nine members (24%) claim that they are not allowed such time. Only 1 member (3%) claimed that in most cases, members are allowed enough time to deliberate and exchange opinions before formal sessions are held. This sort of discrepancy means that the members are not entirely satisfied with this technicality. It also means that the question of a time factor can affect, in one way or another, a unanimous decision arrived at by the members. Some claim that they usually have enough time to review a case while others would say that they are rushed in official sessions, where they have to voice their opinions off-the-cuff. Members were asked to provide an example but they declined to do so. The question of pressure that the government might exercise on members of the *Majlis Ash-Shura* is researched as a phenomenon rejected by both western and traditional Islamic standards. Being a highly important issue with consequences that can have negative effects on the very essence of the *Majlis Ash-Shura*, Table 7.12, shows the responses of the sample study.

**Table 7.12 Government Pressure Distribution**

	<b>Persons</b>	<b>%</b>
<b>Yes</b>	0	0
<b>No</b>	34	90
<b>Rare</b>	4	11
<b>Total</b>	38	100

The figures listed in Table 7.12 show that the majority of the 34 sample members (90%) claim they have not been exposed to any form of pressure from the government. Four members (11%) argued that some pressure from the government has been exercised, although examples of such pressure were not provided in the response to the questionnaire.

The issue of the efficacy of the decisions concluded by the *Majlis Ash-Shura* is discussed to answer the question: "Are those decisions ratified, valued and adopted by the government?" Again this phenomena is researched to show the validity of the decisions adopted by the *Majlis Ash-Shura* and subsequently the effect of this Islamic political and social phenomenon in the process of national development. Result of the interaction between decisions adopted and the effectiveness of the *Majlis Ash-Shura* are shown in Table 7.13.

**Table 7.13 Response of Council of Ministers to the *Majlis Ash-Shura* resolutions**

<b>Reaction</b>	<b>Persons</b>	<b>%</b>
<b>Reacts negatively</b>	0	0
<b>Reacts positively</b>	34	89
<b>Rarely reacts</b>	3	8
<b>No answer</b>	1	3
<b>Total</b>	38	100

Table 7.13 shows that 34 members (89%) claim that the government, upon taking important or strategic decisions, adopts decisions concluded by the assembly. Eight of the group of 34 (21%) claim that this occurs all the time while the other 26 members (69%) claim that this adoption on the part of the government happens sometimes. Three members claim that government rarely adopts decisions concluded by the *Majlis Ash-Shura*, while one member opted not to answer.

The awareness of the general public about the efficacy of the *Majlis Ash-Shura* as viewed from the prospective of its members is also researched. It is meant by this discussion to get an idea about the impact of the presence of the public in the minds of the members while handling nation related issues. The figures obtained have been as follows: One member (2%) believes that the general public is highly acquainted with the efficacy of the *Majlis Ash-Shura*; 7 members (18%) believe that awareness is somewhat high, 8 members (21%) abstained. The other aspect of the study showed that 11 members (29%) believe that this awareness is somewhat low, 10 members (26%) believe that public awareness is very low. More than half of the members believe that the public awareness of the efficacy of the *Majlis Ash-Shura* is low. They attributed this low percentage of awareness to causes such as: an inadequate media coverage of *Majlis Ash-Shura* activity, lack of illustrative pamphlets and brochures and the secrecy or confidentiality of the sessions conducted by the *Majlis Ash-Shura*. With regard to the question of representation, it seemed that 19 members (50%) believe that the *Majlis Ash-Shura* represents individual social groups, while a similar number of members believe that the *Majlis Ash-Shura* represents, to a certain degree, the whole of society. But there is a general agreement that Saudi society is, more or less, represented in the *Majlis Ash-Shura*. The

more members of the assembly, the more the Saudi population is represented.

Concerning the issue of selecting members to work on the *Majlis Ash-Shura*, a related study was conducted and the figures are shown in Table 14.

**Table 7.14 Selection Criteria**

Type	Yes Persons	%	No Persons	%
Region	20	53	18	47
Social /tribal	10	26	28	74
Education/general knowledge	36	95	2	5

Table 7.14 shows that the vast majority of the sample of 36 members, 95% believe that the criteria for selecting the members are founded on educational bases. Twenty members (53%) have attributed it to choices based on regional consideration e.g. geographical balance of representation. Ten members (26%) have attributed the criterion of selection to tribal and social facts (tribal influence). Anyway, preference is, generally speaking, given to educational and experience qualifications but still the door is left open to those known for their wisdom, social leverage, piety and righteousness. The fact that more than half of the members support the geography and region related criteria can be explained on the ground that the government is keen to have all regions in the Saudi realm represented in the *Majlis Ash-Shura*. That explains the selective approach exercised by the government. The widespread but spare distribution of the Saudi population in the desert justifies this approach. Even though Saudi society is traditionally tribal, it can be noticed that only 26% of the members attribute the cause of selection to tribal and social status criteria. This is an

indication to the social and moral process of thinking that has started to prevail and characterize the mentality of the Saudi general public.

## **Conclusion**

The research is conducted to solicit information, reactions, and impressions relevant to the efficacy of Ash-Shura socio-political phenomenon. Accordingly the research has been designed in the form of a questionnaire to detect matters related to the personal characteristics of the members. Others related to the way the reaction of the general public is viewed by the *Majlis Ash-Shura* members. The issue of the influence of power that the government might exercise on the *Majlis Ash-Shura* members is also discussed where the majority of the members admitted that the government exercised no such influence on them.

Based on the way the research methodology is designed and the other additional personal initiative explained in the main text of this chapter, it can be concluded that with reference to the age factor, the members of the *Majlis Ash-Shura* are physically active and still have long way to go before retirement. The other conclusion obtained is that both relatively old and the young generations are represented in the *Majlis Ash-Shura*.

Pertinent to the place of birth of the members, most of the members were born in villages or big cities but not in remote areas deep in the desert. Both the central and western regions are highly represented in the *Majlis Ash-Shura* because these two areas are highly populated. Anyway, the density of population is represented in the *Majlis Ash-Shura* proportionally.

The educational background of the members shows that the majority were trained in Western universities. It seems that the government has given educated Saudis the priority in representing the Saudi public in the *Majlis Ash-Shura*. The background education of the members coupled with an administrative experience proved to be remarkable. The background experience of the members is wide and versatile and their service on the assembly ranges from one to six years. Most of the members believe that the initiation of the *Majlis Ash-Shura* is attributed or justified based on the government's willingness to widen the scope of public participation. In this regard, it can also be argued that the government wants the public to shoulder its responsibilities in the process of development. In fact, the majority reported a combination of reasons that propelled the government towards the establishment of the *Majlis Ash-Shura*.

The majority of the *Majlis Ash-Shura* members are satisfied with the efficacy of the *Majlis Ash-Shura*. Still, there is a strong potential for the improvement of the ways and methods the efficacy is achieved. There is a strong support among the members for the freedom of speech observed in the process of deliberations. Members are free to voice their opinions without any form of suppression. Based on figures obtained from research on the time available to members before a formal session is held, it can be concluded that the members are not entirely satisfied with the time allowed to them to study an issue before a decision is concluded.

The majority of the members believe that the government usually adopts decisions concluded by the assembly; especially those related to development plans. It seems that the members of the *Majlis Ash-Shura* are always conscious of the public reaction to their performance. Some of the members believe that the public is highly acquainted and aware of the

performance of the *Majlis Ash-Shura*. Others believe that awareness is somewhat low. There is some sort of discrepancy regarding this issue: it seems that the members are divided on it. This vacillation is attributed to variety of causes e.g. poor media coverage, lack of educational pamphlets and brochures, too much secrecy, etc.

There is overwhelming agreement that the *Majlis Ash-Shura* represents the wide range of Saudi society. Most members believe that the method for selecting members to serve on the *Majlis Ash-Shura* is based on factors such as: the level of education, regional considerations (geographical balance), or tribal and social facts. In all this, preference is given to education, qualification and good public experience. The weaknesses and strengths of *Majlis Ash-Shura* procedure, policies and practices obtained from answers of members to the open-ended question were collected and analysed. Results of this analysis are reported in the next chapter.



## Chapter Eight

### Assessment of the *Ash-Shura* Experience

#### Objective Criticism: Merits and Demerits

This chapter discusses the results achieved by the *Majlis Ash-Shura* regarding issues referred to it by the *Majlis Ash-Shura* of Ministers. The effectiveness of resolutions concluded by the *Majlis Ash-Shura* along with the reactions of the members are discussed to test the efficiency of both the performance of the *Majlis Ash-Shura* and its social status as a new socio-political apparatus supposed to represent the wide majority of the Saudi society.

In an attempt to measure the progress in the performance of the *Ash-Shura*, a comparison between its performance in the first two years and the most recent two years is conducted. The performance of *Ash-Shura* committees and the nature of their duties and assignment are discussed from the perspective of being supportive apparatus that contributes to the process of decision making. In this regard, the internal procedures adopted by the *Majlis Ash-Shura* are reviewed. Finally the problems and difficulties experienced in the *Majlis Ash-Shura* by the individual members are reviewed. In a related matter, the members assessment of the efficacy of the *Majlis Ash-Shura* are exhibited through an open-ended questionnaire designed to serve that purpose.

## Deliberations and Resolutions

During its six-year term, the *Majlis Ash-Shura* has contributed to the promotion of economic and social development. It studied many rules and regulations and came up with practical suggestions and advice. The *Majlis Ash-Shura* studied a good number of annual reports referred to it by Saudi ministries and other government agencies.

Table 8.1 shows the results obtained from the research study pertinent to this approach.

**Table 8.1 Results Obtained from the Research Study**

<b>Nomenclature</b>	<b>No. of Sessions</b>	<b>Issues Referred</b>	<b>Issues Studied</b>	<b>No. of Resolutions</b>
<i>Majlis</i>	283	299	184	254
General Commission	95	194	231	16

Table 8.2 shows aspects of the resolutions adopted by the *Majlis Ash-Shura* through out its first term.

**Table 8.2 Results of the *Majlis Ash-Shura*, Resolutions During its First Sessions**

<b>Result</b>	<b>No. of resolutions</b>	<b>%</b>
Approval	79	60
Approval with reservation	13	10
Approval joined with suggestions	31	23
Disapproval linked with proposed alternatives	5	4
Disapproval	4	3
Total	132	100%

Most of the *Majlis Ash-Shura* resolutions (60%) have been endorsed without amendment or addition, while only 3% of its resolutions have been rejected by through free voting. This may represent a reflection of the harmony between the *Majlis Ash-Shura* members; it also indicates that the issues would not be presented for voting unless they had been thoroughly studied.

The 3% rejection rate of some resolutions points to the freedom enjoyed by the members in refusing to vote in favour of specific issues. On the other hand, 23% of resolutions have been approved, with suggestions recommended. This may indicate that the *Majlis Ash-Shura* enjoys sufficient experience and self-confidence to enable it carefully to study and provide suggestions and recommendations for certain issues.

Table 8.3 shows the number of sessions and resolutions issued by the *Majlis Ash-Shura* during the past six years.

**Table 8.3 The *Majlis Ash-Shura* Sessions and Resolutions over the Past Six Years**

<b>Year</b>	<b>A.H.</b>	<b>C.E.</b>	<b>No. of sessions</b>	<b>No. of resolutions</b>
First	1414	1992-1993	15	17
Second	1415	1994	41	42
Third	1416	1995	43	22
Fourth	1417	1996	45	55
<b>Total activities of first term</b>			<b>144</b>	<b>136</b>
First	1418	1997	71	56
Second	1419	1998	68	46
<b>Total</b>			<b>283</b>	<b>238</b>

The overall number of sessions in the first term reached 144 (47%) of the total number of sessions held by the *Majlis Ash-Shura* since its

establishment. This compares with 139 sessions (53%) during the first two years of the second term. This is an indication of the continuous increase of the *Majlis Ash-Shura* tasks, especially after the number of its members has increased to 90. This may also indicate the increasing confidence with which the state views the *Majlis Ash-Shura* members.

During its first session, the *Majlis Ash-Shura* issued 136 resolutions, and 102 resolutions (43%) were issued during the first two years of the second term. This confirms the *Majlis Ash-Shura* increasing efficiency, and probably an increase in its workload. It can be noticed from the figures in Table 8.3 that the number of resolutions may exceed the number of sessions, as in the case of first, second and third years. This might change, depending on the nature of the issues to be treated. One issue may require several sessions, whilst one session may conclude with several related resolutions.

Table 8.4 shows a comparison between *Majlis Ash-Shura* activities during the first two years of its 1st term and the last two years of its 2nd term.

**Table 8.4 Comparison Between *Majlis Ash-Shura* Activities during the First Two Years of the 1st Term and the First Two Years of the 2nd Term**

Activity of the Majlis	First session 1992 - 1994	Second session 1996-1998	(-) (+)%
Issues Pending	127	125	-1.5
Issues Decided on	91	105	17
Issues Under Study	36	87	141
No. of Sessions	55	139	151
Resolutions	60	103	88
Members attended sessions	20	17	-15

It appears from the above table that, over the past two years, the pending issues have decreased by 1.5%, which is not a significant rate. There is 152% increase in the number of meetings during the second two years compared to the first two years. This may be attributed to a change in the frequency of meetings: from twice monthly to once weekly. An increase of 88% in the number of resolutions issued indicates clearly how efficiently and promptly the *Majlis Ash-Shura* deals with issues referred to it. The decrease in the number of government officials attending the *Majlis Ash-Shura* sessions may be attributed to the fact that the *Majlis Ash-Shura* members have acquired some technical, administrative and information-related experience. It can also be attributed to the keenness of the *Majlis Ash-Shura* not to be influenced by Saudi official in their deliberations.

### **Results of *Majlis Ash-Shura* Specialised Committees**

With its inception, the *Majlis Ash-Shura* had eight committees which continued throughout the first term. However, the increase in the *Majlis Ash-Shura* missions and duties demanded a need to raise the number to eleven committees. This has been achieved through splitting some committees (e.g. the Financial and Economic Committees), into two committees each. The Education and Information Committee was split into two committees in order to activate discussions and accelerate the rate of achievement.

Table 8.5 shows the activities of the specialised committees.

**Table 8.5 Activities of Specialised Committees over the Past Six Years**

Committees	Meetings	%	Issues studied	Resolutions	%
Islamic	137	11	16	16	6
Foreign affairs	77	6	32	32	12
Economic	181	16	61	52	19
Social	142	13	93	35	13
Regulations	163	14	22	22	8
Educational	211	19	28	33	12.5
Security	129	11	41	40	14.5
Facilities	125	10	44	42	15
Total	1,165	100	347	272	100

The meetings of the Education Committee make up 19% of the total. This may indicate that the *Majlis Ash-Shura* concerns itself with education, which is of concern to many people. The decisions adopted by the Economic Committee exceed the numbers of decisions adopted by other committees. This may represent a concern on the part of the *Majlis Ash-Shura* about issues of importance to citizens. The Islamic Committee is characterised by the limited number of decisions it has made, namely 6%. This is because all legislation and regulations in the Kingdom conform to the Islamic *Shari'a* and are integrated by default in every discussion conducted by the *Majlis Ash-Shura*. The Foreign Affairs Committee seems to have the least number of meetings, with 6%. This may be attributed to the *Majlis Ash-Shura* involvement, to a great extent, in internal issues.

The Economic Committee is concerned with economic issues referred to it. The most significant were the Fifth and Sixth Development Plan that was assessed in the presence of the Deputy, Minister of Planning. It also reviewed and approved economic treaties between the Kingdom of Saudi Arabia and Italy, China, Belgium and Yemen.

The Education Committee, which was split at a later stage into two committees, is specialised in assessment of educational and media aspects. A major issue reviewed by this Committee in the presence of the Deputy, Minister of Information was the study of transformation of the state media institutions of Television and Radio to work under commercial principles. On another perspective, a major contribution of the Social and Health Committee is the review of the health system policy in the Kingdom in addition to the collaborative health insurance system. Issues related to foreign policy are reviewed by the Foreign Affairs Committee. Examples of such issues are: the statement of the Damascus Declaration, the Foreign Minister's statement, and the Arab Collaboration document. These issues were reviewed the in presence of the Deputy, Minister of Foreign Affairs.

### **Agreements and Regulations Studied by the *Majlis Ash-Shura***

Through endorsing regulations, agreements and treaties, the *Majlis Ash-Shura* accelerates the developmental process and the national interest of the Kingdom. Those resolutions, in addition to the accompanying recommendations, helped the cabinet to issue decisions targeting the public interest. The *Majlis Ash-Shura* studied rules, regulations and agreements, which were approved by the *Majlis Ash-Shura* of Ministers based on resolutions adopted by the *Majlis Ash-Shura* during its first sessions (1993 – 1997).

At the level of the economy, the *Majlis Ash-Shura* has endorsed the Sixth Development Plan (1995–2000) and provided certain relevant recommendations. The *Majlis Ash-Shura* has approved the agreement on economic, trade, investment and technical co-operation between the

Kingdom and the Yemen. It passed the proposed increase in customs tariff on tobacco and its derivatives.

At the level of security, the *Majlis Ash-Shura* endorsed the security agreement between the Gulf Co-operation Council, and adopted the security co-operation between the Kingdom and the Yemen. Besides, it has approved the amendment of Article 103, pertinent to military officers, service regulations.

### **Internal Development of the *Majlis Ash-Shura***

In an attempt to improve its performance at the internal level, the *Majlis Ash-Shura* has adopted measures that involve, although not exclusively, the following:

#### **1. The Harmonisation of Resolutions**

The *Majlis Ash-Shura* seeks to make its resolutions in harmony with other regulations under the umbrella of the basic laws of the government. This mission is executed by the department of advisors who attend the *Majlis Ash-Shura* sessions and deliberations, to assure that they are in harmony with the general frame of the Islamic law. It studied more than 300 petitions, sent by a number of nationals. It received petitions that reflected citizens' opinions and suggestions.



## 2. Information

In order to inform the public and make them aware of the “*Ash-Shura*” principle, and to explain its activities, the *Majlis Ash-Shura* has initiated the following steps:

- 2.1 To provide the Saudi media with news of the activities of the *Majlis Ash-Shura*.
- 2.2 To prepare 16 reports and 8 brochures in addition to a weekly press release.
- 2.3 The Chairman of the *Majlis Ash-Shura*, accompanied by other members, conducted 14 official visits to different foreign states. In this regard the *Majlis Ash-Shura* has received 100 foreign visitors.

The details of visits made by the *Majlis Ash-Shura* Chairman and/or members to other countries, Majlis and parliamentary houses (14 visits) are shown in Table 8.6.

**Table 8.6 Visits Made by the Saudi *Majlis Ash-Shura* Delegation to Other Countries**

Country	Date	Country	Date	Country	Date
Morocco	1993	Bahrain	1994	Great Britain	1996
Pakistan	1994	China	1995	Mauritania	1997
Kuwait	1994	Belgium -	1995	Malaysia	1997
Egypt	1994	France -		India	1997
Oman	1994	Germany		Italy	1998

Fifteen delegations, consisting of more than 167 members, visited from the *Majlis Ash-Shura*. The following is a list of these delegations:

**Table 8.7 List of Delegations**

Kuwaiti <i>Majlis Al-Ummah</i>
Parliamentary Society for European Co-operation
Chinese State <i>Majlis Ash-Shura</i>
General Secretary of the Kuwaiti <i>Majlis Al-Ummah</i>
Vice President of the Morocco Parliament
Pakistani <i>Majlis Ash-Shura</i> of Senators
European Parliament
People's <i>Majlis Ash-Shura</i> of Burkina Vaso
Russian Parliament
Middle Eastern Project, American Foreign Relations <i>Majlis Ash-Shura</i>
British Parliament
Indian Parliament
German Parliament
Chinese Political Convention
Egyptian <i>Majlis Ash-Shura</i>

### 3. Support of *Majlis Ash-Shura* activities.

The *Majlis Ash-Shura* gave attention to the establishment of a department concerned with research studies and linked it, through a computer system, to several university research centres, public libraries and information centres (foreign and local). An information centre and a specialised library (containing 25,000 volumes) have also been established to provide reference services for members of the *Majlis Ash-Shura*.

### Members' Reactions to *Majlis Ash-Shura* Achievements

The achievements that exhibit the efficiency and dynamic nature of the *Majlis Ash-Shura* include:

1. The increase of the *Majlis* members, during the second session, from 60 to 90 members. That increase has allowed the participation of as many citizens as possible in the decision making process and the provision of consultation. Further, this increase may indicate more participation and a greater breadth of activity within the *Majlis Ash-Shura*.
2. The increase of the number of committees from eight to eleven. As a result of this increase, some committees have been split into two committees each. An example of this is the committees of finance, economy, education and information.
3. Giving opportunities to various dignitaries to attend parts of the *Majlis Ash-Shura* sessions, as was the case during the second year when the Ministers of Finance, Foreign Affairs, Planning and Education attended sessions, to become acquainted with government policies and answer the inquires of the members. Later on, HRH Prince Naif Bin Abdul Aziz, the Minister of Interior, and in his capacity as Chairman of Manpower in addition to the Minister of Labour and Social Affairs, visited the *Majlis Ash-Shura* to discuss issues relevant to workers and working manpower and providing job opportunities to graduates from Saudi universities. At that time a committee, which has been founded for this purpose, submitted decisions to higher authorities to find solutions to labour problems and to replace the foreign work force by a Saudi one.
4. The *Majlis Ash-Shura* Chairman recalls that the *Majlis Ash-Shura* has already consulted women on specific issues, especially those specialised in social affairs. The *Majlis Ash-Shura*, he adds, accepts

participation from women, but they are not allowed to be members of the *Majlis Ash-Shura* because the Islamic principle of *Ash-Shura* is a public tutelage, and therefore a right denied to women.

5. Recently, the *Majlis Ash-Shura* has held public sessions and discussed issues related to press institution regulations. The sessions were attended by chief editors from a number of local newspapers.

### **Efficiency of the *Majlis Ash-Shura* as Viewed by its Members**

To be acquainted with the opinions of *Majlis Ash-Shura* members on its efficiency in performing its missions and practising its actions, and role in rationalising the political decisions, two questions have been included in the questionnaire. The following findings have been arrived at

1. The Efficacy of the *Majlis Ash-Shura* in Performing the *Majlis Ash-Shura* Missions:

To identify the *Majlis Ash-Shura* efficiency in this regard, the *Majlis Ash-Shura* members were asked how far they were satisfied with the performance of the *Majlis Ash-Shura*. Table 8.8 shows the response.

**Table 8.8 Satisfaction of Members with their *Majlis Ash-Shura* Performance Level**

<b>Satisfaction</b>	<b>Frequency</b>	<b>%</b>
Very satisfied	11	29
Satisfied to some extent	24	63
Not satisfied to some extent	2	5
Not satisfied absolutely	1	3
<b>Total</b>	<b>38</b>	<b>100</b>

Table 8.8 shows that the majority of the members (63%) are to some extent satisfied with the *Majlis Ash-Shura* performance. Next is the category of those who are very satisfied (29%), while 8% of the *Majlis Ash-Shura* members were either not satisfied at all or satisfied only to some extent. This result shows that the satisfaction level about the *Majlis Ash-Shura* and its efficiency in performing the missions vested in it is very high. This may be attributed to the achievements realised by the *Majlis Ash-Shura* during the last years, and the awareness of the members of the significance of these achievements and their role in promoting development in the country.

