CHAPTER-IV

GULF CRISIS AND THE MOVEMENT FOR DEMOCRACY
The Iraqi invasion of Kuwait on 2 August 1990 occurred at a time when Kuwait was at the midst of a severe political crisis. The political instability that was set in motion with the dissolution of Kuwait's National Assembly following the resignation of the Prime Minister and the Cabinet by the Emir in 1986 lingered inconclusive. Thus the period from 1986 to 1990 witnessed an active movement for political reforms, primarily stressing the immediate restoration of the parliamentary system. The most prominent group among those who advocated democratic reforms was the one that consisted of the educated professionals, administrative and the business elites. Unlike the religious fundamentalists and the left lenient groups the rudiments of Kuwaiti elite's politics was devoid of any ideological content. However, the absence of the ideological substance hardly dissuaded the Kuwaiti elites to oppose vociferously and mobilise public opinion against the al-Sabah family's attempt to subvert the National Assembly and conduct the affairs of the state independently. The Iraqi occupation of Kuwait happened at a time when the al-Sabah regime was actively negotiating with the Kuwaiti elites and the other political groups the ways of restoring democracy and preparing fresh plans to improve the economy.\(^1\) The Iraqi occupation of Kuwait brought to the public sphere several crucial issues such as the al-Sabah family's commitment to defend the nation, which were hitherto construed and often eschewed as these issues would place the royal family in an preposterously uncomfortable situation. This chapter discusses in brief the Iraqi invasion and the devastation

it caused; however the main focus is on its political implications and the responses of the royal family to the demands of the political parties in a changed scenario. In the post occupation period the political parties, particularly the liberal political elites criticised in unequivocal terms the conduct of the affairs of the state of Kuwait by the al-Sabah family. The demand for political reforms after Iraqi aggression was no longer confined to a few political parties but began to expand and discover more popular support. The tragedy that fell on the unsuspecting people of Kuwait through Iraq’s violent aggression transformed forever their political aspirations and induced them to become conscious of the imperative of a political space to voice their opinion in the manner in which the affairs of the state are conducted. Thus this chapter evaluates the period that immediately followed the war as it was noteworthy in shaping the popular opinion in favour of the restoration of the Constitution of 1962, which is considered as the bedrock of Kuwaiti democracy.

Events leading to Iraq’s invasion of Kuwait

The Iraqi invasion came as a rude shock to the surprise and dismay of many Kuwaitis who hardly anticipated such a harsh reaction from Iraq. On the one hand, most Kuwaitis held the government as largely responsible for the unsavoury events that unfolded and culminated in Iraq’s invasion of Kuwait. They believed firmly that Kuwait’s Oil production policy and the total absence of transparency through absolute control over any information of the same and
the inept handling of several highly contentious issues causing serious diplomatic errors and the poor means of defence preparedness made them vulnerable and defenceless to Iraq's attack.²

The oil policy of the al-Sabah regime has always been a controversial subject in Kuwait. Since the 1970s the government has systematically and gradually been enlarging its control over the domestic oil industry and influenced crucial decisions on how to exploit it.³ The people essentially had little scope for voicing their opinions on Kuwait's oil policy except through parliamentary debate and action. In 1974 the Kuwaiti government decided to follow Saudi Arabia's lead and initiated measures to limit the percentage of foreign oil holding by partial nationalisation. But the subsequent debates that took place on this issue in the parliament provided an opportunity to offer direction to the much needed public opinion on this issue. As a result the government had to modify its earlier stand and agreed to nationalise completely before the end of the decade.⁴ The sharp difference in the perspective vis-à-vis the oil policy between the government and the parliament partially explains why the government initiated in this regard, such as the 1980s creation of the Kuwait Petrol Corporation, which was launched during period when the parliament was under suspension.

³ Ibid.
⁴ Ibid, p.78.
On the other hand, it is also pertinent to observe the political and economical milieu of Iraq on the eve of its aggression against Kuwait. Iraq was faced with severe hardships, particularly its economy on account of the long standing devastative military conflict against Iran, which left Iraq with a massive debt of $60 millions to Kuwait and Saudi Arabia alone. It was under these circumstances Iraq raised some objections and accused Kuwait of extracting illegally more oil than the prescribed share from the Rumeila oil field. According to Iraq's version 'Kuwait had been wrongfully exploiting the Rumeila field since 1980 and had stolen $2.4 billion worth of Iraqi oil.'5 This apart, Iraq was further annoyed by the falling global oil prices, particularly at a time when the oil revenues mattered most for its post war recovery and reconstruction and improving abreast the military strength. Thus Iraq favoured an increase in the oil prices at the global level as it would enhance its flow of revenue. The stability of the oil prices and most decisively the prevention of the downward trend in prices was in fact ensured and regulated through an understanding among the OPEC member countries, which stipulated a specific quota of oil extraction to be undertaken by each member in order to maintain the oil prices competitive at $ 18 per barrel. However, when the oil prices fell as low as $ 12 per barrel in the global market, Iraq charged Kuwait and U.A.E of extracting oil beyond the prescribed limit in violation of what was agreed upon and deliberately destabilising oil prices globally by causing over production. Thus Iraq began to pressurise Kuwait to strictly adhere to the

prescribed limit of oil production quota stipulated by the OPEC and claimed to waive off all outstanding dues to Kuwait as compensation against the losses Iraq incurred as a result of the fall in global oil prices induced by Kuwait.

In July 1990, Kuwait acknowledged and accepted that it had been overproducing oil and agreed to honour in future the OPEC prescribed quota. The dispute remained unsettled as Iraq reiterated its earlier stand and stressed further the crucial demand of compensation for the losses Iraq suffered. At the outset Iraq’s demands appeared legitimate and justified particularly when Kuwait acknowledged its irregularity and aberrations in observing some of the key promises made with the OPEC and the unlawful oil extraction since 1980 from the Rumeila oil field. The core issues of contention, however largely revolved around the extraction and production of oil. Kuwait’s refusal to offer any compensation to Iraq was construed by the latter as an effort to cripple its economy that amounted to economic warfare. On the other hand, the Iraq’s military aggression temporarily pushed aside the internal disagreements between the regime and the supporters of political reforms in Kuwait and united them for the moment to fight together to free the country from Iraq.

The Iraqi Occupation of Kuwait

The whole world was largely taken by astonishment and disbelief when on 2 August 1990 the Iraqi army occupied Kuwait. The most important point

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was the near total unpreparedness on the part of Kuwait on account of its ruler’s inability to anticipate in advance what was at disposal from Teheran to Kuwait. The state of affairs in Kuwait on the face of Iraq’s armed aggression explained, if not completely, partially the manner in which the whole issue was perceived and understood in Kuwait in spite of the fact that Iraq had accompanied its earlier threats by already moving troops to the border area. The casual manner in which the Iraqi forces swept aside the Kuwaiti forces on 2 August 1990 was an undoubted manifestation of serious mistakes in statesmanship on the part of the ruling family. The people at the helm of the affairs had thoroughly misread the brewing situation, hence the intensity, and failed to take note of certain crucial aspects that could have facilitated an unambiguous understanding of Saddam’s threats in an appropriate context.

