

The Image of Saudi Arabia in the Discourse of Human Rights Defenders and Media Reports

Abstract

The aim of the article is to present the image of Saudi Arabia in the discourse of international organizations and media communications. The image is examined through the prism of narratives concerning human rights. The author lists three key areas of verification: system determinants of human rights, individual rights in the kingdom and an axiological sphere as the basis of self-identification in Saudi Arabia. The article discusses the main ideological inspirations representative of the kingdom, international agreements ratified by the Saudi state and statements given by human rights defenders.

Introduction

Saudi Arabia is often present in the international discourse of pro-democracy movements and human rights defenders.¹ The activity of these institutions reflects a specific face of modern political discourse in the West. The emancipatory structure of an ideological narrative tends to be correlated with the dominance of a paradigm affirming the subjectivity of the individual and their roots in the system of power, which should be inclusive and open as widely as possible in terms of the participatory aspirations of every human being. This vision presents itself as universal and deeply rooted in human activity in the social space. Adam Wielomski in his work *Prawa człowieka i ich krytyka. Przyczynek do studiów o ideologii czasów ponowoczesnych* [Human Rights and Their Critics. A contribution to the Study of the Ideology of Postmodern Times] indicates that the ideology of human rights, which is realized most fully in democratic regimes, takes on a strongly ahistorical character,² negating contextuality and the cultural roots of the egalitarian concept of a human being, in possession of liberties that are objective and standardized. In today's world, human rights detached from a legal conception, transform into an axiom and a standard of evaluation for political phenomena.

Two main categories need to be explained in this article. First is the concept of human rights. Jack Donnelly notes that human rights “are literally the rights that one has because one is human”.³ This category is seen as natural, and therefore consistent with the objective value of every individual as a human being; it does not require confirmation by positive law. The *United Nations Universal Declaration of Human Rights* states that “all human beings are born free and equal in dignity and rights”.⁴ This uniformitarian concept is a supracultural formula, highlighting the onto-

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¹ Issues of human rights and democratic freedoms appear, in among other places, in a document entitled *Saudi Arabia in 2015 Human Rights Report*. The publication points particularly to the problem of legitimacy of power in the kingdom, associated with a lack of real possibilities of alternation of power and the creation of political representation of citizens.

² Adam Wielomski, *Prawa człowieka i ich krytyka. Przyczynek do studiów o ideologii czasów ponowoczesnych* [Human Rights and Their Critics. A Contribution to the Study of the Ideology of Postmodern Times], Warszawa: Fijor Publishing, 2008, p. 19.

³ Jack Donnelly, *Universal Human Rights in Theory and Practice*, Ithaca: Cornell University Press, 2013, p. 7.

⁴ *United Nations Universal Declaration of Human Rights*, 1948, <http://www.un.org/en/universal-declaration-human-rights/> (accessed 22 October 2016).

logical value of human dignity, which is not determined by the behaviour of humans, their moral qualities or usefulness for society.

It is also necessary to define a second category – image. Anthony Davis argues that this concept is “an intellectual and sensual interpretation of a person or object, conditioned also by the qualities of the person in whose mind this image is being created”.⁵ This perspective means that we are dealing with a specific construction of reason, creating an image based on sensory and empirical experience. Davis’ proposal emphasizes the importance of interpretation, bringing to mind the subjective, particular and individual, dimension of the image. A necessary activity is also to experience verified matter, touching the object of cognition, being ready for emotional and cognitive engagement (in social contexts, these actions are complemented by an ethical dimension). Creating an image requires a certain relation to a given issue through which a specific type of perception may be formed.

The aim of this article is to characterize the image of Saudi Arabia in the discourse of institutions defending human rights. I am aware of the incompatibility of the term “human rights” to the cultural conditions of the Arab world. The analysis will be then conducted with a complex awareness of the differences in stressing the importance of individual and community within the two civilizations. I will touch on an issue of major determinants of ideological criticism of the actions of Saudi authorities to respect the personal freedoms of its citizens.