The number of those who are dissatisfied is limited to three members. Their stance can be explained on the ground that they see the work volume and the achievements of the *Majlis Ash-Shura* are below the level claimed. They might believe there is a need for further development at the performance level.

## 2. The *Majlis Ash-Shura* role in rationalising the political decision:

Table 8.9 shows the responses of members to the question relevant to the role played by the *Majlis Ash-Shura*, and as viewed by the members, in the process of rationalising political decisions.

**Table 8.9 The Role of the *Majlis Ash-Shura* in Rationalising Political Decisions**

<b>Role of <i>Majlis Ash-Shura</i></b>	<b>Frequency</b>	<b>%</b>
Very useful	19	50%
Useful to some extent	18	47%
Not sure	1	3%
Not useful	-	-
<b>Total</b>	<b>38</b>	<b>100%</b>

These results indicate that half the respondents (50%) considered the *Majlis Ash-Shura* very useful in rationalising the political decisions adopted by the government. The other half (47%) states that it was useful to some extent, while there was one member who was not sure about the usefulness of this approach. But none of the members identified this role as without use.

These findings show that almost all respondents were convinced that the *Majlis Ash-Shura* role is useful in rationalising government decision. This may be ascribed to the fact that the *Majlis Ash-Shura* includes experts, scholars and highly qualified citizens who are capable of providing the government with proper and useful opinions and recommendations that help it to reach proper or right decisions. This was obviously expressed by one of the members who wrote:

“The *Majlis Ash-Shura* resolutions have great impact on the government’s final decision-making process because these resolutions are made by various experts of different academic backgrounds”.

Another member stated:

“the influence is great because the collective decision helps the King to make a decision with confidence.”

Seventeen members seconded this views by noting that the *Majlis Ash-Shura* of Ministers follows, in most cases, the *Ash-Shura* resolutions. Another member argued that:

“The influence is positive, and this could be seen from the congruency of decisions made by the government and the *Majlis Ash-Shura* in most cases.”

Three members quoted the subject of electricity-tax bills that was not approved by the *Majlis Ash-Shura* as an example. In this regard one of the members stated:

“The effects of decision making began to appear. It is obvious that the government does not take any decision before consulting the *Majlis Ash-Shura*. It always consults the *Majlis Ash-Shura*, specially on decisions relevant to the re-structuring of the electricity sector where the *Majlis Ash-Shura* resolutions were obvious in the government’s final decision.”

One member described the influence applied by *Majlis Ash-Shura* on the government’s decisions, saying:

“The impact or influence is potentially great, because the *Majlis* exercises of retrospective monitoring role regarding the performance of the various ministries. The decision maker (King) transferred highly significant issues to the *Majlis* even after the ministry concerned had decided on these issues.”

On the other hand, one member sees that the influence of the *Majlis Ash-Shura* and its deliberations, on the government decisions is “limited”. Another member sees the influence varies with the subject in question, while another member differentiates between the *Majlis Ash-Shura* deliberations and resolutions saying that:

“The influence of the *Majlis Ash-Shura* deliberations is limited, but its resolutions have great influence on the final decision adopted by the King.”

Generally speaking, most members agree that the resolutions of the *Majlis Ash-Shura* influence the political decision-making process provided they are in harmony with the Ministerial decisions of the *Majlis Ash-Shura*. If

the resolutions are inconsistent, the final decision is the responsibility of the King.

This approach is in accordance with Article 17 of the *Majlis Ash-Shura* system, which states:

“Resolutions of the *Majlis Ash-Shura* shall be submitted to the Prime Minister (the King) who shall refer them to the Council of Ministers for consideration. If views of the two *Majlis Ash-Shuras* are identical, a Royal Decree will be issued; but if the views are not in agreement, then the King decides whatever he deems fit”.

From the above discussions it follows that actions and achievements of the *Majlis Ash-Shura* are not limited only to the study of regulations and treaties and opinions and thoughts about them. The *Majlis Ash-Shura* also issues resolutions and recommendations that have obvious influence on the government’s final decisions, specially those concerned with the enactment of regulations (laws) or related amendments.

This highlights the importance of the role exercised by the *Majlis Ash-Shura* in the political life in the Kingdom of Saudi Arabia. It also reflects the significance of its actions and contributions in modernising the regulations of the state and accelerating the wheel of development on a scientific basis, and helps the government to deal with the challenges of the present stage of affairs.

### **Points of Strength of the *Majlis Ash-Shura***

This study aims to identify the major characteristics and strengths that characterised the *Majlis Ash-Shura* from the members’ point of view. The



study questionnaire included the following question: “What are the major positives and points of strength that characterised *Majlis Ash-Shura* from your own point of view?” The responses were classified into twelve points of strength. The findings are shown in Table 8.10.

**Table 8.10 The Positives and the Points of Strength that Characterise the Saudi *Majlis Ash-Shura***

No.	Points of Strength	Frequency
1.	High efficiency and effectiveness of performance	21
2.	It includes a unique combination of the society	19
3.	Freedom of opinion and articulation	15
4.	Openness and objectivity in discussions	14
5.	Absence of the various forms of coalitions and affiliations	10
6.	Gives precedence to the public interest	9
7.	The dominance of unique personal relationships	8
8.	Dependence on the Koran and Prophetic Sunna	6
9.	Represents social status and sects	4
10.	Takes its resolutions according to a majority vote	4
11.	Includes governmental organisations in the discussion	3
12.	Other points of strength	5

The results in Table 8.10 show that there are positive aspects and points of strength that characterise *Majlis Ash-Shura*. Its high efficiency in performing its works was the leading aspect, followed by unique combination of citizens, the freedom of opinion and objectiveness during discussions, the absence of coalitions and ideological affiliations and the precedence of the public interest. In addition to unique human relationships within the *Majlis Ash-Shura*, its dependence on the Holy Koran and *Sunna* of the Prophet, its representation to society status and sects, the taking of resolutions on a majority basis, and the inclusion of governmental organisations in the dialogues all are noted.

The points of strength stated in Table 8.10 will be discussed and analysed in the light of the details obtained from the members' responses. Also, the information and remarks that are made available for the researcher in this regard will be discussed.

### **High Efficiency and Performance-effectiveness**

The findings of the study make it clear that the *Majlis Ash-Shura* is characterised by considerable efficiency, good judicial practice, a high level of achievement, and contributions to the service of the state and society.

The major indicators of the effectiveness of the *Majlis Ash-Shura* and its efficiency in performing its works are the following:

1. Intensive meetings, including regularity of sessions in the specified time, that have never been postponed owing to the lack of a quorum.
2. The availability of specialised work committees to prepare topics efficiently and to make them ready for discussion.
3. A continuous high level of attendance in both the *Majlis Ash-Shura* and the committee meetings.
4. An active contribution from the majority of members, in addition to enthusiasm and sincerity.
5. The *Majlis Ash-Shura* has achieved various important works, and made great contributions within the range of its authority and jurisdiction,

mainly in the study of the regulations, by-laws, treaties, and international agreements that have been referred to it by the king. In addition to studying the annual reports received from Ministries and government departments, the *Majlis Ash-Shura* has discussed aspects of the drawbacks and points of strength relevant to these systems and departments, and recommended appropriate action to increase their efficiency and reduce expenses.

There are three other indicators that point to the growth of the *Majlis Ash-Shura* workload, and the size of responsibility cast on it. These indicators are:

1. The increasing of membership from 60 to 90 members. There have been calls for a further increase.
2. The increasing of the number of specialised committees from 8 to 11. Some members call for more.
3. The *Majlis Ash-Shura* convened two sessions per week in addition to meetings held by specialised committees. The by-laws of the *Majlis Ash-Shura* require the convening of one normal session at least each fortnight.

### **Unique Incorporation of a Wide Social Range in the *Majlis Ash-Shura***

One of the major characteristics of *Majlis Ash-Shura* is that it includes a unique combination of people. Members are selected on the basis of integrity, scientific specialisation, and practical experience: in regard to

points of strength one of the members argued that "Its inclusion of a selection of the best intellectuals, and educated people is a factor rarely included in any democratic system". *Majlis Ash-Shura* members are selected and appointed by the King. In this regard a special procedure is adopted where high-ranking officials in the government are nominated based on considerations such as education, their area of speciality, previous experience and training, talent and righteousness. This is attributed to the fact that "membership has been done by selection and not by election" as stated by one member. He argued that this is a part of the *Majlis Ash-Shura* advantages and one of its basic characteristics. Many members pointed to the selection of the *Majlis Ash-Shura* members as successful. The majority of the members are of specialised scientific background and training, with wide administrative experience. This characteristic is not attainable for many similar parliaments whose members are elected, for in such circumstances unqualified members are likely to be elected. Not only that, but some of them might be corrupt as well. This does not mean, however, that it is not possible to develop a system for elections that may avoid these negative aspects and disadvantages.

### **Freedom of Opinion and Expression**

One of the characteristics of the *Majlis Ash-Shura* emphasised by the members is the freedom to express opinions during discussions, and decision making concerning all topics and issues referred to the *Majlis Ash-Shura*, in addition to giving the chance for any one to contribute with an ample time given to hearing all types of opinion. About this phenomenon one member said "There is the utmost freedom in the *Majlis Ash-Shura* discussions and decision making". Another member said: "It is freedom that one feels in expressing one's views". A third member argued that

“there is a high level of freedom in the field of research and the field of speech”. Another member emphasised that the *Majlis Ash-Shura* is witnessing “an open discussion without any restriction or direction from someone else”.

### **Openness and Objectivity in Discussions**

The provision of the freedom of opinion and speech in *Majlis Ash-Shura* contributed to the emergence of another important characteristic of the *Majlis Ash-Shura*. This characteristic is namely openness, genuineness, and objectivity in the exchange of ideas and in discussion. One member pointed out that “ There exists the utmost frankness between members during discussions”. Another member painted to the “objectivity and genuineness in exchanging ideas and discussion”. Many members referred to “the openness in the interjections” in addition to the objectivity and reality in handling subjects and expressing opinions freely”. It is obvious that these things occur without constrictions or the flaring up of loud voices. The findings of the study assure that the *Majlis Ash-Shura* sessions and meetings are distinguished by a civilised manner of presentation and constructive discussion between members. A considerable number of members pointed to the civilised manner of presentation and discussion”. This may be attributed to the brotherly human relations between members (see below).

### **The Absence of Various Forms of Coalitions and Affiliations**

*Majlis Ash-Shura* is characterised by the absence of parties, groups, regional coalitions or affiliations between members. Some members admire the “absence of parties and stress the Saudi group spirit”. This impartiality

in purpose and fairness in references to particular situations and trends because of party or personal purposes, are aspects that make “voting” take the course of national interests as one member stated. This idea was emphasised by another member who said: “Each member owns his opinion in the voting process, and he is not obliged or committed to another group”.

### **Giving Precedence to the Public Interest**

The logical consequence of the absence of partiality or groups and the absence of personal interests among *Majlis Ash-Shura* members is that they exhibit the public interests as a common target, held dear by all members. This public interest outweighs any personal or regional interest. This fact is assured by one member who says: “Unity of target: all are working to the interest of the country”. Another member described what goes on in the *Majlis Ash-Shura* as “real deliberation for what may serve the interest of the country. “Another member emphasised “the absence of personal interests of the *Majlis Ash-Shura* members”. The *Majlis Ash-Shura* experience is benchmarked by the absence of private or party interest.

### **Dominance of Unique Human Relationships**

One of the obvious points of strength in *Majlis Ash-Shura* is the existence of good brotherly human relations between its members. These relations are distinguished by co-operation, mutual respect and a collective spirit despite differences of opinions in some cases. More than one member referred to this phenomenon saying: “brotherly and human relationships”, “good relations between members”, “mutual respects to the opinions of others and respect for opposing views” and the like. This is not only limited to relationships between members, but expands to include their relationship

with the Chairman, his Deputy, and the Secretary General. There is no doubt that positive human environment, and brotherly relationships between the members help to perform the work and duties with confidence and efficiency.

### **Dependency on the Koran and the Prophetic *Sunna***

One of the major characteristics that distinguishes *Majlis Ash-Shura* from all other parliaments and legislative *Majlis Ash-Shura* in other countries is that it depends on the Holy Koran and *Sunna* of his Prophet. The *Majlis Ash-Shura* in all its works and practices takes its legitimacy from these two sources. The *Majlis Ash-Shura* is keen not to violate the law of Islam stated in these two sources (the Koran and the *Sunna*). The *Majlis Ash-Shura* is considered to be the practical implementation of the principle of “*Shura*” that is brought by Islam and stated in the Koran in more than one verse. This matter boosts the strength and legitimacy of the *Majlis Ash-Shura*.

The *Majlis Ash-Shura* regulations in this respect is emphasised in Article 1. The *Majlis Ash-Shura* is to perform its works in accordance with its regulations and the fundamental law exhorted by the Koran and the Prophetic *Sunna*.

The findings of the study are in accord with this fact. One member stated, “it represents the principle of consultation”.

One member had summarised this matter and elaborated its importance when asked about the major advantages and points of strength of the *Majlis*. He argued:

“Being dependant on the Koran and the *Sunna* and the directive of God in itself is a unique process and a point of strength that should be consolidated, and set as an example to be followed, and enhanced. It is necessary to pursue development, and improvement, as a substitute approach to other global experiences.”

## **The Representation of Society and Sects**

The evidence of four members shows that the *Majlis Ash-Shura* represents the status of Saudi society, its classes, its sects, and the different regions of the country. One member said that *Ash-Shura* is distinguished because “it represents all social sects”. Another one wrote: “It widely represents the various social strata and regions of the Kingdom”. A third member pointed to “the geographical coverage the whole country.”

It seems that the term "representation of the social strata" means that academic categories, and development sectors are represented mainly when an emphasis is given to factors such as the area of specialisation, and previous experience. This explains why the *Majlis Ash-Shura* incorporates members from various vocations and areas of speciality. Even though this is the basic approach, still there are members on the *Majlis Ash-Shura* from various regions of the Kingdom. This phenomenon is attested to by the opinions expressed by the *Majlis Ash-Shura* members when they were asked about the basic norms and regulations that should be considered for selecting the *Majlis Ash-Shura* members. Ninety percent of the members (the majority) gave the education and experience factors a priority. One member argued that in the process of selecting a *Majlis Ash-Shura* member, the development sectors in Saudi Society should be given a priority e.g. Agriculture, Industry, Trade and Commerce, Business and the like.



## **Taking its Resolutions by Majority**

The responses of four members pointed to a matter that characterises the *Majlis*: “Decisions are taken on a majority basis”, or as stated by another: “Decisions are taken a simple majority”. This makes the resolution of the *Majlis Ash-Shura* and its recommendations reflect the opinion and views of the majority.

## **Inclusion of Governmental Organisations in Discussions**

One of the issues implemented in the *Majlis Ash-Shura* and proved to be effective in enriching its work is that *Majlis Ash-Shura* is keen to include the relevant governmental organisations and departments in its discussions: starting from the initiation of committee works up to reaching to appropriate decisions. Representatives of these bodies can attend the sessions. Besides, the *Majlis Ash-Shura* benefits from the experiences of qualified and specialised people who are not *Majlis Ash-Shura* members but who come from both government officials and the private sector. The *Majlis Ash-Shura* also permits citizens of both sexes to attend its sessions after co-ordination with the department of public relations.

## **Other Points of Strength**

Some members talked of other characteristics of *Majlis Ash-Shura*, such as the availability of various and different specialities that enrich discussions.

## **Conclusion**

The results of this research study prove that the *Majlis Ash-Shura* has become an effective political institution in the Saudi state. This belief can

be verified and attested based on the volume of achievements and the important role played by the *Majlis Ash-Shura* in orienting the Saudi political decision. This is what makes the majority of the *Majlis Ash-Shura* members pleased with the efficacy of the *Majlis Ash-Shura*. It is expected that the *Majlis Ash-Shura* will develop in performance and its contribution to political drive and the realisation of a comprehensive development in Saudi society will increase. This prospective approach is justified due owing to the unique characteristics of the *Majlis Ash-Shura* and other positive aspects that have been extracted as a result of this research study. Among its salient characteristics is that the *Majlis Ash-Shura* has substantially been dependent on laws and regulations derived from the *Shari'a*. This approach, as such, is an implementation and an adherence to the consultation principle cited in the Koran. Besides, this kind of adherence enhances the legitimacy of the *Majlis Ash-Shura*. The results of the research study have exhibited the following points as among the strongest merits of the *Majlis Ash-Shura*:

1. Remarkable and effective qualifications in the performance of tasks and duties.
2. The quality of the members and their selection is based on specialisation and previous experience.
3. Freedom of speech in the process of deliberation and decision making.
4. Frankness, seriousness and objectivity in all sessions.

5. An absence of all forms of affiliations and grouping among members – a phenomenon that tells that the interest of the general public is given the utmost priority.

### **Difficulties and Points of Weakness**

*Majlis Ash-Shura* has become a politically effective organisation that performs a tangible role in Saudi political life. We can argue that the *Majlis Ash-Shura* has many positives, as well as unique points of strength and characteristics. However this does not imply that the *Majlis Ash-Shura* is free of point of weakness. It does not mean either that its experience and work over the past years did not suffer from problems, errors or difficulties. The *Majlis Ash-Shura*, is relatively speaking, a new organisation in regard to the form, structure and methods by which it performs its work. The establishment of this *Majlis Ash-Shura* is counted as a form of political modernisation that the Custodian of the Two Holy Mosques King Fahd is keen to introduce in the ruling system of the country. It is well known that any newly emerging establishment in society will face problems and impediments at the beginning of its work. Therefore it was expected that the Saudi *Majlis Ash-Shura* would face problems and difficulties, as well as create errors during the first years of its work. It is also expected that these problems and difficulties will continue until they are gradually eliminated due to the gradual maturing of its experience.

This study, is in part an attempt to reveal the major drawbacks and points of weakness from the point of view of the *Majlis Ash-Shura* members because they are the most qualified people who can diagnose the real problems of the *Majlis Ash-Shura*, and the other difficulties that it faces. The study questionnaire includes two direct questions addressed to the

members about the difficulties of the *Majlis Ash-Shura* and the difficulties that faced them during their work in *Majlis Ash-Shura*.

While verifying the responses to these questions and analysing them, the researcher has found that they are greatly interrelated and that it is very difficult to disconnect them. It is noticed that some members expressed the difficulties that face them with reference to the drawbacks and points of weakness of the *Majlis Ash-Shura*. In contrast, other members expressed the points of weakness of the *Majlis Ash-Shura* with reference to the difficulties and barriers that face them in their work. For this reason, the answers of these two questions were dealt with during the analysis and discussion as one unit, or as two faces of the same coin. But still they are classified into 10 categories in the manner shown in Table 8.11.

**Table 8.11 The Difficulties and Points of Weakness of *Majlis Ash-Shura* as Stated by Members**

No.	Difficulties and Points of Weakness	Frequency
1.	Weakness of support and information system	29
2.	Restriction of the authorities and jurisdiction of the <i>Majlis (Majlis Ash-Shura)</i>	24
3.	A shortage of managerial and financial capabilities	17
4.	Weakness of interaction with society and its desires	14
5.	The refusal of some members to participate in the work of the <i>Majlis</i>	13
6.	The plurality of the relation between the <i>Majlis Ash-Shura</i> and the government	12
7.	Difficulties in regard of the style of discussion and decision making	12
8.	Absence of the advanced provision of an agenda and document in sufficient time before sessions	9
9.	Difficulties that relate to the regulations of the <i>Majlis</i>	4
10	Other difficulties	6
	Total	140

Table 8.11 shows the aspects of weakness of the Saudi *Majlis Ash-Shura* as perceived by *its* members. The difficulties and points of weakness are related to equipment, support services and information, which hold a leading position (21%). That is followed by the restrictions of the authorities and jurisdictions of the *Majlis Ash-Shura* (17%). Shortage of managerial and financial capabilities ranked third (12%). A weakness of interaction with society and its desires ranked fourth (10%). Three difficulties came in equal frequency namely, the decline of some members participation in the work of the *Majlis Ash-Shura*, the plurality of relation between the *Majlis Ash-Shura* and the government, and the difficulties related to the style of discussion and decision making, with a frequency of 9% each, followed by the issue of lack of circulating the work schedule and documents in an ample time before sessions (6%). In the last place came the difficulties that are related to the regulations of the *Majlis Ash-Shura* and its internal by-laws (3%). Other miscellaneous difficulties and points of weakness which we shall refer to and explain later had a frequency of 4%.

It is obvious that weakness of support and lack of a strong information system, the restriction of the authorities and jurisdictions of the *Majlis Ash-Shura* and the shortage of managerial and financial capabilities, are the major points of weakness of *Majlis Ash-Shura*. At the same time these factors are considered major difficulties that face the members. They hinder the process of their performance of their work in the *Majlis Ash-Shura*. The researcher himself had witnessed some of these difficulties and barriers during a visit to the *Majlis Ash-Shura*. These barriers are emphasised by most of the members interviewed during the field visit to collect information for this study. These difficulties and aspects of weakness can be justified on the ground that the *Majlis Ash-Shura* is still in its first years and that its experience is not yet mature and its managerial systems and the

support service are incomplete. It is believed that once these factors are taken care of, its authority will be expanded, its jurisdictions enforced, the role of its members be more effective, and their participation be more effective. Some of the members referred to the importance of the time factor and the need to give members more time before a judgement or an evaluation is conducted. For example, one of the members said: "The drawbacks are few and there is time enough to overcome them". Another member stated: "We should wait until *Majlis Ash-Shura* is well developed; then we will be able to judge it, because we are now involved in a new experience".

One member pointed out that difficulties facing the performance of the work of the *Majlis Ash-Shura* are expected. It is natural that members will face administrative difficulties in dealing with some governmental organisations and ministries. He also argued that most of these difficulties can be eliminated after the *Majlis Ash-Shura* has established practical rules to follow.

### **Weakness in both Support and Information Systems**

The weakness in support and information system tops the list of difficulties and barriers that confront the members of *Majlis Ash-Shura* (Table 8.11). Many members referred to this aspect in their answers to the questionnaire of this research. One of them pointed out that one of the main difficulties confronting them is "Lack of a sufficient support team for the member". Another member stated that the facilities available for members "are not as required". In short, members of the *Majlis Ash-Shura* referred to the following points of weakness and difficulties:

**Table 8.12 Points of Weakness and Difficulty**

Weakness in the secretarial system.
Lack of genuine and valid information.
A limited role of the Department of Studies and Information.
Lack of information, documents and studies necessary to study issues that are put forward for discussion.
Lack of fundamental tools and factors to conduct studies and data collection.
Lack of researchers, assistants and translators.
Lack of necessary references, reading material and documents in the library
Low utilisation of information and communication technology: members do not have direct access to the internet and do not have an international telephone facility.
Deficiency of consultants in the <i>Majlis Ash-Shura</i> and its committees.

It is obvious that these problems are a real hindrance to the task because the nature of the job of the *Majlis Ash-Shura* demands the availability of supportive and qualitative services. There is also a need for data services characterised by accuracy and speed in performance. The nature of the job demands the conduct of scientific research that can support the *Majlis Ash-Shura's* performance, and its decision-making process. Thus these hindrances have to be eliminated. And so a recommended method towards realising that end, and a resort to the use of modern technology is recommended.