The first and foremost area of confusion was the belief that Iraq had just wriggled her out of its long drawn conflict with Iran for a respite. So, the presumption on the part of Kuwait was that Saddam could not afford immediately a conflict in the region that too against Kuwait that not only stood with him but also assisted him with material resources against Iran despite off repeated threats from Iran to paralyze her trade through Persian Gulf. Kuwait failed to take note of one crucial fact that notwithstanding Iraq’s heavy losses in the long drawn Iran-Iraq War, Iraq retained its status as the most powerful military presence in the Gulf region. Secondly, in Kuwait’s assessment there was hardly anything new in Iraq’s list of demands other than the boundary
disputes and related territorial claims that dated back to several decades. It was indeed true that Saddam Hussein’s territorial claims against Kuwait such as the annexation of Bubiyan and Warba islands at the mouth of the Shatt al Arab to give Iraq a clear passage to the Gulf region was nothing but an old territorial dispute. But Saddam also accused Kuwait of illegally siphoning off oil from Rumeila field, one of the world's largest oil pools, which the two countries shared was in fact a serious breach on the part of Kuwait. Saddam Hussein threatened to use force against Arab oil producers, including Kuwait and the UAE that exceeded their oil quotas particularly at the time when Iraq was engaged in a conflict situation. Thus, in spite of the serious nature of Iraq’s grievances against it, Kuwait neither took any effort to resolve them nor displayed an intention to face any eventuality that could arose out of the situation. By doing so Kuwait indeed conveyed a wrong signal which was perceived by Iraq as an act of intimidation with the active support of United States. The point here is that Kuwait failed miserably to perceive and understand the threat from Iraq against the background of the newly emerging political circumstances in the region. The failure to comprehend the emerging political situation and the poor perception and observation of Iraq’s demands as the extension of old disputes by Kuwait to a large extent was responsible for its miserable performance against the marauding Iraqi army.

The Iraqi army invaded and occupied Kuwait with a force of about 120,000 soldiers and approximately 2,000 tanks and other armored vehicles but
met very little resistance worth mentioning. The Kuwaiti army was, apart from, not being on high alert, could hardly mount an effective defense. There were some aircrafts operating from southern Kuwait attacked Iraqi armored columns before the air base was overrun, and they sought refuge in Saudi Arabia. Of the 20,000 Kuwaiti troops, many were either killed or captured although nearly 7,000 escaped into Saudi Arabia, along with about forty tanks.7

Having completed the occupation of Kuwait, the Iraqi armored and mechanized divisions and the elite Republican Guards advanced to south towards Kuwait's border with Saudi Arabia. Intelligence sources indicated that the Iraqis were positioning themselves for a subsequent drive toward the Saudi oil fields and shipping terminals, possibly continuing toward the other Gulf States.

In the first of a series of resolutions condemning Iraq, the United Nations (UN) Security Council on August 2 called for Iraq's unconditional and immediate withdrawal from Kuwait.8 In the ensuing months, a coalition force of more than 600,000 ground, sea, and air force personnel were deployed to defend Saudi Arabia and to drive the Iraqis out of Kuwait. The Command of the force was divided as noted below: Commander in Chief of the United States Central Command, General H. Norman Schwarzkopf, headed United

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7 Abdullah Yusuf al-Ghunaim, *Kuwait-Iraq Boundary Demarcation*, (Centre for Research and Studies on Kuwait: Kuwait, 2000), pp.112-14
8 Kuwait: Statehood and Boundaries, Objective Facts and Iraqi Claims, Centre for Research and Studies on Kuwait: Kuwait, 1999), pp.155-56
States, British, and French units; his Saudi counterpart, Lieutenant General Khalid ibn Sultan ibn Abd al Aziz Al Saud, commanded units from twenty-four non-Western countries, including troops from Saudi Arabia, Egypt, Syria, Kuwait, and the other Gulf states. In addition to 20,000 Saudi troops and 7,000 Kuwaiti troops, an estimated 3,000 personnel from the other Gulf Cooperation Council (GCC) states took part in the land forces of the coalition offensive, known as Operation Desert Storm. When the massive coalition ground assault of Operation Desert Storm got under way on 24 February 1991, troops of the Persian Gulf states formed part of two Arab task forces. The first, Joint Forces Command north, consisting of Egyptian, Saudi, Syrian, and Kuwaiti troops, deployed on Kuwait's western border. Joint Forces Command East deployed along the gulf immediately south of Kuwait and consisted of about five brigades (each well below the strength of a regular Western brigade) from Saudi Arabia, Kuwait, Bahrain, and Qatar. The main attack was a sweeping movement by United States, British, and French forces in the west designed to cut the links between the Iraqi forces in Kuwait and their bases in Iraq. The Saudis and Kuwaitis on the western border of Kuwait, composed of about four brigades organised as the Khalid Division, together with an Egyptian regiment, breached Iraqi defenses after allied bombing and engineer operations blasted passages. Iraqi troops, although in strong positions, surrendered or streamed to the north. Units of Joint Forces Command East advanced up the coastal road, capturing the city of Kuwait on the third day of the offensive after light fighting and the surrender of thousands of Iraqi soldiers.
In the whole scheme of things that ensued the Iraq’s invasion the contribution made by the Kuwaiti forces often under played despite their commendable efforts through the crisis. It was the Kuwaiti army that detected by a balloon-borne early warning radar the mobilisation of Iraq’s army towards Kuwait. However the Kuwaiti army had insufficient time to mount any organized resistance. Some contingents continued a small-unit defense, including those equipped with Chieftain Tanks. About 7,000 soldiers escaped to Saudi Arabia and those remained were either killed or captured or participated in the internal resistance movement. Some Mirage and Sky hawk aircraft carried out attacks on the advancing Iraqi columns but when the air base in southern Kuwait was overrun, they flew to Saudi Arabian bases, as did some of the armed helicopters. The Martyr Brigade was the first of the units of Joint Forces Command East in the drive paralleling the coast northward when the allied operation began on February 24, 1991. Along with Saudi, Qatari, and Bahraini forces, supported by United States marines on their left flank, their assignment of liberating the city of Kuwait incurred little Iraqi resistance. Of twenty-four Kuwaiti aircraft participating in strikes against the Iraqi forces, one A-4 Sky hawk was lost to enemy fire. The two surviving Kuwaiti missile craft, carrying small marine contingents, were able to retake oil platforms and some of the Gulf islands. Kuwait suffered only one combat death, according to an official British source.
Kuwait also pledged massive contributions adding together to more than US$16 billion to support the United States for its role in the Persian Gulf War. Further, an additional US$6 billion was promised to Egypt and other member countries of the coalition to help offset the economic effects of the war.