Perspectives on Perceiving a Phenomenon as Shaping a Country’s Image

It is necessary to identify the essence of the image of a state, so that it is possible to extract the components forming it, and then adapt a proper descriptive–analytical perspective. Askegaard and Ger state that the image of a country can be defined as a range of knowledge founded on what people know about a country and the realm of emotions coexisting with this awareness.⁶ State here construct their ‘face’ via the development of networks of opinion leaders and creating bundlings of often non-rational imaginations, rooted in an emotional sub-layer. According to these authors, this emotive context exists in parallel to projects designed to build a positive intellectual climate for a given country. This knowledge will always have a subjective and particular character, impossible to rationalize and communitarize.

The image of a state – especially in today's world – has been historically shaped in an extremely dynamic and multidimensional manner, taking the form of a multi-layer structure of media, ideological and cultural determinants. Agnieszka Stępińska indicates that the image of a country is created by three categories: a country's image as a system of harmonized norms and institutions, the image of a nation and image of an entity as an ambassador of this community in the international arena.⁷ This three-stage design has a number of implications for the construction of an effective

⁵ Anthony Davis, *Public Relations*, Warszawa: Polskie Wydawnictwo Ekonomiczne, 2007, pp. 47–48.

⁶ See: Oleg Gorbaniuk, Wiktor Razmus and Dorota Lewicka, ‘Wizerunek Białorusi, Rosji i Ukrainy wśród Polaków: Analiza wolnych skojarzeń’ [The Image of Belarus, Russia and Ukraine Among Poles: Analysis of Free Association], *Roczniki Nauk Społecznych*, Vol. 2 (38), 2010, p. 183.

⁷ Agnieszka Stępińska, *Wizerunek państwa – działania PR nie tylko w okresie prezydencji* [The Image of a State – PR Activities Not Only During the Presidency], in: *Przewodnictwo państwa w Radzie Unii Europejskiej – doświadczenia partnerów, propozycje dla Polski* [Presidency of the State at Council of the European Union – Experiences of Partners and Proposals for Poland], Zbigniew Czachór, Mikołaj Tomaszuk (eds), Poznań: Wydawnictwo Naukowe WNPiD, 2009, p. 60.

image of a country at a global forum. Such an image of a state is a consequence of the implemented sphere of axiology, as an area providing legitimacy in the relationship between citizens and public institutions and in opportunities to exert real influence on the teleological level in terms of the activity of power.

Joseph Samuel Nye, the American political scientist and co-founder of the international relations theory of neoliberalism, detailed the three dimensions of analysis of the image of a state: military power, economic power and soft power (also known as smart power). The first two strongly reflect the historical development and level of advancement of the each given country; they are subject to objectivization and are largely resistant to marketing. Their transformation is result of fluctuations in the country's development over the decades; however, soft power (or smart power) assumes the form of a flexible tool necessary to build an image and requiring frequent updates in a dynamic reality. This formula could prove useful in times of war, crisis or when the state implements a controversial undertaking, perceived negatively by the community of other actors in international politics. Here we may give an example of the revision of policy in relation to national minorities, historically brought into conflict with the dominant majority in any territory. Then, based on a redefinition of the meaning and specific language of persuasion diplomacy would direct discourse of leaders and think-tanks in a way positively reinforcing the image of that state.⁸

Agnieszka Stępińska proposes a triad of factors that create the image of a state: system image of a state, image of a nation and concept of an individual.⁹ It seems that for an analysis of Saudi Arabia, the concept of nation is not relevant (due to the short period of formation of the modern Saudi community). Therefore, this term will be replaced by self-identification and community study in the sphere of axiology via the imaginations of residents of the Saudi state. The other two categories – the image of a state as a structure and the model of a citizen – will be analyzed in the article.

Systemic Determinants of Human Rights and Democracy in Saudi Arabia

Saudi Arabia is an absolute monarchy. Centralized power belongs to the king, who is also the chief executive as chairman of the Council of Ministers. The king also performs the function of chief of the army. Collegial body, the Consultative Council (Majlis al-Shura) has only advisory powers. Saudi Arabia implements a model of total depoliticisation of society – the activity of political parties is prohibited, and the ruler monopolizes imperious prerogatives. Saudi Arabia has no written constitution in the strict sense. The ideological foundation of legislation is here rather reflected by the historical constitution, which is a synthesis of Arabian tradition and political spirit of Islam. The historical constitution, as Carl Schmitt reminded, expresses values and processes most important to the community, substantially relevant and expressing the specificity of the historical development of a community; it may be treated as a synthesis of metaphysical experience and accumulation of wisdom of successive generations. German lawyer denied that the state was equipped with the constitution, “according to which a will of state is shaped and functions. In fact, a state itself is a constitution; it possesses its own ontological character, is a state of unity and order [...].

