KUWAIT: POLITICAL DEVELOPMENT, 1961-1981
Kuwait occupies a distinct place among the Arab countries on account of the constitutional provision for its people to participate in the decision making process of the government. Kuwait along with Bahrain is the only country in the Persian Gulf region to have nurtured some institutions of some democratic worth. The Kuwaiti political system with a written constitution and an elected National Assembly remains a credible democratic institution despite a multitude of challenges arising within and outside the country. Nevertheless, democratisation remains a predominant political priority for Kuwait in a region known for vulnerable political systems characterised by dictatorship and autocracy. Kuwait had to endure serious challenges to achieve a relatively modernised and liberalised political system. The success with which Kuwait traversed the difficult path not only point towards Kuwait’s resolve but also the firm rooting of democratic consciousness in the society. In this context it is of paramount importance to analyse the events that provided an impetus to the Kuwaiti political system to evolve a democratic tradition. Hence, this chapter attempts to analyse the early experiences of Kuwait with representative governance and significant political events that shaped the present day politics of Kuwait.

Kuwait’s experience with the participatory governance can be traced back to the centuries. Among the immigrant families who inhabited Kuwait, an informal alliance was forged between the al-Sabah family and the merchants. The al-Sabah family was given the control of the political and military matters while the merchants took care of the economic affairs. The merchants accepted the political
supremacy of the al-Sabah family and financed their activities in return for the security to indulge in commercial activities peacefully. In 1899, Kuwait under Mubarak al- Sabah signed a comprehensive treaty with Britain that prohibited Kuwait of the right to conduct her foreign affairs in return of the security from any external threat. Under the rule of Mubarak al- Sabah, Kuwait’s trade with Iraq, Persia, India and East Africa flourished and British streamers sailed into the ports of Kuwait every week. The major achievement during Mubarak’s reign was the establishment of the postal services as well as telegraphic communications. These two services not only helped Kuwait in promoting modernisation but also aided in the growth of trade.¹ He was also credited with the introduction of modern medicine to his country and the first medical officer was appointed in 1904, but it was the Arabian American Mission which started the first medical services in Kuwait in 1911.² The modern education also received attention during his period. In 1911, al- Mubarakiyya School was constructed for the classical as well as the modern subjects. Emboldened by the support and the presence of the British in Kuwait, the al-Sabah family began to act independently in making key decisions without consulting the merchants and imposed heavy taxes. In 1920’s political activism began to take shape, with the prominent merchants demanding the establishment of the consultative council to check the powers of the Emir and prevent abuses of his agents.³

² Ibid.
The roots of Kuwait’s parliamentary experience can be traced back to the events that transpired following the demise of the Emir Sabah Mubarak al-Sabah in 1921. The new Emir Ahmad al-Jabar al-Sabah along with a number of leaders predominantly from the royal family stressed the need to regulate succession to the Emirship within the royal family and established an appointed Consultative Council to assist the Emir to conduct his public duties. As a result a twelve member advisory council was formed. But the new arrangement proved to be a futile exercise largely due to the British resident in Kuwait who found it more convenient to deal with one man rather than a Council.

Even though the Council failed to take off there was continuous pressure on the Emir throughout the 1920's for its early activation. In the 1930's Kuwait's woes expanded further due to the Saudi embargo prompted by a trade dispute and the near collapse of the pearl industry because of the Japanese cultured pearl industry. The natural pearls were a major source of income for Kuwait and other eastern Arabian countries. This economic crisis led the merchants and other sections of Kuwaiti population to blame the government for its inability to offer solutions that would reactivate their commercial life. Politically, the educated citizens of Kuwait became more aware of political developments in the region. The political activism spearheaded by the educated Kuwaitis and the economic crisis pressurised the Emir to initiate political reforms. The position of the Emir

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5 Ibid
6 Abu-Hakima, n.1, p.156
was further confounded by Britain's support for Jewish aspirations in Palestine and the gradual expansion of Arab nationalism into Kuwait. The Emir became increasingly muddled and flustered in face of mounting pressure even from the ruling family to initiate political reforms. A group of leading merchants tapped cleverly the diminishing popularity of the Emir and impressed upon him to consult them to explore solutions to Kuwait's problems and hold the elections for the Legislative Council.

In the face of mounting pressure from all quarters of Kuwaiti society the Emir capitulated in 1938 to recognise the National Legislative Council (Majlis al-Umma al-Tashri 'i) which the influential merchants had already elected from the prominent families. The National Legislative Council consisted of fourteen members and presided over by the Crown Prince, Abdallah al-Salim al-Sabah. The Council drafted a Basic Law based on the Egyptian constitution of 1923 and it instituted a variety of economic and social reforms. The Basic Law consisted of five articles, which the Emir reluctantly ratified on 2 July 1938. This Basic Law is vital to many political developments that ensued and is often conceived as the first constitution of Kuwait. The Basic Law pronounced that the nation was the source of all authority and should be represented by an elected Legislative Council that be

