CHAPTER: I

INTRODUCTION
Democracy in the Arab world has undeniably received, in the recent years, adequate attention it ought to have for critical enquiry by the scholars. The ‘Arab World’ at this juncture refers to countries, which are the members of the Arab League. The early 1990s, which were marked by a perceptible global tendency in facilitating a gradual drift towards the democratisation of political institutions, brought about many noteworthy changes in the nature of politics and the method of its practice across the globe from Latin America to Africa and Asia, and the Arab world was hardly an exception to this phenomenon. However, it needs to be clarified here that the focal point of this global phenomenon of democratisation urging for political transformation was predominantly on the Third World. In this context it would be a worthwhile exercise to observe in brief the diverse ways in which the democratic system and its associated variants are understood and defined.

According to Mac Pearson, there is a great deal of confusion on the subject of democracy, which is in reality due to a genuine as what is democracy supposed to be, for the word democracy has changed its meaning more than once and in more than one direction\(^1\). To place it simply, it is a complicated task if one has to define democracy in absolute terms. Quite a number of definitions have appeared from time to time associating democracy broadly with the process of government. In Abraham Lincoln’s opinion democracy, which is prevalent somewhat popularly, is a government of the people, for the

people and by the people. In keeping with Professor Sealy, democracy is defined as a form of government in which every one has the benefit of a share. As regards the term democracy, it has been made use of incessantly, since ancient times, in the tradition of the Western political thought. The word democracy derives its origin from the Greek word ‘demos’, which means ‘the people’; and ‘cracy’ stands for ‘rule’ or ‘government’. Thus, in literal sense democracy signifies the rule of the people.

Although the conversion of democracy as to mean ‘rule by the people’ implies decision making, viewing democracy in this manner clears only some of the meanings often assigned to the word. As part of the widespread desire for democracy, it is often used as a blanket term of approval for life in the West in relation to both institutions and cultural norms. Democracy is also used to mean a set of rights or an entire way of organising the political and economic life of a state. Freedom of expression and association, participatory rights for all, and government with responsibility to the governed are often perceived as the distinguished features of a democratic setup. In other words, democracy is a political regime as found in some modern states as a decision making process, which can only exist when public contestations, inclusiveness, and responsible government are present; and which can only be maintained when there is a rule of law.

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Concentrating upon democracy as a procedure that can be used by members of a group to reach a collective decision provides a certain focus necessary for the study of democratic practice. The fact that a nation, or any other group, needs a procedure for making collective decisions only highlights the problem that a nation is both a collection of the people who live in a geographical area and an entity in itself.\textsuperscript{5} The notion as the people an entity is stronger in continental democratic theory that derived primarily from Rousseau's writings. Often decisions are arrived by taking into consideration the views of diverse individuals as it concern all the people who live in the country. So the decision making process must be proficient to deal with conflicting interests but produce results that are acquiescent to all.

It is easier to consider the procedures that are specified for decision making than to look at the details of a particular democracy. However, there are two alternative mechanisms for democratic decision-making i.e. the direct democracy and the representative democracy. Since the pre-requisites and the components for direct democracy are not easy to implement, it is in practice only in Switzerland.

The working apparatus of direct democracy are broadly classified into three, which are as follows: the recall, the initiative and the referendum. The recall allows the constituents to force an elected person to resign, or to fight by\textsuperscript{5} Catt, n.3, p.5
election, and so to reaffirm his/her majority. A.L. Lowell said that the advocates of the recall saw the device as a 'method of getting rid of man who has proved himself unworthy'. \(^6\) The initiative allows certain number of citizens to introduce proposals for legislation, thereby bypassing legislative procedure. Such a procedure becomes a law when passed by a majority vote of the total electorate. This involves a nation wide poll or referendum. Referendum is the most liberally used instrument of direct democracy and the two terms namely poll and referendum are often regarded as synonymous with each other. Rousseau conceived the referendum or plebiscite as an institutional instrument of his idea of 'General Will'. \(^7\)

On the other hand, there is much criticism about the mechanism of direct democracy as it may disappoint the reformers and dishearten the voters. While values such as clarity and specificity can hardly be associated with, immediacy and decisiveness be sometimes part of the vocabulary of authoritarianism. Over much of Europe, the plebiscitary democracy has brought upon itself a reputation as a tool of dictatorship.