⁸ Joseph Nye, *Bound to Lead: The Changing Nature of American Power*, New York: Basic Books, 1990.

⁹ Stępińska, *Wizerunek państwa...*, p. 160.

The constitution is a soul of a political form, [its] real life and individual existence".¹⁰ This ahistorical identity of a community is moulded in the spiritual development of its own subjectivity and the contribution of successive generations.

Information on the systemic model of Saudi Arabia may be derived from the Basic Law, posted in 1992 by the monarch Fahd bin Abdulaziz al-Saud. This document identifies the main sources of the prerogatives of public authorities: the Qur'an and religious customs, known as sunna. The Basis Law is a state-centered document, implementing an asymmetrical relationship between citizens and public authorities. Interestingly, this document highlights the importance and protection of human rights,¹¹ but not making them absolute values and rooted in human nature, perceived personally. An individual has more duties than rights, it is strongly de-ontological spirit of the law, directed towards social, traditional model of citizen's participation in the community. The Basis Law foresees a number of freedoms for citizens: right to work, education (which in Saudi Arabia is free of charge), health care. Expropriation is allowed in the public interest, but it may take place only providing that a payment of compensation will be guaranteed. The document provides orientation of public authorities on the person of the monarch and a specific monism of the legislative and executive powers. The king is the sovereign according to a concept by Schmitt – he introduces a state of emergency and decides on declaring war. A citizen is not able to really create a collective political will, because the power is not an elective but hereditary.

Systemic conditions of realization of human rights in Saudi Arabia strictly apply to the circulation of information and public access to information facilitating conscious existence in society. The image of the country is dominated by the limitations in the sphere of freedom of expression. Heavy censorship prevents access to many websites, such as those that are devoted to gambling or allowing citizens to verify critical tenets of Islam. It is also impossible to gain knowledge on how to break the official locks. The list of topics excluded from the public debate covers issues relating to national security, the status of women, the political line of the authorities and the practice of Sharia. Additional limitations of distribution of information and creating public reflection also appeared in connection with the fight against terrorism.¹² Paradoxically, an intensive exclusion of freedom of communicating co-exists in the country with a wide range of Saudis' presence in social media and permitted areas of exchange of ideas. This topic will be developed later in the article.

Interestingly, a positive image of Saudi Arabia is often presented by foreigners, who came to this country for professional reasons. The specificity of this country is the subject of the story of

¹⁰ Carl Schmitt, *Verfassungslehre*, Berlin: Duncker & Humblot, 1983, p. 4, <http://www.teologiapolityczna.pl/prof-pawel-kaczorowski-carl-schmitt-jego-nauka-o-konstytucji-i-kwestia-suwerena-ustrojodawcy-tpct-9-/Wydrukuj> [accessed 29 October 2016].

¹¹ Natalia Hapek, 'Zarys systemu polityczno-prawnego Arabii Saudyjskiej' [An Outline of the Political-Legal System of Saudi Arabia], in *Nie tylko Śródziemnomorze. Problemy polityczne i społeczne świata islamu* [Not only the Mediterranean World. Political and Social Problems of the Islamic world], Marta Woźniak (ed.), Łódź: Uniwersytet Łódzki, 2012, p. 33.

¹² Restrictions on freedom of expression were intensified in 2014, in connection with the events of the so-called Arab Spring. Such limitations, according to the authorities, were designed to protect the traditional political – moral order, prevent criminal activity and infiltration of the state by foreign forces. The key role is played here by the General Commission for Audiovisual Media, an institution aimed to control the flow of content available on audio and video sites, which are often used to discuss controversial social issues, such as the ban on women driving. Such a case occurred when the government used anti-cybercrime law established in 2007, accusing the seven Saudis for criticism of the authorities and incitement to change the decision in terms of driving license for women. For more information, see the report: *Attacks on the Press, 2015 Edition*, <http://web.archive.org/web/20160321163324/https://cpj.org/2015/04/attacks-on-the-press.php> (accessed 29 October 2016).