### **Restriction of Authority and Jurisdiction of the *Majlis Ash-Shura***

The outcomes of the study suggest that from the members' points of view the restriction of authority and jurisdiction is the second major barrier and

point of weakness of *Majlis Ash-Shura*. The following are the main responses of the members in this regard:

**Table 8.13 Restriction of Authority and Jurisdiction**

Restriction of works performed by this <i>Majlis Ash-Shura</i> and not giving it a wider field to serve the country.
Confining works and discussions of the <i>Majlis Ash-Shura</i> to what is referred to it by the <i>Majlis Ash-Shura</i> of Ministers. It does not have the capacity to select topics and issues to discuss.
The <i>Majlis Ash-Shura</i> is not authorised to discuss important issues, such as the budget and security topics.
Deficiency of the political contribution of the <i>Majlis Ash-Shura</i> in addition to the weakness of its capabilities in the issue of regulations.
Weakness of the <i>Majlis Ash-Shura</i> resolutions, which in turn weakens the <i>Majlis Ash-Shura</i> and makes it lose credibility.
The suggestions made by the <i>Majlis Ash-Shura</i> to the government are not executed.

Thus, the restriction of the works and authorities of the *Majlis Ash-Shura*, the weakness of its jurisdiction and resolutions of the *Majlis Ash-Shura*, in regard of the general policy of the country is somewhat obvious. One of the members expressed this by saying: “The *Majlis Ash-Shura* is considered as an effective organisation in the process of making regulations and amending them. But its role in general politics needs to be widened and made more effective”. This might be the cause why many of the members called for amendment of the *Majlis Ash-Shura* regulations in a manner that gives the *Majlis Ash-Shura* wider and stronger authority and jurisdiction to perform its mission in the best way and to avoid its transformation from a political organisation into an institution of experts whose role is confined to revision and the amendment of regulations. One of the members stated this idea, arguing that: “The time has come to give the *Majlis Ash-Shura* more authority and more power to enforce its resolutions”. It is also vital to upgrade the status of the *Majlis Ash-Shura* and give it more confidence to



become a stronger organisation that supports the King and provide him with practical assistance”.

Article 15 states that the *Majlis Ash-Shura* has the right to express its opinion on the general policies of the state which are referred to it by the Prime Minister. In particular, it has the following functions:

1. To discuss and express its opinion on the general policy for social and economic development.
2. To study and suggest what is proper in relation to the Kingdom's rules, regulations, treaties, international accords, and concessions.
3. To interpret regulations.
4. To discuss and offer suggestions relating to the annual reports submitted by the ministries, and other government departments.

There are those who believe that the authorities and areas of specialisation granted to the *Majlis Ash-Shura* by force of decreed law are too limited. In other words, its range of function is limited to issues referred to it by the Prime Minister. One of the members argues that the *Majlis Ash-Shura* is not free to select an issue for discussion. Based on Article 23, a group of ten *Majlis Ash-Shura* members have the right to propose a topic of discussion but still that topic has to be approved by the King. He further argues that getting such an approval is a process that might take a long time, possibly years. This explains the reason why 11 members of those who had responded to the questionnaire called to have Article 23 activated or even amended. Along this approach, another member suggested that

*Majlis Ash-Shura* resolutions should be considered final once approved by the king without recourse to the Council of Ministers. He argues that among the weakest points endured by the *Majlis Ash-Shura* is that its resolutions are referred to the Council of Ministers. It is supposed, as he claimed, that the *Majlis Ash-Shura* resolutions are final and should be adopted as effective regulations with the approval of the king. This is again a reference to Article 17. On the other hand there is another opinion that argues that time is still not ripe for such expansion or amendments. The *Majlis Ash-Shura* is still in its early years of experience and there are other state issues that deserve priority of treatment. There is an imperative need, on the part of the *Majlis Ash-Shura*, to meet such social needs before expanding the range of its authority e.g. revising laws and regulations that have been in effect for a long time. These laws and regulations have to be amended and new laws be enacted.

It is appropriate to provide solutions to the problems of the *Majlis Ash-Shura*, to subsidise its requirements, and to increase its members and budget. Both the amendment of Articles and the elimination of obstacles can be done simultaneously but only after the *Majlis Ash-Shura's* experience over the last two years has been evaluated. Based on the results of such an evaluation, certain mistakes can be avoided. This research study has proposed certain ideas that aim to develop the *Majlis Ash-Shura* and improve its efficacy. We think that these ideas have to be accounted for upon considering the possibility of amending the *Majlis Ash-Shura* regulatory system, because they are initially taken from the *Majlis Ash-Shura* members themselves.

## Weakness of Managerial and Financial Capabilities

The findings of the study revealed that there are some managerial and financial difficulties that face the *Majlis Ash-Shura* and the members. These difficulties hinder the development of work and prevent the utilisation of the *Majlis Ash-Shura* capabilities in the best way. Some relevant examples referred to by members are:

**Table 8.14 Weaknesses in Managerial and Financial Capabilities**

Centralisation of management.
Delay of the Chairmanship of <i>Majlis Ash-Shura</i> in accepting suggestions.
<i>Majlis Ash-Shura</i> members are sometimes dealt with as employees and this of course has its drawbacks.
Tendency to cut costs.
The budget of the <i>Majlis Ash-Shura</i> is low.
The <i>Majlis Ash-Shura</i> does not bear the travel expenses of members who are residing out of Riyadh city, the headquarters of the <i>Majlis</i> .
Weakness and inadequacies in the managerial system.
There is a long series of bureaucratic procedures when demanding the provision of simple matters.
Lack of experts and consultants to support both the administrative and executive systems.
Lack of flexibility in access to facilities for members requiring to perform work outside regular working hours.
Not exploiting all the capabilities and views of the <i>Majlis Ash-Shura</i> members.

Such administrative and financial hindrances are a major obstacle in the *Majlis Ash-Shura*'s process of action. Therefore, these obstacles must be eliminated, and the *Majlis Ash-Shura* should be provided with all its financial needs and its administrative apparatus should be enhanced. There is a need to reconsider the methods adopted by the *Majlis Ash-Shura* administration; a method other than centralisation should be adopted. The

Vice-President of the *Majlis Ash-Shura*, the General Secretary, and the heads of the committees should be given further authority to conclude issues with reasonable speed and to minimise, as much as possible, all bureaucratic complications. This bureaucratic handicap was raised by one of the members, who claimed that whenever there is a need for a thing to be obtained or secured from one of the *Majlis Ash-Shura* departments, an application to that effect should be submitted to the head of the *Majlis Ash-Shura*; who, in turn, refers it to the General Secretary who then finally submits it to the department concerned. And of course, in the concerned department there is a chain of bureaucratic procedures, that are irrelevant.

In any department, the administration can play a backbone role and this is very true in the case of the *Majlis Ash-Shura* as an important political institution. Hence, it is important to develop the administrative apparatus of the *Majlis Ash-Shura*, provide it with experts and consultants so that the potentialities of the *Majlis Ash-Shura* can be properly utilised. This is particularly true if we take into consideration the level of education and previous reliable experience of the members. Some of them are previous ministers, university rectors, army leaders, businessmen, physicians, university staff members and the like.

### **Weakness of Interaction with Society and its Desires**

The outcomes of the study point out to the weakness of the *Majlis Ash-Shura* interaction with and response to society and its needs. Besides, a significant part of the population are not aware of the role of the *Majlis Ash-Shura*, its authority and its works and activities. The following is some of what has been referred to by the members in this regard:

**Table 8.15 Weaknesses in Interaction with Society**

The <i>Majlis Ash-Shura</i> does not publicise its work.
Many people are not aware of the role and activities of the <i>Majlis Ash-Shura</i> .
Saudi society does not understand the nature of the work of the <i>Majlis Ash-Shura</i> and its authority.
Some people confuse the organisational role of the <i>Majlis Ash-Shura</i> and the tasks of executive governmental organisations.
Society has great expectations of the <i>Majlis Ash-Shura</i> while it is not capable of achieving them in the light of its present authority.
A lack of sufficient interaction between the <i>Majlis Ash-Shura</i> and the public.
The connection between the <i>Majlis Ash-Shura</i> and the desires of citizens and their suggestions (that are continuously sent), is broken, while many of these suggestions are in the public interest.
The credibility of the <i>Majlis Ash-Shura</i> is shaken from the public's viewpoint.

One of the daily papers pointed out that Saudi public opinion and some analysts in the region blame members of the *Majlis Ash-Shura* for not interacting with the vital issues and concerns of their society. A related example is the crisis of graduates, the non-employment rate, the admission of secondary school graduates to colleges and universities, the non-employment of qualified youth, the existence of ancient regulations and governmental by-laws, the absence of discussion of the government budget, political, defence and security matters. Those who criticise the *Majlis Ash-Shura*, blame the members for not taking an initiative to benefit from the content of Article 23 of the *Majlis Ash-Shura* regulation that gives the right to any 10 members to draft a new regulation or an amendment to an existing one.

## **Decline of Some Members' Participation in the Work of the *Majlis Ash-Shura***

Despite the fact that the majority of members effectively participate in the works and activities of the *Majlis Ash-Shura*, the outcome of the study has shown that the participation of some member is only formal and is ineffective. Also many of them are not entirely dedicated to *Majlis Ash-Shura* membership especially the businessmen; that is due to their commitments and obligations which might sometimes interfere with their obligations, towards the *Majlis Ash-Shura*.

Repeated reference has been made to the issue of some members' participation, and their lack of dedication to the works of the *Majlis Ash-Shura*. They considered this as one of the difficulties that confront them, as well as one of the *Majlis Ash-Shura* points of weakness. One member said: "Work in the *Majlis Ash-Shura* is routine-oriented, and the members' role is not as effective as it should be". Another member said: "The participation of some members is not as effective as required". Another member said " I wish the participation of members were much more effective". "Some members are not participating in discussions, some are devoted to their own business and give less attention to the *Majlis Ash-Shura*, and the attendance of some members is only formal and done merely for the sake of attendance and not for effective participation". Another pointed out " Many of the *Majlis Ash-Shura* members are not dedicated to their membership".

Some of the members who are dedicated to the *Majlis Ash-Shura* spoke of the contradiction of roles and referred to the load of their burdens and obligations. One member referred to the difficulties that he faces in "co-

ordination between their work in the *Majlis Ash-Shura* and other work in the private sector”. Another defined the difficulty facing him saying: “My current work multiplies my commitments and obligations to the *Majlis Ash-Shura*, where I am required to attend committee and *Majlis Ash-Shura* meetings two days a week”.

The reducing level of some members’ participation could be put down to a lack of dedication to *Majlis Ash-Shura* membership, and the deficiency of support equipment and services and adequate source of information in the *Majlis Ash-Shura*

The *Majlis Ash-Shura*’s lack of interaction with the complaints and problems of the public is a fact that can not be ignored. However, this problem is initiated by the effect of the *Majlis Ash-Shura* regulation, which limits the task of the *Majlis Ash-Shura* and binds it to a specified range of action. The range of freedom of movement is provided as well as defined by Article 23. This right implied in Article 23 has not been utilised owing to the involvement of the *Majlis Ash-Shura* in revising and amending old regulations and studying the numerous issues referred to it by the Prime Minister. The other fact is the low level of public awareness in the nature, activities and tasks delegated to the *Majlis Ash-Shura*. Some people confuse the Consultative *Majlis Ash-Shura* and the regional *Majlis Ash-Shura* with the other government departments. This confusion is attributed to insufficient coverage by the media of the activities conducted by the *Majlis Ash-Shura*.

## **Plurality of Relations between the *Majlis* and the Government**

The outcome of the study points out to a plurality of relations between *Majlis Ash-Shura*, and the Council of Ministers, in addition to a lack of a specified tool for co-ordination between the two organisations. A member of the *Majlis Ash-Shura* spoke of the need to define and clarify the relationship between the *Majlis Ash-Shura* and the Council of Ministers. Another member spoke of the necessity of defining the relationship between the *Majlis Ash-Shura* and the ruler. "The methods should be developed and improved", he argued.

The members mentioned many difficulties and points of weakness of relation to the government and its organisations. Among the difficulties are:

1. Accepting government suggestions without discussion.
2. Presenting resolutions of *Majlis Ash-Shura* to the Council of Ministers before being approved.
3. Shelving reports from the government to be studied and accounted for.
4. The weakness of the relationship of the *Majlis Ash-Shura* with ministries and governmental organisations.
5. The inability of the *Majlis Ash-Shura* to summon any minister directly for the purpose of consultation.
6. The sensitiveness of some government officials toward the *Majlis Ash-Shura* and the fact that they do not consider it seriously.



It is obvious that these points are important and they are indicative of the importance of the relationship between the *Majlis Ash-Shura* and the Council of Ministers. More than one member has diagnosed the problem and prescribed the medication. They have argued that the blurred relationship between the two assemblies can be attributed to a lack of defined mechanism of co-ordination between the two. Therefore, the only solution is to create such a mechanism. Besides, some members come up with certain suggestions pertinent to developing the relationship between the two entities (see the suggestions at the end of this chapter). It has been expected that the *Majlis Ash-Shura*, being relatively new, might encounter problems and obstacles in the process of its interaction with the Council of Ministers and other Government Departments, in particular those that have not adapted to this new political institution. The same thing can be said about the way government officials view the *Majlis Ash-Shura*. A scrutiny of the regulations pertinent to the two *Majlis Ash-Shuras* would indicate an overlap in the area of constitutionalisation. The new regulations pertinent to the Council of Ministers, decreed by the king in 1994, mandate, in addition to what is stipulated in "the state basic law" and in "the system of the *Majlis Ash-Shura*", that the Council of Ministers shall be the government body that designs and plans the domestic, foreign, financial, economic, educational, and defence policies of the Saudi state. In addition to overseeing all state public affairs, the Council of Ministers shall consider resolutions adopted by the *Majlis Ash-Shura*. The regulation of the Council of Ministers did not explain how it is possible for the Council of Ministers to strike a balance between its domain and that of the *Majlis Ash-Shura*. Besides, the difference between "mandate" and "voice an opinion" is not made clear in the regulations of the two *bodies*. Article 15 of the *Majlis Ash-Shura* dictates that the *Majlis Ash-Shura* can express an opinion in the general policies of the state. Ashalhoob (1999) argued that it is obvious,

that the Council of Ministers is given greater authority and effectiveness than that given to the *Majlis Ash-Shura* mainly in the field of the constitution.

It is stipulated in the Saudi basic Law of Governance that the organisational authority shall exercise its authority based on this regulation and other regulations of the two entities. The organisational authority of the two bodies is explained in the regulations of the Council of Ministers where its regulations mandate (with an observance of the regulations of the *Majlis Ash-Shura*) that regulations, treaties, international accords, concessions, shall be prepared and amended by the Council of Ministers. Basic to the conception of this approach, the *Majlis Ash-Shura* of Ministers is considered an organisational body along with the *Majlis Ash-Shura* (Ashalhoob, 1999).

Because of this overlap in the domains of the two departments, some of the *Majlis Ash-Shura* members argue that among the weak points of the *Majlis Ash-Shura* is the vague relationship between the two bodies. What is required is to clear up this problem and, as a first step towards that end, the consultative nature of the *Majlis Ash-Shura* appointment should be made clear. Is it a legislative body whose main function is to issue, study, and amend regulations, or is it a political body, whose basic function is to voice opinions, present the king with advice whenever a need rises. Even though all articles depict the *Majlis Ash-Shura* as an "organisational authority", still a scrutiny of its regulations would indicate that the *Majlis Ash-Shura* is as close as possible to being a political institute. It advances advice and consultation. This approach is in itself, the essence of Article 15 that defines the constituency of *Majlis Ash-Shura* and stipulates that "it presents opinions on issues referred to it by the Prime Minister pertinent to the

general policy of the state". This means that the authorities of the *Majlis Ash-Shura* are limited to the consideration of issues and regulations referred to it and consequently advance related opinions.

### **Difficulties Regarding Methods of Discussion and Decision-Making**

The outcome of the study showed that there exist some points of weakness of the *Majlis Ash-Shura* with difficulties confronting its members due to the manner of discussion and the process of decision-making. The major points of difficulties and weakness referred to by members are:

**Table 8.16 Difficulties Regarding Methods of Discussion and Decision-Making**

The domination of lower common denominator, and a keenness to find solutions that please all. This approach conceals clarity of vision and prevents the crystallisation of defined attitudes.
What proceeds in discussions is not reflected in specific recommendations.
Not benefiting from the rich ideas expressed during sessions.
Slowness of the <i>Majlis Ash-Shura</i> in developing a discussion procedure and a decision making process.
Members do not have the right of abstention during votes on resolutions.
The spending of much time in discussion.
The lengthy interventions by members during meetings.
Lack of reasoning of resolutions adopted by the <i>Majlis Ash-Shura</i> and the brief explanation of backgrounds when conveying the <i>Majlis Ash-Shura</i> point of view to other parties concerned.

Most of these problems can be justified on the ground that the experience of the *Majlis Ash-Shura* is still limited and more time is needed to have its process of action, methods of deliberation, and process of decision-making.

*Majlis Ash-Shura* members have produced many suggestions on how to develop the procedural and organisational processes. They also suggested a possibility of the *Majlis Ash-Shura* benefiting from the experience of other well-established *Majlis Ash-Shura* in the Muslim world. These suggestions are explained in detail in the course of the next discussions.

### **Absence of Advanced Provision of an Agenda before Sessions**

The findings of the study revealed that delays in providing members with work schedule of sessions documents and topics for study are considered difficulties and barriers that hinder their process of work. Many of the members interviewed argued that this phenomenon is attributed to an inadequacy of time for members to study and collect data and be ready for discussion and the expression of opinions. This is particularly so mainly when the topic is one of vital issues that require extensive consideration.

### **Difficulties that Relate to *Majlis Ash-Shura* Regulations**

The outcomes of the study showed that members of the *Majlis Ash-Shura* are facing difficulties related to some articles of the regulation or its internal by-laws. One member suggested that “insufficiency of time to study an issue at home is a decisive factor, which is due to the fact that the members are not allowed to take papers out of the *Majlis Ash-Shura* premises”. Another one said: “There exists an article that forbids the taking of documents out of the *Majlis Ash-Shura*”. This has been regarded as one of the difficulties and barriers that confront them in their work. The Article that deals with *Majlis Ash-Shura* regulation is Article 14 of the by-laws which states “The member of *Majlis Ash-Shura* should study the schedule of work within the boundaries of the *Majlis Ash-Shura*. A member is not

allowed for any reason to take any papers, regulations, or documents that concern his work, outside the *Majlis Ash-Shura* premises”. The reason behind this is to maintain the confidentiality of topics, issues and documents studied by the *Majlis Ash-Shura*.

On the other hand, some members referred to “the plurality of vision in regard of the dedication of the member, and not allowing him to combine work in the *Majlis Ash-Shura* with other academic work such as lecturing”. Reference here is made to Article 9 of the regulations. This article states “It is not permitted to combine the membership of *Majlis Ash-Shura* with any governmental designation, or the management of any company, unless the king sees that there is a need for it.”

This remark seems to have come from those university faculties which have been chosen for the membership of *Majlis Ash-Shura*. They like to give lectures even of a limited range because they feel that their roots are deeply connected to their scientific domain, and their educational environment.

What is remarkable here is that the *Majlis Ash-Shura* members are controversially different in respect to the members’ dedication to work in the *Majlis Ash-Shura*. Some of them see that there is a lack of dedication among members to the work and activities of the *Majlis Ash-Shura* while others ask that the members should be permitted to practise other work in addition to working in the *Majlis Ash-Shura*.

## Other Difficulties

The responses of the *Majlis Ash-Shura* members who answered the study questionnaire included some the following difficulties that confront them:

**Table 8.17 Other Difficulties**

Travelling weekly from their home to Riyadh city, where the <i>Majlis Ash-Shura</i> is located, and return.
Lack of adaptation to the practices and discussions of the <i>Majlis Ash-Shura</i> .
Monotony and weariness from lengthy sessions and meetings of the <i>Majlis Ash-Shura</i> .

From the above discussions proceeds the awareness that *Majlis Ash-Shura* is suffering many weaknesses and facing difficulties in performing its work and activities. These difficulties and aspects of weakness represent real barriers that hinder the *Majlis Ash-Shura* from and shouldering the responsibilities for which it was originally established. It appears that the major barriers that confront the *Majlis Ash-Shura* and its members are the following:

1. Barriers represented by lack of equipment and information services.
2. Managerial and financial barriers, represented by the weakness of managerial and financial capabilities.
3. Social and informative barriers, represented by the weakness of interaction with the society and openness to information media.
4. Personal barriers, represented by the weakness of some members' participation in the works of the *Majlis Ash-Shura* and its activities.

This is added to a lack of dedication of many members to *Majlis Ash-Shura* membership.

5. Political barriers, represented by the plurality of the relationship between the *Majlis Ash-Shura* on the one hand, and the government and its organisations on the other.
6. Disciplinary and procedural barriers in respect of the organisation sessions, meetings, manner of discussions and the process of decision-making.

These barriers require a careful scientific study, firstly, to define its causes and secondly, to propose appropriate plans and methods to eliminate them. This can make the *Majlis Ash-Shura* a strong and effective political organisation capable of supporting the ruler and providing him with proper opinions and mature scientific advice.

It is true that *Majlis Ash-Shura* has realised many tangible achievements during the short period of its age which does not currently exceed seven years. This has been accomplished despite the difficulties and barriers confronting the *Majlis Ash-Shura*, and despite the limited experience of the members in handling problems with governmental organisations and other departments that are not accustomed to dealing with an entity other than the Council of Ministers.

An establishment of *Majlis Ash-Shura* as such is a kind of political development in the Kingdom of Saudi Arabia. Besides, the record of this *Majlis Ash-Shura* is full of achievements and contributions to the state. The findings of the study indicate that the accomplishments of the *Majlis Ash-*

*Shura* throughout the recent period have been concentrated on the issue and amendments of a number of regulations, by-laws, treaties and agreements. This has rendered a positive effect in the process of civilised development in the kingdom, and on the improvement of services rendered to citizens to cope with the requirements of modern age.

It is evident that *Majlis Ash-Shura* has suffered some points of weakness and confronted some barriers. The most significant of these barriers are the weakness of supportive services, the lack of equipment and information, the limited authority and jurisdiction, and the weakness of financial and administrative capabilities. In contrast, the *Majlis Ash-Shura* has many positive aspects and points of strength, such as: dependency on the Koran and the *Sunna* of the Prophet, high effectiveness in performing its tasks, varied membership background, freedom of opinion during sessions, openness and objectiveness during discussions, dominance of public interest, and an absence of party, group, or regional affiliation or coalitions.

An objective assessment of the *Majlis Ash-Shura* over the recent period reveals merits that outweigh its negative aspects.

It would be hard to find a more accurate phrase to evaluate the *Majlis Ash-Shura* than the opinion expressed by a *Majlis Ash-Shura* member:

“The *Majlis Ash-Shura* is considered to be an effective organisation in the process of regulation and amendment. Still, the *Majlis Ash-Shura* can play greater role towards the amendment of its by-laws:”



## **Recommendations to Develop the *Majlis Ash-Shura* and Increase its Effectiveness**

As this study tries to trace the problems, barriers, and points of weakness of *Majlis Ash-Shura*, it tries to find solutions and suggestions to solve these problems.