Kuwait during the Iraqi Occupation

During the invasion, more than half of the Kuwaiti citizens, including the Emir and the members of the ruling family fled the country in no time to stay away from confronting the brunt of the pillaging Iraqi armed forces, which made swift advancement owing to the complete absence of any well thought-out firm resistance. The Emir and the members of the ruling family camped in Ta’if, Saudi Arabia and organised the government-in-exile there. The ruling family began to discharge instantaneously its official functions through the government-in-exile, which in a way not merely prevented further chaos but also enabled the ruling family to preserve and safeguard its legitimacy and legality to rule Kuwait undamaged. Despite the fact that a vast majority of the Kuwaitis remained disgruntled with the ruling family, they pooled their energies to appeal for international attention and assistance rather than engaging in acts that perhaps would weaken or liquidate the government-in-exile. At the same time, the politically vibrant pro reform Kuwaitis did not capitulate altogether their long cherished political principles but expected a commitment from the ruling family to restore democracy on the basis of the

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1962 Constitution. The exiled Kuwaitis adjusted quickly to the changed circumstances and began to work collectively within a short period of time in providing assistance to refugees, arguing on radio and television for international community’s intervention on the invasion and planning for post war reconstruction.\textsuperscript{10} The exiled Kuwaitis represented a broad spectrum of political views and they continued to press the Emir to make a public commitment towards the restoration of the National Assembly in the post-liberation period. The opposition leaders in exile began to raise and analyse questions such as the causes of invasion and the responses of the government. They further desired to know why the Kuwaiti army had withdrawn itself without a fight and why there was no attempt made to negotiate a voluntary withdrawal during the early hours of the invasion.\textsuperscript{11} Some exiled Kuwaitis established organisations to undertake campaigns to place together all crucial information to make the world known the magnitude of the devastation and the wretched situation of the Iraqi occupied Kuwait. The government-in-exile too encouraged such activism by financing two of such organisations - the Washington based Citizens for a Free Kuwait (CFK) and the London based Free Kuwait Association (FKA).\textsuperscript{12}

The seven-month Iraqi occupation subjected the Kuwaitis to a systematic terror campaign that included extra judicial killings, torture and

\begin{itemize}
\item \textsuperscript{10} Tetreault, n.2, p. 83
\item \textsuperscript{11} Ibid. pp.83-84.
\item \textsuperscript{12} Mary Ann Tetreault, \textit{The Kuwait Petrol Corporation and the Economics of the New World Order}, (West Port, Conn: Quorum Books,1995), pp. 133-34
\end{itemize}
other inhuman treatment, kidnappings, and arbitrary arrest and detention. There were many credible accounts of killings, not only of members of the Kuwaiti resistance but also of their families, other civilians, and young children. Attacks on Iraqi soldiers resulted in reprisal actions in neighborhoods where attacks had taken place and included summary and random execution of innocent civilians. Many Kuwaiti citizens also disappeared at the hands of the Iraqi occupation authorities. Large-scale executions of young men by gunfire or by hanging were reported. About 850 Kuwaitis remained unaccounted for in early 1993, many of them presumably killed while in Iraqi detention. Iraq insisted that it had no Kuwaiti prisoners.

The citizens who remained in Kuwait during the invasion, for their part organised and expressed their protest against the Iraqi forces through passive resistance. Many Kuwaitis declined to act in accordance with the demands of the occupiers and refused to perform any activity that might assist them. Though majority of them protested by not attending to work, the engineers who were in charge of the vital public utilities continued their responsibility so that the residents would have sufficient electricity and water. The Kuwaitis organised resistance by falling back on pre-war social institutions such as the mosques and the cooperative societies. In 1990, there were 42 cooperative societies that had more than 1, 70,000 members controlling more than 80 percent of the retail food market through 70 super markets and 700 small
stores.\textsuperscript{13} These cooperative societies provided a network for distributing food, money and household goods as well as information during the occupation. These cooperative societies were allowed to continue their operation by the Iraqi forces because they provided essential products and services to the Kuwaiti population as well as the Iraqi forces.\textsuperscript{14} These retail networks gave them not only access to funds but a legitimate organising purpose. Throughout the period of occupation the Kuwaiti resistance activists were able to provide the basic needs to the Kuwaiti population through several distribution networks. At the same time, the Kuwaiti citizens who remained in Kuwait developed a sense of political entitlement and resentment towards their rulers who fled after drafting the policies that have contributed to the invasion.\textsuperscript{15}

The government-in-exile was under tremendous pressure by the Kuwaiti opposition and the U.S administration to promise that the liberation of Kuwait would be accompanied by a significant political reopening. So, it became mandatory for the Emir to promise necessary political reforms in the post-liberation period. In this context, the Emir held a national convention in Jeddah, Saudi Arabia in October, 1990. This conference was attended by around 1200 delegates representing all major Kuwaiti political groups, leading elites and intellectuals. This conference concluded with an agreement between the ruling family and the opposition. The opposition agreed to stand by the


\textsuperscript{14} Crystal, n.9, p. 106.

\textsuperscript{15} Ibid
Emir, reaffirm its loyalty towards him and acknowledge him as the legitimate ruler of the country\textsuperscript{16} and in return the al- Sabah rulers agreed to consolidate the democracy under 1962 Constitution, nullify the June 1990 elections, hold new elections in accordance with the Constitutional provisions granting women rights to vote and lower the voting age from twenty one to eighteen.\textsuperscript{17}

After the conference, several Kuwaiti delegations visited the other Arab states to explain the situation and elicit support for their cause. Almost the entire opposition was in favour of a peaceful resolution of the crisis and they thought the economic sanctions as means to resolve the issue but the regime opted in favour of the military solution supported by the GCC States and the West.\textsuperscript{18} Emir declared the martial law for three months from Ta’if, Saudi Arabia on 26 February 1991 and it continued in the post liberation period. With martial law in effect Emir formed the new government in April 1991. The government reconvened the previous National Council. Emir appointed crown prince and Prime Minister Sheikh Saad al Abdullah al Salim al- Sabah as military Governor General and Chairman of a Higher Security committee and the committee is concerned with the internal and external security and integrity.\textsuperscript{19}

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\textsuperscript{17} Rabi, n.1, p. 158.
\textsuperscript{19} Ibid, pp. 182-183.
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Meanwhile, the opposition protested against the violation of the agreement reached in exile. The opposition groups submitted a declaration signed by eighty-nine notables to Emir and their demands focussed on the restoration of the National assembly, appointment of capable individuals to the cabinet, freedom of Press, reform of the civil services and an independent Judiciary.20

Pressurised by the opposition and the international community, Emir announced in June 1991, the end of the martial law and declared that the elections would be held in October 1992. In July 1991, it was estimated that the Kuwaiti population had declined to about six lakhs since the invasion. The population of the Palestine people declined substantially from four lakhs to eighty thousands in the post-liberation period.21 The large numbers of Palestinians were airlifted to Jordon. International human rights organisations produced a report critical of the continued deportation of non-Kuwaiti nationals. They cited that the 1949 fourth Geneva Convention prohibits such action against civilians who are justified in fearing persecution for their political and religious beliefs. There was an unprecedented breakdown of law and order in Kuwait with regular shootings and other incidents of violence and many of them were directed against the expatriate Palestine population. The Government accepted that a serious problem exists in the case of the "bidun,"

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20 Rabi, n.1, p.158.
21 Tetreault, n.2, p.86
who claim to have no documentation of their nationality.\footnote{Ibid, p.107} Before the Gulf War, there were approximately 220,000 bidun in Kuwait; at year's end, there were an estimated 80,000 bidun, down from a total of 110,000 in 2000, as 30,000 bidun were naturalized, admitted to another Arab nationality, or acquired another status by purchasing fraudulent passports from other countries. In June 2000, the National Assembly passed a law requiring that the bidun register with the Government to begin a process in which some could be documented as citizens. Those who failed to register would be considered as illegal residents. The Government maintained that many bidun are concealing their true nationality. It reported that 39,000 were documented in the last 18 months as nationals of other countries, primarily Syria and Saudi Arabia, and that an estimated 40 to 50 percent of the remaining cases are suspected to be nationals of other countries. The Kuwaiti Government had further stated that it would initiate punitive action against those who did not rectify their stateless status by the June 2000, although no such action had been taken by year's end. However, the cases of biduns purchasing fraudulent documents and passports reportedly were on the rise.