Thomas, a hero of the article ‘Polski lekarz obala mity o Arabii Saudyjskiej: Jestem tu 10 lat, wiele rzeczy jest bardziej sprawiedliwych niż w Polsce’ [Polish Doctor Dispels Myths About Saudi Arabia. I Have Been Here 10 Years, Many Things are Fairer Than in Poland].¹³ He states that Saudi Arabia is a place characterized by good organization of work and high professional standards. Logistics, appropriate hospital equipment and separation between work and leisure time – all these features indicate a professional culture situated at a high level.

Thomas highlights the warmth and kindness of ordinary Saudis. He fits the position of women into the context of civilizational experiences and conditions resulting from the unquestionable presence of Islam in the culture-making processes. Simplification of regulations, a classical vision of justice as being given what is deserved, efficient solutions to social life – are seen here as some advantages of the country. In terms of image, Saudi Arabia seems to be a country able to attract the attention of foreigners and draw positive models from experience previously developed in the West. Describing the nature of the Saudis, Thomas says: “They are polite and very clean. Probably less envious than we are. And mostly very receptive. I appreciate them especially for one thing. Here elderly people are very respected. The families accompany the elderly while in hospital. These people are not alone there. There are no homes for the elderly. They are unnecessary because children look after their parents”.¹⁴ Here we see an appreciation of the traditional family model, which is multigenerational and draws on empirical experience of ancestors and their wisdom. According to Thomas, Saudi Arabia is a safe country, which allows a relatively carefree upbringing of children, minimizing the risk of contact with the fruit of incorrectly perceived freedoms – such as drugs. The education system guarantees a high level of expertise and investment in education. Requirements for foreign workers are advanced, but the material standard of living compensates such different experiences relative to Europe.¹⁵

The Image of Individual Rights – the Rights of Women

The image of Saudi Arabia in the discourse of human rights defenders can be also examined through the prism of the individual. The distinction between Western reality and the Islamic world should be emphasized, because it allows us to see a different vision of the human. The world of Latin civilization tends to believe that human nature has been thoroughly understood and research on ethical human predilections is finally over. Mieczysław Krąpiec has stated that recognition of human rights was linked to a particular theory of man.¹⁶ Such an affirmation of human rights sees no references to tradition and experience; not touching empiricism, it draws an abstract vision of human identity. This formula adopts an anthropological optimism as a leading category of the dominant narrative of successive generations of human rights activists, and is authoritatively treated as an axiom. Artur Walczak, the author of an article entitled ‘Islam a prawa człowieka’ [Islam and Human Rights], emphasizes some intrinsic determinants of the Muslim perspective on these issues.

¹³ ‘Polski lekarz obala mity o Arabii Saudyjskiej: Jestem tu 10 lat, wiele rzeczy jest bardziej sprawiedliwych niż w Polsce’ [Polish Doctor Dispels Myths About Saudi Arabia. I Have Been Here 10 Years, Many Things are Fairer Than in Poland], *Na Temat*, 21 December 2015, <http://natemat.pl/166073,polski-lekarz-w-arabii-saudyjskiej>, (accessed 29 October 2016).

¹⁴ Ibidem.

¹⁵ Ibidem.

¹⁶ Mieczysław Krąpiec, *Człowiek i polityka* [Man and the Politics], Lublin: Polskie Towarzystwo Tomasza z Akwinu, 2007, p. 146.

His analysis indicates the strongly theocentric dimension of political Islam, expressing a functionalist conception of humankind.¹⁷ Man realizes his potential through actualization of the divine will. Islam rejects relativism of the modern theory of humankind, demanding an absolute submission of temporal instincts to eschatological thinking. Being a political and religious unity may not grant priority to God in the realm of religion and cultivate human rationality and the ability for virtuous conduct – in the secular sphere.