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7 Baaklini, n.3, p.173.
9 Baaklini, n.3, p.173.
authorised to legislate on all matters concerning the budget, justice, general security, education, health, housing and the declaration of state of emergency.\textsuperscript{11} Article Three of the Basic Law required those all-internal concessions; leases and monopolies as well as the external agreements and treaties could not be considered legal and binding unless approved by the Council.\textsuperscript{12} But in December 1938, the members of the Council demanded that the Council, rather than the Emir should decide, on the allocation of the money that Kuwait derives from oil. The Council members’ attempt to acquire sweeping powers to democratise the financial dealings of the state was met with stiff resistance from the Emir who reacted hastily by abolishing the Council.\textsuperscript{13} The Emir also resorted to employ force to subjugate the hard-liners who not only defied the governmental orders but also gave a call for the removal of monarchy. The ruler came up with the new Council on 27 October 1938 consisting of twenty members. In the new Council twelve members were re-elected from the previous Council. The Emir proposed a new revised constitution, which granted the Emir to veto, any decisions taken by the Council that was reduced to an advisory body.\textsuperscript{14} But the proposed constitution was rejected by the Council, which prompted the Emir to dissolve the Council for the second time. Eventually the Emir put in place a number of consultative committees that remained active in assisting the Emir on various administrative matters till the

\textsuperscript{11} Baaklini, n.4, p.362.
\textsuperscript{13} Baaklini, n.3, p174.
\textsuperscript{14} Lawson, n.10, p.74.
The post 1938 period witnessed an organised opposition to the ruling family despite the Emir's attempt to suppress political activism. Many religious and democratic groups were formed during this period. While the expatriate teachers formed the Muslim Brotherhood (*Ikhwan al-Muslimin*)\(^{16}\) in 1951, the foreign and the indigenous Kuwaiti oil workers established the Kuwait Democratic League. There was a tremendous pressure on the regime for the implementation of the administrative reforms.

The period following the collapse of the National Legislative Council in 1938 witnessed certain fundamental changes being ushered in Kuwait influenced by the dramatic increase in the flow of oil revenues. With the discovery of Oil, the Emir became financially independent of the merchant class. The Emir constituted a number of consultative committees to administer some of the new social services sectors such as health, education, water desalination, generation of electricity and construction. Education was made free at all levels to those living in Kuwait and scholarships were provided to the Kuwait youth to study abroad. The government recruited highly qualified teachers from many Arab countries. The Department of Health emulated the British system of National Health Service and offered free medical treatment, hospitalisation and medicine to all including the foreigners. The economic growth also induced the development of infrastructure in the country.

\(^{15}\) Baaklini, n.4, p.362.

\(^{16}\) Muslim Brotherhood (*Ikhwan al-Muslimin*) was a Sunni Islamist Organisation founded in Egypt in 1928. Its offshoots spread throughout the Gulf as Egyptian teachers and professionals took up residence in the region during the 1950s. It served as the inspiration for the reformist Islamist movements that emerged in the Arab Gulf States in the 1970s and 1980s particularly those of Kuwait but it is completely unrelated to the indigenous *Ikhwan* of Saudi Arabia.
Roads were built and by 1961, there were dual-carriage roads, which connected almost all parts of the state. The increase in oil revenues changed radically the face of Kuwaiti society in all spheres of life. The oil revenue also replaced the traditional economic activities like boat building and pearl fishing. The oil boom and the subsequent material well being of Kuwait led to the emergence of an educated intellectual class who not only popularised among the masses but continued to educate them on the values of pro-democratic reforms through political activism. Thus what was once the primary preoccupation of economic elite namely political reforms shifted into the hands of the intellectual elite who ought to play a crucial role in shaping the future politics of Kuwait.

Kuwait obtained independence from British colonial administration in 1961. Soon after, the Emir issued a royal order to form a Constituent Assembly through election to assign the task of drafting a Constitution. For this purpose, Kuwait was divided into ten districts to elect two representatives from each. The right to vote was restricted to all the male members above the age of twenty-one whose families had settled in Kuwait since 1920. The election was held on 30 December 1961 through a secret ballot. Many leaders who had actively participated in the 1938 movement gained entry into the Assembly that consisted of twenty members. Dr. Ahmad al-Khatib, the leader of opposition became the Vice-Chairman of the Assembly and Thnayyan al-Ghanim one of the prominent leader of the 1938 movement who had spent several years in jail became the chairman of
the Constituent Assembly. The members of the Assembly were joined by the fourteen cabinet ministers as the ex-officio members to constitute the drafting committee. The total strength of the body stood at thirty-one as three of cabinet ministers also got themselves elected to the Assembly. The drafting committee submitted the Constitution to the Emir on 8 November 1962. The Emir gave his consent and ratified the Constitution and on 11 November 1962 without demanding any modifications. The newly adopted Constitution established a unique blend of hereditary rule and the representative government.

THE CONSTITUTION

The Constitution of Kuwait declares Kuwait as the democratic state in which the sovereignty resides in the people, the source of all power (Article 6) and Justice, liberty and equality are the pillars of the society (Article 7). The Constitution is classified into five parts. The first part of the Constitution deals with the state, system of government and the role and function of Monarchy in detail. The second part of the Constitution explains the fundamental constituents of Kuwaiti Society. The people’s rights and duties have been elaborately dealt in the third part of the Constitution. Article 29 in the third part of the Constitution guarantees the personal liberty and declares that all people are equal in human dignity and in public rights and duties before the law. The Constitution also guarantees the freedom to profess and practise any religion and belief (article 35).

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17 Baaklini, n.3, p.175.
The citizens were even provided with freedom to form associations and unions on a national basis (article 43). The fourth part of the Constitution deals extensively with the powers of the Executive, Legislature and Judiciary. The final section of the Constitution deals with the general and transitional provisions.