Since members of the *Majlis Ash-Shura* are best able to diagnose the problems of the *Majlis Ash-Shura* itself and the obstacles that confront it, and to define its needs, they are also the most capable of providing solutions for these problems. The researcher has been very keen to include the following question in the questionnaire that was handed to members of *Majlis Ash-Shura*: “In your opinion, how can *Majlis Ash-Shura* be improved as far as its performance and mechanisms are concerned”? Their suggestions were classified into twelve categories as shown in Table 8.18.

**Table 8.18 Suggestions to Develop the *Majlis Ash-Shura* and Increase its Level of Effectiveness**

No	Suggestion	Frequency
1.	Support equipment, support services, and information and the development.	19
2.	Expanding the authority and jurisdiction of the <i>Majlis</i>	16
3.	Creation of new committees	16
4.	Development of the administrative and executive systems	13
5.	Enforcement of Article 23 of the <i>Majlis</i> regulation and amending it.	11
6.	The interaction of and strengthening of relationships with society.	10
7.	Increasing the membership and their dedication to the work of the <i>Majlis</i> .	10

8.	Elaboration and development the relationship between the Majlis and the government.	9
9.	Developing the foundation of work and organisational procedures.	8
10.	Conduct of studies for the assessment and development of the Majlis	4
11.	Support the Majlis budget and financial capabilities.	3
12.	Other miscellaneous suggestions	5

Table 8.18 exhibits the suggestions of *Majlis Ash-Shura* members to develop the *Majlis Ash-Shura* and increase its level of performance and effectiveness. It is clear from the outcomes shown in this table that supporting equipment, services and information, in addition to expanding authorities and jurisdiction of the *Majlis Ash-Shura* by the creation of new committees and developing the administrative and executive systems, and enforcing Article 23 of the *Majlis Ash-Shura* regulation and amending it can all improve the performance of the *Majlis Ash-Shura*. This might be attributed to the fact that the difficulties and points of weakness of the *Majlis Ash-Shura* are centred in these areas. These aspects are important to the progress of the *Majlis Ash-Shura* and to improve its ability to perform its tasks.

Basic to the information included in the same table, it can be argued that there is a need on the part of the *Majlis Ash-Shura* to interact with society, increase the dedication of the members, and strengthen its relationship with the government. There is also a need to support its budget and financial capabilities. This research study provides practical suggestion along this line to be discussed at the end of this chapter.

## Summary and Conclusions

The results of this research study have shown that an administrative weakness and a lack of supportive services top the list of difficulties encountered by the *Majlis Ash-Shura*. Thus, it can be argued that the members' call to bridge this gap of weakness is something expected. This suggestion advanced by the members has been repeated in responses received from 19 members. Based on an analysis of collective responses received from the members, the researcher has concluded that there is a need to:

1. Enforce the system that supports members by providing each member with a complete work team to assist him in performing his work and organising his relations and communications. This team should include at least one assistant, one researcher and a personal secretary.
2. Provide the studies and information department with material and human resources along with a comprehensive data bank and a modern information web interface to enable it to perform its vital role in the field of research and other studies required by the *Majlis Ash-Shura*.
3. Provide members with basic information and administrative documents for studying issues. Access to this information should be facilitated.
4. Develop the library and provide it with necessary scientific references, together with up-to-date facilities in the field of information technology.

5. Create a consultative body for the *Majlis Ash-Shura* in the field of the legal system and man it with qualified and specialised experts and consultants in this regard.

*Majlis Ash-Shura* members believe that enhancing and developing the efficacy of the members demands that qualified researchers and experts should be made available. A modern net of information is needed to support members with an access to relevant information. One of the members talked about the necessity of having a “comprehensive data bank” and “a consultative apparatus to each and every committee”. A third member suggested that the “supportive personnel to work with individual members should be provided”. Speed and accuracy in performance can not be realised without proper support and help extended to *Majlis Ash-Shura* members.

The data factor is a crucial element in the works of the *Majlis Ash-Shura*. The availability of authentic data and results of a science-based research studies are the foundation on which *Majlis Ash-Shura* deliberations and resolutions can be concluded, and other recommendations can be conducted. It is obvious that members of the *Majlis Ash-Shura* are aware of this fact and they are not satisfied with the quality of services they have been getting from the supportive apparatus. That is why their emphasis has been on developing these services and enhancing the related apparatus.

### **Expanding the Authorities and Jurisdictions of the *Majlis***

The results of this research study have shown that the first important suggestion presented by Ash-Shura members to develop the efficacy of the *Majlis Ash-Shura* is to expand the range of the *Majlis Ash-Shura*'s

authority and provide *Majlis Ash-Shura* resolutions with greater force. This suggestion was emphasised in the responses received from sixteen members. The second difficulty in the range of weakness is related to the parochial range of the *Majlis Ash-Shura* authority.

In order to increase the range of Ash-Shura authority, the members advanced suggestions and opinions that can be classified as follows:

1. To expand the scope of the jurisdiction and responsibilities of the *Majlis Ash-Shura*. Give it more legal jurisdiction to be able to promote the interests of the country and cope with the requirements of current times.
2. To increase the *Majlis Ash-Shura* involvement in studying the important and fundamental issues; to design general policies of the state, review the annual budget and issues, such as security, defence, and foreign policy.
3. To give the *Majlis Ash-Shura* the authority to question officials suspected of committing violations or abuses of authority.
4. To give direct right to the *Majlis Ash-Shura* to study and discuss issues and topics which are viewed by the majority of members as crucial, and to advance related solutions and recommendations.
5. Provide *Majlis Ash-Shura* resolutions with greater force so that they can become effective provided they are approved by the King – without any recourse to the Council of Ministers.

It is obvious that taking these suggestions into consideration would demand an amendment to the *Majlis Ash-Shura* regulations. But the question to be raised at this point of analysis is “Is the time now ripe to amend the regulations of the *Majlis Ash-Shura* in the proposed manner”? We have seen that 16 members of those who responded to the questionnaire are in favour of an expansion of the *Majlis Ash-Shura*'s authority. One of them even argued that the time has come to provide the *Majlis Ash-Shura* with a greater range of authority and enhance its resolutions. Other members argue that the *Majlis Ash-Shura* is still young, which is why they believe that the time has not yet come to conduct such amendments. They also argue that there are other imperative matters worthy of discussion by the *Majlis Ash-Shura*. It seems an evaluation of previous experience is essential so that all negative practices can be avoided and all related administrative and mechanism techniques be provided.

### **Creation of New Committees**

Some members see a need to have new committees established. This approach can be analysed as follows:

- 1 Suggestions of members in this aspect are centered upon the distribution of responsibilities in the areas of education, culture and information affairs. Such members argue that the committees concerned can each be split into two committees. They call for separate committees for cultural and information affairs. This suggestion was made by the majority of the members who support the formation of new committees.

- 2 To divide the responsibilities of the Economic and Finance Committees into two committees by establishing a separate committee for financial affairs.
- 3 To establish a committee for planning and budget, to be responsible for the discussion of the annual budget and state development plans. This committee is also concerned with environmental issues as well as the long term plans, strategies, and future studies.
- 4 To separate the services and public utilities into two committees.
- 5 To create a functional multi-speciality committee for development. This committee should be responsible for (1) the co-ordination between various committees, (2) study issues of a common nature, follow up a research on certain study methods tailored to develop the *Majlis Ash-Shura* and its internal procedures.

A proposal for new committees has been repeated 16 times in the responses received from the members. This percentage is indicative of the importance of having specialised committees in the *Majlis Ash-Shura*. It seems that such committees can play a major supporting role in performing the tasks of the *Majlis Ash-Shura*. A precise scrutiny of issues referred to the *Majlis Ash-Shura* is done by these committees and the experts working in them. The reports advanced by these committees help the *Majlis Ash-Shura* to pass appropriate resolutions.

A committee to handle collected data is suggested, to be named the "Data and Communication Committee". Most proposals support the division of some committees into two committees with the tasks halved between them.

This approach can be understood based on the excessive workload. In this regard, one of the members argued that some committees have workloads that exceed their capabilities. This explains why there is a need to reallocate their duties and assign some of the duties to new committees. Another member claimed that there are committees that have a workload that hardly requires the formation of such a committee, while there are areas of substantial tasks left without designated committees. What is proper here is to reconsider the number and areas of the specialisation of the committees and design a solution based on the demands of the task.

One of the members expressed a different opinion: he argued that it has been decided that eight committees should be established even though there seems no need for any additional committee.

The results of this research study have shown that 43% of those who responded to the questionnaire see a need for more committees while 57% do not admit that need. The important committees recommended by the members to be established are:

1. A committee for culture and mass media.
2. A committee for financial affairs.
3. A communication and data committee.

It seemed that the *Majlis Ash-Shura* adopted the above resolution and admitted that the load of the appointment demands the formation of specialised committees along with new ones. This approach is adopted based on Article 23 of the *Majlis Ash-Shura* by-laws. It stipulates that “The



*Majlis Ash-Shura* is authorised to dissolve its committees and appoint new ones". On 4 October 1999, a few months after the completion of our survey, the *Majlis Ash-Shura* decided on the formation of three committees (Resolution No. 17/60/6); the total number of the committees advanced to eleven. The three new committees are the same committees considered in the results of this research study. Even the names of the first two are literally applicable to the ones implied in the results. The exception is the third one, whose name was proposed by the *Majlis Ash-Shura* to be slightly different, the Shipment and Transportation Committee". The services rendered by this committee used to be conducted by the "Public Services Committee". Due both to the important role played by the specialised committees, and to the demands of the constantly changing tasks, it is expected that the committees will continue to be restructured to meet the demands of the prospective change, especially, if the members of the *Majlis Ash-Shura* are to be increased in number and the range of their duties to be expanded.

### **Development of the Administrative and Executive System**

In order to revive its role in of building of state institutions, the *Majlis Ash-Shura* has laid down the bases of the procedures needed to realize this goal. This approach was done by way of certain rules and modern regulations, the purpose of which is to have a task done within the *Majlis Ash-Shura*. During its first year, the *Majlis Ash-Shura* concentrated on building supporting departments and polarising national qualifications, for members and employees to be trained and acquainted with the nature of the Ash-Shura role. Al Muhana (1998) argues that the *Majlis Ash-Shura* designed plans to train its employees and develop their job performance. It seems that the *Majlis Ash-Shura* still needs to develop its organisational structure

based on its experience through out the previous years. This approach emphasises the conclusion that the third important point of weakness endured by the *Majlis Ash-Shura* lies in a problem related to administrative and financial factors. This is why the suggestion for the development of the administrative and executive body falls in the fourth rank of classifications proposed by *Majlis Ash-Shura* members as a means to develop the efficacy and performance of the *Majlis Ash-Shura*. Based on opinions related to the question of development derived from the *Majlis Ash-Shura* members, the following points have been concluded.

1. To support the administrative and executive system of the *Majlis Ash-Shura* with the necessary equipment and manpower that are capable of performing the administrative work required.
2. The adoption of a decentralised style in the management of the *Majlis Ash-Shura* affairs and work, together with giving further authorities to the Vice-President and the Secretary General to expedite work and enhance the administrative performance.
3. To complete the administrative and technical system of the *Majlis Ash-Shura*, and give priority to specialised committees and support them by technical staff.

It is obvious that suggestions of this nature are very important for a political institution such as the *Majlis Ash-Shura*, which is unlike any other government department.

Basic to the fact that most of the *Majlis Ash-Shura* members are highly educated with considerable previous experience with government

departments, it can be argued that the administration and handling of their affairs require a special mechanism, which need to be different from any mechanism observed in any other government department.

This fact demands constant development of the apparatus of the *Majlis Ash-Shura*. There is also a need, to modernise its administrative mechanism to reach a level that suits the nature of the *Majlis Ash-Shura* and the background of its members. The basic law has provided the *Majlis Ash-Shura* with a freedom that can not be subjected to any outside supervision. Through this freedom the *Majlis Ash-Shura* can set up regulations and procedures that can contribute to the realisation of its objectives. Based on this permitted freedom, the *Majlis Ash-Shura* can conduct all necessary measures pertinent to matters of finance without a recourse to any government department. This authority is based on both Article 29 of the *Majlis Ash-Shura* system and Article 34 of its by-laws. According to Al Muhana (1998), this freedom has allowed the *Majlis Ash-Shura* to set up its regulations and procedures and consequently facilitate the process of achievement. To have these procedures and regulations developed, there is a need to conduct a constant revision to bring them to the proper level of progress. In administrating *Majlis Ash-Shura* affairs, it is obvious that *Majlis Ash-Shura* members assign a special importance to designated committees. These committees are viewed as a laboratory where the initial studies on the issues referred to it are conducted; the tentative speculations of any regulation to be adopted are also planned. This makes imperative overall comprehensive support of all aspects of the committees.

## **Activation and Amendment of Article 23 of the *Majlis Ash-Shura* Regulations**

Article 23 of the *Majlis Ash-Shura* regulations states: “A group of 10 members of the *Majlis Ash-Shura* has the right to suggest a project of a new regulation or amendment of a valid regulation and present it to the President of the *Majlis Ash-Shura*. The President of the *Majlis Ash-Shura* should present the proposal to the king”.

To activate this article and increase the effectiveness of the *Majlis Ash-Shura* and expand its abilities, the members have suggested a range of proposals that can be summarised as follows:

1. To stimulate the spirit of initiation among *Majlis Ash-Shura* members to the benefit of this article by introducing constructive ideas and proposals in regard to regulations.
2. To amend this article to become positive so that time is saved, in a manner that makes it more inclusive and gives a wider field for members to put forward ideas and suggestions.
3. To give the right to each member to suggest a study that he may find appropriate for the *Majlis Ash-Shura*. The topics approved by the *Majlis Ash-Shura* shall be referred to the specialised committees for study and then presented to the *Majlis Ash-Shura* for discussion and recommendation before forwarding it to the king. The *Majlis Ash-Shura* should not be confined only to discuss issues that are referred to it by the Council of Ministers.

4. To benefit from the content of this article, members are encouraged to take any initiative to study important issues, discuss the common problems of society, and the issues that concern public opinion. They can suggest appropriate solutions, before referring the matter to the king.
5. To establish a committee for planning and future studies. This committee shall be concerned with short term plans and long term strategies. It can concern itself with the effectiveness of Article 23 of the *Majlis Ash-Shura* regulations and use it in tackling future issues, particularly the future of the developmental sector.

As-Shalhoob (1999) argued that, whilst basic to Article 23, ten members of the *Majlis Ash-Shura* can collectively propose a new law or amend an effective one, it seems two implied factors have curtailed this right: (1) it is mandated that what the members can suggest should be confined to the area of "regulation", (2) Whatever the members suggest should be submitted to the head of the *Majlis Ash-Shura* who in his turn, transfers it to the king. This means that the *Majlis Ash-Shura* cannot consider any proposal submitted by the ten members unless and until it has been approved by the king. This process might take a long time and complicated procedures. This is why the *Majlis Ash-Shura* members emphasise that Article 23 should be amended so that the *Majlis Ash-Shura* becomes authorised to study and consider issues and matters related to suggestions advanced by a quorum of ten *Majlis Ash-Shura* members, and finally present its recommendation on this matter to the King.

Awaiting the proposed amendment of Article 23 to be passed, the *Majlis Ash-Shura* members propose that the *Majlis Ash-Shura* should benefit from

this Article and advance constructive opinions pertinent to amendments regulations of and continue studying important issues and problems that prevail in Saudi society. The members' concern with Article 23 has become so strong that a member of the *Majlis Ash-Shura* has suggested that a committee should be established to: (1) activate this article, (2) consider long term plans, and (3) make use of the implication of Article 23 and handle future related matters. Other members of *Majlis Ash-Shura* suggested that the number of the *Majlis Ash-Shura* sessions should be increased with greater efforts exerted by the *Majlis Ash-Shura* members to activate Article 23. The great concern of members with Article 23 is justified on the ground that the authority and leverage of the *Majlis Ash-Shura* is limited because Article 23 can provide the *Majlis Ash-Shura* with additional open leverage. Accordingly, the members suggest that the article should be activated.

### **Interaction and Strengthening of Relations with Society**

The results of the research study have shown that among the most salient obstacles and the eminent points of weakness endured by the *Majlis Ash-Shura* are: (1) inactivity on the part of the *Majlis Ash-Shura* to deal and respond to the desires, expectations, and other prospects of Saudi society, and (2) the public's low awareness of the nature and activities of the *Majlis Ash-Shura*. Based on this analysis it has been expected that a development of the *Majlis Ash-Shura* and its mechanism and an increase in the level of interaction between the *Majlis Ash-Shura* and society might come at the top of the *Majlis Ash-Shura* members' list of priorities. Among the salient points proposed by members are:

1. To enforce informative openness of the *Majlis Ash-Shura* to the permit media coverage of its activities. This may include direct broadcasting of sessions or at least broadcasting them later to increase the awareness of the public.
2. To increase the relationship between the *Majlis Ash-Shura* and citizens. There is a need for intensive education programs to increase the awareness and understanding of the citizens of the nature of the *Majlis Ash-Shura*, its works, and basic missions.
3. To open channels of communication with people on issues studied by the *Majlis Ash-Shura* before voting.
4. To strengthen the relationship of the *Majlis Ash-Shura* with society and its private organisations and increase its interaction with people in addition to exploring their expectations, worries and problems.

The criticism directed against the *Majlis Ash-Shura* for being inactive in its interaction with the needs, problems, and critical issues of Saudi society is blamed upon the limited authority given to the *Majlis Ash-Shura*. It is also attributed the fact that many *Majlis Ash-Shura* members do not work full time in the *Majlis Ash-Shura*. They busy themselves with personal matters. It is obvious that suggestions advanced by the members in this regard are important, practical, and should be taken into consideration. An article published by the *Majlis Ash-Shura* (1999) indicated that the *Majlis Ash-Shura* is interested in strengthening its interactions with Saudi citizens, establishing channels of communication with them, and keeping them aware of the process of this work, and soliciting their opinions on matters

that concern the citizens. This approach has been done through a number of channels such as:

1. Soliciting opinions from citizens and studying them: This task has been entrusted to the "Petition Committee", which is an administrative body in the *Majlis Ash-Shura* instituted as a result of a decision by the Head of the *Majlis Ash-Shura*. This committee is a liaison between the *Majlis Ash-Shura* and the citizens.
2. The *Majlis Ash-Shura* has made special arrangements by means of which citizens can visit the *Majlis Ash-Shura* and acquaint themselves with the *Majlis Ash-Shura*'s utilities and equipment. They can get direct answers to their questions from officials of the *Majlis Ash-Shura*.
3. According to Al Muhanna (1998), the *Majlis Ash-Shura* has been interested in getting feedback from experts and specialists on issues that concern social sectors.

It seems that even the channels discussed above still need to be further activated. There is a need to develop as well as to strengthen the feeling, on the part of the citizens, that the *Majlis Ash-Shura* is directly concerned with their problems and expectations. This feeling, with most Saudi citizens, is still restricted.

### **Increased Membership and Dedication of Members to the Work of the *Majlis Ash-Shura***

At the present time, the *Majlis Ash-Shura* is composed of 90 members in addition to the head of the *Majlis Ash-Shura*. They are men of knowledge,



learned and experienced. They are selected by the king but each one should enjoy the following characteristics. He should be:

1. A Saudi national in terms of origin and by birth.
2. Renowned for being well qualified and of good reputation;
3. Not less than 30 years old. (Articles 2 and 3).

Ten members included in their responses suggestions concerning the number of members and ways and standards of appointing them and their dedication to membership. The most important proposals in this regard have been:

1. to increase the *Majlis Ash-Shura* members in the manner that makes it proportional to the size of the population of the Kingdom.
2. to give more attention to the standards of members' selection; to expand the representation of the vocational and business sector in the *Majlis Ash-Shura* with those who fulfil the conditions of scientific specialisation, experience and age.
3. To study the possibility of selection from a shortlist approved by the regional *Majlis Ash-Shura*.
4. Dedication of members to the *Majlis Ash-Shura* so that their work can be completed faster. One member suggested that the possibility of combining the *Majlis Ash-Shura* membership with some limited academic activities does not conflict with the *Majlis Ash-Shura* work.

Their heavy load of work and the numerous responsibilities that they have to shoulder is a good enough reason to call for an increase the *Majlis Ash-Shura* members. *Majlis Ash-Shura* members should work full-time, and should be selected from different important developing social sectors so that the *Majlis Ash-Shura* can perform its duties perfectly and without delay.

In its initial state, the *Majlis Ash-Shura* comprised 60 members in addition to the Head of the *Majlis Ash-Shura*. Six years later, in 1998, the number was increased to 90 members. Still the present *Majlis Ash-Shura* argues that the number of the members is insufficient and suggests that it could be increased to between 100 and 200. A member of the *Majlis Ash-Shura* has justified this call for an increase by claiming that more members would make the *Majlis Ash-Shura* resolutions reflective of the prevalent trends in Saudi society and would make any external influence, that might be exercised by the government, businessmen, or any beneficiary, less likely.

In contrast to this approach, there are those who do not see a need for such an increase. On the contrary, a group of members wish to have the number reduced. In this regard a member of proponents of this approach has argued that "sixty members, as it was the case in the first term of the *Majlis Ash-Shura*, can handle all affairs of the *Majlis Ash-Shura*, and I think the present number can be quite efficient and there is no need for any addition of members".

## **Elaboration and Development of the *Majlis Ash-Shura* Relationship with the Government**

The three new regulations decreed in Saudi Arabia (the State Basic Law of Governance, the System of the *Majlis Ash-Shura* and the System of the Council of Ministers) have established a strong relationship between *Ash-Shura* and the Council of Ministers. The results of this research study indicate that this vague relationship is one of the most salient difficulties endured by the *Majlis Ash-Shura*. (This point was discussed above). Accordingly it has been natural and expected to see the *Majlis Ash-Shura* Members suggest that the relationship between the two bodies should be made clear. They claim that in order to improve and develop the efficacy of the *Majlis Ash-Shura*, this relationship should be clarified. Some of the *Majlis Ash-Shura* members mentioned different suggestions in this respect:

1. To develop a relationship tool between the *Majlis Ash-Shura* and the Council of Ministers. There is a need to establish effective communication channels with other systems.
2. The creation of a ministerial portfolio for *Majlis Ash-Shura* affairs that can act as a link between the Council of Ministers and the *Majlis Ash-Shura* in place of paper dealings.
3. To appoint a member of the *Majlis Ash-Shura* of State Minister status to attend the meetings of the Council of Ministers and its public corporation and to press the opinion of *Majlis Ash-Shura* in the common issues.

4. The participation of the government in the sessions of *Majlis Ash-Shura* through attendance of the Ministers and officials to these sessions when issues are under discussion that relate to their ministries and organisations. Each ministry or organisation may have a representative in attending sessions.
5. To specify a body that can follow up the adherence of government organisations and departments to the resolutions and recommendations taken by the *Majlis Ash-Shura* and approved by the king.

These points are important and putting them into effect would improve the relationship between *Majlis Ash-Shura* and the government apparatus, mainly the Ministries. This relationship can be developed to become defined and advanced to help in achieving and facilitating the tasks that are shared by the two entities. This approach might require certain amendments to be done on the regulatory system of both *Majlis Ash-Shura* and the Council of Ministers. There might be a need to develop the mechanism of the relationship between the two bodies and provide *Majlis Ash-Shura* with further authorities and enhance its resolutions. In other words, it is a call that *Majlis Ash-Shura* might be given a greater range of independence pertinent to the way it administers its affairs, the way it selects its topics of discussion. There is a need to eliminate the overlap in areas of specialities between the two entities. This is because this overlap is considered a direct cause of the vagueness in the relationship between them.