The Elections of 1992

With the announcement of elections by the Emir, the aspiring candidates started visiting the diwaniyyas and campaigning for the election. In run up to the 1992 elections to National Assembly, the opposition appeared as
more organised than their predecessors and joined together in the forthcoming elections. Though the seven prominent opposition political groups that fielded candidates disagreed on many fundamental issues ranging from the role of religion in politics to the role of the state in the economy and began the campaign by emphasizing areas of consensus working together to communicate to the government that their commitment to the National assembly as an institution and a process was shared whatever else they might disagree on.\textsuperscript{23} The opposition groups started the campaign together by giving a joint statement asking the government to respect the integrity of the election process. According to a study by Khaldun al- Naqib and Abd al- Wahhab al- Zufayri that included fifty percent of the candidates in twenty two of the twenty five districts, among the total number of contestants, sixty percent of them were contesting for the first time, and in terms of their occupational profile of those candidates, thirty three percent were professional, twenty five percent were merchants and more than sixty percent held university degrees.\textsuperscript{24}

In this election, there are broadly seven groups that emerged to contest the elections-

- The first group, the Kuwait Democratic Forum (KDF), a secular opposition group with Arab nationalist roots. This group has the established leader like Ahmad al- Khatib.

\textsuperscript{23} Crystal, n.9, p.115
the Islamist Constitutional Movement (ICM), a Sunni Islamist group in which the Muslim Brotherhood (the *Ikhwan*) is prominent along with the members of *al-Islah al-Ijtama'i*, an Islamist association.

The third group is another Islamic group, The Islamic Popular Alliance (IPA), a Sunni Islamist group popularly known as *al-salafin*. This group is the part of the Wahabi movement and are generally more conservative than the *Ikhwan* on social issues though more liberal on economic issues.

The Islamic National Alliance (INA) is a Shi'I Islamist group and many of its members come from *al-Jamiyyah al-thaqafiyyah*, an organisation incorporating several factions among the Shia. These candidates supported the granting of political rights to the women and opposed using sharia law to govern Kuwait. 25

The Constitutional Bloc (CB) comprised of the merchants and the constituencies are usually concentrated among the old merchant families. They were the close allies of the government during the pre invasion period. Their leaders controlled the board of major corporations in banking, insurance and industry generally, they dominated the major news papers and they were in the Cabinet positions. This group was led by the head of the Kuwait Chamber

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of Commerce, Abd’al Aziz al-Saqr and the primary interest was on influencing the economic policy.\textsuperscript{26}

- The “former parliamentarians, not an issue grouping per se, but a status grouping. It was a strong secular proponent of constitutionalism and opponent of the government.”\textsuperscript{27}

- The Independents, dominated by the Kuwait Intelligentsia consisted of academicians and attorneys. Their focus was on civil and political rights, but they were weakened by their lack of experience.

Though the above mentioned political groups shared diverse ideological convictions they fought the elections together in support of the democratic process and the Constitution. The Democratic Forum contested eight seats; the Islamic Popular Alliance contested seven candidates and supported twelve other candidates, the Islamic National Alliance had four candidates, the Constitutional Forum had two candidates and the former parliamentarians ran fourteen of its members including the former speaker and the deputy speaker of the parliament.\textsuperscript{28}

The backdrop of Iraq’s aggression over Kuwait made the campaign for the 1992 elections unusually lively and vigorous. In the public meetings that were conducted daily the candidates discussed vital issues without any undue

\textsuperscript{26} Crystal, n.9, p.115
\textsuperscript{27} Tetreault, n.2, p.116
\textsuperscript{28} Ghabra, n.24, p.107.
monitoring or interference from the government. The major campaign issues were highlighted in the newspapers, debates and interviews.

The major campaign issue in the election of 1992, however, was security and related issues. Some of the concerns of Kuwait at that time were the fear of Iraq’s frequent border violations, economic and social pressures from Saudi Arabia and the continuous tensions about the rise of the militant Shi’a Islam in Iran. During the 1992 campaign, the primary focus was on the Iraq’s threat and the charges of the government’s incompetence in managing the affairs of the state leading to the Iraqi invasion. The opposition candidates, the liberals and democrats emphasized the need to investigate on the period prior to the invasion to expose those who were responsible for the government’s wrongs and the military’s failure.

This apart, the other important issue of concern remained to be economy as it was in the 1985 elections. The particular points of attention were the investment policy and the imported labour both of which were seen as threatening to the long term stability of the economy. The opposition did not mince words in blaming the government as solely responsible for the corruption that had degraded Kuwait’s overseas holdings like the disaster of the Kuwait Investment Office’s Spanish holdings.

29 Ibid
30 Ibid, pp.105-106
The other issue, which dominated the opposition’s campaign, was the structural reforms of the political system. Many candidates suggested the introduction of the additional institutional checks and balances by creating an independent judiciary and separating the position of Crown Prince from the Prime ministership. They also demanded that the bureaucracy should be revamped and to increase mechanisms that can ensure accountability of the ministers. The other prominent issue was the status of laws that were passed during the period when the parliament was under suspension. Under Article 71 of the Constitution, the Emiri decrees promulgated when the parliament is not in session have the force of law. However, “such laws must be referred to a sitting parliament within fifteen days after it reconvenes or in the case of new parliament at its first sitting in order for them to be reconvened”. The opposition members vehemently criticised the government for its conduct during Iraq’s occupation and for entrusting corrupt officials with high posts. The independent candidates and other political groups were united in their criticism of the government and reiterated their stand on the political reforms. The denial of political rights to women also became an important issue in the campaign of the 1992 elections. The women’s participation in the resistance movement against Iraq during occupation strengthened the position of those advocated women’s rights, whose public involvement in the campaign was extensive to receive wide coverage in the media. These were the some of the issues that figured prominently in the campaign of the 1992 elections.

31 Ibid, p.106
32 Baaklini, n.16, p.190-91
The opposition groups consisting of the liberals and Islamists also raised subjects that could perhaps have embarrassed the government and one such instance was the appointments to important ministerial portfolios such as defence, foreign affairs, information and internal affairs. These key ministries had always been in the past, except in one instance involving information ministry, allotted to members of the al-Sabah family. Despite the fact that the members of the al-Sabah’s family dominated the government in the early 1960s as ministers, the subsequent years witnessed, gradually more non al-Sabah members being appointed to various ministerial positions of the country excluding the four ministries mentioned above, which customarily remained with the al-Sabah.33

The issue of citizenship in Kuwait had always remained contentious and discordant in nature. For instance, the second-category Kuwaitis who were naturalised citizens but did not have the benefit of legal citizenship by failing to register their identity during the government’s designated enrolment period, were forbidden political rights in spite of being entitled to social and civil rights on par with those enjoyed legal citizenship. Therefore, the second category Kuwaiti men were denied their right to vote and to contest for political office although they are not barred from enjoying other benefits that came along with legal citizenship in Kuwait. The question of political rights to these second category citizens was not a foremost concern among the

33 Ghabra, n.25, p.10
contestants and was largely overlooked during the campaign. However, the issue gained momentum after the elections.

The results of the 1992 elections came as an unforeseen revelation to the Kuwait’s ruling family. The opposition consisting predominantly of the liberals and Islamists along with the independents were triumphant and cornered 35 seats out of 50. Out of these 35 seats, 23 seats were won by the formal opposition groups, the independent candidates affiliated to the opposition took 8 seats, thereby leaving 4 seats that the tribal candidates sympathised with the opposition won. Several prominent pro-government candidates were defeated, whereas many prominent personalities belonging to the pro-democracy movement and the Islamists camp were elected.