**The Emir**

The Constitution declares the Emir as the head of the State who is immune and inviolable. The Emir exercises his power through the Prime Minister who is the head of the Cabinet (article 55-58). The Emir shall have the right to initiate, sanction and promulgate Laws. Promulgation of Laws shall take place within thirty days from the date of their submission by the National assembly to the Emir. The period shall be reduced to seven days in case of urgency. Such urgency shall be decided upon by a majority vote of the members constituting the National Assembly. If the period of promulgation expires without the Head of State demanding reconsideration, the bill shall be considered as having been sanctioned and shall be promulgated (Article 65). The Emir settles any disputes between the National Assembly and the cabinet. He also inaugurates the sessions of the National Assembly but can be the part of the Assembly’s deliberations and he cannot vote on any bill. The Emir also has the power to veto the bills passed by the Assembly. The Emir is also the Supreme Commander of the armed forces and vested with powers to appoint and dismiss officers in accordance with the law (article 67).
The Emir possesses powers to declare defensive wars (article 68) and can even impose martial law in case of emergency (article 69). The Emir also has the authority to pardon or commute a sentence (article 75) and confers Orders of Honour. According to article 60 of the penal code, execution cannot be carried out except after the Emir’s ratification. The Emir is the chief diplomat of the state and of the foreign policy. He makes all the appointments of the ambassadors, ministers and general consuls. He represents Kuwait in the international arena and he represents the state in the stages of negotiations and in concluding treaties with the other countries but however some treaties requires the approval of the National Assembly.\(^{20}\) On the financial side the coins are minted and issued in the name of the Emir in accordance with the law (article 76-77). The Emir can under certain circumstances suppress the freedom of the press, but in general Kuwait is acknowledged for the free press in the Muslim world.

**The Crown Prince**

The Crown Prince is the Heir apparent to the Emir of Kuwait and traditionally the Crown Prince is also the Prime minister of the country. The Crown Prince heads the Cabinet and is responsible for the functioning of the state.

According to the constitution, “the Heir apparent should be designated within one year of the accession of the new Emir and his designation shall be

effected by an Emiri order upon the nomination of the Emir and the approval of the National Assembly that shall be signified by a majority vote of its members in a special sitting."

The Prime Minister heads the supreme Defence Council, the Higher Council of Petroleum, Civil Service Commission and the Higher Council of Housing. In case the crown prince is unable to perform his duties due to his health conditions the Emir can refer the matters to the cabinet and if the cabinet agrees with the Emir, the cabinet in turn refer the matter to the National Assembly which discusses the situation in a closed session. The Assembly decides with the majority the transfer of succession temporarily, if it was a case of passing nature or to another person if otherwise.

If the office of the Emir becomes vacant before the appointment of the crown prince, then the cabinet performs the duties of the head of the state and the Emir should be elected within eight days. The same method is adopted for the appointment of the crown prince. If the Assembly is not in session it will be convened immediately and if the legislative term is over, the Assembly is called into session to present the nomination.

The Cabinet

The Prime Minister heads the Cabinet whose members are appointed by the Emir. Cabinet members are chosen either from the royal family or the Assembly or

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22 Assiri, n.20, p.48
23 Ibid
the other prominent members who were generally the men of high professional and academic qualifications. The Cabinet acts as a forum to involve the royal families in politics. In accordance with the long held tradition, members of the royal family do not contest for any position involving elections in Kuwait.\textsuperscript{24} The eligible members of the prominent royal families if approved by the Assembly can serve as cabinet ministers. At the same time, it has been a tradition that the Prime Minister has always been the Crown Prince.\textsuperscript{25} This in fact provides an invaluable opportunity to the Crown Prince to acquire necessary political experience to assume the role of Emir. In case of a situation where the Prime Minister either resigns or is removed from office it would construed as the resignation of all members of the Cabinet. While in office, no minister is entitled to hold any other public offices or practice or undertake any industrial, commercial or financial dealings. Moreover, no minister can purchase any property of the state nor can sell or switch any of his property to the Government. Further he shall not participate in any concession granted by the government or by public bodies or cumulate the ministerial post with membership of the board of the directors of any company (article 131). Every minister supervises the affairs of the ministry concerned and executes the general policies of the government. He also formulates directives for the ministry and supervises their execution (article 130). The deliberations of the cabinet are confidential and the decisions are taken with a majority vote and in case of a tie prime minister will vote on the matter. The ministers are all committed to the decisions of the cabinet whether voting for or against and any minister who finds it

\textsuperscript{24} Baaklini, n.4, p.365.
\textsuperscript{25} Ibid, p.366.
impossible to commit himself to the cabinet's decision must resign from the office. Various ministries have been created to ensure the overall development of the State. Since 1962-1976, Kuwait has nine cabinets. The details of the composition of the Cabinet members are given below.