## **Development of the Work Basis and the Disciplinary Procedures**

The by-laws of the *Majlis Ash-Shura* have defined the number of regular sessions of the *Majlis Ash-Shura*, the way the agenda should be prepared, and distributed to the members, and the methods of deliberations in the sessions. The General Commission of the *Majlis Ash-Shura* has issued a list of rules that should be observed to have the works and tasks of the *Majlis Ash-Shura* and other committees well organised. These regulations and rules are fully observed in order in the processes of the *Majlis Ash-Shura*. The results of the research study indicate that the problems encountered by the *Majlis Ash-Shura* members are related to the method of discussion, the process of decision making, the agenda and matters related to the rules of action exercised in the *Majlis Ash-Shura*. Basic to this phenomenon, the *Majlis Ash-Shura* members have suggested that the procedural methods and rules should be reconsidered and developed. It is obvious that these suggestions are important, for they are directly related to practical matters. It is argued that the achievement of such approach would enable the members to execute their works easily and smoothly, and it would save them time and improve the quality of their performance. It is obvious that to have executed suggestions number 2,3 and 4 there is a need to amend certain items in the list of effective performance rules. It seems that the first suggestion is extremely important for it implies a utilisation of the experience of other noted *Majlis Ash-Shura* in the Muslim world. A utilisation of the good aspects of the experience of others would help to develop the rules and functional mechanisms of the *Majlis Ash-Shura*. Thus the pitfalls and bad experiences of other *Majlis Ash-Shura* need not be repeated.

The second suggestion is important simply because an agenda advanced to the *Majlis Ash-Shura* members in advance of a proposed session means that they would have enough fully time to study and consider all listed issued.

The members' suggestions in this regard could be summed up as follows:

1. Benchmarking the experience of some firmly established *Majlis Ash-Shuras* in other countries, and reflect on their experience in the development of work particularly in regard to the steps of studying topics referred to the *Majlis Ash-Shura* and way of discussing it and taking related decisions and the schedule of the distribution of sessions and the role of the committee in the *Majlis Ash-Shura*.
2. Circulating the work schedule, agenda, information and documents of issues in ample time before sessions are held.
3. To permit members to take out of the *Majlis Ash-Shura*, papers and documents regarding their work and conduct a complete study on them and prepare their arguments. Members should be allowed to come to their offices at the *Majlis Ash-Shura* in other than working hours to complete their assignments.
4. To define the number of interventions and confine them to no more than 5 minutes. In addition to taking necessary action that might help to save time, concentration of speech, optimum utilisation of the time devoted for the session. The Chairman should intervene whenever he deems necessary.

5. To summarise the *Majlis Ash-Shura* deliberations and discussions and attach them to any related topic under discussion.
6. To amend Article II of the rules of *Majlis Ash-Shura* and committees. This article state that "Any member should participate in voting either by approval or disapproval". There should be a third choice i.e.. abstention.
7. To specify topics of priority and importance, and expedite their preparation while giving them the time they deserves in discussion.

### **Conducting Research to Evaluate and Develop the *Majlis Ash-Shura***

It seems that owing to the results of problems and other mistakes emerged throughout the first year of the *Majlis Ash-Shura* and in addition to obstacles and other difficulties that hindered the process of action, it can be argued that there is an imperative need to conduct an objective evaluation of the *Majlis Ash-Shura*'s performance. Based on the results of such evaluation, an appropriate plan of development might be designed. It is obvious that the *Majlis Ash-Shura* members are aware of the importance of this evaluation. Thus they have argued for conducting an evaluation study and a list of relevant solutions can be arranged.

The most important suggestions in this regard are follows:

1. To conduct a comprehensive study to diagnose the *Majlis Ash-Shura* problems, current drawbacks, and propose necessary solutions.

2. The subjective and effective evaluation for the *Majlis Ash-Shura* works and achievements during the past years of its age.
3. To conduct a research to seek methods for the development of the *Majlis Ash-Shura* and to review its objectives and methods.

One of the *Majlis Ash-Shura* members stated that the General Presidency for *Majlis Ash-Shura* is currently conducting a comprehensive study in order to put forward some suggestions to develop the *Majlis Ash-Shura*.

It is beyond doubt that an objective scientific research study would be the right method to evaluate the process of the *Majlis Ash-Shura*, become acquainted with its activities, and define the nature of the problems and other obstructions encountered by it. Through this scientific approach, appropriate solutions can be arranged. By the same token, positive aspects in the acts of the *Majlis Ash-Shura* can be highlighted, strengthened, and recommended for a longer implementation – this is in fact what this part of the research study had hoped to do. It has opted to analyse the experience of the *Majlis Ash-Shura* through an evaluation of its performance and achievements. Being, relatively speaking, a new political institute in Saudi society, *Ash-Shura* is still in need of further development and in need as well to modernise its apparatus. Besides, there is a need to reconsider many of its objectives along with the methods designed to achieve these objectives.

### **Supporting the *Majlis Ash-Shura* Budget and its Resources**

More than one member argued that the development of the *Majlis Ash-Shura* and the removal of the barriers that confront its members require an



increase to the annual budget and support from materials, capabilities, technology, and the provision of necessary facilities to its members, including travel expenses for members who reside outside Riyadh and similar allowances for those who travel on business-related missions. One member stated that the *Majlis Ash-Shura* is an important organisation in the present stage and in the future; therefore it should be given special attention.

### **Miscellaneous Suggestions**

1. Views on the number of sessions, are conflicting. One member suggested increasing them while another member suggested reducing them to one session per week, knowing that the *Majlis Ash-Shura* currently convenes twice weekly.
2. Other suggestions focused upon the acceptance of the problems and barriers until they are gradually eliminated.

### **Conclusion and Recommendations**

It is obvious from the analysis of the suggestions advanced by *Majlis Ash-Shura* members (pertinent to the development of its efficacy and performance) that these suggestions reflect, in most part, a range of difficulties and areas of weakness that the *Majlis Ash-Shura* has been enduring. This phenomenon is understandable; indeed expected as well. Having seen that the problems and the areas of weakness of Ash-Shura are varied and numerous, it can be argued that the suggestions advanced as solutions to these phenomena have also been versatile and numerous. The most salient among them are:

1. To strengthen and enhance the apparatus of the *Majlis Ash-Shura* along with the services and other support data. The *Majlis Ash-Shura* has to be supported with modern technology, experts, and researchers. Each member should be supported with a team of workers to facilitate the performance of his job.
  
2. Extending the areas of speciality of the *Majlis Ash-Shura* to exercise its social role as an important political body capable of extending help and advice to the King in planning the general policy of the state, and in considering the critical issues and other prevalent problems and provide appropriate relevant solutions.
  
3. An establishment of new specialised committees that provide support to the *Majlis Ash-Shura*, a process of performance and the conduct of resolutions. Among the salient committees proposed by the *Majlis Ash-Shura* members are:
  - 3.1 Culture and Mass Media Committee
  
  - 3.2 Financial Affairs Committee;
  
  - 3.3 Communication and Data Committee;
  
4. Support and develop the administrative and executive opportunities of the *Majlis Ash-Shura*. Its technical and administrative requirements should be completed along with highly qualified and talented individuals. No centralisation method of regulation is recommended.

5. Article 23 should be activated. This article empowered a group of ten members to propose a new item for discussion or amend an Article that is in effect. The implication of this article can be utilised in considering matters that are of great concern to the public.
6. An interaction between *Majlis Ash-Shura* and Saudi society for the purpose of handling its problems efficiently. The interaction also aims at strengthening the relationship between the two and exposing the *Majlis Ash-Shura* to mass communication channels by all means and methods. Citizens have right to be acquainted with the nature of the *Majlis Ash-Shura*, its activities and performance.
7. An increase of the number of the *Majlis Ash-Shura* members, in proportion to the total number of the Saudi population and its distribution. This might result in a better representation of varied occupations, development sectors, geographic regions and social strata. In the process of selection, factors of educational background, learning, previous experience and specialisation, should be fully considered. In this case, the *Majlis Ash-Shura* members should dedicate their time and effort to the *Majlis Ash-Shura*.
8. The relationship of the *Majlis Ash-Shura* with the Council of Ministers and other government departments should be clarified and developed. A proper mechanism and advanced channels of development to activate this relationship should be designed. Besides, the *Majlis Ash-Shura* should be given further authority and its resolutions should be empowered and made effective.

The suggestions are important for they are derived from *Majlis Ash-Shura* members who are considered to be best acquainted with the problems and difficulties that the *Majlis Ash-Shura* encounters. Thus it is the members who can devise appropriate solutions and suggestion for the development and improvement of the efficiency of the *Majlis Ash-Shura*. This explains why the members' suggestions have been clear, defined, and comprehensive. What counts here is that the Saudi authorities concerned should seriously study these suggestions and execute them so that Ash-Shura can become a strong political body capable of performing an effective role in the political process of the Kingdom.

## Conclusion

Throughout the discussions implied in this study it has been sought to accomplish two primary objectives: (1) to examine the process of Saudi socio-political developments from a historical perspective with an emphasis on *Majlis Ash-Shura*, and to show the impact of diversities on the stability, and durability of the Saudi dynasty and (2) to examine the legitimacy of monarchical methods of government, and to answer questions regarding the authenticity and permissibility of these methods from an Islamic perspective. With the course of the process of development, the Saudi government has needed to answer some political challenges put forward by social elements who wanted to stimulate both debate and progress. The government response to these challenges has advanced the Saudi political system closer towards conformity with Islamic political idealism, and in so doing the government has succeeded and the *Majlis Ash-Shura* was established.

At another level, this research study has discussed Islamic politics in comparison with other popular political theories, most notably those of Western liberal democracy. Basic to this analytical comparison, it can be argued that it is not possible to subject Muslim society to the whims of a majority moved on occasions by emotion or forms of dubious persuasion. Justice was not created by man. The revealed Books of God, Plato, Aristotle, or any of these notable men, set forth the objective of justice and the pursuit of happiness, along with the concept of liberty and freedom as inalienable rights. The Muslim is obliged to reclaim these concepts and restore them to their pure interpretations, utilising them in the development of the political paradigms that serve human societies.

Negative media images portray the form of government in Saudi Arabia as “traditional”. Traditionalism, from the perspective of the Saudi people, means that the tribal social structure and Islam are the bases of politics. But from the perspective of the negative media, tribalism and Islam produce a number of consequences for the political process: institutions are meaningless, as all politics are personal, the forms of rule which exist now have existed for hundreds of years; political participation is not a serious issue; political loyalty is given and withdrawn on the basis of religious criteria, and paternalistic rule by tribally based elite families is culturally suited to the Arab peninsula. This research study is designed to provide analytical discussions (founded on facts and supported by well-known authors) to refute these unfounded claims. The discussions of successive historical developments have projected Islam as an essential factor in any progress likely to be realised. Basic to the historical presentation provided, it can be argued that Saudi Arabia has been able to adjust well to the conditions of the twentieth century and sustain its Islamic identity. The Kingdom has proved itself as a modern state with Islam as its constitution. The fact that has been proved in this research study is that Islam has never been an obstacle towards progress. Basic to this belief, the Saudi government believes that a secular system is not necessary and has never been a pre-requisite for Saudi progress. The laws of Islam have been traditionally observed by all Saudi rulers. This fact indicates that Saudi rulers have earned their legitimacy through their adherence to the principles exhorted by Koran and originally exercised by Prophet Mohammed. They never relinquished Islam, due to their firm belief that Islam calls people to maintain progress, to carry out justice, to create equality and to breed in people good behaviour and in nations, moral conduct. How can it be imagined that a state founded on such sound principles could be like anything projected by the negative media? Besides, discussions of

historical developments have proved that the Saudi rulers have led their people from the track of darkness to the track of righteousness.

The picture of politics and social progress, depicted by means of historical analysis based on religious considerations, seems to be consistent. It is also the belief of the researcher that Saudi Arabia need not be pushed to conform to Western standards of democratisation and human rights. It is also the belief of the researcher that citizens in Saudi Arabia enjoy an Islamic-based democracy. The absence of a secular constitution can be justified on the ground that the law of Islam, as being derived from the Holy Book of God and the traditions of Prophet Mohammed, are the purest form of constitution. Both the national and international characters of Saudi Arabia are shaped by a combination of Arabian culture and Islamic trends. This uniformity indicates that modern Saudi Arabia has its religious roots in the rise of Islam. Accordingly it can be claimed that in the Saudi mechanism of rule, religion has been more important than politics. This again explains the absence of a formal constitution: the laws of Islam are, as such, the constitution of the Saudi state *per se*. However, the Saudi Basic Law performs much the same function as constitutional guarantees in the reaction to the demands of both fundamentalists and secular reforms for greater participation in the government.

The social scene of the domestic Saudi structure has changed and with this change the Saudi government felt a need to restructure its socio-political orientation. This has to be done with a delicate balance between the old and the new. The developments that have been achieved attest to the fact that the progress realised by Saudi rulers has to be maintained in the face of many allegations introduced by the negative media. However, just because social and political developments are in constant change, as it is the case

with all world countries, it can be argued that the Saudi process of struggle to realize further and better progress is still incomplete. Nevertheless, in spite of the tremendous range of developments realised by the Saudis, the Saudi government has been able to adjust well to the conditions of the twentieth century and sustain its Islamic identity.

The Kingdom of Saudi Arabia has embarked upon a process or movement away from the status quo, toward new goals and functions for the state. As it is seen from the analytical discussions in this research study, it is very important to emphasise the point that Muslims in Saudi Arabia refuse to become involved in attempts to construct non-Islamic forms of government. When defining Saudi political developments, the following three points should be taken into consideration:

1. The political development process is one of transition from the status quo to a new status.
2. The functions and outcomes of Saudi political developments do not necessarily take place simultaneously.
3. Political developments in Saudi Arabia have to be measured by measurements of political progress according to the Saudi Islamic ideology.

The approach of political development adopted in this research study is applicable to that of Almond and Powell (1966) who argue that political development evolves in response to certain challenges, which may emanate from the international environment, domestic society, or the political elite within the political system. The types of challenges which have exerted



pressure on the Saudi political system can be identified as : (1) state building (referring to the requirement of increased integration and penetration of the system); (2) participation (referring to pressure from groups to have a part in the decision making process; (3) nation building (referring to loyalty to the system).

The other theory related to the approach adopted in this research study is that of Diamond, (1966) who sees political development as a process by which the political system acquires the capacity continuously to sustain new types of goals and demands while creating new types of organisation. The kind of political development that Saudi society has witnessed is equated with the ability of political systems to grow or adjust to new demands put upon them. The historical developments discussed in this research study assert that this concept is equivalent to the notion adopted throughout the research. The political approach of development in Saudi Arabia has been a process of admitting a representation of social strata into full political participation without disrupting the workings of the political system e.g. *Majlis Ash-Shura*. This approach is very much in line with that of Binder, (1971) who reduces political development to: equality, capacity, and collectivity. These factors constitute what is called the "development syndrome". The third concept, "capacity", refers to the ability of a system to innovate, to manage continuous change, to adapt and to create.

Generally speaking, it can be argued that no agreement exists among political scientists as to the exact definition of political development. It seems that they share what might be called a "positive orientation" in the sense that they agree that politics achieve political development while pointing toward the requirements to be met by political system striving to become politically developed. The stress is on the potentialities for

movement from what they consider a less desirable to a more desirable situation in the political system.

The discussions in this research study have shown that the Saudi government has been able to realize noticeable progress while maintaining a sense of balance between Islamic traditions and the demands of modern times. This approach is in contradiction with that of Rostow (1965) who sees development as consisting of a number of stages which were basically derived from the distinction between tradition and modernity. The Saudi government does not believe that structured change in the political system is a pre-requisite for modernisation. This is because the modernisation in Saudi Arabia has been realised without recourse to that route, but through strict adherence to the traditions of Islam.

The Islamic political theory is dependent upon belief and faith in the Oneness of God. It derives from a posture of humility, recognising that the human mind is not capable of understanding nor discovering all the possibilities and potentials of life found in the created laws and truths that govern our universe. Such perfect and complete knowledge is known only to God. Absolute belief in the oneness of God, His unity, and the unity of His creation leads to our understanding of the indivisibility of truth and integration of revelation and hypothesis. For this reason, Islamic idealism has come to represent the final message in term of revelation, that being the Koran, and *Sunnah*, the two divinely resources. These sources can not be bound by time and place. They represent a conclusive and authoritative communication between God and His Prophets. Hence, researchers handling theories of political development from the Islamic perspective look to the Koran and *Sunnah* as the standard measurement that determines ends, objectives and all truths concerning human beings. The Islamic

perspective observes the human phenomena as complex and multi-dimensional. It cannot be divided, not even on the analytical level. The Islamic political concept includes all social, economic and cultural aspects, since politics is defined herewith as the administration of issues towards reform, or rather, reforming human beings by directing them to the proper path, or way of life through which we obtain success, prosperity, and happiness. On the other hand, the European concept of politics is largely limited to discussions of power, authority, class and state.

The hallmark of the truly Islamic system is the application of the *Shari'a* and not necessarily any particular political order or organisational structure, except that in all instances the elected ruler must be just and he must be subject to taking counsel from the knowledgeable and wise in both spiritual and material fields. Any Muslim ruler who does not apply God's criteria of judgement and follow divine law is to be considered a sinner, a tyrant, and an infidel and his rule illegitimate. If governmental organisation is a matter of convenience and mere technique, then the adoption of democracy, or of certain democratic elements, may be acceptable, recommended, or even mandatory – provided this does not lead to the neglect or violation of Islamic norms and values. The philosophical base of the Western secular liberal democracy is rooted in the ideal that man is sovereign. This approach is incompatible with Islamic values. Yet this is not the only form of democracy, assuming that the term democracy is merely participative and representative government. The term political development, as applied to the Kingdom of Saudi Arabia, means a process of transformation initiated by policy makers who see political development as a movement from the status quo towards systems that are able to achieve emerging goals and provide needed functions. This concept is equivalent to the concept of nation building. It aims to establish a balance between the

constants and variables in human life. Revelation determines the former, leaving the latter to be determined by human reason through life experience guided by the *Shari'a*.

Saudi Arabia, as a case study in this research, is shown to be an example of a legitimate Islamic monarchical system of governance. Islamic political legitimacy is identified as dependent upon two conditions:

1. The government must be led by those who follow the path of Prophet Mohammed in spirit and deed.
2. They must come into power through appointment of the previous legitimate authority. The establishment of the Al-Saud monarchy, a direct result of the Islamic reform movement of Ibn Abdulwahhab, its methods of succession which is through appointment, its application of *Shari'a* and establishment of the *Majlis Ash-Shura*, appear to meet these tests. Weaknesses have been identified as lower than desirable accountability through an established system of government redress and reform in response to charges that originate from the general population rather the *Majlis Ash-Shura*.

In respect to the political development within the Kingdom, an exhaustive study of the institution of *Majlis Ash-Shura* through a survey and analysis of the members of the *Majlis Ash-Shura* and their experiences and opinions has been presented. The objectives of *Majlis Ash-Shura* and its effects on the political system have been discussed as an Islamic obligation enjoined by Koranic and *Hadith* injunctions. We sought to ascertain the extent to which the Saudi system of *Majlis Ash-Shura* conforms to these principles and no weakness was found. There may of course be other models of

*Majlis Ash-Shura* that can be examined, and perhaps tested, but these are issues of national compatibility and not Islamic legitimacy. The Consultative *Majlis Ash-Shura* has been studied and researched and found not to mark a shift towards a Western-style representative democracy.

The Saudi government, in response to its citizens' growing sophistication and desire to participate in the affairs of state to a greater degree, has opted to utilise the progressive components of *Islamism* rather than to embrace nationalism and the secular political alternatives.

This study has focused on the experience of *Majlis Ash-Shura* in the Kingdom of Saudi Arabia after the establishment of the recent *Majlis Ash-Shura* in 1992. That is considered one of the most significant features of political development in the Kingdom during the last two decades. The *Majlis Ash-Shura* allows a unique opportunity for Saudi citizens to participate in the political life through its modern and advanced facilities.

The research has not been restricted to a historical review of the *Ash-Shura* practice, nor only to describe it or describe its achievements. It presented a socio-political analysis and an assessment for this experience through the assessment of *Majlis Ash-Shura* and its activities. Characteristics, responsibilities, efficiency, points of strength, obstacles, problems, weaknesses of the *Majlis Ash-Shura* were also examined. The study also offered recommendations to improve the efficiency and competency of the *Majlis Ash-Shura*.

The study reveals that the *Majlis Ash-Shura* has become an effective political body that performs a significant role in the country, widens political participation and allows citizens to participate in political decision

making. The *Majlis Ash-Shura* has made significant contributions in various government and society affairs especially in issuing and amending Laws, approving many agreements and accords and offering suggestions and recommendations with regard to facilities development. The *Majlis Ash-Shura* has played a positive role in driving the development process and upgrading services rendered to citizens.

The study reveals many points of strength and weaknesses in *the Majlis Ash-Shura*. The most significant are its reference to the Holy Koran and the Prophet's *Sunnah*; high efficiency; highly qualified members known for their expertise and honesty; freedom of speech during sessions and deliberations; the absence of parties and blocs among members; and emphasis on public interest during deliberations and voting.

In addition to these characteristics the study reveals some weaknesses and negative aspects and obstacles in the operation of *Majlis Ash-Shura*. These include weakness in information and support services, limitations in responsibilities and jurisdictions, financial and administrative weaknesses, low interaction with the society, low participation on the side of some members, plurality of relationship between *Majlis Ash-Shura* and the government, deliberations style and decision making. Additional problems were lack of a clear-cut pathway for the *Majlis Ash-Shura* resolutions and recommendations due to concern for keeping a minimum common interest and assuring resolutions satisfactory to all parties.

Despite such weakness, this research reveals the success of *the Majlis Ash-Shura* in assuming its responsibilities, satisfaction of the majority of members with its capabilities and its role in rationalising the political

decisions taken by the government system and the drive for comprehensive development in the country.

The study aimed at assessing opinions of *Majlis Ash-Shura* on ways to upgrade *Majlis Ash-Shura* efficiency and recommendations to improve and solve its problems. Members recommended to support the information and support systems, expand the *Majlis Ash-Shura* jurisdictions and responsibilities, develop new committees, upgrade the executive and administrative systems, activate Article 23 of the *Majlis Ash-Shura* by-laws, enforce the interaction with society, clarify and develop the relationship with government and upgrade work policies and organisational rules within the *Majlis Ash-Shura*. The *Majlis Ash-Shura* is an important institute in both the present and future of the Kingdom of Saudi Arabia because of its potentially important role in the development of the country and its systems to meet internal and external challenges. It is noted that the *Majlis Ash-Shura* is an active entity in law making and amendment in addition to assessment of accords and treaties referred to it. But its role in the general politics is still very restricted because of diminished responsibilities and limited jurisdiction granted by the government. It is perceived that the *Majlis Ash-Shura* can play a bigger role and participate in a better way both qualitatively and quantitatively should the system change allowing its jurisdictions and responsibilities to expand. It is recommended that further research work is conducted on the *Ash-Shura* experience, to shed more light on other aspects of this experience and its religious, social and historical roots, together with its impact on the Saudi society and the comprehensive development state in the Kingdom of Saudi Arabia.