Prior to the elections, the government had engaged itself in a massive efforts to appease and win the favour of the electorate through measures such “as writing off a billion of dollars in mortgage and consumer loans; giving $2000 grants to every individual who had been in Kuwait during Iraq’s occupation; boasting monthly child allowances by 75%; raising the 50% state’s assistance to widows, orphans and the poor; and implementing a twenty five per cent across the board salary increase for all public employees. Despite these attempts to appease the people by the government, the electorate had delivered a major blow to the government.”

34 Tetreault, n.2, p. 129.
In the urban areas like Kuwait city and its surrounding areas, the opposition and independent candidates had made a clean sweep. The various segments of the urban middle class like businessmen, professionals and intellectuals voted for the pro democracy opposition groups, demanding the greater government accountability as against the tribal areas where the pro-government candidates did well. The composition of the new cabinet had an interesting mix of the members of the ruling family who in consonance with the previous practice continued to head the defence, interior and foreign affairs and information ministries, and six opposition members.

The elections had also demonstrated the popular appeal of political Islam in the emirate, which was evident in the IC Movement (moderate Sunnis affiliated with the Muslim Brotherhood) and the IPA (Sunni fundamentalist calling for an Islamic state) who had won 3 seats each. In addition, at least 8 independents had been elected with the support of either one or several of the religious groups. The NIC (Shiites generally progressive on social issues, not all of whom are necessarily religious) had managed 3 seats. In short, the National Assembly would now feature a group of approximately 15 deputies for whom religious issues were important above everything else. Although their positions on religious issues varied a great deal, they could be expected to push cultural themes inside the new parliament. In the case of the Islamists members who were expected to join forces with secular independents, liberals and leftists on issues relating to governmental accountability and corruption in
high places, had different views on cultural and social matters which were often similar to the government.

The Functioning of the 1992 National Assembly

Some of the issues that propped up before the 1992 National Assembly were very controversial, such as subsidized food prices, state employment and a high level of social services that involved subsidies going almost entirely to the benefit of wealthy Kuwaitis. Such schemes involving transfer of wealth dated back to the Land Acquisition Programme, which transferred huge sums of money from the state exchequer to ruling family members and merchants. This practice continued through various schemes that included agency commissions, monopoly privileges, and the permission to import labour mentioned earlier, along with governmental bailouts of failed loss making corporations, collapsed stock markets, and bad debts.\(^{35}\) The Islamists in particular are the strong opponents to structural adjustment policies that largely concentrated on lower and middle income Kuwaitis, which resulted in conflagration of religious and class conflicts in the government and parliament.

The 1992 National Assembly had an opportunity to ensure financial accountability when it investigated into the matters concerning the use of public funds and the management of the state’s overseas investment. The National Assembly investigated, in particular, in great detail into the

\(^{35}\) Ibid, p. 106
functioning of the Kuwait Investment Office (KIO) - a governmental agency incharge of investments of the country’s oil revenue. The Kuwait Investment Office is a vital financial institution as Kuwait’s monetary well being depends largely on the oil revenues. The institutions functioning became a cause of worry when Kuwait’s overseas assets plummeted rapidly from a whopping $100 billion in 1989 to $35 billion in 1993 and shortly after liberation from Iraq’s occupation the Kuwait Investment Office had lost an estimated $7 billion as a result of its investment in Group Torras- a Spanish holding company.\textsuperscript{36} The National Assembly’s investigation into the financial dealings of Kuwait Investment Office revealed large scale misappropriation of funds with active involvement of Shaikh Fahd Mohammad al- Sabah- the chairman of the body and a close relative of the Emir as well as the former oil minister, Shaikh Ali Khalifa al- Sabah. One noticeable transformation in the functioning of the National Assembly during this period was that it was allowed to perform its constitutional role as a watchdog over public investments despite the fact that many of those who were incharge of the investments were the members of the ruling family.\textsuperscript{37}

Another scandal investigated by the National Assembly was the Kuwait Oil Tanker Company (KOTC). It was alleged that the former executives of the company had embezzled an estimated $100 million with the active connivance of the former oil minister Shaikh Ali Khalifa al-Sabah who

\textsuperscript{36} Baaklini, n.16, pp: 192-93.
\textsuperscript{37} Ibid, p.193.
was implicated in the scandal. The investigation into these two scandals undoubtedly asserted the increasing and responsible role of the Assembly over the financial matters. The Assembly during this term passed several laws that enabled it to review all expenditures incurred by state-owned companies. The Assembly also concentrated on the structural weakness of the country's economy including the near total absence of tax base, lack of productivity in the public sector, a bloated bureaucracy and the widening gap between the state revenues and expenditures.

The 1992 Assembly also witnessed the passing of the gender-segregation bill introduced by the Islamists. The bill was passed by an overwhelming majority with just a single vote cast against by Abdullah Nibari of Kuwait Democratic Forum (KDF). The Kuwait Democratic Forum leader Ahmad al-Khatib and Jasim al-Saqr of the Constitutional Bloc (CB) couldn't cast their vote as they were out of the country when the vote was conducted and Ali al-Baghli and Yacoub Hayati, the secularists abstained from voting. The academicians observed this event and interpreted the overwhelming support from the representatives of the outlying areas and the Cabinet for the bill ensured the successful passing of the bill in the National Assembly with hardly any opposition. They further observed that the voting against the bill being the least minimum, it would not have changed, in any way, the outcome rather that infuriating the religious groups in the National Assembly that

38 Ibid.
however prompted many secularists to play safe by either supporting the bill or abstain from voting. 40

The October 1992 parliament had indeed functioned with more vigour and displayed maturity that proved to be effective. It is also worth noting that the National Assembly’s assertion of its constitutional prerogatives did not lead to the replay of previous executive- legislative impasses and governmental crackdown.

Kuwait’s Post- Gulf War Foreign Policy and Reconstruction

Kuwait’s postwar foreign policy was based on two assumptions. The first was that security, notably with regard to Iraq as its primary concern. The second was that security ultimately can be guaranteed only by the United States. It was clear that Kuwait alone, or even Kuwait with the support of the Gulf Cooperation Council (GCC), established in May 1981, and other Arab members of the coalition- a formal plan, known as the Damascus Declaration, to include Egypt and Syria in Gulf defense arrangements was moribund soon after its issuance cannot provide for its own defense needs. In August 1991, Kuwait and the United States signed a US$81 million Foreign Military Sales agreement. In September 1991, Kuwait signed a formal ten-year defense agreement with the United States that permits the United States to pre-position weapons and conduct military exercises in Kuwait at Kuwaiti expense.

40 Ibid
However, the agreement did not provide for establishing a permanent United States base there. In 1992 Kuwaiti and United States forces carried out joint exercises under the defense agreement. Kuwait has backed up its formal security arrangements with a close political and economic relationship with the United States. It has given much of its postwar reconstruction business to United States firms, including civil reconstruction contracts that have been awarded through the United States Army Corps of Engineers and many contracts directly related to defense needs. The new pro-United States policy is not without its detractors. In the summer of 1992, the speaker of Kuwait's since-disbanded National Council asserted that the United States ambassador was interfering in internal Kuwaiti affairs. The Kuwaiti government and numerous Kuwaitis, however, condemned these remarks.