Table No.2.1:
Distribution of Cabinet Members according to their Affiliation: 1962-1976

<table>
<thead>
<tr>
<th>Cabinet</th>
<th>Period in office</th>
<th>Royal Family</th>
<th>Assembly Members</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Constituent Assembly</td>
<td>11</td>
<td>3</td>
<td>-</td>
<td>14</td>
</tr>
<tr>
<td>2</td>
<td>January 1963-17 March 1964</td>
<td>11</td>
<td>1</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
<td>3</td>
<td>17 March 1964 – 30 November 1964</td>
<td>9</td>
<td>3</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>6 – 28 December 1964</td>
<td>5</td>
<td>4</td>
<td>6</td>
<td>15</td>
</tr>
<tr>
<td>5</td>
<td>3 January – November 1965</td>
<td>5</td>
<td>3</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>6</td>
<td>4 December 1965 – 28 January 1967</td>
<td>5</td>
<td>3</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>7</td>
<td>4 February 1967 – 26 December 1971</td>
<td>5</td>
<td>3</td>
<td>7</td>
<td>15</td>
</tr>
<tr>
<td>8</td>
<td>2 February 1971- 3 February 1975</td>
<td>3</td>
<td>2</td>
<td>9</td>
<td>14</td>
</tr>
<tr>
<td>9</td>
<td>9 February 1975- December 1977</td>
<td>5</td>
<td>2</td>
<td>9</td>
<td>16</td>
</tr>
</tbody>
</table>


26 Assiri, n.20, p.35
The above table mentions the duration of the various cabinets from 1962 to 1976. It can be observed that the number of cabinet members from the royal family diminishes gradually and representations from other social groups are on rise. The members included in the Cabinet are often highly qualified professional elite such as doctors, engineers, journalists, professors etc. This in fact provides an opportunity to Kuwait to involve some of the brightest citizens in the government affairs. The Cabinet members usually take charge soon after submitting their programme for the consideration of the Assembly. The Cabinet members can participate in the general debates of the Assembly and cast their vote on bills but are prevented from voting on the no-confidence motion against any minister.

THE NATIONAL ASSEMBLY

The Constitution provided provision for a National Assembly consisting of fifty members elected by the secret ballot and non-elected cabinet ministers as ex-officio members (Articles 80). The Constitution prescribed elaborately the terms of eligibility to contest in the elections. The members of Assembly should be above 30 years of age and citizens of Kuwait whose ancestry can be traced back to 1920. The powers and privileges enjoyed by the assembly members have also been found meticulously explained in the Constitution. The members may field questions to the Prime minister and his council of ministers and raise a debate within their

28 Kuwait-Constution, n.19.
competence\textsuperscript{29} as every minister is responsible to the Assembly. The members are vested with the right to move no-confidence motions against any minister and in case if it is passed, the minister concerned is considered to have resigned office from the date of vote of no-confidence and shall submit the formal resignation. But the no-confidence motion should have the support of majority of the members excluding the ministers who do not enjoy the right to vote in the National Assembly.\textsuperscript{30} More over, the National Assembly has an important obligation to discuss and ratify the budget at least two months prior to the end of each current financial year.\textsuperscript{31} As far as the administration of justice is concerned the Constitution promises an independent Judiciary free of any biases (Article 162-166). The Assembly also enjoys the right to propose revision of the provisions of constitution through an amendment. Any amendment to the Constitution is made possible with the consent of the Emir and the two-third members of the Assembly (Article 174). No further amendment may be proposed to the amended provision prior to the lapse of four years from its coming into force. More over the powers and privileges of the Emir specified in the constitution may not be proposed for revision or amendment (Article 176).\textsuperscript{32} No provision of the Constitution may be suspended except when martial law is in force and within the limits specified by the law.\textsuperscript{33}

\textsuperscript{29} Shahid Jamal Ansari, "Political participation and Elections in Kuwait", \textit{Strategic Analysis} (New Delhi), vol.15, no.9, December 1992. p.889.
\textsuperscript{30} Kuwait-Constitution, n.19.
\textsuperscript{31} Ibid.
\textsuperscript{32} Ibid
\textsuperscript{33} Ibid
The first ever election to the National Assembly of independent Kuwait was held on 23 January 1963. The state was divided into ten districts to elect five representatives from each for a period of four years. The rights to vote was restricted as mentioned in the Constitution to all male citizens above twenty-one years old whose families have been living in Kuwait since 1920. Women and other male citizens whose families migrated to Kuwaiti after 1920 are not eligible to vote. The Kuwaiti legislature also grants all sort of immunities to the members from arrest or prosecution by the government and no action could be initiated against any member without the prior approval of the Assembly.‡ Baaklini, n.4, p.368. Between 1963 and 1976 on nine instances pleas were made for suspension of immunity in which the Assembly refused approval on three and took no action on two and mediated in one case.‡ Baaklini, n.4, p.368. The Assembly has enormous powers in matters concerning the budget and approves all government expenditure and ratifies treaties related to war and peace. The members enjoy enough right to field questions and debate issues vis-à-vis the functioning of the Cabinet. The strength of the Cabinet is also regulated, as it can not exceed the 1/3 strength of the Assembly.

A body that consists of a President, Vice President, Secretary, Sequester and the Chairmen of the legislative, legal, Financial and economic committees administers the functioning of the Assembly.‡ Baaklini, n.4, p.368. Both the President and Vice-President are elected at the beginning of each Assembly term for a period of four years. On the other hand the secretary, sequester and the two Chairmen are elected.

‡ Baaklini, n.4, p.368.
‡ Baaklini, n.4, p.368.
‡ Baaklini, n.4, p.368.
annually by the Assembly. The Assembly meets once in a year usually in the month of October and the session opens with the Emir’s message to the nation. One of the important functions of the assembly is to promulgate laws as and when it is deemed necessary. The laws, which are passed by the Assembly, would in turn be referred to the Emir for consent who is constitutionally bound to make a decision within thirty days from the time of acceptance. In case the Emir expresses his displeasure and returns the law back to the Assembly for reconsideration, the Assembly can either make some modifications or reaffirm its previously held position by a two-third majority and the Emir has no option other than promulgating the law in thirty days.