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# Appendices

**Appendix I** "Questionnaire"

**Appendix II** Articles of the Law of the *Majlis Ash-Shura*

**Appendix III** Articles of the "Basic Law of Government"

**Appendix IV** The Law of the Council of Ministers

**Appendix V** The Law of Provinces

# Appendix I



# **Appendix I**

## **QUESTIONNAIRE**

**Political Development in the Kingdom of Saudi Arabia:  
an Assessment of *Majlis Ash-Shura***

**A Questionnaire Addressed to Members of  
the Saudi *Majlis Ash-Shura***

Prepared by

Faisal bin Mish'al bin Saud bin Abdul Aziz Al-Saud

H.E. Member of the *Majlis Ash-Shura*– Saudi Arabia – Riyadh.

Dear Sir,

Thank you for reading this questionnaire and giving me some of your valuable time. This questionnaire is for the purpose of preparing a Ph.D. study in the field of Political Science at the University of Durham, Great Britain. The study is entitled: *Political Development in the Kingdom of Saudi Arabia: an assessment of the Majlis Ash-Shura*. The study aims to explore the characteristics and features of the political system and evaluating its performance, and to evaluate the challenges and developments which confront the system, with particular reference to the establishment of the political institutions thereof. In addition is the establishment of the *Majlis Ash-Shura*. One of the purposes of this study is to explore the nature of *Majlis Ash-Shura*, and the mode of its functioning and operation, its activities and achievements. In addition, I aim to identify the points of weakness and strength and how to develop and enhance its performance and activities.

Your co-operation in answering this questionnaire in due time will have the valuable effect of realizing this study and fulfilling its purposes. The questionnaire will take about fifteen to twenty minutes of your time to complete and your answering of the questions involved will be treated with utmost confidence. We will be a pleased to provide you with a copy of this study upon completion. Thank you.

Researcher Contact: Tels: 4542-2935 / 4540071 – Pager # 19409624.

1. Age: \_\_\_\_\_ Year: \_\_\_\_\_

2. Place of Birth:

- 1. Rural Area ( )
- 2. Village ( )
- 3. Town ( )

3. Area:

- 1. Central Area ( )
- 2. Northern Area ( )
- 3. Southern Area ( )
- 4. Eastern Area ( )
- 5. Western Area ( )

4. Educational Level:

- 1. Holder of Intermediate certificate or less: ( )
- 2. Holder of B.Sc. ( )
- 3. Holder of Master's Degree. ( )
- 4. Holder of Ph.D. ( )

5. Specialization .....

6. Place you received your First Certificate:

1. In Saudi Arabia ( )
2. An Arab Country ( )
3. A Western Country ( )
4. Others (please specify).....

7. What was the position you occupied prior to your membership of the *Majlis Ash-Shura*? .....

8. Years of practical experience:

1. Public Sector ..... Years.
2. Private Sector..... Years.

9. Nature of previous work:

1. Administrative.
2. Commercial.
3. Military.
4. Academic.
5. Others (please specify).....

10. How many years have you spent in the *Majlis Ash-Shura*?  
..... Years.

11. In your opinion, what are the most important reasons for establishing the *Majlis Ash-Shura*? (select one or more of the following):

- 1. ( ) Expansion of the Kingdom and its functions.
- 2. ( ) Completion of state institutions.
- 3. ( ) The need to expand political participation.
- 4. ( ) To benefit from qualified citizens in realizing the development of the country.
- 5. ( ) Demonstration of the *Ash-Shura* efforts in an organized way.
- 6. ( ) The need to develop most of the regulations and systems.
- 7. ( ) Others (please specify).....

12. What is the extent of your satisfaction with the effective performance by the *Majlis Ash-Shura* of its functions?

- 1. Very satisfied ( )
- 2. Satisfied to some extent ( )
- 3. Not sure ( )
- 4. Dis-satisfied to some extent ( )
- 5. Very dis-satisfied ( )

13. How far are you satisfied with the mode or decision-making within the *Majlis Ash-Shura*?

- 1. Very satisfied ( )
- 2. Satisfied to some extent ( )
- 3. Not sure ( )
- 4. Dis-satisfied to some extent ( )
- 5. Very dis-satisfied ( )

14. What is the extent of the members' freedom to express their viewpoints during the *Majlis Ash-Shura* deliberations?

1. Very free ( )
2. Free to some extent. ( )
3. Not sure ( )
4. Limited to some extent ( )
5. Very limited ( )

15. Are there any consistent groupings, blocs or lobbies within the *Majlis Ash-Shura* which come together prior to the convening of the sessions?

1. Yes ( )
2. No ( )

Please explain .....

16. Can any of the members of the *Majlis Ash-Shura* vote against a decision adopted by the *Majlis Ash-Shura*?

1. Yes ( )
2. No ( )

If answer is yes, does that occur?

1. Always ( )    2. Sometimes ( )    3. Seldom ( )

17. Do you think that voting is conducted with full impartiality?

1. Yes ( )

2. No ( )

If the answer is No, please explain .....

18. Do all members enjoy equal political weight in voting?

1. Yes ( )

2. No ( )

If the answer is No, please explain .....

19. Do you think that there is sufficient time to review the issues by members before their being the subject for discussion?

1. Yes ( )

2. No ( )

If the answer is No, please explain. ....

.....

20. Has the *Majlis Ash-Shura* ever rejected a bill due to opposition from the majority of members?

1. Yes ( )

2. No ( )

If the answer is Yes, please give examples: .....

.....

.....

21. Does a members have the right to consult another member during the voting procedure?

1. Yes ( )

2. No ( )

22. If the answer is Yes, How frequently have you practiced that during the current *Majlis Ash-Shura* session before voting is undertaken?

23. Does a member have the right to abstain from voting?

1. Yes ( )

2. No ( )

24. If the answer is Yes, Have you ever practiced this right during voting?

1. Always ( )

2. Sometimes ( )

3. Seldom ( )



25. Do you receive any requests from the surrounding community to study particular issues?

1. Always ( )
2. Sometimes ( )
3. Seldom ( )

26. Is receive any pressure exerted upon you by the government so as to pass a particular bill?

1. Always ( )
2. Sometimes ( )
3. Seldom ( )
4. No. ( )

27. Does the government refer to the *Majlis Ash-Shura* in taking particularly important decisions?

1. Always ( )
2. Sometimes ( )
3. Seldom ( )

28. Does the *Majlis Ash-Shura* have the authority to reject bills because it is acting outside its specialization or for any other reason?

1. Yes ( )
2. No ( )

29. To what extent do you see the *Majlis Ash-Shura* as useful in rationalizing political decisions?

- 1. Very useful ( )
- 2. Useful to some extent ( )
- 3. Not sure ( )
- 4. Not useful to some extent ( )
- 5. Absolutely not useful ( ).

✓ 30. What is the effect of the *Majlis Ash-Shura* delegations upon the process of decision undertaken by the government?

31. What is the most suitable number for the membership of the *Majlis Ash-Shura*, according to your own view point?

- 1. 60 members ( )
- 2. 90 members ( )
- 3. More than 90 ( )

32. If you suggest increasing or decreasing the current membership of the *Majlis Ash-Shura*, please put your personal justifications for doing so:

.....

.....

.....

33. Had any member or group of members of the *Majlis Ash-Shura* ever suggested a bill to be studied by the *Majlis Ash-Shura*?

- 1. Always ( )
- 2. Sometimes ( )
- 3. Seldom ( )

34. What do you think the most suitable method for selecting the members of the *Majlis Ash-Shura*?

- 1. Appointment method ( )
- 2. Voting method. ( )
- 3. A mixture of appointment / voting method ( )
- 4. Any other method you suggest (please specify): ( )

Why have you selected this method in particular?

.....

.....

35. Do you expect that there might be any development in the method of selecting the membership of the *Majlis Ash-Shura* in the Future?

- 1. Yes ( )
- 2. No ( )

✓ 36. What is the extent the awareness of citizens' concerning the effectiveness of the *Majlis Ash-Shura* according to your own thinking?

- 1. Very high ( )
- 2. High to some extent ( )
- 3. Not sure ( )
- 4. Low to some extent ( )
- 5. Very Low ( )

✓ 37. If you consider that citizens' awareness the effectiveness of the *Majlis Ash-Shura* is very low, what are the reasons for that in your viewpoint? And what are the solutions thereto?

.....

.....

.....

38. Do you see the *Majlis Ash-Shura* as the body representing all categories of the community?

1. Yes ( )      2. To some extent ( )      3. No ( )

39. What are the most important prerequisites to be reflected by the *Majlis Ash-Shura* membership?

1. ....

2. ....

3. ....

40. What are the basis and standards to be taken into consideration while selecting the *Majlis Ash-Shura* members?

1. Geographical and Regional. ( )

2. Tribal and Social. ( )

3. Educational (specialization and experience) ( )

4. Other bases and standards (please specify) ( )

41. On which of the *Majlis Ash-Shura* committees do you serve?

1. Islamic Affairs Committee.

2. Foreign Affairs Committee.

3. Security Affairs Committee.

4. Economic and Financial Affairs Committee.

5. Social and Health Affairs Committee.

6. Educational, Cultural and Information Affairs Committee.

7. Services and Public Facilities' Affairs Committee.

8. Regulations and Administration Affairs Committee.

9. Other Committee (please specify) .....

42. Is the nature of the committee in which you work in harmony with your specialization?

1. Yes ( )      2. No. ( )

43. Do you want to continue in the membership of this committee?

1. Yes ( )      2. No. ( )

If the answer is No. please specify: .....

.....

44. Do you think that on the committee are included suitable personnel for its missions and responsibilities?

1. Yes ( )      2. No. ( )

If the answer is No, please specify the categories that you suggest should be included? .....

.....

45. When does the committee convene?

1. Weekly ( )      2. Every couple of Weeks ( )  
3. Every couples of Months ( )      4. On request ( )  
5. Every month ( )      6. Others (specify)

.....

46. Are some of the members absent from the meetings?

1. Always ( )      2. Sometimes ( )      3. Seldom ( )

47. How is the programme of the *Majlis Ash-Shura* Sessions prepared?

.....  
.....  
.....

48. Does it discuss issues that are not already listed in the *Majlis Ash-Shura* agenda?

1. Yes ( )      2. No ( )      3. Seldom ( )

49. Does the *Majlis Ash-Shura* convene at times of crisis?

1. Yes ( )      2. No ( )      3. Seldom ( )

50. What is your general viewpoint concerning the participation of committee members?

1. Most of the members participation is just a formality.
2. Most of the members participation is real and effective.
3. It depends upon the nature of the issue in question.

51. How does the *Majlis Ash-Shura* normally deal with the recommendations of the specialized committees?

1. It adopts its recommendations without any amendments.
2. It adopts its recommendations with some amendments.
3. It refers items back to the Commission for further studying.

52. What is the degree of effectiveness of the committee in which you work regarding the performance of its missions and responsibilities?

1. Very high ( )
2. High to some extent ( )
3. Not sure ( )
4. Low to some extent ( )
5. Very Low ( )

53. If the effectiveness of the committee is very low, specify the reasons from your own viewpoint?

.....

.....

.....

54. Do you think that there is a need to establish a new committee?

1. Yes ( )      2. No. ( )



55. If the answer is Yes, what is the committee that you suggest and what are its outstanding criteria?

.....  
.....

56. What is the difference between the Saudi *Majlis Ash-Shura* of Consultation and that of other Parliaments available in other Arab and Gulf countries (Qatar, Oman and Bahrain) according to your own viewpoint?

.....  
.....  
.....

57. What is the difference between the Saudi *Majlis Ash-Shura* and the parliaments of Western countries, according to your own viewpoint?

.....  
.....  
.....

58. What are the outstanding difficulties that face you while you are working at the *Majlis Ash-Shura*?

1. ....
2. ....
3. ....

59. What are your suggestions for overcoming these difficulties?

1. ....

2. ....

3. ....

✓ 60. What do you think are the most outstanding positive points and strengths that the *Majlis Ash-Shura* is enjoying according to your own point of view?

.....

.....

.....

.....

✓ 61. What do you think are the most outstanding negative points and weaknesses that the *Majlis Ash-Shura* is suffering from, according to your own point of view?

.....

.....

.....

.....



62. What are your viewpoints and suggestions for enhancing and developing the performance and effectiveness of the Saudi *Majlis Ash-Shura*?

.....

.....

.....

.....

THANK YOU VERY MUCH

## Appendix II

## Appendix II

### THE LAW OF MAJLIS ASH-SHURA

#### Article 1

In compliance with the words of Almighty Allah:

*“It is part of the mercy of Allah that thou dealest gently with them. Were thou not serve and hadst thou not hardened thy heart, they would have broken away from about thee, so pass over (their faults) and ask for (Allah's) forgiveness for them, and consult them in affairs (of moment) then, when thou has taken a decision, put thy trust in Allah. For Allah loveth those who put their trust in him.”*

Source (CXI, 159)

and his other word:

*“Those who respond to their lord and establish regular prayer who (conduct) their affairs by mutual consultation, who spend out of what we bestow on them for sustenance ...”*

Source (XL 38);

and following the *Sunnah* of his Messenger who consulted his companions and urged the nation to engage in consultation, the *Majlis Ash-Shura* shall be established to exercise all tasks entrusted to it according to this law and the basic law of government while adhering to the Book of Allah and the *Sunnah* of the Messenger maintaining brotherly ties and co-operating in kindness and piety.

#### Article 2

The *Majlis Ash-Shura* shall hold fast to the rope of Allah and pledge itself to the sources of Islamic legislation. All members of the *Majlis Ash-Shura*

shall ever serve in the public interest and shall preserve the unity of the community, the entity of the state and the interest of the nation.

### **Article 3**

The *Majlis Ash-Shura* shall consist of a chairman and ninety members chosen by the King from among the scholars and men of knowledge, expertise and specialisation. Their duties and all other affairs shall be defined by a royal order.

### **Article 4**

It is stipulated that every member of *Majlis Ash-Shura* shall be:

- One. a Saudi national by birth and descent,
- Two. a competent person of recognised good character, and
- Three. not younger than 30 years of age.

### **Article 5**

Any member may submit a request to resign his membership to the Chairman of the *Majlis Ash-Shura*, who in turn shall refer it to the king.

### **Article 6**

If a member of the *Majlis Ash-Shura* neglects the duties of his work he shall be investigated and tried according to rules and measures to be issued by royal order.

### **Article 7**

If a member's place in the *Majlis Ash-Shura* becomes vacant for any reason, the King shall choose a replacement and issue a royal order to this effect.

### **Article 8**

No member of the *Majlis Ash-Shura* shall exploit his membership in his own interest.

### **Article 9**

Membership of the *Majlis Ash-Shura* shall not be combined with any governmental post, or with the management of any company, unless the King deems it necessary.

### **Article 10**

The Chairman, his Deputy and the Secretary General of the *Majlis Ash-Shura* shall be appointed and relieved by royal orders. Their salaries, duties and all their other affairs shall be defined by a royal order.

### **Article 11**

Prior to assumption of their duties, the Chairman, the Members and the Secretary General of the *Majlis Ash-Shura* shall take the following oath before the king:

"I swear by Almighty Allah to be loyal to my religion, then to my King and country I swear not to reveal any of the secrets of state, to protect its

interests and laws and to perform my duties with sincerity, integrity, loyalty and fairness.

### **Article 12**

The city of Riyadh is the seat of the *Majlis Ash-Shura*. The *Majlis Ash-Shura* may convene in another area within the Kingdom if the King deems it necessary.

### **Article 13**

The fixed term of the *Majlis Ash-Shura* shall be four years, effective from the date of the royal order issued for the formation of the *Majlis*. A new *Majlis* shall be formed at least two months before the end of the current *Majlis* term. If the term expires before the formation of the new *Majlis*, the previous one shall remain active until a new *Majlis* is formed. When a new *Majlis* be formed, the number of the newly selected members shall not be less than 50% of the entire *Majlis*' members.

### **Article 14**

The king, or whomever he may deputise, shall deliver an annual royal speech at the *Majlis Ash-Shura* on the domestic and foreign policy of the State.



## **Article 15**

The *Majlis Ash-Shura* shall express its opinion on the general policies of the state referred by the Prime Minister, specifically, the *Majlis* shall have the right to do the following:

- One. Discuss the general plan for economic and social development.
- Two. Study laws and by-laws, international treaties and agreements, and concessions, and make whatever suggestion it deems appropriate.
- Three. Interpret laws.
- Four. Discuss annual reports forwarded by ministries and other governmental institutions, and make whatever suggestions it deems appropriate.

## **Article 16**

No meeting held by the *Majlis Ash-Shura* shall be considered official without a quorum of at least two thirds of its members, including the chairman or his deputy. Resolutions shall not be considered official without majority approval.

## **Article 17**

The resolutions of the *Majlis Ash-Shura* shall be forwarded to the Prime Minister. If the views of both councils are in agreement, the resolutions shall come into force following the king's approval. If the views are in disagreement, the king may decide what he deems appropriate.

### **Article 18**

Laws, international treaties and agreements, and concessions shall be issued and amended by royal decrees after being studied by the *Majlis Ash-Shura*.

### **Article 19**

The *Majlis Ash-Shura* shall form specialised committees from amongst its members to exercise the powers within its jurisdiction. The *Majlis* may also form other specialised committees to discuss any items on the agenda.

### **Article 20**

The *Majlish Ash-Shura*'s committees may seek the help of others who are not members of the *Majlis*, with the Chairman's approval.

### **Article 21**

The *Majlis Ash-Shura* shall have a general commission composed of the Chairman, his deputy and the heads of the specialised committees.

### **Article 22**

The Chairman of *Majlis Ash-Shura* shall submit requests to the Chairman of the Council of Ministers. To summon any government official to the meeting of *Majlis Ash-Shura* when matters relating to his jurisdiction are discussed. The official shall have the right to debate but not the right to vote.

### **Article 23**

Any group of ten members of the *Majlis Ash-Shura* have the right to propose a new draft law or an amendment to a law already in force and submit it to the chairman of the *Majlis*. The Chairman shall submit the proposal to the King.

### **Article 24**

The chairman of the *Majlis Ash-Shura* shall submit a request to the Prime Minister to provide the *Majlis* with information and documents in the processions of government institutions, which the *Majlis* believes are necessary to facilitate its work.

### **Article 25**

The chairman of the *Majlis Ash-Shura* shall submit an annual report to the king on its work in accordance with the *Majlis'* by-law.

### **Article 26**

Civil service laws shall apply to employees of the secretariat of the *Majlis* unless its by-laws stipulate to the country.

### **Article 27**

The *Majlis Ash-Shura* shall be allocated a special budget to be approved by the king. It shall be spent in accordance with rules to be issued by royal order.

### **Article 28**

The *Majlis Ash-Shura*'s financial matters and the auditing and closing of accounts shall be carried out in accordance with special rules to be issued by royal order.

### **Article 29**

The by-laws of the *Majlis Ash-Shura* shall define the functions of the chairman of the *Majlis Ash-Shura*, his Deputy, the Secretary General of the *Majlis*, the Secretariat, the methods of conducting its sessions, the management of its work and its committees' work and the voting procedure. The regulations shall also specify rules of debate, the forms of response and other procedures conducive to restraint and discipline within the *Majlis*. It shall exercise its powers for the good of the Kingdom and the prosperity of its people. These regulations shall be issued by royal order.

### **Article 30**

This law can be amended only in the same manner in which it was promulgated.

## THE BY-LAWS OF THE *MAJLIS ASH-SHURA*

Jurisdiction of the Chairman of the *Majlis* His Deputy and the Secretary General

### **Article 1**

The chairman of the *Majlis* shall supervise all functions of the *Majlis*, shall represent it at other agencies and organisations and shall be its spokesman.

### **Article 2**

The chairman of the *Majlis* shall head all sessions of the *Majlis* and the steering committee as well as any committee meetings he attends.

### **Article 3**

The chairman of the *Majlis Ash-Shura* shall open and close *Majlis* sessions, chair meetings, moderate and participate in deliberations, give the floor to speakers, specify the topic for discussion, draw the attention of speakers to the time limit and the subject matter of discussion, end discussions and move motions. He may do whatever he deems necessary to maintain order during sessions.

### **Article 4**

The chairman of the *Majlis Ash-Shura* may call the *Majlis*, the Steering Committee or any other committee for an emergency meeting to discuss a specific topic.

### **Article 5**

The Deputy Chairman of the *Majlis Ash-Shura* shall assist the Chairman in his presence and assume his duties in his absence.

### **Article 6**

The Deputy Chairman shall preside over *Majlis* and Steering Committee sessions when the chairman is absent, and in case both are absent whomsoever is designated by the king shall preside over the *Majlis*. The Deputy Chairman and the king's designee shall have the same jurisdiction as those specified for the Chairman.

### **Article 7**

The Secretary General or whosoever represents him shall attend the *Majlis* and Steering Committee sessions. He shall supervise the taking of the minutes and announce the schedule and the agenda of the sessions. In addition he shall attend to all duties assigned by the *Majlis*, by the Steering Committee or by the Chairman of the *Majlis*. He shall answer to the Chairman of the *Majlis* for all the financial and administrative affairs to the *Majlis*.

## **The Steering Committee of the *Majlis***

### **Article 8**

The Steering Committee shall consist of Chairman of the *Majlis*, his deputy and heads of specialised committees.

### **Article 9**

A Steering Committee meeting shall not be official unless attended by at least two-thirds of the members. It shall pass resolutions by majority vote. In case of a tie, the chairman shall cast the deciding vote.

### **Article 10**

The minutes of every meeting of the steering committee shall indicate the time and place of the meeting, the names of those present, the names of those absent, a synopsis of the deliberations and the full text of the recommendations. The minutes shall be signed by the Chairman of the *Majlis* and attending members.

### **Article 11**

The Steering Committee shall have authority over the following:

- One. The preparation of a general plan for the *Majlis* and its committees to enable it to realize its objectives.
- Two. The preparation of an agenda for the *Majlis* meetings.
- Three. The reaching of final decisions regarding objections to the minutes of a sessions, the result of pooling, the counting of votes

or any other objections raised sessions and its decision during in this regard shall be final.

Four. The making of rules of procedure for the *Majlis* and its committees in accordance with the rules and regulations of the *Majlis*.

## **Session**

### **Article 12**

The *Majlis Ash-Shura* shall hold one ordinary session at least once a fortnight. The date and time of a session shall be decided by the Chairman. The Chairman may advance or postpone sessions when necessary.

### **Article 13**

The agenda of a session shall be distributed to all members ahead of time along with reports pertaining to agenda items and whatever else the Steering Committee of the *Majlis* deems necessary.

### **Article 14**

A member of the *Majlis Ash-Shura* must study the items on the agenda on the premises of the *Majlis*, and he shall never, under any circumstances, take any papers, draft laws or documents related to his work outside the premises of the *Majlis*.

### **Article 15**

A member shall submit in writing a request to address the *Majlis* during sessions, and requests shall be honoured in order of receipt.



### **Article 16**

The Chairman shall allow a member to speak taking into consideration the order of receipt of his request and the public interest.

### **Article 17**

A member shall not speak on a single topic for more than ten minutes, unless allowed otherwise by the Chairman. A member shall only address the chairman of the *Majlis*, and none but the chairman shall be allowed to interrupt the member.

### **Article 18**

The *Majlis* may postpone or restudy a certain topic, and the chairman may temporarily adjourn for no more than one hour.