Kuwait maintains similarly close ties with other members of the coalition, signing defense agreements with Britain and in 1992 negotiating an agreement with France. It is seeking similar agreements with the remaining Security Council permanent members, Russia and China. It remained very close to Saudi Arabia. However, relations with a regionally resurgent Iran remain ambivalent. Kuwait's relationship with Iran improved dramatically after the Iraqi invasion, which, in drawing attention to Iraq's expansionist ambitions, seemingly vindicated Iran's wartime position. An inevitable conflict remains, however, between Kuwait's postwar aim of maintaining a high and visible level of United States support and Iran's desire to limit United States presence in the
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Gulf. In mid-1992 this tension was seen in a minor dispute over the fate of Kuwait Airways passenger aircraft flown by Iraq to Iran during the war. Kuwait demanded the swift return of the aircraft, whereas Iran demanded US$90 million for servicing them while they remained in Iran.

Kuwaiti policy toward states that had supported Iraq has been unforgiving. One of the hard lessons Kuwait's rulers learned from the Iran-Iraq War is that foreign aid does not buy popularity or enduring political support. Some of its largest aid was to Jordan, Sudan, and Yemen, countries that nonetheless failed to support the coalition. Kuwait cut those countries from its foreign aid program once sovereignty was restored. Kuwait was also a major donor to the Palestine Liberation Organization (PLO). The PLO's wartime support of Iraq also resulted in severance of Kuwaiti monetary and political support. In June 1992, the National Council approved denying economic aid to Arab countries that supported Iraq's invasion. Although foreign aid will continue as a feature of Kuwait's foreign policy, Kuwait's limited post invasion revenues and its experience during the occupation indicate that such aid would decrease. Meanwhile, Kuwait vigilant groups attacked those they suspected of collaborating with the Iraqi forces and Amnesty International reported the murder of dozens of Palestinians and arrest and torture of hundreds more.41 The series of trials conducted by the Kuwaiti government of the suspected culprits

41 Crystal, n.9, p. 107.
in 1991 drew international criticism prompting the Emir to commute some death sentences handed down by the courts.

There were many reports of beatings and torture to extract confessions from suspected collaborators. The Department of State estimated that forty-five to fifty Palestinian and other foreigners were tortured to death by police or military personnel. As many as 5,800 persons, mostly non-Kuwaitis, were detained on suspicion of collaboration during the four months of martial law that followed the country's liberation. Many arrests were arbitrary, and some detainees were held for months without being charged. As of early 1993, about 900 persons were still in detention; these included persons convicted in the State Security Court or martial law courts and those under deportation order but with no place to go. Of the prewar population of about 400,000 Palestinians resident in Kuwait, only about 30,000 remain. Most of the departures occurred during the Iraqi occupation: the remainder left because of less favorable living circumstances or Kuwaiti pressure.

The invasion and occupation had a discerning effect on virtually every aspect of Kuwaiti life. The Iraqi troops plundered and looted hardheartedly the city of Kuwait. Iraqi occupation forces, according to reports of human rights monitoring groups, tortured and summarily executed those suspected of involvement in the underground resistance movement that quickly emerged among the Kuwaitis who remained in Kuwait.
In the course of the occupation, more than half the population, foreigner and citizen alike, fled Kuwait. After the reestablishment of Kuwaiti sovereignty in February 1991, and the restoration of basic services soon afterward, the population began to return. In May 1991, the government opened the doors to all Kuwaiti citizens who wished to return. The government was far more reluctant to readmit non Kuwaiti nationals, whom it considered a security risk and whom it regarded as not needed in prewar numbers owing to the postwar construction of the economy. Consequently, relatively fewer non Kuwaiti nationals were allowed to return. A National Bank of Kuwait report estimated the total population of Kuwait in March 1992 at 1,175,000 people, 53 percent of whom were Kuwaitis, compared with an estimated 27 percent Kuwaitis of the 2,155,000 population on the eve of the Iraqi invasion in 1990.42

The post occupation Kuwaiti population differed sharply from that before the invasion. The population was divided psychologically between those who experienced the direct horror of the Iraqi occupation and survived and those who spent the war abroad in what seemed a relatively comfortable exile to many of those who stayed in Kuwait. But the shared experience has unified the country in other ways. Because Kuwait is a small country with large family groups, almost every Kuwaiti lost family members to the Iraqi forces, and there is continuing uncertainty over the 600 or more Kuwaitis that remain prisoners.

in Iraq. The fate of those who disappeared is an issue of national concern. Regardless of personal losses and experiences during the occupation, the society as a whole has been traumatized by the memory of the invasion and by the uncertain future. A government led by a ruling family that fled in the face of the Iraqi danger can do little to dispel this ambient fear. One expression of the insecurity is a general concern about lawlessness, both a breakdown in some of the peaceable norms that had united prewar Kuwait and a breakdown in the government’s ability to enforce those norms owing to the widespread possession of guns (a result of the war) and the reluctance of a still fearful population to return those guns to the state. After the initial lawless months following liberation, the government recovered control of internal security and reinstituted the rule of law.

The position of non-Kuwaiti nationals in postwar Kuwait is very different from that of citizens. Perhaps two-thirds of the foreign population fled during the invasion and occupation. Most of those who fled have not been allowed to return, notably the large Palestinian population, who, owing to the public support of Iraq by many prominent Palestinians outside Kuwait, became the target of public and private animosity in the months after liberation. Before the war, Palestinians composed Kuwait’s largest foreign population, numbering perhaps 400,000. By 1992 that number had fallen to fewer than 30,000. In the first postwar days, many Palestinians who remained became victims of private vigilante groups, of which some were apparently linked to members of the
ruling family. Human rights monitoring organizations such as Amnesty International and Middle East Watch have reported the murder of dozens of Palestinians and the arrest and torture of hundreds more. The most dramatic transformation is the exodus of the bulk of the Palestinian population. The reaction against Palestinians and other members of groups or states whose leaders had supported Iraq expressed itself in 1991 in a series of show trials of alleged collaborators, carried out, according to international observers and human rights monitoring groups, with little regard for due process. In the face of international criticism, the Emir commuted the many death sentences, some given for rather small offenses that the court had handed down. Trials that took place in late 1992, however, were regarded by international human rights groups as being fair and respecting due process.43

One of the first policy decisions the government made on returning to Kuwait was to reduce Kuwait's dependence on foreign labor in an effort to ensure that Kuwaitis would henceforth remain a majority in their country. Former foreign workers are unhappy with this policy, but there is little they can do. Divided between those who oppose Iraq and those who do not, they pose no unified threat. Their energy has been dissipated by individual efforts to arrange to stay. The government and population alike remain deeply suspicious of the non Kuwaiti population.

After the war, the government announced it planned to restrict the number of resident foreigners, to keep the non-Kuwaiti population below 50 percent of the total population, and to ensure that no single non-Kuwaiti nationality would make up more than 10 percent of the total population. In December 1991, the government closed most domestic staff employment agencies and drew up new regulations covering the licensing of domestic staff. In early 1992, the Ministry of Interior announced new rules for issuing visas to dependents of expatriate workers, limiting them to higher wage earners. Looking further into the future, the government approved a resolution in March 1992 doubling to US$14,000 the sum given to young men at marriage in an effort to encourage local population growth. In June 1992, the government announced it had set aside US$842 million for end-of-service payments to foreigners.

The new policy of limiting the number of foreign workers has had serious economic consequences. Foreigners represent many of Kuwait's top technical and managerial workers. The exodus of most of the non-Kuwaiti population has created special problems for an education system that in 1990 was still heavily dependent on foreign teachers. The direct damage inflicted on school property and looting by Iraqi forces aggravated the education problem. Nonetheless, in September 1991 the university and vocational schools reopened for the first time since the occupation.
The exodus of foreigners also has hampered the health care system, as did the systematic looting of some the country's modern health equipment by Iraqi forces. The invasion and war added some new health concerns, which include long-term deleterious health effects owing to the environmental damage and to the psychological impact of the war.