Women's rights are inseparable from human rights. This correlation is the subject of analysis in the report *Women's Rights are Human Rights*, prepared by the United Nations Office of the High Commissioner. This document recalls that this parallelism is particularly evident during a crisis or military conflicts – when women's cultural or educational freedom are threatened or they disappear completely.¹⁸ The term of women's rights assumes an objective immersion in the abstract theory of sexes, a homogeneity of the aspirations and ambitions of women and neutrality in relation to the historical process of diversification of social roles. This universalization of experience is present in the conclusions contained in the report by Amnesty International published in 2004. This document, entitled *To jest w naszych rękach. Stop przemocy wobec kobiet* [It is in Our Hands. Stop Violence Against Women], contains the following statement: "Human rights are universal, but violence Against women has made human rights abuses universal. Women from all over the world, who belong to different cultures and nationalities, profess different religions, have different education, experiences and historical past, women from different social strata and having different material status, are connected by the experience of discrimination and violence experienced by states or the communities in which they live".¹⁹ In this way, the rights of women express a spirit of ahistorical imperative and a tool of contestation in the traditional sociology of sex.²⁰

The issue of social involvement of women as a factor of Saudi Arabia's image with regard to women's rights is the subject of Saudi writer and activist Hala al-Dosari. This advocate of women's rights works in the public space of her country as an employee of the local Ministry of Health. Al-Dosari presents her homeland as a place culturally dominated by a patriarchal element and perpetuated by clan ties. This indicates that gender strongly determines the extent of social engagement and directs a priori the place in the hierarchy of society. This determinism, according to al-Dosari, implies the specificity of the evolution of the Saudi community, counteracting modern transformations in the sphere of axiology and political organization. In her opinion, the country is not adapted to the challenges of modern times: the relatively universal emancipation of women, atrophy of traditional legitimacy through religion and the growing popularity of civil self-organization movements. Saudi Arabia, given its exclusion of women from certain professions and sectors of the market, limits the possibility of a transition from an economy based on natural raw materials to a

¹⁷ Artur Walczak, 'Islam a prawa człowieka' [Islam and Human Rights], *Portal Spraw Zagranicznych*, 28 March 2007, <http://www.psz.pl/117-polityka/artur-walczak-islam-a-prawa-czlowieka> (accessed 28 October 2016).

¹⁸ *Women's Rights are Human Rights*, United Nations Office of the High Commissioner, New York and Geneva, 2014, pp. 92–102.

¹⁹ *To jest w naszych rękach. Stop przemocy wobec kobiet* [It is in Our Hands. Stop Violence Against Women], Amnesty International, <http://docplayer.pl/5560761-To-jest-w-naszyc-rekach-stop-przemocy-wobec-kobiet.html> (accessed 28 October 2016).

²⁰ Józef Młyński, *Socjologiczne aspekty rodziny* [Sociological Aspects of Family], http://www.rodzina.ipjp2.pl/index.php?option=com_content&view=article&id=803:socjologiczne-aspekty-rodziny&catid=179&Itemid=332 (accessed 28 October 2016).

model for assuming a leading role for services.²¹ “The government faces the challenge of needing to find more revenue. It needs more people working in the private sector and then to generate more revenue from taxes. The most promising human capital is the kingdom’s women”.²² Saudi women in the narration of al-Dosari are a hope and a social capital of the country. Today’s investment in the subjectivity of women and appreciation of their position would be profitable in the future, especially facing the need for a gradual transformation of the economy towards a more competitive model. Regarding the deficit of private enterprise and knowledge of market mechanisms in the service sector (due to weak progress in this part of economy), the aspirations and social power of women could, in the opinion of the writer, strengthen the development of the country. Currently, however, only 12% of Saudi women are economically active. In addition, only 5% of Saudi women carry out as business owners.²³ “It is easier to target women for certain jobs, particularly those that have been filled largely by foreigners and require minimum skills, such as retail jobs. So I expect women will begin to have a larger presence in the labor market. But, again, this is because of the drive and need to reform the economy, not because of political efforts to reform women’s position”.²⁴

Al-Dosari stresses that a weakness of the Saudi state system is state correlation between the lack of possibility to change in the status of women and the fact that women do not have the tools for expressing their personal beliefs. Women are not visible in the public space, do not build up their own social base, do not organize themselves and do not support each other.²⁵ A defective economic model does not benefit from their talents; women have experience as mothers and wives, but these features have no connection with conscious civic participation; we are dealing with immaturity in the field of a sociology of public roles. Under-representation of women weakens the sense of community and contributes to the decomposition of collective consciousness, which is necessary to maintain a coherent vision of the political community.