As opposed to direct democracy, the representative institutions provided an indirect way for people to be involved in decision-making. Here, the voters or people elect their representatives who in turn make decisions for them. The people making the laws, therefore, stand as intermediaries between

the people and the government implementing them.\textsuperscript{8} The first advantage of representative democracy is that since in the modern state the total participation in decision-making is impossible, for laws binding the whole nation a debate must take place in the centre (legislature). Secondly, representative democracy is permitting the conduct of affairs to be handed over to a few and allows the many to have more time for other activities. Representative democracy also permits a further selection of leaders to take place from among the legislators. The decisions are not only centralised geographically but they are also easily related to other decisions. Representative democracy inevitably implies the formation of political parties, which are needed to provide information to electorates, articulate programmes, and aggregate voters to select candidates to contest elections and for purposes of governing.

As regards the theories of democracy, there are different theories as the definition of democracy depends largely upon the perspectives of different schools of thought. The following theories are the prominent among them:

1. Classical-liberal theory of democracy
2. Marxist theory of democracy
3. Feminist theories of democracy

\textsuperscript{8} Bealey, n. 4, p. 35.
Classical-Liberal Theory of Democracy

Liberalism supported democratic ideas right from the beginning. In fact, it was only with the rise of liberalism in Europe in general and in England in particular that the path was cleared for democracy, which became a respectable concept. The early traces of classical-liberal ideas are found in the writings of Thomas Moore’s Utopia, Winstanely’s The Law of Freedom; however, it was only with the arrival of the most prominent liberal thinkers like Germy Bentham and John Stuart Mill the core concepts were more obviously spelt out.

The main characteristics of liberal democracy are as follows:

• The liberal theory of democracy takes the individual as the basic unit of a democratic model, thinking that he is rational, ethical, active and self-interested. It emphasises the individual freedom and the right of the individual to pursue his own good with the minimum state interference.

• At an institutional level, it advocated representative government with an elected leadership, regular elections, secret ballot, and constitutional state.

• Judiciary, individual rights, and civil liberties including the freedom of thought, feeling, taste, discussion, publication and etc.

Marxist Theory of Democracy

Marxist theory of democracy, which came up as a major critic of liberal democracy, treats legal and political structures, religions, morals etc. merely as ‘superstructure’. According to this theory, the character of any
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society is determined by the nature of its base, that is, the economic relations shaped by its mode of production. Whether a political system qualifies for democracy or not- this should be judged by the patterns of its economic relations not by the forms and structures of its politics. According to the Marxist theory, the real democracy can not be achieved unless the economic system in itself is transformed to serve the interests of the people. Marxist theory criticises the liberal democracy because it serves only the bourgeois interests.

The main characteristics of Marxist democracy are as follows;

• Democracy is essentially a participatory activity by the working class in the affairs of the state through direct democratic means.

• People’s democracy can be established only after the proletarian revolution and rising working class to the level of political-decision making.

• People’s democracy is a transition stage between the capitalist democracy and communism.

Democracy and Feminism

Most of the dominant literature on democracy has been willing to ignore gender qualifications for voting, defining universal suffrage as (male) suffrage or democracy as ‘one man, one vote’, and thus, it is argued, revealing the gendered nature of the very concept of democracy. The first struggle for

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feminism has been to include women in the minimal standards of liberal democratic citizenship by guaranteeing that universal suffrage is really universal\(^{10}\). The first country to grant women the right to vote was New Zealand in 1893. Even today women did not have the right to vote in countries like Brunei Darussalam, Qatar, Saudi Arabia, or Oman and etc. Many feminist theories have argued that the sexual division of labour around the world and women’s unequal roles within the patriarchal family have prevented the development of democracy for women. Many feminist scholars have argued that identity differences such as sex, race, gender, ethnicity, and culture must be acknowledged within any kind of democratic theorising. Even in contemporary theory, ignoring the identity of human subjects or hiding identity behind a ‘veil of ignorance’ has been proposed as a desirable way to construct norms of fairness, equality and justice.\(^ {11}\)

However, for the purpose of our analysis, we tend to take an operational definition of democracy confined to the agenda of political reforms of the country concerned. In this sense, democracy refers to the institutional arrangement, which allows people to participate in (a meaningful way), the decision-making process of the country.

