

# The Arrest of Saudi Reformers One Year On

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Brief Analysis

A year ago, on March 16, 2004, the Saudi authorities arrested thirteen reformist intellectuals, including one university academic who was reportedly taken away in handcuffs in front of his class. Three days later the arrests were an issue taken up by then Secretary of State Colin Powell when he arrived on a previously scheduled visit to the kingdom. The incident formed a paragraph in the Saudi section of the State Department's annual human rights report, published last month, but one year on, three of the original group, unprepared to demonstrate undertakings of good behavior, remain in prison awaiting trial. Their continued detention casts doubt on Saudi willingness to reform and the ability of the United States to encourage reform.

The political and legal imbroglio of the detained men goes to the heart of U.S. policy intended to bring about political reform in the Middle East. The detained men were reportedly planning to issue a statement denouncing the creation of a human rights group that they regarded as a government-appointed body. When arrested, they were charged with organizing petitions calling for constitutional reform and with speaking to journalists. Such activities, in the words of an unnamed official of the Saudi Interior Ministry who was quoted by the official Saudi Press Agency, "do not serve the unity of the homeland or the integrity of the society which is based on the Islamic sharia." Most were released after reportedly signing statements promising not to agitate for reform. Legal proceedings against the three who refused to sign began in August 2004. Scores of supporters and relatives of the men were allowed into the courtroom, but the hearing was postponed after the judges ruled that the small courtroom could not accommodate such a number.

The men's trial has yet to formally start; the defendants want a public trial, which the court is resisting. In November 2004, the main lawyer defending the men was arrested after the defendants sent a letter to Crown Prince Abdullah, who is the de facto head of state because of King Fahd's poor health. The five-page letter reportedly accused the committee of judges of adopting delaying tactics and complained of their biased behavior. "What has happened indicates the committee is not neutral and is partial to the powerful party, which is the state," the letter said. In early December 2004, the Riyadh court decided to shift trial to a lower court. Outside the hearing, three journalists were arrested after scuffling with a policeman, who was awaiting a decision by the judge on whether the court was open to the public. A Canadian diplomat was also barred from entering the courthouse. The journalists were taken into custody but released a day later.

The prosecution successfully appealed the decision by the panel of judges to send the case to a lower court (a decision that would have had more limited powers of imprisonment); hence, the case was sent back to the same panel. At a hearing of the court in February, the judges threatened to issue a verdict at the next court hearing if the defendants still refused to submit a defense. Last week the court sat again and decided to hold another hearing in three weeks. The main defense lawyer remains in prison. At the time of the original arrests, the U.S. State Department spokesman said, “We are deeply concerned.” He continued, “It’s inconsistent with the kind of forward progress that reform-minded people are looking for.” In its latest human rights report, the British Foreign Office says, “We are concerned at these on-going detentions, and we have lobbied the Saudis to resolve the cases as soon as possible.” The detained men are also mentioned by name in the new book by Natan Sharansky, the Israeli government minister and former Soviet dissident. Sharansky’s book, *The Case for Democracy: The Power of Freedom to Overcome Tyranny and Terror*, was mentioned favorably by Secretary of State Condoleezza Rice in her Senate confirmation hearing and has reportedly also been read by President George W. Bush, who discussed its contents in a meeting with Sharansky.

The Saudi government has objected to foreign pressure in the case. Two days after meeting then Secretary of State Powell in the kingdom in March 2004, Saudi foreign minister Prince Saud al-Faisal criticized U.S.-led calls for reform by saying, “Those behind these plans ignore the fact that our Arab people have cultures rooted deep in history and that we are able to handle our own affairs.” Interior Minister Prince Nayef reportedly said that “foreign agencies” were exploiting the reformers’ platform in order to damage Saudi national unity. Prince Saud said that any foreign help should be concentrated on settling the Israeli–Palestinian conflict and a “genuine economic partnership” with the Arab world.

Saudi Arabia’s approach to reform appears to be to talk about it without encouraging it. In January 2003, the government issued its own official set of reform proposals from Crown Prince Abdullah, set out in a document called “Self-Reform and the Promotion of Political Participation.” The de facto ruler announced a series of “National Reforms for Dialogue,” of which four have been held so far. The Saudi Red Crescent Society organized a human rights conference in October 2003, and the Ministry of Justice held a conference on judicial reform in April 2004. Those events have awakened the desire for reform in various sectors of the population, including women and the minority Shiite Muslim community. Unfortunately, not much reform has happened, other than the first municipal elections in decades, which were encouraging if limited (half the members of the new municipal councils are being elected, half are being appointed, and the councils’ powers are few). Even worse, the government has been intolerant of those talking about reform outside of the narrow official channels. And the various government-sanctioned conferences have been imperfect. In its human rights report, the British Foreign Office criticized the conferences for lack of international participation and cited the need for the discussion to be more open, focused, and constructive.

The challenge for the United States is more subtle than merely pressuring Riyadh. The arrested men were reportedly “liberal and moderate Islamists.” One pro-government Saudi columnist referred to them as “neo-Islamists,” although other Saudis dismiss this label. The circumstances may echo the situation following the recent municipal elections in the Saudi capital, when an unofficial Islamist slate swept the board: if Washington encourages reform, Islamists are well positioned to take advantages of political openings, while secular liberals are not. The risk is that political Islamist fundamentalists are the beneficiaries of the U.S.-promoted political reform. Even if this is partially true—especially in the short term—the way forward for Washington is still to encourage reform. The release of the remaining detained men and their lawyer is surely worth the risk.

Simon Henderson is a London-based senior fellow of the Washington Institute. ❖

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