Self-Identification of Saudi Arabia

The third pillar of the image of Saudi Arabia in the field of human rights is expressed by the self-identification of the country. This category will be examined in relation to documents accepted by the kingdom, philosophical ideas and theoretical concepts that can be considered representative of the Land of the Two Holy Mosques.

The main document outlining a declarative dimension of an attitude of the authorities towards Saudi citizens and an individual’s position in the country is the *Arab Charter on Human Rights*. This document was adopted by the Council of the League of Arab States on 22 May 2004. The Arab Charter on Human Rights entered into force on 15 March 2008. Apart from Saudi Arabia, its signatories are: Syria, Yemen, United Arab Emirates, Palestine, Bahrain, Algeria, Jordan, Qatar and Libya. The Charter was prepared in the framework of a debate at the League of Arab States, an

²¹ ‘Women’s Rights in Saudi Arabia: Hala Aldosari on Reform and the Future’, *Freedom House*, 25 May 2016, <https://freedomhouse.org/blog/women-s-rights-saudi-arabia-hala-aldosari-reform-and-future>, (accessed 29 October 2016).

²² *Ibidem*.

²³ PAP, ‘Saudyjska aktywistka walczy w internecie o prawa kobiet’ [Saudi Activist Fights for Women’s Rights in the Internet], *Gazeta Wyborcza*, 29 December 2013, http://wyborcza.pl/1,91446,15197954,Saudyjska_aktywistka_walczy_w_internecie_o_prawa_kobiet.html (accessed 29 October 2016).

²⁴ ‘Women’s Rights in Saudi Arabia...’

²⁵ *Ibidem*.

organization formed to coordinate and optimize the cooperation of Arab states on the political, social, economic and cultural levels.²⁶

The card in the first sentence refers to the dignity of the human.²⁷ It exists, however, in close connection with the fact of creation of man by God. Religion serves here a fully complementary function, as a factor of legitimacy to human subjectivity. We are not dealing with the concept of an abstract man, but observe rather a formula substantially oriented on the provenance of the human subjectivity of the will of the Creator. The idea of the divine plan of creation and revelation not only precedes the autonomy of each individual, but also determines the sphere of personal integrity. The preamble of the card contains a reference to the principles of freedom, equality and justice. It seems that these categories require a classical interpretation, without reference to the modern, rationalist paradigm. These virtues – freedom, equality, justice – reflect social doctrine as a factor parallel to tradition, authority and inheritance of social position. Although rooted in socio-political empiricism this does not allow us to see these values as universal human desiderata, but essentially linked to the real order, not accidental but intentional.

Weighty statements are contained in the rest of the preamble to the document: “Believing in unity of the Arab nation, which struggles for its freedom and defends the right of nations to self-determination, to the preservation of their wealth and to development; believing in the sovereignty of the law and its contribution to the protection of universal and interrelated human rights and convinced That the human person's enjoyment of freedom, justice and equality of opportunity is a fundamental measure of the value of any society”.²⁸ Based on this category – the supremacy of law as an agent bonding the political community and allowing for protection of unquestionable human rights – (universalist formula), we find the rule of law as a factor strongly influencing the development and prosperity of the Arab peoples. Their right to self-determination is correlated with the cultural-civilizational sense of community of all Arabs, allowing a unity of ethnic and religious experiences. The preamble on the one hand recognizes the importance of the individual pursuit of happiness (when mentioning a legal protection of integrity of the human person), on the other – it strongly emphasizes the collective dimension of each being. One statement attracts our attention: “man's enjoyment of freedom, justice and equality of opportunity is a fundamental measure of the value of any society”.²⁹ Society has its teleological aspect that transcends a simple, materialistic conception of the struggle for existence; this theoretical construction refers to the most important normative needs of every human being (actualization of their own identity, economic optimization, deriving from freedom as a constitutive category of conscious existence in society), linking human destiny to the ultimate truth; an eschatological dimension is here a condition the sine qua non of full humanity. By following the path traced by the truths of faith, one has a chance to get closer to the ideal presented by religion: individual living among the people and obliged to defend natural institutions: family, moral order, standards of behaviour developed by tradition.