Nevertheless, the same forces that generated a prewar need for labor remained operative. A number of years were needed to train the Kuwaitis for many of the positions previously held by foreigners. In the interim, indications were that the pre invasion shift away from the Arab and to Asian labor force seemed to continue. One small benefit of the new labor policy is that the government will save some money on services previously provided to the larger foreign population. The basic shortage of sufficient quantities of national manpower, coupled with a political and social reluctance to increase womanpower, limit the extent to which the government can do without imported labor.

The Elections of 1996

The elections to the new National Assembly were held on 7 October 1996. The issues of campaign seldom differed but remained the same as the 1992 elections such as the economy, foreign policy and women's suffrage. But one issue, which dominated the election campaign, was the fate of the Prisoner's of war. Another main issue of the campaign was whether the
National Assembly should grant women the right to vote. The voters' rejection of moderate Shi'i Muslims and representatives of the Kuwait Democratic Forum, both of whom favored enfranchising women, dealt the women's rights campaign a crushing blow. Instead, a host of Sunni Islamist deputies won seats in the National Assembly, vowing to change the constitution and impose the Shari'a.

These elections were held amid the tense regional situation as the then President of Iraq, Saddam Hussein, had deployed the troops into the Kurdish area in northern Iraq leading to United States' retaliation with missile attacks on military installations in Southern Iraq. Despite the fragile regional situation, the elections were held in a free and fair atmosphere without any unwanted governmental interference. As in the past, candidates campaigned vigorously to reach out to the voters through the public meetings and media. The 1996 elections were marked by the highest ever polling rate with 75 percent of the voters exercising their votes.

In contrast to the results of the 1992 elections when the opposition swept the inner constituencies, the 1996 elections was one of poor performance as they were able to get only 14 seats. Another significant feature of 1996 elections was that half of the elected members were new and fresh entrants to the parliament. Several well-known parliamentary figures particularly among

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44 Baaklini, n.16, p 195.
the liberals, reformists and Arab nationalists lost their seats. The prominent opposition group, Kuwait Democratic Front won only two seats, however, the Islamists increased their overall strength to twenty members. But the Islamists are divided among a number of groups. The Islamic Constitutional Movement that had links with the Muslim Brotherhood and supported a revolutionary pan-Islamic message that calls for the reorganisation of society’s institutions, which was fundamentally different from the second Islamist trend in Kuwait along with the Salafis who had close links with the wahabis pursued a very conservative agenda of maintaining the traditional power structures of society.\(^\text{45}\) There was also a smaller Shiite group known as the National Islamic Alliance, which supported both the liberals and Islamist candidates.

In some ways, the 1996 election also signalled a generational shift with sixteen members of the previous Assembly losing their seats and nine senior members announcing their retirement including Ahmad al-Khatib, member of the Democratic Front and for many years leader of the old Liberal Left. Despite the presence of more pro-government candidates, the 1996 Assembly remained in general oppositional to the government.\(^\text{46}\) The National Assembly asserted itself in the same fashion as the previous ones and confronted the government on several critical issues. Once again the new parliament sought the application of Sharia by suggesting changes in the Article 2 of the

\(^{45}\) Kristin Smith, “Divided government in Kuwait: The politics of parliament since the Gulf war”, *Digest of Middle East Studies*, (Milwaukee), vol.8, no.1. p.10.

Constitution. The issue of the legislation on foreign workers was placed in the parliament. The members demanded for a complete overhaul of the labour code and the government argued that only certain articles should be rewritten.\(^{47}\) Another issue was Kuwait's economic and military development plan. The government insisted that parliament vote on the plan as a whole but members claimed the right to examine the plan item by item and eventually the issue was referred to the constitutional court, which decided in government's favour.\(^{48}\) The opposition tried to investigate the allegations of corrupt business deals by the ruling family members and the oil and finance policies.

The improvement in the public access to information connected to Emiri decisions, activities, and progress made the Kuwaiti Cabinet more responsible for what it says and does. The Paladin Howitzer crisis illustrates how the media and the public opinion in Kuwait became conscious of accountability issues. In May 1998, the parliament's Islamic bloc found out about the Cabinet's decision to purchase from United States' Paladin artillery system. As a result of the pressure generated subsequently by the press irregularities in the procurement process meant that by the end of 1998, conservatives had blocked the deal. This move augmented the power of the parliament and the press to monitor and check the Cabinet's actions. The parliament also kept the palace and the Cabinet perpetually vigilant by challenging and scrutinizing every

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\(^{47}\) Baaklini, n.16, pp.196-97.  
\(^{48}\) Ibid, p.197.
Emiri draft law prior to its approval. Another example that further illustrated the legislature's vigour was the National Assembly’s pressure that made possible the resignation of then Minister of Information, Sheikh Saud Nasser Al-Sabah for permitting more than 160 books, which were critical of Islamic orthodoxy and other related beliefs to be displayed in the Arab book fair in Kuwait in November 1998.

These were the same issues that ultimately triggered the unsavoury incidents that culminated in the dissolution of the Assembly on 4 May 1999 when the Emir announced the dismissal exactly a year before the completion of its term. However, this action amply demonstrated the power Kuwait's executive can wield in dealing with an overactive legislative organ. At the same time this power vested with the executive is checked by the constitution, which mandates that the parliament can be dissolved for no more than 60 days before new elections are held. If no elections are held, the dissolved parliament along with its legislators must be brought back into session. Added to this the parliament can never be dissolved twice for the same reason. It should be also be emphasized here that any of the Emir's decree must carry not only the signatures of the Emir himself, but also the Crown Prince (who is also the Prime Minister), and the minister whose purview relates to the decree. Thus, any Emiri decree that seeks to become a state law would have to be approved by a majority of parliament, and a simple majority can defeat a decree. The members of the
opposition criticised Emir that the questioning of finance minister and the ruling family member, Ali al-Salim al-Sabah about the irregularities vis-à-vis the privatisation of the Kuwait Investment Company was the actual reason for the Emir to dissolve the Assembly.

The Elections of 1999

The Emir announced that the elections would be held on 3 July 1999. During this period the Emir issued sixty decrees. Among these decrees, the most important was the conferment of political rights to Kuwaiti women. Most of the other decrees dealt with economic issues such as national budget and annual accounts for state institutions, new policies on contentious subjects such as upstream privatisation and domestic economic restructuring. These decrees were termed as unconstitutional by the opposition members and they rejected the decrees. But the supporters of the women’s rights held public rallies with more than thirty non-governmental organisations and as a result, the question of political rights to women became the central issue in the campaign for the 1999 elections.