Ever since the attainment of independence in 1961 to 1976 when the Emir dissolved the National Assembly Kuwait experienced four elections in 1963, 1967, 1971 and 1975. Though political parties are declared illegal in Kuwait, the Assembly members or Deputies as they were often called could broadly be classified into three sections on the basis of their affiliation. The three dominant sections or bloc’s that are identified in the National Assembly emerged gradually since 1963 and the relative strength of each group varied often in accordance with the number represented. The first group consisted of the Bedouin representatives whose position in the Assembly often inclined towards the initiatives and policies of the ruling family. Though many reasons are attributed to the Bedouin’s loyalty

37 Ibid.
38 Ibid. p.372.
to the ruling family, the most significant were the concessions offered by the Emir following the independence of Kuwait, which transformed dramatically the social and economic status of the Bedouins. The Bedouins were nomadic herders who basically inhabited the desert areas. The first attempt to integrate the Bedouins into the mainstream was commenced through the naturalisation decree of 1959 that granted them the Kuwaiti citizenship. In the subsequent years, the Emir offered various incentives such as housing schemes, social security and jobs in bureaucracy and army that altered the tribal outlook of the Bedouins. 39 The second important politically active group comprised of the heterogeneous business class that played a prominent role in the movement to democratise decision making in the pre-independent Kuwait. In fact, it was the business class that spearheaded political activism to popularise democratic consciousness in the Kuwaiti society. However, the economic interests outweighed the political priority of the business class with the dramatic rise in the flow of oil revenues, which changed the delicate equation between the Emir and the business class in favour of the former. Thus the political space occupied by the business class began to diminish gradually as evident clearly in the table below to be taken by the other two entities.

The third dominant bloc in the National Assembly is comprised of diverse elements. This bloc is constituted by a group of western educated intellectual and professional elite. Many Kuwaiti students who studied abroad brought home the dominant ideologies of the time and infused renewed energy in to the political

39 Baaklini, n.3, p.178.
process, which shaped the government’s decision. The members of this group were the most assertive and vocal in the Assembly as they sought to invoke ideas of Arab nationalism and anti-imperialism to bring about lasting changes in the structure of Kuwaiti politics. This bloc is relatively the most modernised and liberalised and always willing to use the Assembly as a platform to criticise government policies and raise issues to expand further the scope for democracy in Kuwait. Apart from the three dominant blocs there were also the fringe elements such as the Muslim fundamentalists and the politically uncommitted. The composition of the Kuwaiti National Assembly from 1963 to 1976 is given below.

Table No.2.2:

<table>
<thead>
<tr>
<th></th>
<th>Bedouins</th>
<th>Merchants</th>
<th>National Democrats</th>
<th>Sunni groups</th>
<th>Liberals</th>
<th>Shi‘ites</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1963-67</td>
<td>19</td>
<td>5</td>
<td>7</td>
<td>0</td>
<td>13</td>
<td>6</td>
<td>50</td>
</tr>
<tr>
<td>1967-71</td>
<td>20</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>17</td>
<td>9</td>
<td>50</td>
</tr>
<tr>
<td>1971-75</td>
<td>20</td>
<td>3</td>
<td>7</td>
<td>0</td>
<td>14</td>
<td>6</td>
<td>50</td>
</tr>
<tr>
<td>1975-76</td>
<td>23</td>
<td>3</td>
<td>7</td>
<td>0</td>
<td>7</td>
<td>10</td>
<td>50</td>
</tr>
</tbody>
</table>


41 Ibid, pp.178-79.
The Bedouins who became the backbone of the ruling family in the Assembly were represented in highest numbers from 1963 to 1976. The Bedouin representation increased in the consecutive Assemblies in contrast to the business class whose numbers began to dwindle gradually. On the other hand the Nationalist democrats present a steady performance up to 1976 but for the dismal performance in 1967 elections in which they failed to secure any seat. The National democrats, led by a prominent physician, Dr. Ahmad al-Khatib were the most vocal among the intellectuals, professors and professionals. They supported the Palestinian cause and sympathised with the Egyptian President, Gamal Abdel Nasser’s call for non-alignment, Arab unity and economic justice. The liberals constituted the other important group with a strong presence in the National Assembly since 1963. The liberals seemed to have cornered a steady support base in Kuwait, which is quite evident in their performance. The Shi’ites is the minorities who migrated from Arabian Peninsula and Iran to Kuwait. They comprised of 20 to 30 percent of the total population of Kuwait. Many of them are highly educated and their representation in the National Assembly gradually increased from 6 in 1963 to 10 in 1975.

The First National Assembly (1963-67)

The election to the first National Assembly was held on 23 January 1963. There were fifty elected members from ten electorate districts with each district electing five members. The voter turnout was 85 percent in this election. The first National Assembly (1963-67) of Kuwait had been very critical of the policies and
the functioning of the monarchical government. The deputies paid a special attention to Ministers in charge of Defence and Interior portfolios and grilled them for their policies. The 1964 Cabinet came under severe criticism on the grounds that some members were engaged in business in violation of the constitution (Article 131) that forced the government to form a new Cabinet. By questioning the government policies and ministers, the members were able to hold the Cabinet accountable to the Assembly.