The second article affects the right to self-determination of peoples. This category is sometimes regarded as the only human right of a collective character. Krzysztof Bobrowski indicates an imprecision of the term self-determination; from a legal perspective, this issue is not explicitly re-

²⁶ Robert MacDonald, *The League of Arab States: A Study in Dynamics of Regional Organization*, Princeton: Princeton University Press, 2015.

²⁷ League of Arab States, *Arab Charter on Human Rights*, 22 May 2004, <http://hrlibrary.umn.edu/instreet/loas2005.html?msource=UNWDEC19001&tr=y&auid=3337655> (accessed 30 October 2016).

²⁸ Ibidem.

²⁹ Ibidem.

ferred to the potentialities of the state to create a nation, or to ensure compliance with a number of political, economic, cultural rights.³⁰ On the one hand, the concept may reflect a right to independence of the state, on the other – to a completion of the political line which is currently an emanation of the general will. In this article, the right to self-determination belongs rather to the circle of political philosophy than to the sphere of law. The second article of the Charter emphasizes that “all peoples have the right of self-determination and to control over their natural wealth and resources, and the right to freely choose their political system and to freely pursue their economic, social and cultural development”.³¹ In accordance with a spirit of the document, an immanent feature (and therefore privilege) of the Arab peoples is a contractual genesis of power, which expresses the natural tendency of a human being to a political commitment. The right to self-determination as a human right (and therefore taking a fundamental and direct form) draws its provenance from the law of nature; constantly, political participation is therefore a complement to that natural, social – public - health of every human being, it is an empirical materialization of a personal man’s destiny.

Article 3 prohibits any discrimination on grounds of sex, race, language, colour, religion, national origin, beliefs.³² Saudi Arabia has therefore undertaken to implement solutions that create an egalitarian social order and are aimed at countering the exclusion of foreigners. In theory, Christians may draw from the principle of freedom of religion, while in the kingdom a strong position is attributed to the Committee for the Promotion of Virtue and the Prevention of Vice. This institution was founded in 1940 and today performs the function of the religious police. The duties of members of the police include, inter alia, control of the public fulfilling orders of the Qur'an concern about the appropriate attire of women, the practice of prayer, separation of members of both sexes. Christians and Jews cannot practice their religion openly; any non-Islamic religious articles are subject to a total ban. Apostasy from Islam is punishable by death. Christians must not build new churches or possess the Bible. A U.S. Department of State report on human rights around the world concludes: “The Basic Law states that Islam is the official religion. All citizens are required to be Muslims. The legal system is based on the government-sanctioned interpretation of Islamic law. There is no legal recognition or protection of religious freedom and it was severely restricted in practice. The government limited the practice of all but the officially-sanctioned version of Islam and prohibited public practice of other religions, including Shi'a and Sufi sects. The government stated that as a matter of public policy it protects the right to private worship for all, including non-Muslims who gather in homes for religious services. However, this right was not always respected in practice and is not defined in law”.³³ Even Muslims do not fully use their rights – the Shiites are considered to be unorthodox Muslims and harassed in public spaces and on the Internet.³⁴ The names of Abdul Nabi and Abdul Hussein - popular among the Shiite worshipers – are prohibited since March 2014.

³⁰ Krzysztof Bobrowski, ‘Prawo do samostanowienia narodów w prawie międzynarodowym – aktualna wykładnia’ [The Right of Nations to Self-Determination – Current Interpretation], *Krytyka Prawa*, Vol. 7, pp. 35–36.

³¹ League of Arab States, *Arab Charter on Human Rights*, 22 May 2004, <http://hrlibrary.umn.edu/instreet/loas2005.html?msource=UNWDEC19001&tr=y&auid=3337655> (accessed 30 October 2016).

³² Ibidem.

³³ *Saudi Arabia*, Washington DC: Department of State, 11 March 2008, <http://www.state.gov/j/drl/rls/hrrpt/2007/100605.htm> (accessed 30 October 2016).