There were six political groups which contested in the 1999 elections—as usual the two important political groups were the Islamic Constitutional Movement (ICM) and the Kuwaiti Democratic Forum (KDF), which was an alliance of liberals, Arab nationalists, leftists and independents. The Islamic

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49 Tetreault, n.2, p.228.
Constitutional Movement nominated officially four candidates and supported unofficially thirteen and Kuwait Democratic Forum nominated two candidates and supported unofficially one candidate. The other four groups were "the Islamic Popular Block (IPB), a Salafi Islamist group: the Salafi Movement (SM), a Splinter group of IPB: the Nationalist Islamic Alliance (NIA), a Shi'i Islamist Group and the National Democratic Block (NDB), a liberal group based largely in the academic and business community". 51

The result of the election was a sort of disappointment to the government. All the opposition groups won seats, with the Islamic Constitutional Movement winning six, the Kuwait Democratic Forum and the National Democratic Bloc three each, the Islamic Popular Bloc and the Nationalist Islamic Association two each, and the Salafi Movement winning one seat. The major losers were the pro-government candidates. The government lost 11 of its supporters from the previous parliament and 11 of the new members were candidates who had lost in the 1996 elections. The first cabinet appointed during the tenure of the 1999 parliament was, in a sense, revival of the past when the rulers' sloe objective was to keep elected members out of the government by denying entry into. But the lessons of post-liberation cabinets were learned by both sides. The rulers sought to immobilise key opponents by offering them ministerial portfolios. The opposition chose to retain its independence by refusing these offers. Consequently, a third of the

51 Ibid, p.246
ministerial portfolios went to members of the al- Sabah. Signifying the continued uneasy alliance between the regime and the mosque, three portfolios, two of which (Electricity and Water, Housing Affairs) oversee the distribution of significant social benefits went to a strong Islamist. Opposition trends clearly evident in the election results also were represented in the cabinet. From the Kuwaiti Chamber of Commerce, ‘Abd al-Wahhab al-Wazzan, who was a Shi’a, held two portfolios: Trade and Industry, Labour and Social Affairs. Two founding members of the new National Democratic Rally, the linguistic professor Sa’d al-‘Ajmy, who had made two unsuccessful bids for a parliamentary seat named the Minister of Information and another professor of economics, Youssef al-Ibrahim, was made the new Minister of Education respectively. All three men are liminals, persons who occupied two worlds and can bridge differences between them-if the other occupants of the two worlds only will allow it.52

As regard to the political rights to women was concerned it was the Sunni Islamist allies who had reacted rather negatively to the Emiri decree conferring political rights on women. The opposition, particularly the liberals condemned all the decrees amass as an encroachment by the executive on the constitutional authority of the parliament. Throughout the period between the issuing of the decrees and the time when it was voted on in late November 1999, the Islamists were at the vanguard in articulating opinions against the

52 Tetreault, n.2, p.218
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bill. The Islamists campaign was directed not just against the decree but also the alleged other foreign-inspired moves to denigrate Islam and secularize society. By late November, the women’s rights decree came up for voting in the parliament and was voted down, forty one to twenty one, reflecting a confluence of interests between Islamist opponents of women’s rights and parliamentary opponents of legislation by decree. Incidentally, a new bill was introduced immediately by the parliament in support of women’s right to vote and participate in politics only to be voted down, though narrowly. The bill received the support of thirty members as against thirty-two members opposing and two members abstaining from vote.

Ghanim al-Najjar, professor, Kuwait University, called 30 November 1999, as “a sad day for women’s political rights in Kuwait and for human rights in general, although some comfort should be taken from the narrowness of the Islamist victory and the strong likelihood that another bill will be introduced in the next session.” There is another development that may add weight to the efforts to ensure that Kuwaiti women receive political rights. On April 2, a three-day conference sponsored by the United Nations was organized, in which the Kuwait’s Foreign Minister and Deputy Prime Minister Sheikh Sabah Al-Ahmad Al-Sabah brought several leaders from women’s groups in Kuwait and around the world to discuss the issue.

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53 Ibid, p.235
54 Ibid.
55 Ibid.
The Elections of 2003

The results of the 2003 elections saw the Islamists and the supporters of the ruling family cornering the majority of the seats while the liberals suffered the major losses. The Islamists, who fought the elections by promising the people the full implementation of the shari’a law, got 21 seats, on contrary the liberals who often voiced their concern over the political rights for the women got surprisingly, only three seats. The liberal candidates in the election campaign called for political reforms and supported the political rights to the women. In the government comment on the result, the Deputy Prime Minister, Sheik Sabah Al Ahmed al-Sabah, said “the Kuwaiti people had proven political awareness and responsibility in the elections” and he said he was absolutely optimistic that the parliament would have more to offer. In the 2003 Assembly, the members considered that the current division of the country into 25 election districts encouraged the practices such as vote buying, and other forms of corruption, and further enhanced ethnic and sectarian attitudes that acted as an impediment to democracy.

The members proposed draft bills to give military men the right to vote and reduce the eligible age for voting from 21 to 18 years old. The government also wants to give women the right to vote. If all these draft bills be approved, the number of eligible voters will increase three folds in Kuwait. A number estimated currently of 130,000 Kuwaitis. The most significant change that took

57 Ibid
place during the period of 2003 Assembly is the separation of the institutions of Crown Prince and the prime minister on 13 July 2003, the Emir Sheikh Jabir al Ahmad al Sabah appointed his brother and the foreign minister, Sheikh Sabah al- Ahmad al- Sabah as the prime minister. This separation of the institutions was the long standing demand of the reformers in the country. Another reason given for the separation was the ill health of the crown prince, Sheikh Sa’d al- Abdullah al- salim al Sabah and his inability to perform the duties both as the prime minister and the crown prince owing health problems. This act of separation of powers could be construed as a big step forward in consolidating the democracy in Kuwait.

To conclude, Iraq’s military aggression on Kuwait and the subsequent liberation had stirred definite changes in the political landscape of Kuwait. The people of Kuwait realised the imperative and became more conscious about their political rights. The crisis also gave them an opportunity to comprehend in real terms that the democracy is not just the privilege of the right to vote but involves far larger issues such as the right to have access to information, a constant monitoring of the government to point out the oversights and the right to make opinions to guide important policies. The issues such as the women’s suffrage, the status of biduns and foreign labour were found the much desired relevance and debated ever more. In these circumstances the elections were held in 1992 for the National Assembly. The key campaign issues were the

\[^{58}\] Uzi Rabi, "Kuwait’s changing strategic posture: Historical patterns", *Journal of South Asian and Middle Eastern Studies*, (Pennsylvania, United States), vol.27, no.4, summer 2004. p.63
women's suffrage, political and institutional reforms, freedom of press and the transparency in the government dealings. The results of these elections came as a surprise and disbelief to the al-Sabah family with the opposition winning 35 seats out of 50. The members of the 1992 National Assembly proved to be very assertive and initiated measures to ensure transparency by investigating into the matters related to the use of public funds and the management of the overseas investments.

The 1996 elections witnessed the revival of the Islamist groups in the National Assembly. The defeat of the members of the Kuwait Democratic Front and the liberals who favoured the women's suffrage dealt the women's rights campaign a crushing blow. The Assembly also confronted the government on several issues like the oil and financial policies, Kuwait's economic and development plan and even tried to investigate the allegations of corrupt business deals involving the ruling family members. Though Assembly was dissolved by the Emir in 1999; a year before the completion of its term, the elections were announced immediately. During the period of suspension of the National Assembly, the Emir issued many decrees and the most important being the women's suffrage.

However, the newly elected National Assembly (1999) rejected the Emir's decrees and termed them as unconstitutional. A new bill was introduced in the National Assembly granting the voting rights to women but was
narrowly defeated. Women's suffrage had remained the main election issue even in the 2003 elections but the return of the Islamists in the Assembly did make it a hard task to get the bill passed in the Assembly. The most significant change that took place during this period was the separation of institutions of crown prince and the prime minister, which can be viewed as a significant leap forward in consolidating the democratic institutions in Kuwait.