The Emir of Kuwait, Shaikh Abdallah al-Salim died in November 1965 and was succeeded by his brother, Shaikh Sabah al-Salim. The new Emir was confronted with plenty of problems vis-à-vis certain uneasy developments in the region. The sovereignty of Kuwait was delicately poised as a result of events such as the collapse of the United Arab Republic, the fall of the Qassem regime in Iraq and the war in Yemen. Moreover, the new Emir was yet to learn the nuances of maintaining the delicate balance between the Assembly and Cabinet, which added to the existing troubles. By the end of 1965, eight members from the Arab Nationalists Bloc resigned in opposition to the Assembly’s decision to impose restrictions on public rights and liberties in public work, political activities etc. The members announced that they intended to resign earlier but had postponed the resignations because of the Emir Abdullah al-Salim’s illness and death. They believed that the National Assembly had changed “from a means of securing

42 Ansari, n.29, p.888.
freedom and progress into a government tool to bring pressure and liberty. In spite of all these challenges the Assembly continued successfully to function till the completion of its term.

The Second National Assembly (1967-71)

The elections were held on 25 January 1967. In this election the voter turnout reduced to 65.5 percent compared to the previous election. The results of the Second National Assembly (1967-71) came as a big surprise to the nationalist democrats as they failed to corner any seat. The pro-democratic leader, Ahmad al-Khatib too lost the election in 1967. The second Assembly saw the entry of many new candidates who were unhesitant pro-government in approach. The opposition accused the government of electoral malpractice leading to widespread rigging to ensure the defeat of opposition leaders. Seven newly elected members belonged to the opposition camp lodged a strong protest by refusing their seats in the Assembly. According to the code of the Assembly, the members were considered resigned from their membership as of 4 April 1967 and by-election was held on 10 May 1967 to chose the new members. The second Assembly was put in a delicate situation to deal with the implications arising out of Egypt’s defeat in the Arab-Israeli war of 1967 that transformed for ever the politics of Arab world. Kuwait despatched generous financial aid and assistance to Egypt, Jordan and

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45 Ansari, n.29, pp.888-89.
46 Assiri, n.20, p.99
Syria. A campaign was launched by the Kuwait Parliamentary Division to expose the reality of the Israeli aggression to the public and the parliamentary circles. The Assembly approved the agreement to establish the Organisation of Arab Petroleum Exporting Countries (OAPEC).

The Third National Assembly (1971-75)

The elections to the third Assembly were held on 23 January 1971. In this election, though the registered voters increased, the voter turnout was low compared to the previous elections. In this election the voter turnout was 51.6 percent. This lower turnout was attributed to the dissatisfaction among the voters with the government’s intervention in the 1967 election and the apprehension of the repetition of the previous election.

The result of the 1971 elections to the National Assembly was a sort of political revival for the National Democrats who wrested seven seats. Once again the Assembly became an active forum with the National Democrats and the Liberals making crucial interventions in debates vis-à-vis public policy and management of natural resources. The assembly witnessed many important debates that provided shape to the Oil policy of the government. The opposition members enacted a significant role in redefining the government’s oil policy and their pressure convinced the government to nationalise the Kuwait Oil Company and put

47 Zahlan, n.43, p.41.
a ceiling on the country’s oil production in 1972. The most important event that happened during this Assembly was the 1973 Arab-Israeli war and the spectacular rise in the oil prices. During this oil boom period, many shareholding companies were established.

**The Fourth National Assembly (1975-76)**

The fourth National Assembly that was constituted after the 1975 elections was in news for all wrong reasons. The opposition charged the government of manipulation and large-scale malpractice to influence the results to their favour. The special feature of this Assembly was that half of the members elected were fresh entrants. The Assembly also experienced an all time high representation from the Bedouins and shi’ites that cornered twenty-three and ten seats respectively. During this period a number of bills were passed like the endorsement of the Islamic Bank for Development Agreement, State possession of the private sector-owned shares in Kuwait National Petroleum Company, amendment of the Public Authority law, increasing the capital of the Credit and Saving Bank to KD 120 millions and other bills pertaining to the enhancement of Kuwait’s relations at the Arab, Islamic and international levels. The 1975 National Assembly could not serve the full term of four years due to the Emir’s decision to suspend its functioning on 29 August 1976. Though the Emir cited the uneasy relation between

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48 Baaklini, n.4, p.179.
the Assembly and cabinet as a core reason, many complicated events contributed to the extreme decision.

**The Dissolution of the National Assembly**

The prime minister, Jabir al- Ahmad submitted his government’s resignation to the Emir in which he claimed that the deterioration of the relations between the government and Assembly as the reason for their resignation. The Emir’s response to disband the National Assembly on 29 August 1976 came as a surprise to many. The Emir claimed that the deadlock between the Assembly and Cabinet had paralysed the government machinery from smooth functioning. He took the Assembly to task and accused them for being lethargic and sitting over important legislation far too long. The Emir further blamed the attitude of opposition members for stretching political activism too far in the Assembly through unnecessary interrogation and frequent no-confidence motions against the ministers.\(^{49}\)

But the real reasons were quite different from the ones cited by the Emir. One reason was that the opposition (leftists & Arab nationalists) in the Assembly attempted to acquire the right to scrutinise and oversee the performance and expenditure of the ruling family. The Emir construed this as a violation of the previous understanding which restrains the Assembly from directly criticising the