### **Article 19**

Each session shall be recorded in minutes which state the venue and date of the session, the time it started, the name of the chairman, the number of members present, the names of those absent, and the reasons for their absences, if any, a summary of discussions, the numbers of those voting in favour and those voting against, the result of the voting, the texts of resolutions, all that is related to the postponement or suspension of the session and the time of its adjournment, as well as any other matters the chairman deems necessary.

### **Article 20**

The chairman of the *Majlis* as well as the Secretary General or his deputy shall sign the minutes after they are read to the members, and any member has the right to study them if he wishes.

## Committees

### **Article 21**

The *Majlis Ash-Shura* shall, at the outset of each term, form the necessary specialised committees from among the *Majlis* members to exercise its jurisdiction.

### **Article 22**

Each specialised committee shall be formed of a number of members to be determined by the *Majlis*, provided the number is not less than five. The *Majlis* shall also name these members, the committee chairman and his deputy, taking into consideration members qualifications and committee needs. The *Majlis* shall also form ad hoc committees to study certain issues, and each of the specialised committees can form sub-committees from among its members to study specific issues.

### **Article 23**

The *Majlis* may reconstitute its specialised committees and form new ones.

### **Article 24**

A committee chairman shall manage the work of the committee and speak on its behalf before the *Majlis*. When the chairman is absent, his deputy shall take over. The most senior committee member chairs the committee when the chairman and his deputy are absent.

### **Article 25**

A committee meets upon the call of the committee chairman, the *Majlis* or the Chairman of the *Majlis*.

### **Article 26**

Committee meetings shall be held in camera, and they shall not be considered legal unless a minimum of two thirds of the committee members are present. Each committee shall write down its agenda upon its chairman request, and shall issue its recommendation by the majority of the members present. The chairman's vote shall cast the deciding vote when votes are equal.

### **Article 27**

A committee shall study whatever issues are referred to them by the *Majlis* or the Chairman of the *Majlis*, and if the issue concerns more than one committee, the Chairman shall decide which committee studies the issue first or may refer it to a joint committee of all the members of the committee concerned under the chairmanship of the Chairman of the *Majlis* or his Deputy.

### **Article 28**

Any *Majlis* member may express his opinion on any issue that has been referred to one of the specialised committees, even if he is not a member of that committee, provided that he presents his opinion in writing to the chairman of the *Majlis*.

### **Article 29**

Minutes shall be taken of each committee meeting, stating the date and venue of the meeting, the names of members present and absent, a summary of the discussions and the text of its recommendations. The Chairman and the members present shall sign the minutes.

### **Article 30**

When study of a certain issue is complete, a committee shall write a report that explains the issue, the committee's point of view, its recommendations and their bases. If there is a minority point of view it shall also be included.

## **Voting and Adoption Resolutions**

### **Article 31**

*Majlis* resolutions shall be adopted by majority as provided by article 16 of the Law of the *Majlis Ash-Shura*. In case a majority is not achieved the issue shall be scheduled for voting in the next session, in the event of the issue not winning a majority in the second session, the issue shall be referred to the king along with what ever studies have been completed concerning it, as well as the results of voting in both sessions.

### **Article 32**

No deliberations nor presentations of new opinions shall be allowed during the voting process. In all cases, the Chairman should cast his vote after all the members have voted.

## **General Provisions**

### **Article 33**

The chairman of the *Majlis Ash-Shura* shall submit his annual report as provided in Article 25 of the Law of the *Majlis* within the first three months of the new year. This report shall include all the studies and projects carried out in the previous year in addition to all resolutions passed and the current status of all pending issues.

#### **Article 34**

The financial and personnel affairs of the *Majlis* shall be managed in accordance with the by-laws regulating the *Majlis*' financial and personnel affairs.

The Chairman of the *Majlis* shall issue the rules necessary for regulating the financial and administrative functions of the *Majlis*, including the organisation hierarchy, and the tasks of the various offices of the *Majlis*, in accordance with the law of the *Majlis* and its by-laws.

**BY-LAWS ON THE RIGHTS AND DUTIES**  
**of Members of the *Majlis Ash-Shura***

**Article 1**

Membership in the *Majlis Ash-Shura* shall take effect from the beginning of the *Majlis*' term as specified in the order for its formation according to Article 13 of the Law of the *Majlis*. A substitute members' term of office shall commence on the date specified in the royal order nominating him and shall expire at the end of the *Majlis*' term. In case the term of the *Majlis* should end before the new *Majlis* is formed, his membership shall remain valid until the new *Majlis* is formed, unless his membership is terminated.

**Article 2**

The member of the *Majlis Ash-Shura* shall receive a monthly remuneration of SR 20.000 during his term of office and shall be treated like a 15<sup>th</sup> grade employee as far as allowances, compensations, privileges and increments are concerned. All this shall not affect the pension that a member may deserve.

**Article 3**

A full time *Majlis* member shall retain the position and grade he held before joining the *Majlis*. His term of office in the *Majlis* shall be taken into consideration with respect to merit increases, promotions and retirement. A member shall pay, during membership, his pension premiums according to his basic salary.

A member shall not receive both the *Majlis* remuneration and the salary from his other position at the same time.

In case a member's salary exceeds his remuneration in the *Majlis*, the *Majlis* shall pay the member the difference. If the members' position provides him with greater benefits than those provided by the *Majlis*, the member shall continue to receive them.

#### **Article 4**

As an exception to Article 2 of these By-laws, the forty five day period that coincides with the 1<sup>st</sup> day of Leo to the end of the 14<sup>th</sup> day of Virgo will be the members' annual leave. If during this leave any urgent matter arises and it requires the jurisdiction of the *Majlis Ash-Shura*, then the Council of Ministers will act on it according to its By-Laws and shall refer the matter and decision to the *Majlis Ash-Shura* to seek the opinion of its members after the end of their leave.

#### **Amendment by Royal Order A/97 dated 17-2-1418**

#### **Article 5**

A member should be impartial and objective in all his functions at the *Majlis*. He shall not raise before the *Majlis* private or personal issues nor any issue contrary to the public interest.

#### **Article 6**

A member shall attend sessions and committee meetings regularly. He shall also notify the Chairman of the *Majlis* or a committee chairman in writing the event of he is not being able to attend a *Majlis* session or a committee meeting. Moreover, he shall not leave a session nor a meeting before adjournment without permission from the Chairman.

## **Financial and Personnel Affairs**

### **Article 1**

The *Majlis* fiscal year is the same as that of the state.

### **Article 2**

The *Majlis Ash-Shura* shall prepare a draft of the *Majlis* annual budget and forward it to the king for approval.

### **Article 3**

The *Majlis* budget shall be deposited with the Arab Monetary Agency, and withdrawal therefrom shall be against the signature of the Chairman or his Deputy.

### **Article 4**

In case the *Majlis's* budget does not cover all *Majlis* expenditure, or an unforeseen expense arises, the Chairman shall forward a memorandum for the required additional funds to the king for approval.

### **Article 5**

Remuneration for titles and grades of positions at the *Majlis* shall be determined in the budget and may be modified during the fiscal year by a decision of the Chairman.

### **Article 6**

14<sup>th</sup> and 15<sup>th</sup> grade positions shall be filled by royal consent while other positions shall be filled according to law and by-laws of the Civil Service with exemption from competition.



### **Article 7**

The steering committee of the *Majlis* shall set rules for the remuneration of non-members who render the *Majlis* service, be the government officials or others. As far as remuneration is concerned these rules shall be issued by a decision from the Chairman of the *Majlis*.

### **Article 8**

The *Majlis Ash-Shura* shall not be audited by any other body and within the administrative structure of the *Majlis*, there shall be an accounting department. The Steering Committee of the *Majlis* shall undertake the auditing. The Chairman may assign a financial or administrative expert to write a report on any of the *Majlis*' financial or administrative affairs.

### **Article 9**

At the end of the fiscal year, the General Secretariat shall prepare the final statement of accounts, and the chairman of the *Majlis* shall forward it to the king for approval.

### **Article 10**

Without contravention of these By-laws, the *Majlis* shall follow the rules pertaining to the accounts of ministers and government agencies to regulate the *Majlis*'s financial affairs.

**Rules and Procedures for Investigation and Trial  
of *Majlis Ash-Shura* Members**

**Article 1**

If a member of the *Majlis Ash-Shura* neglects any of the duties one of his work of the following actions shall be taken against him:

- One. A written reprimand shall be directed to him.
- Two. He shall be fined one month's salary.
- Three. His membership shall be terminated

**Article 2**

A committee of three *Majlis* members selected by the *Majlis* Chairman shall conduct the investigation.

**Article 3**

The committee shall inform the member concerned of the alleged misconduct. The committee shall also record his rebuttal in the proceedings of the investigation. The committee shall then report its verdict to the Steering Committee of the *Majlis*.

**Article 4**

The Steering Committee may also form a three-member committee, excluding the Chairman and his Deputy, to investigate the alleged misconduct of the given member. This committee shall be entitled to apply the penalty or a written reprimand or a fine of one month's salary.

If the committee concludes that the member should be expelled, the verdict shall be referred to the *Majlis* Chairman, who shall in turn, refer it to the king.

**Article 5**

The application any of the above penalties does not preclude the initiation of public or private claims against the member.

## Appendix III

## Appendix III

### The Basic Government Law

The Custodian of the Two Holy Mosques, King Fahd Bin Abdul Aziz Al-Saud issued a Royal Decree embodying the Basic Government Law. The following is the text of the Decree.

*In the name of God, the most compassionate, the most Merciful,*

N: A/90

Dated : 27<sup>th</sup> Shaban 1412H

With the help of God, we, Fahd Bin Abdul Aziz Al-Saud, Monarch of the Kingdom of Saudi Arabia, having taken into consideration the public interest, and in view of the progress of the State in various fields and out of the desire to achieve the objectives we are pursuing, having decreed the following:

1. The promulgation of the Basic Law of Government as the attached text,
2. That all regulations, orders and decrees in force shall remain valid when this Basic Law comes into force, until they are amended to conform with it,
3. That this decree shall be published in the official Gazette, and shall come into force on the date of its publication.

*In the name of God, the Most Compassionate the Most Merciful,*

## **The Basic Law of Government**

### **Chapter One**

#### **General Principles**

##### **Article 1**

The Kingdom of Saudi Arabia is a sovereign Arab Islamic State. Its religion is Islam. Its constitution is Almighty God's Book, The Holy *Koran*, and the *Sunna* (Tradition) of the Prophet (PBUH). Arabic is the language of the Kingdom. The City of Riyadh is the capital.

##### **Article 2**

The State's public holidays are Eid Al Fitr (the Feast of Ramadan) and Eid Al Adha (The Feast of the Sacrifice). Its calendar follows the Hijri year (the lunar year).

##### **Article 3**

The flag of the State is as follows:

- One. Its colour is green.
- Two. Its width equals two thirds of its length.
- Three. The words, "There is no god but God and Mohammed is His Messenger" are inscribed in the centre, with a drawn sword underneath. The flag should never be inverted.

The Law will specify the rules pertaining to the flag.

#### **Article 4**

The State's emblem represents two crossed swords with a palm tree in the middle of the upper space between them. The law will define the State's anthem and medals.

### **Chapter Two**

#### **The Law of Government**

#### **Article 5**

- One. Monarchy is the system of rule in the Kingdom of Saudi Arabia.
- Two. The rulers of the country shall be taken from amongst the sons of the founder King Abdul Aziz Bin Abdul Rahman al Faisal Al-Saud, and their descendants. The most upright among them shall receive allegiance according to Almighty God's Book and His Messenger's *Sunna* (The Tradition).
- Three. The King shall choose the Crown Prince and relieve him of his duties by a Royal Decree.
- Four. The Crown Prince shall devote himself exclusively to his duties as Crown Prince and shall perform any other duties delegated to him by the King.
- Five. Upon the death of the King, the Crown Prince shall assume the Royal powers until a pledge of allegiance (*bay'a*) is given.

#### **Article 6**

In support of the Book of God and the *Sunna* of His Messenger, citizens shall give the pledge of allegiance (*bay'a*) to the King, professing loyalty in times of hardship and ease.

### **Article 7**

Government in the Kingdom of Saudi Arabia derives its authority from the Book of God and the *Sunna* of the Prophet, which are the ultimate sources of reference for this Law and the other laws of the State.

### **Article 8**

Government in the Kingdom of Saudi Arabia is based on justice, shura (consultation) and equality according to Islamic *Sharia*.

## **Chapter Three**

### **The Values of Saudi Society**

#### **Article 9**

The family is the nucleus of Saudi Society. Members of the family shall be raised in the Islamic creed, which demands allegiance and obedience to God, to His Prophet and to the rulers, respect for and obedience to the laws, and love for and pride in the homeland and its glorious history.

#### **Article 10**

The state shall aspire to promote family bonds and Arab-Islamic values. It shall take care of all individuals and provide the right conditions for the growth of their talents and skills.

#### **Article 11**

Saudi Society is based on full adherence to God's guidance. Members of this society shall co-operate amongst themselves in charity, piety and cohesion.



### **Article 12**

Consolidation of the national unity is a duty. The State shall forbid all activities that may lead to division, disorder and partition.

### **Article 13**

The aim of education is to implant the Islamic creed in the hearts of all youths, to help them acquire knowledge and skills, to qualify them to become useful members of their society, to love their homeland and take pride in its history.

## **Chapter Four**

### **Economic Principles**

### **Article 14**

All natural resources that God has deposited underground, above ground, in territorial waters or within the land and sea domains under the authority of the State, together with revenues of these resources, shall be the property of the States, as provided by the Law.

The law shall specify means for exploitation, protection and development of these resources in the best interest of the State and its security and economy.

### **Article 15**

No concessions or licenses to exploit any public resources of the country shall be granted unless authorised by provisions of the law.

### **Article 16**

Public funds are inviolable. They shall be protected by the State and safeguarded by all citizens and residents.

### **Article 17**

Ownership, capital and labour are basic components of the economic and social entity of the Kingdom. They are personal rights which perform a social function in accordance with the Islamic *Sharia*'.

### **Article 18**

The State shall guarantee private ownership and its sanctity. No one shall be deprived of his private property, unless in service of the public interest. In this case, fair compensation shall be given to him.

### **Article 19**

General confiscation of assets is prohibited. No confiscation of an individual's assets shall be enforced without a judicial ruling.

### **Article 20**

No taxes or fees shall be imposed, except in need and on a just basis. Imposition, amendment, cancellation or exemption shall take place according to the provisions of the law.

### **Article 21**

*Zakat* shall be collected and spent for legitimate expenses.

### **Article 22**

Economic and social development shall be carried out according to a fair, wise plan.

## **Chapter Five**

### **Rights and Duties**

#### **Article 23**

The State shall protect the Islamic creed, apply the *Sharia*, encourage good and discourage evil, and undertake its duty regarding the Propagation of Islam (Da'wa).

#### **Article 24**

The State shall develop and maintain the two holy mosques. It shall provide care and security to pilgrims to help them perform their *Hajj* and *Umra* and visit to the Prophet's mosque in ease and comfort.

#### **Article 25**

The State will nourish the aspirations of Arab and Moslem nations in solidarity and harmony and strengthen relations with friendly states.

#### **Article 26**

The State shall protect human rights in accordance with the *Sharia*.

#### **Article 27**

The State shall guarantee the rights of the citizens and their families in cases of emergency, illness, disability and old age. The State shall support the Social Insurance Law and encourage organisations and individuals to participate in philanthropic activities.

### **Article 28**

The State shall facilitate job opportunities for every able person, and enact laws to protect the worker and the employer.

### **Article 29**

The State shall patronise sciences, letters and culture. It shall encourage scientific research, protect the Islamic and Arab heritage and contribute towards Arab, Islamic and human civilisation.

### **Article 30**

The State shall provide public education and commit itself to the eradication of illiteracy.

### **Article 31**

The State shall look after public health and provide health care for every citizen.

### **Article 32**

The State shall work towards the preservation, protection and improvement of the environment, as well as prevent pollution.

### **Article 33**

The State shall form armed forces and equip them to defend the Islamic creed, the two holy mosques, the society and the homeland.

### **Article 34**

It shall be the duty of every citizen to defend the Islamic creed, the society and homeland. The law shall specify rules for military service.

### **Article 35**

The law shall specify rules pertaining to Saudi Arabian nationality.

### **Article 36**

The State shall provide security for all citizens and residents on its territories. No one may be confined, arrested or imprisoned without reference to the law.

### **Article 37**

Dwellings are inviolate. Access is prohibited without their owners' permissions. No search may be made except in cases specified by the law.

### **Article 38**

No one shall be punished for another's crimes. No conviction or penalty shall be inflicted without reference to the *Sharia* or the provisions of the law. Punishment shall not be imposed *ex post facto*.

### **Article 39**

The mass media and all other vehicles of expression shall employ civil and polite language, contribute towards the education of the nation and strengthen unity. It is prohibited to commit acts leading to disorder and division, affecting the security of the state and its public relations, or undermining human dignity and rights. Details shall be specified in the law.

### **Article 40**

The privacy of telegraphic and postal communications, and telephone and other means of communication shall be inviolate. There shall be no confiscation, delay surveillance or eavesdropping, except in cases provided by the law.

#### **Article 41**

Residents in the Kingdom of Saudi Arabia shall abide by its laws, observe the values of the Saudi community and respect Saudi traditions and feelings.

#### **Article 42**

The State shall grant the right of political asylum provided it is in the public interest. International agreements and laws shall define rules and procedures for the extradition of common criminals.

#### **Article 43**

Councils held by the King and the Crown Prince shall be open for all citizens and anyone else who may have a complaint or a grievance. A citizen shall be entitled to address public authorities and discuss any matters of concern to him.

### **Chapter Six**

#### **The Authorities of the State**

#### **Article 44**

The Authorities of the State consist of:

- The Judicial Authority.
- The Executive Authority
- The Regulatory Authority.

These authorities will co-operate in the performance of their functions, according to this Law or other laws. The King is the ultimate arbiter for these authorities.

#### **Article 45**

The Holy *Koran* and the *Sunna* (Tradition) of God's Messenger shall be the source for *fatwas* (religious advisory rulings). The Law shall specify hierarchical organisation for the composition of the Council of the Senior *Ulema*, the Research Administration and the Office of the Mufti, together with their functions.

#### **Article 46**

The Judiciary is an independent authority. The decisions of judges shall not be subject to any authority other than the authority of the Islamic *Sharia*.

#### **Article 47**

All people, either citizens or residents in the Kingdom, are entitled to file suits on an equal basis. The law shall specify procedures for this purpose.

#### **Article 48**

The courts shall apply rules of the Islamic *Sharia* in cases that are brought before them, according to the Holy *Koran* and the *Sunna*, and according to laws which are decreed by the ruler in agreement with the Holy *Koran* and the *Sunna*.

#### **Article 49**

Courts are empowered to arbitrate in all disputes and crimes, taking into account the provision of Article 53 of this law.

#### **Article 50**

The King or whomsoever he may deputise shall concern himself with the implementation of judicial rulings.

**Article 51**

The law shall specify the composition of the Supreme Judiciary Council and its functions, as well as the hierarchy for the courts and their functions.

**Article 52**

Judges shall be appointed and relieved by Royal Decree, based on a proposal of the Supreme Judiciary Council, in accordance with provisions of the law.

**Article 53**

The law shall specify the hierarchy of the Board of Grievances and its functions.

**Article 54**

The law shall specify the relationship between the Commission of Inquiry and the Attorney General and their organisation and functions.

**Article 55**

The King shall rule the nation according to the *Sharia*. He shall also supervise the implementation of the *Sharia*, the general policy of the State and the defence and protection of the country.

**Article 56**

The King is the Prime Minister. Members of the Council of Ministers shall assist him in the performance of his mission according to the provisions of this law and other laws. The Council of Ministers law shall specify the powers of the Council in respect of internal and external affairs, organisation of governmental departments and their co-ordination. In



addition, the law shall specify the qualifications and the powers of the ministers, ministerial accountability procedures and all matters pertaining to the ministers. The law of the Council of Ministers and the areas of their authority may be amended according to this law.

#### **Article 57**

- One. The King shall appoint and relieve deputies of the Prime Minister and member ministers of the Council by Royal Decree.
- Two. Deputies of the Prime Minister and member ministers of the Council shall be jointly responsible to the King for the implementation of the *Sharia*, laws and the general policy of the State.
- Three. The King is entitled to dissolve and reconstitute the Council of Ministers.

#### **Article 58**

The King shall appoint those who are at the rank of ministers and deputy ministers, and those who are at the highest grade and relieve them by a Royal Decree as provided by the Law. Ministers and head of independent departments shall be answerable to the King in respect of the ministers and agencies they head.

#### **Article 59**

The law shall specify the rules of the Civil Service, including salaries, awards, compensations, privileges and pensions.

### **Article 60**

The King is the Supreme Commander of the Armed Forces. He shall appoint and dismiss officers from service, as provided by terms of the law.

### **Article 61**

The King shall announce any state of emergency or general mobilisation and shall declare war. The law shall specify rules for this purpose.

### **Article 62**

If an imminent danger is threatening the safety of the Kingdom, the integrity of its territories or the security and interests of its people, or is impeding the functions of official organisations, the King may take urgent measures to deal with such a danger. When he considers that these measures should continue, necessary arrangements shall be made in accordance with the law.

### **Article 63**

The King shall receive kings and heads of states, appoint his representatives to other states and receive credentials of other states' representatives accredited to him.

### **Article 64**

The King shall award medals according to provisions of the law.

### **Article 65**

The King may delegate some powers of authority to the Crown Prince by royal decree.

### **Article 66**

Should the King happen to travel abroad, he shall issue a royal decree to deputise the Crown Prince to manage the affairs of State and look after the interests of the people, as set out in the royal decree.

### **Article 67**

The Regulatory Authority shall be concerned with the making of laws and regulations which will safeguard all interests, and remove evil from the states affairs, according to *Sharia*. Its powers shall be exercised according to provisions of this law and the law of the Council of Ministers and the Law of the *Shura* Council.

### **Article 68**

The *Shura* Council shall be established. Its law shall specify the details of its formation, powers and selection of members. The King may dissolve and reconstitute the *Majlis Ash Shura*.

### **Article 69**

The King may summon the *Majlis Ash Shura* and the Council of Ministers for a joint session. He may summon others whom he deems necessary to attend the meeting and discuss whatever affairs he considers fit.

### **Article 70**

Laws, international agreements, treaties and concessions shall be approved and amended by royal decrees.

## **Article 71**

Laws shall be published in the Official Gazette, and implemented effective from the date of publication, unless another date is specified.

## **Chapter Seven**

### **Financial Affairs**

## **Article 72**

- One. The Law shall include provisions for the State's revenues and their depositing with the General Treasury of the State.
- Two. Revenues shall be recorded and spent according to procedures stipulated by provisions of the law.

## **Article 73**

No commitment to pay a sum of money from the General Treasury shall be made without adherence to budget rules. If provisions of the budget cannot cover the demand, then a provision shall be made through a royal decree.

## **Article 74**

Assets of the State may not be sold, rented or disposed of unless so authorised by the law.

## **Article 75**

Laws shall specify provisions for currency, banks, standards, measures and weights.

### **Article 76**

The law shall set the fiscal year for the State. The budget shall be announced according to a Royal Decree. It shall specify assessed amounts of revenue and expenditure one month ahead of the coming fiscal year. If the budget cannot be issued due to compelling reasons before the beginning of the new fiscal year, the budget of the previous year shall remain in force until the new budget can be issued.