³⁴ Michał Lemieszek, ‘Problem szyicki w Bahrajnie i Arabii Saudyjskiej’ [Shia Problem in Bahrain and Saudi Arabia], *Portal Spraw Zagranicznych*, 8 February 2012, <http://www.psz.pl/116-bezpieczenstwo/michal-lemieszek-problem-szyicki-w-bahrajnie-i-arabii-saudyjskiej> (accessed 30 October 2016).

Conclusion

Saudi Arabia appears to be a state dominated by a conservative conception of the state as a decision-making subject, topped with an absolute monarchy and the position of rulers endowed with real power. It is a metaphor (in the European tradition this vision is close to the absolutist heritage of Robert Filmer) king as *res loquens*,³⁵ a metaphysical principle situated in the midst of a political community in a way in which the monarch exceeds the temporal meaning of positive law. Both a determinant to and a source of the king's legitimacy is the attitude of the duty to defend the existence of the integral nature of the community, subordinated to laws of nature and hereditary order. It is a highly traditionalist formula, in Europe – typically pre-revolutionary, built on what Hugues-Félicité-Robert de La Mennais said: “the authority that begins to hesitate, ceases to be authority”.³⁶ It is based on the concept of a state-centered system designed to realize an illiberal sociology of power, taking into account a pessimistic anthropology and awareness of a subversive human nature. Such a vision expresses a belief that political power functions as a tool to defend the integrity of the community and prevent a radical change; the political face of Islam, here raised to the rank of dogma and social *arché*, is an implication of faith in the objective truth of Islamic revelation as the only truth. As a result, the state is legitimized by a defence of Islamic identity, traditions and sacred surcharges of this version of monotheism. Louis de Bonald would say that the mission of the king is an awareness of his ordination and appointment.³⁷

The image of Saudi Arabia is primarily formed by observations contained in international reports, which describe the practice of human rights in different parts of the world. In the case of the kingdom, the most common issue tends to be the supremacy of a traditionalist formula of the human over the individualistic and liberal model dominant in European countries and the United States. The kingdom seems to remain indifferent to the imperative of equal rights for women, formulated by international organizations. In return, the State emphasizes the efficiency of the economic system, the penal model's compliance with Sharia laws and the maintenance of the traditional ethos of family relationships. In the narrative of Saudi authorities the individual is present in the context of the commitment and attitude towards Islam as a source of objective truth.

It seems that the main image problem of Saudi Arabia is today a necessity to construct and develop a coherent vision of its own values on the international stage. Saudi Arabia follows its own, conservative model of politics, specific even in the Arab world. At the same time, Saudi Arabia is able to create favourable conditions for attracting educated foreigners and specialists. In the ranking of *The Economist Intelligence Unit's where-to-be-born index* (2013) Saudi Arabia took 38th place, higher than Argentina (40) and Hungary (46), and just a bit lower than Malaysia (36).³⁸ This indicator specifies that the state will provide the safest life at a high level in the coming years. Jerzy Zdanowski draws attention to the unusual dynamics of transformation in the Arab world over the

³⁵ Robert Filmer, *Patriarcha, or The Natural Power of Kings*, in *Patriarcha and Other Writings*, Johann Sommerville (ed.), Cambridge: Cambridge University Press, 1991, p. 51.

³⁶ Hugues-Félicité-Robert de La Mennais, *Mélanges religieux et philosophiques* [Religious and Philosophical Mixtures], Paris, 1836–1837, p. 289.

³⁷ Louis de Bonald, *Théorie du pouvoir politique et religieux dans la société civile, démontrée par le raisonnement et par l'Histoire* [Theory of Political and Religious Power in Civil Society, Demonstrated by Reasoning and History], Vol. I, Constance, 1796, p. 344.

³⁸ ‘The lottery of life. Where to be born in 2013’, *The Economist*, 21 November 2012, <http://www.economist.com/news/21566430-where-be-born-2013-lottery-life> (accessed 18 November 2016).

last hundred years,³⁹ while the Saudi kingdom practices its own path to modernization, which often gives rise to misunderstandings among democratic and progressive Europe.

³⁹ Jerzy Zdanowski, *Historia Bliskiego Wschodu w XX wieku* [The History of the Middle East in the Twentieth Century], Wrocław: Ossolineum, 2010, p. 561.