\(^{49}\) Baaklini, n.3, p.180.
ruling family. Moreover the ruling family was extremely disturbed by the civil war in Lebanon and anticipated that it can be replicated in Kuwait. The ruling family’s fear was not without any basis. In Lebanon it was the misappropriation of the over ambitious liberal democratic atmosphere by certain groups that plunged the nation into fragmentation and civil strife. The case of Lebanon was quite similar to what was brewing in Kuwait. The growing ties of the opposition members with the radical groups outside the state became a grave concern for the ruling family. The Kuwaiti students often protested not only in solidarity with the Palestinians but also the regional opposition groups in Bahrain, Oman and elsewhere in the Gulf. The Kuwaiti government was worried that it may affect relations with the other states in the region. The statements levelled against the Saudi government in the Kuwaiti National Assembly made Saudi Arabia to pressurise the ruling family to restrain the dissenting elements. All these reasons made the Emir increasingly insecure who dissolved the legislature and declared the constitution null and void.

The dissolution of the legislature was accompanied by a series of severe measures that stifled the freedom of expression and imposed restrictions on the press. The government closed some newspapers and magazines for publishing censored and the board of directors of the five non-governmental organisations like teacher’s society, literary forum, al-Istiqlal club, journalist society and lawyer’s

52 Baaklini, n.3, p.181.
society, were dismissed for making statements denouncing the decision of the government. There was a widespread popular opposition to the dissolution of the National Assembly. The President of the trade union federation and other union members were arrested for speaking out against the repressive laws. Any attempt to undermine the rules imposed by the government was met with awarding punishments. The educated intellectual and professional elite who dared to speak against the government was the worst affected section during this period. The teachers’ association board was replaced, the student union journal was banned and the government dissolved the boards of writers, lawyers and Journalists association and suspended some news papers editors. A new Cabinet was put in place, which introduced several administrative changes. The administrative committees replaced the Assembly committees and a new planning ministry was created to replace the Assembly’s functions. It can be said that the National Assembly was dissolved large due to the Emir’s insecurity when the Assembly attempted over ambitiously to bring the financial aspects of the ruling family under its purview.

The Islamic revolution of 1979 and its chief advocate Ayatollah Khomeini’s attempt to export the ideology to neighbouring states posed a major regional threat. It shattered the peace and tranquillity of the whole Gulf region including Kuwait. This made the ruling family realise the importance of the National Assembly, which acted as a buffer between the regime and the people.

53 Assiri, n.20, p.94  
54 Crystal, n.51, p.92.  
55 Baaklini, n.4, p.376.
Kuwait with its Shi'ite minority and the geographical proximity to Iran seemed extremely vulnerable as the fundamentalists were becoming more assertive. In the meantime, the Emir received numerous petitions to reconvene the National Assembly. The government announced the formation of an advisory committee to recommend measures to improve the political situation in the country. The committee unanimously recommended the return to the parliamentary system as a possible solution to end the impasse.

Several institutions of civil society had immensely contributed in keeping alive the public consciousness, sensitive towards political reforms by providing space to ventilate their opinions. The diwaniyyas, a weekly get together of friends and families, played an important role in promoting the political reforms. There are thousands of diwaniyyas all over Kuwait. The election campaign of the candidates is usually launched from the diwaniyyas and no candidate can win the election without meeting the major diwaniyyas of his constituency. The diwaniyyas are exempted from the governmental interference as they are considered to be the extension of the household.

The elections to the co-operative societies also provided the citizens the necessary practise with democratic procedures and generated an experienced pool of elected representatives. These co-operatives assumed a large political

56 Baaklini, n.3, p.181.
57 Alnajjar, n.40, p.257.
importance by serving as a forum for public debates on issues of general
importance in the state.\textsuperscript{58}

The voluntary associations, which were banned in 1950’s for their
outspoken criticism against the monarchy at the time when the wave of Arab
nationalism engulfed the region, were permitted to function again with a new
identity in the post-independence period. These associations were influenced by the
rapid social and economic changes and embraced the ambitious development plan
that would transform the country.\textsuperscript{59} They also provide alternatives to the families
for mobilising people according to their interests and affinities. The National Union
of Kuwait Students sponsored lectures and seminars that covered a wide range of
topics and political issues of the day, linking their efforts with those expressed by
labour unions and other associations in Kuwait along with many women
organisations.\textsuperscript{60} The associations in Kuwait during this period continued to be
influenced by the various movements in the Arab world. “The labour unions, the
associations of teachers and students, the literary club and the Independence club
called for Arab unity, total independence from foreign rule, the liberation of
Palestine, and the socialist system and anything less was regarded by the nationalist
movements of the time as unacceptable.”\textsuperscript{61} The commitment and work of these
associations proved vital in shaping the political thought and politics, which finally
resulted in consolidating democracy in Kuwait.