### **Article 77**

The competent department shall prepare the closing account of the State for the past year and forward it to the Prime Minister.

### **Article 78**

Budgets and the closing of accounts of departments which have corporate rights, shall be subject to the same procedures which are applicable to the State's budget and closing accounts.

## **Chapter Eight**

### **Institutions of Audit**

### **Article 79**

All revenues and expenditures of the State, as well as movable and fixed assets, shall be subsequently audited to ensure proper use and management. An annual report to this effect shall be forwarded to the Prime Minister. The law shall specify details of the competent auditing institution, together with its affiliations and areas of authority.

### **Article 80**

Governmental institutions shall also be audited to ensure proper administrative performance and implementation of laws. Financial and administrative violations shall be investigated. An annual report shall be forwarded to the Prime Minister. The law shall specify details of the competent institution in charge, together with its affiliations and areas of authority.

## **Chapter Nine**

### **General Principles**

### **Article 81**

With regard to treaties and agreements, the application of this Law shall not violate commitments of the Kingdom of Saudi Arabia towards other states, international organisations and bodies.

### **Article 82**

No provision of this Law whatsoever may be suspended except on a temporary basis, such as in wartime or during the declaration of state of emergency. Such a suspension shall be in accordance with the terms of the law and may not violate Article 7.

### **Article 83**

No amendment to this law shall be made, except in the same manner as it was promulgated.

## Appendix IV

## Appendix IV

*In the name of God, the Most Compassionate, the Most Merciful,*

No. A/13

Date: 3/3/1414H

With the help of God, we, Fahd Bin Abdul Aziz Al-Saud, Monarch of the Kingdom of Saudi Arabia, after reviewing the Basic Law of Government, issued by Royal Decree No. A/90, dated 27/8/1412H, having reviewed *Majlis Ash Shura* Law issued by Royal Decree No. 1, dated 27/8/1412H, and having reviewed the Royal Decree No. M/23, dated 26/8/1412H, we, Fahd bin Abdul Aziz Al-Saud, King of the Saudi Arabia, have decreed the following:

1. the promulgation of the Law of the Council of Ministers as in the attached text,
2. That this law supersedes Council of Ministers Law issued by a Royal Decree NO. 38, dated 22/10/1377H, and its amendments,
3. That all regulations, orders and decrees in force shall remain valid when this Council of Ministers Law comes into force until they are amended to conform with it,
4. That this decree shall be published in the Official Gazette and shall come into force ninety (90) days after the formation of the *Majlis Ash Shura*, as stipulated in the first Royal Decree concerning it.



## **The General Principles of the Council of Ministers Law**

### **Article 1**

The Council of Ministers is a regulatory authority and the King is the Prime Minister.

### **Article 2**

The city of Riyadh is the seat of the Council of Ministers. Meetings may also be held in some other location in the Kingdom.

### **Article 3**

It is stipulated that every member of the Council of Ministers shall be:

- One. A Saudi national by birth and descent,
- Two. A person well-known for righteousness and capability,
- Three. Of good conduct and reputation, not previously convicted for a crime of immorality or dishonour.

### **Article 4**

Prior to the assumption of their duties, the Ministers shall take the following oath before the King:

“I swear by God Almighty to be loyal to my religion, then to my King and country. I swear not to reveal any of the State’s secrets, to protect its interests and laws, and to perform my duties with sincerity, integrity and fairness.

### **Article 5**

The office of minister may not be combined with any other government post, unless the need for such an exception arises and the Prime Minister approves it.

### **Article 6**

A cabinet minister may not buy, lease, rent directly or through a proxy, or by public auction, any of the properties of the State. A minister also may not sell or offer for rent any of his properties to the government. A minister may not engage in any commercial or financial enterprises. A minister also may not accept board membership in any firm.

### **Article 7**

The Council of Ministers meetings are presided over by the King, who is the Prime Minister, or by a deputy of the Prime Minister. The resolutions of the Council of Ministers become final after the King's approval.

### **Article 8**

Cabinet ministers are appointed, relieved of their duties and their resignation accepted by Royal decree. Their duties are determined in accordance with Article 57 and 58 of the Basic Law of the Government.

The By-laws of the Council of Ministers shall stipulate their rights.

### **Article 9**

The fixed term of the Council of Ministers shall be four years, during which a new council may be formed by Royal Decree. If the term expires before the formation of the new council, the previous council shall remain active until the new council is formed.

### **Article 10**

A minister is the ultimate authority in running the affairs of his ministry, and he carries out his duties in accordance with the ruling of this law as well as other laws and regulations.

### **Article 11**

One. Only a minister shall deputise for another minister in the Council of Ministers and in accordance with a decree issued by the Prime Minister.

Two. A deputy minister shall assume the responsibilities of the minister in the latter's absence.

## **The Formation of the Council of Ministers**

### **Article 12**

The Council of Ministers shall be composed of:

One. A Prime Minister,

Two. Deputy Prime Ministers,

Three. Ministers with Portfolios,

Four. Ministers of State appointed as members of the Council of Ministers by Royal Decree,

Five. Counsellor of the King, appointed members of the Council of Ministers by Royal Decree.

### **Article 13**

The right to attend meetings of the Council of Ministers shall be an exclusive right of its ministers and the Secretary General of the Council of Ministers. At the request of the Prime Minister, or a minister of the

Council, and with the approval of the Prime Minister, a state official or an expert shall be permitted to attend the meetings of the Council of Ministers to present information and explanations. The right to vote belongs exclusively to the ministers.

#### **Article 14**

Any meeting held by the Council of Ministers shall not be considered official without a quorum of at least two-third of its members. Resolutions shall not be considered official without majority approval. In case of a tie, the Prime Minister shall cast the deciding vote. In exceptional cases, meetings of the Council of Ministers may be considered official with half of the members in attendance. In such cases, resolutions shall not be considered official without the approval of at least two-thirds of the members in attendance. Such exceptional cases are decided by the Prime Minister.

#### **Article 15**

The Council of Ministers shall not pass a resolution relevant to a ministry in the absence of the concerned minister or whoever deputises for him unless it is absolutely necessary.

#### **Article 16**

The deliberations of the Council of Ministers are confidential. Resolutions are public except those deemed classified in accordance with a resolution by the Council of Ministers.

#### **Article 17**

Ministers of the Council shall be tried for violations committed in carrying out official business in accordance with a special law which specifies the

violations, the procedures for prosecution and trial and the formation of courts.

### **Article 18**

The Council of Ministers shall form committees from its members or from others, to study an issue on the agenda of the Council and prepare a special report about it. The By-laws of the Council shall specify the number of committees and the rules of procedure.

## **The Functions of the Council of Ministers**

### **Article 19**

While deferring to provisions of the Basic Law of Government and the *Shura* Council Law, the cabinet shall draw up the internal, external, financial, economic, educational and defence policies as well as general affairs of the State and shall supervise their implementation. It shall also review the resolutions of the *Shura* Council. It has the executive power and is the final authority in financial and administrative affairs of all ministries and other government institutions.

## **Regulatory Affairs**

### **Article 20**

While deferring to *Majlis Ash-Shura* Law, laws, treaties, international agreements and 'concessions' shall be issued and amended by Royal Decrees after deliberations by the Council of Ministers.

### **Article 21**

The Council shall study draft laws and regulations on the agenda and vote on them chapter by chapter and then as a whole in accordance with the By-laws of the Council.

### **Article 22**

Every minister may propose a draft law or regulation related to work of his ministry. Every member of the Council of Ministers may propose what he deems worth of discussion in the Council of Ministers' meetings after the approval of the Prime Minister.

### **Article 23**

All laws shall be published in the *Official Gazette* and shall be put into force from the date of its publication unless it is stipulated otherwise.

## **Executive Affairs**

### **Article 24**

The Council, being the ultimate executive authority, shall have full jurisdiction over all executive and management affairs. The following shall be included in its executive jurisdiction:

1. Monitoring the implementation of regulations, by-law and resolutions,
2. Creating and ranging public institutions,
3. Following up on the implementation of the general for development,
4. Forming committees for the oversight of the ministries' and other governmental agencies' conduct of business. Those committees may also investigate any given case. The committees shall

submit the findings of their investigations within a set time to the Council, and the Council shall consider these findings. It shall have the right to form committees of inquiry accordingly to make a final conclusion taking into consideration the regulations and stipulations of the By-laws.

## **Financial Affairs**

### **Article 25**

The government shall not contract a loan without the approval of the Council of Ministers and the issue of a Royal Decree so referring.

### **Article 26**

The Council of Ministers shall examine the state budget, vote on each of its chapters. It is then promulgated by Royal Decree.

### **Article 27**

Any supplement to the budget shall only be made by Royal Decree.

### **Article 28**

The Minister of Finance and National Economy shall submit the closing account of the state from the previous fiscal year to the Prime Minister to be referred to the Council of Ministers for approval.

## **Presidency of the Council of Ministers**

### **Article 29**

The King, who is the Prime Minister, undertakes the guidance and supervision of the general policy of the State and secures guidance, co-

ordination and co-operation among the various governmental agencies. He ensures harmony continuity and unity in all functions of the Council of Ministers. He supervises the Council of Ministers, the ministries and government agencies and monitors the implementation of regulations, by-laws and resolutions.

All ministries and other governmental agencies shall submit, within ninety (90) days from the beginning of each fiscal year, a financial report of what has been achieved in comparison with the stipulations of the general plan for development for the previous fiscal year. The report shall cover the difficulties of its implementation and proposals for improvement.

## **The Administrative Structure of the Council of Ministers**

### **Article 30**

The administrative structure of the Council of Ministers shall be comprised of:

1. The Office of the Prime Minister.
2. The General Secretariat of the Council of Ministers.
3. The Commission of Specialists.

The internal charter of the Council of Ministers shall specify the structures of these agencies, their jurisdictions and the manner of the performance of their duties.

### **Article 31**

The By-laws of the Council of Ministers shall be issued by Royal Order.



**Article 32**

Modification of this law can only be made in the same manner of its issuance.

# Appendix V

## Appendix V

*In the name of God, the Most Compassionate, the Most Merciful,*

No. A/4

Dated 3/3/1414H.

With the help of God, we, Fahd Bin Abdul Aziz Al-Saud, Monarch of the Kingdom of Saudi Arabia, having reviewed Article 58 of the Basic Law of Government issued by Royal Order No. A/90 and dated 27/8/1412H, having reviewed the Law of the Ministers and Employees of the Highest Rank (Excellent Grade) issued by Royal Order No. M/10 dated 18/3/1391H, and in accordance with public interest, hereby order the following:

1. The term of office for a minister or an employee of the highest rank (excellent grade) shall not exceed four years, and his service shall terminate at the end of this period unless a royal order for extending it is issued.
2. The term of office for whoever currently occupies the post of minister or a post of the highest rank (excellent grade) shall terminate two years after the issuance of this order unless a royal order for its extension is issued for a further period not to exceed two years. Unless a royal order for a further extension at the end of this tenure is issued according to item (1) of this order, the tenure shall terminate.
3. The deputy premier and ministers shall implement this order of ours, each in his own jurisdiction.

**The Law of the Provinces**  
**(and the Royal Decrees Attached thereto)**

The Custodian of the Two Holy Mosques, King Fahd Bin Abdul Aziz Al-Saud issued on Sunday 27<sup>th</sup> Shaban 1414H a Royal Decree embodying the Law of the Provinces.

The following is the text of the decree:

*In the name of God, the Most Compassionate, the Most Merciful,*

No. A92

Dated 27/08/1412H

With the help of God, we, Fahd Bin Abdul Aziz Al-Saud, Monarch of the Kingdom of Saudi Arabia, having taken into consideration the public interest and the wish to improve the standard of Government Institutions' performance and modernisation in various provinces, have ordered the following:

1. The promulgation of the Law of the Provinces in the attached form,
2. That this law shall come into force within a period not exceeding one year effective from the date of its publication,
3. That this law shall be published in the Official Gazette.

*In the Name of God, the Most Compassionate, the Most Merciful,*

## **The Law of the Provinces**

### **Article 1**

The aim of this law is to improve the standard of the administrative work and the development in the provinces of the Kingdom. It is also aimed at maintaining security and order, and guaranteeing citizens' rights and freedom within the framework of the *Sharia*.

### **Article 2**

The provinces of the Kingdom and governmental seat of each provinces shall be formed according to a Royal Decree upon the recommendation of the Interior Minister.

### **Article 3**

Administratively, every province shall consist of a number of governorates (of "Class A" or "Class B"), districts and centres (of "Class A" or "Class B"). Full consideration shall be given to the factors of demography, geography, security, environment and communications. The organisation of a governorate shall be carried out according to a royal decree upon the recommendation of the Interior Minister. Establishment of an affiliation of districts and centres shall take effect upon the Interior Minister's decision, as proposed by the emir of the province. (As amended by the Royal Decree A/21, dated 30/3/1414H).

#### **Article 4**

For each province, an emir with the rank of minister shall be appointed. A deputy at the highest (excellent) rank shall assist the emir and deputise for him during period for absence. The appointment and the relief of the emir and his deputy shall be made by Royal Decree upon the recommendation of the Minister of the Interior.

#### **Article 5**

The Emir of the Province shall be answerable to the Interior Minister.

#### **Article 6**

An emir and his deputy, prior to assuming their duties, shall take the following oath before the King:

“In the name of God Almighty, I swear that I will be loyal to my religion then to my King and Country, will not reveal any of the State’s secrets and will protect its interests and laws. In will perform my work in honesty, trust, sincerity and fairness.”

#### **Article 7**

Every emir shall assure the administration of the region according to the general policy of the State in compliance with provisions of his Law and other laws and regulations. In particular, he is expected to do the following:

- One. Maintain security, order and stability, and take necessary measures in accordance with this law and other laws and regulations,

- Two. Implement rulings of the courts upon acquiring their final dispositions,
- Three. Guarantee human rights and freedom, refrain from any action which affects such rights and freedom except within the limits provided by the *Sharia* and the law,
- Four. Work for social and economic development and public works of the province,
- Five. Work for the development and improvement of public services in the province,
- Six. Administer governorates, districts and centres, and supervise governors, directors of districts and heads of centres, and ascertain their capabilities to perform assigned duties,
- Seven. Protect State property and assets, and prevent their usurpation,
- Eight. Supervise governmental institutions and their employees in the province and ensure proper performance of their work in honesty and loyalty with consideration of their affiliation with various ministries and service,
- Nine. Have direct contact with ministers and heads of agencies to discuss affairs of the province and improve the performance of affiliated institutions and to advise the Minister of the Interior accordingly,
- Ten. Submit annual reports to the Minister of the Interior on the efficiency of public services and other affairs of the province as defined by the executive provisions of this law. (As amended by the Royal Decree A/21, dated 30/3/1414H).

### **Article 8**

An annual meeting, attended by emirs of provinces and presided over the Interior Minister, shall be held to discuss the affairs of the provinces. A

report to this effect shall be forwarded to the Prime Minister by the Interior Minister.

### **Article 9**

At least two meetings shall be held every year for governors and directors of districts to discuss affairs of the province. The meeting shall be presided over by the emir, who shall submit a report to the Interior Minister. (As amended by the Royal Decree A/21, dated 30/3/1414H)

### **Article 10**

- One. Upon the recommendation of the Minister of the Interior, one deputy or more with a rank not less than Grade 14 shall be appointed for every province following a decision by the Council of Ministers.
- Two. Every "Class A" governorate shall have a governor with a rank not less than Grade 14. Upon the recommendation of the Interior Minister, he shall be appointed by an order issued by the Prime Minister. The governorate shall have a deputy with a rank not less than Grade 12. He shall be appointed by a decision of the Minister of the Interior upon the recommendation of the emir of the province.
- Three. Every "Class B" governorate shall have a governor with a rank not less than Grade 12. He shall be appointed by a decision of the Minister of the Interior upon the recommendation of the emir of the province.
- Four. Every "Class A" district shall have a director with a rank of not less than Grade 8. He shall be appointed by a decision of the Minister of the Interior upon the recommendation of the governor.



Five. Every "Class B" district shall have a director with a rank of not less than Grade 5. He shall be appointed by decision of the emir of the province. (As amended by the Royal Decree A/21, dated 30/3/1414H)

### **Article 11**

Emirs of provinces, governors of governorates and directors of districts shall reside in their work areas. They shall not be allowed to leave without permission from their direct superiors. (As amended by Royal Decree A/21, dated 30/3/1414H)

### **Article 12**

The governors, directors of districts and heads of centers shall assume their responsibilities within their jurisdictions and within the assigned limits of their powers. (As amended by the Royal Decree A/21, dated 30/3/1414H)

### **Article 13**

Governors shall manage their governorates within their limits of powers as provided in Article 7, excluding clauses (f), (i) and (j). They shall supervise the work of subordinate directors and heads of centres, and ascertain their ability to perform their duties. They shall provide the Emir of the province with periodic reports about the efficiency of public services and other affairs of their governorates, as defined by the Executive Regulations of this law. (As amended by the Royal Decree A/21, dated 30/3/1414H)

### **Article 14**

Every ministry or governmental organisation, having services in a province, shall appoint for its organs in the province a director with a rank

not less than Grade 12. He shall be directly affiliated with the central institution, and co-ordinate his work with the emir of the province.

### **Article 15**

A council, called the Council of the Province, shall be established at every provincial seat.

### **Article 16**

The council of a province shall be composed of:

- One. The emir of the province as chairman of the council,
- Two. The deputy emir of the province as vice-chairman of the council,
- Three. The deputy of the governmental seat,
- Four. Head of governmental institutions in the province as specified by a resolution to be issued by the Prime Minister upon the recommendation of the Minister of the Interior.
- Five. A minimum of ten men of knowledge, expertise and specialisation to be appointed from among the inhabitants by an order issued by the Prime Minister after their nomination by the emir of the province and the approval by the Minister of the Interior. Their terms of office shall be four years and shall be renewable. (Amended by Royal Decree A/21, dated 30/3/1414H)

### **Article 17**

It is stipulated that every member of the Council shall be:

- One. A Saudi national by birth and descent,
- Two. A person well-known for righteousness and capability,
- Three. Not younger than 30 years of age,
- Four. A resident of the province.

### **Article 18**

A member shall be entitled to submit written proposals to the head of the provincial council on matters pertaining to the council's jurisdiction. Every proposal shall be listed by the chairman on the council's agenda for consideration.

### **Article 19**

A member shall not attend discussions of the (provincial) council or its committees if the subject of discussion might concern his personal gain or might benefit individuals for whom his testimony is not acceptable, or individuals who have appointed him as guardian, proxy or representative.

### **Article 20**

A Provincial Council member who wishes to resign shall submit his request to the Minister of the Interior through the emir of the province. His resignation shall not be considered valid until it is approved by the Prime Minister upon a proposal of the Minister of the Interior.

### **Article 21**

In cases other than those mentioned in the Law, an appointed (provincial council) member may not be dismissed during the term of his membership without the Prime Minister's order after a proposal of the Minister of the Interior.

### **Article 22**

When the place of any appointed (provincial council) member has become vacant for any reason, a successor shall be appointed within three months, effective from the beginning of vacancy. The term of the new member shall

be equal to the remaining period of his predecessor's term in accordance with Article 16, Clause (e) of this law.

### **Article 23**

The council of province shall consider whatever might improve the standard of services in the province, particularly:

- One. Defining needs of the province and proposing their inclusion in the State's Development Plan,
- Two. Defining useful projects and putting them in an order of priority, and proposing their endorsement in the annual budget of the State,
- Three. Studying urban plans for villages and towns of the province, and following up the implementation of all allocations to the province from the development plan and the budget,
- Four. Following up and co-ordinating the implementation of all allocations to the province from the development plan and the budget.

### **Article 24**

The council of a provinces shall propose any work needed for the public interest of the population in the province, encourage citizens to participate in that work and submit the proposal to the Minister of the Interior.

### **Article 25**

A provincial council is prohibited from considering any topic outside its jurisdiction as provided by terms of this law. Its decisions shall be null and void if its powers are misused. The Minister of the Interior shall issue a decision to this effect.

### **Article 26**

The council of a province shall convene every three months in ordinary sessions upon invitation by its chairman. If he considers it necessary, the chairman is entitled to summon the council to an extraordinary session. The session shall include one or more meetings which are held upon a single summons. The session may not be adjourned until all issues on the agenda are taken into consideration and discussed.

### **Article 27**

Those members who are mentioned in Article 16, Clauses (c) and (d) of this Law must attend meetings of the provincial council as part of their official duties. They should attend in person or appoint substitutes when they cannot attend. Regarding members mentioned in Clause (e) of the said Article, unexcused non-attendance at two successive sessions by a member shall be grounds for his dismissal from the council. In this case, he shall not be re-appointed before two years have elapsed effective from the date of the decision for dismissal.

### **Article 28**

Meetings of a provincial council shall not be official unless at least two thirds of its members are present. Its resolutions shall be adopted by an absolute majority or votes of the council's members. In case of a tie vote, the chairman shall cast the deciding vote.

### **Article 29**

A provincial council, in case of need, may form special committees to consider any topics within its powers. It may seek the assistance of experienced people and specialists. It may also invite others to attend the

council's meetings and participate in discussions without having the right to vote.

### **Article 30**

The Minister of the Interior may invite a council to convene under his chairmanship anywhere he deems suitable. He may chair any meeting he attends.

### **Article 31**

A provincial council may not convene without an invitation its chairman or his deputy, or without an order issued by the Minister of the Interior.

### **Article 32**

The chairman of a council shall submit a copy of the resolution to the Minister of the Interior.

### **Article 33**

The chairman of a provincial council shall inform ministries and governmental services of any resolutions concerning them which are passed by the council.

### **Article 34**

Ministries and governmental institutions shall take into consideration resolutions passed by a provincial council in accordance with provisions of Article 23, Clauses (a) and (b) of this law. If a ministry or a governmental institution does not agree to consider one of these resolutions, it shall explain the reasons to the provincial council. In case of dissatisfaction, the

council shall refer the matter to the Minister of the Interior for reconsideration by the Prime Minister.

### **Article 35**

Every ministry or institution with services in a province shall immediately inform the provincial council of projects which were decided upon in the budget for the province, together with its allocations from the development plan.

### **Article 36**

Any minister or head of institution may seek the opinion of a provincial council on matters pertaining to his jurisdiction in the province. The council shall forward its opinion in this regard.

### **Article 37**

The Council of Ministers, upon a proposal of the Minister of the Interior, shall set the remuneration of the chairman of a provincial council and its members, taking into account the cost of transportation and accommodation. (As amended by Royal Decree A/21, dated 30/3/1414H)

### **Article 38**

A provincial council can be dissolved only on an order by the Prime Minister following the recommendation of the Minister of the Interior. New members shall be appointed within three months effective from the date of the dissolution. During the period, members mentioned in Article 16, Clauses (c) and (d) of this law, shall perform the duties of the council under chairmanship of the emir of the province.

**Article 39**

A secretariat for a provincial council shall be set up at the governmental seat of the province to prepare its agenda, send timely invitations, record discussions carried out during the sessions, count votes, prepare the minutes of sessions, draft decisions and perform necessary work for the monitoring of the council's session and the registration of all decisions.

**Article 40**

The Minister of the Interior shall issue the necessary regulations to implement this law.