\textsuperscript{58} Crystal, n 51, p 112
\textsuperscript{59} Shafeeq Ghabra, “Voluntary Associations in Kuwait: The foundation of a new system”, \textit{Middle East
\textsuperscript{60} Ibid, p.203.
\textsuperscript{61} Ibid.
Press played an important role in the democratic process of Kuwait. The press kept people acquainted with the issues discussed in the Assembly and created awareness about the international issues. The five Arab dailies of Kuwait played an important role in influencing the political decision making process and it is said that if Assembly is one wing with which democracy can fly, then the press is the other wing.\textsuperscript{62} The press strived to reflect the wide range of opinions in the society. The Assembly sessions were given complete coverage. When the Emir dissolved the Assembly, the press too received a bad treatment and forced to face strict censorship. In 1976, the press law was amended to bestow the Minister of Information with powers to suspend any paper by an administrative order.\textsuperscript{63}

One of the serious problems of the Kuwaiti democracy is the issue of citizenship. In defining the citizenship, Kuwait uses two basic principles – \textit{jus sanguinis} and \textit{jus soli}. The principle of \textit{jus sanguinis} recognises an individual’s citizenship as determined by the citizenship of their parents and \textit{jus soli}, on the other hand holds that citizenship is based on the individual’s birth place.\textsuperscript{64} The presence of a large number of non-Kuwaitis made the question of citizenship and naturalisation very crucial. In Kuwait, to apply for naturalisation, the applicant is required to have stayed for 10 to 30 years without any guarantee of citizenship being granted. After becoming the naturalised citizens, they are granted citizenship rights such as welfare benefits in the form of education and retirement allowances.

\textsuperscript{62} Alnajjar, n.40, p.255.
\textsuperscript{63} Ibid.
\textsuperscript{64} Heather Deegan’s “Democratisation in the Middle East” in Haifaa A. Jawad’s(ed) \textit{The Middle East in the New World Order}, (London: Macmillan Press Ltd, 1994), p.16
but not political rights.\textsuperscript{65} The right to vote is granted twenty years after the acquisition of citizenship but still ineligible for nomination or appointment to any representative body or ministerial position.\textsuperscript{66}

The other problem of Kuwait democracy is the denial of political rights to women. Political rights were denied to women from the time of the formation of the National Assembly. Kuwait’s constitution is ambiguous about women’s rights, though it guarantees equal rights to all people (Article 29) along with personal liberty (article 30), it also calls the family as the cornerstone of society (article 9) and put the state incharge of safeguarding the heritage of Islam (article 53).\textsuperscript{67} Some fundamentalist groups argued that the right to vote for women is against Islam. But Kuwait has been a home for various women’s movements since 1970’s. The middle and upper class women who were active in voluntary associations began lobbying for political right and fundamental changes in Kuwait’s family law.\textsuperscript{68}

Though women are denied political rights, they enjoy gender equality in education and work. The employment opportunities for women in the state sector had been very advantageous. Kuwait’s workforce comprised 34% of women and Kuwait women held important positions in law and medical professions. Various women’s organisations are established to safeguard the rights of women. They

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\textsuperscript{65} Ibid, pp.16-17.
\textsuperscript{66} Ibid, p.17.
\textsuperscript{68} Ibid.
present themselves as the advocates for women's interest. The first two women's organisations in Kuwait, namely Women's Cultural and Social Society (WCSS) and the Arab Women's Development Society (AWDS) were established in 1963. The WCSS was a gathering of educated women from merchant families, who were wealthy enough to indulge in charity work. AWDS comprised mostly of women from the middle class who actively participated in the feminist struggle demanding not only political rights but also restriction on patriarchal authority within the family. The WCSS and AWDS came together in 1974 on a common platform to form the Kuwait Women's Union and have been continuously struggling to achieve political rights.

To sum up, in Kuwait, there are democratic currents running through the country clearly, which could be explained by the fact that democratisation can at time follow the incrementalist pattern. The 1962 constitution that was adopted following Kuwait's independence set down certain guidelines to facilitate political participation, elections for the selected few, a national Assembly and so on. The political developments in Kuwait from 1961-81 followed an incrementalist pattern of stage by stage evolution. During this period, four elections were held to elect the National Assembly. The first National Assembly (1963-1967) in Kuwait encountered a series of internal and external crisis that figured predominantly in the debates and guided most of the decisions. In 1965, the Emir of Kuwait expired and

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70 Ibid.
the new Emir had to face certain uneasy developments that cropped up with the resignations of some of the members of the National Assembly. On external affairs Kuwait was to a certain extent delicately poised as a result of events such as the collapse of the United Arab Republic, the fall of the Qassem regime in Iraq and the civil war in Yemen.

The election to the 1967 National Assembly was marked by several incidents of electoral malpractices. The government was accused of needless interference in the electoral processes to engineer and make sure the defeat of certain opposition members. Some of the elected members of opposition resigned from the National Assembly to protest against the government's motivated interference in the elections as it undermined and strike at the foundations of the essence of the practice of democracy. Though the official report brushed aside all these allegations as unsubstantiated, a committee was set up to investigate into the complaints of electoral malpractices. The committee reported on 2 March 1967 that the allegations of malpractice could not be established owing to lack of evidence.

The 1971 National Assembly saw the revival of the National Democrats in the Assembly. During this period the oil policy of the government was defined and the government also agreed to nationalise fully the Kuwait oil company and placed the ceiling on the oil companies. This period also saw the spectacular increase in the global oil prices.
The 1975 National Assembly could not complete its full term as it was dissolved by the Emir. A number of reasons were given for the dissolution as the lack of cooperation between the executive and the legislature. The ruling family was also found itself overtly concerned by the civil war in Lebanon and its influence on Kuwait. All these among other reasons contributed to the dissolution of Assembly by the Emir, which continued up to early 1981.

Despite these definite drawbacks in the democratic processes, Kuwait is the only country in the Gulf to represent a definite move in a liberalising direction and exposed a section of the population to a certain degree of political participation.