In the writings of the nineteenth century theorist, John Stuart Mill, democracy was inextricably linked with the representative government, which


in order to exist at all had to meet three fundamental conditions: “People should be willing to receive it; they should be willing and able to do what is necessary for its preservation; and they should be willing and able to fulfil duties and discharge the functions which it imposes on them.

Islam and Democracy:

In the history of the Arab people, the most important turning point in the burgeoning Arab identity was the emergence of Islam. Islam not only provided the tribes of Arabia with a sense of mission in the world but also united them as one political unit. Islam called its followers as umma meaning community or nation. In the community’s effort to build a nation, the loyalty of the believers was declared to belong to God, to Prophet Muhammad and to the community of believers. The political framework of the umma was established during the life of the Prophet. After the death of Prophet the Muslims founded the Caliphate based on the following principles as the main political institution of the umma:

1. The Caliphate was to be chosen by the umma.
2. Decisions were to be reached by deliberative consultations (Sharia).
3. The umma was the source of legislation, but limited by Islamic Law (Sharia).

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13 Ibid.
4. The ultimate purpose of the governance was to establish justice.

While the first four Caliphs were understood by the community as having observed these cardinal principles, the Umayyad dynasty replaced the practice of elections to the Caliphate by introducing a hereditary succession as the means of transfer of Power\textsuperscript{15}. Though the community retained its unity and the authority of Sharia remained a fundamental concept, the break up of the Caliphate and the emergence of the quasi-independent states and principalities accompanied the end of the political unity of the Arab speaking people.

During the fifteenth and sixteenth centuries most of the Arab lands came under the rule of Ottomans, a dynasty established by Turks originating from Anatolia. The Arab-speaking population regained its unity and the Ottoman Empire for the first two centuries preserved the status of Shari'a and protected the frontiers of the Arab world by gaining legitimacy in the eyes of its Arabic subjects. By the early eighteenth century the Ottoman Empire itself has entered a phase of decline, while powerful European nations began pursuing their own interests inside Ottoman lands with a free hand\textsuperscript{16}. Early Arab responses to the Ottoman decline took the form of religious and literacy revivals with political overtones. One such response was the Wahhabi movement begun in 1747 by Muhammad bin Abdul Wahhad. The seeds of

\textsuperscript{15} Duri, \textit{The Historical Formation of the Arab Nation}, (New York: Croom Helm. 1987) p.40
confessional loyalties, which remain operative in the Fertile Crescent even today, were disseminated in this period and with the expansion of the ‘millet’ system in to the Arab provinces. The millet system developed the Ottomans, granted some administrative autonomy to the religious minorities\textsuperscript{17}.

By the mid nineteenth century, three trends, not mutually exclusive but overlapping, prepared ground for the identity politics in the modern Arab world. These were Islamic revivalism, Arab nationalism or qawmiyya, and patriotism or wataniyya\textsuperscript{18} that we shall see one by one.

Qawmiyya (Arab nationalism)

Arab nationalism began as a literary revival. The Arab literary revival gave a new impetus to the later political revival. To Arabs, language and cultural heritage in which it is embedded constituted the basis of identity\textsuperscript{19}. Though earlier Arab nationalism did not necessarily mean separation from the Ottoman Empire, the catalytic World War-I moved the Arabs to seek complete severance from the Ottoman Empire. In 1916, Sharif Hussien declared Arab independence and thus the great Arab revolt began\textsuperscript{20}.

\begin{itemize}
\item \textsuperscript{17} Ghadbian, n.12, p. 23
\item \textsuperscript{18} Ibid, p.24
\item \textsuperscript{19} Hisham Sharabi, \textit{Arab Intellectuals and the West, the Formative Years 1875-1914}, (Baltimore, Johns Hopkins, 1970), p.115.
\item \textsuperscript{20} Ibid.
\end{itemize}
Wataniyya

Patriotism or the love of the homeland, had roots in Arab heritage, but gained new meaning under the western influence, especially the influence of French Revolution. While Qawmiyya was directed mainly against the Ottoman Empire, Wataniyya developed as a movement against European imperialism.\(^{21}\)

Islamic Revivalism and Colonial Legacy

During the nineteenth century and until world war one, resistance to European occupation of Muslim lands came from the religious movements and religious leaders. The Sanusiyya in Libya, the movement led by Abdyal – al – Qadir in Algeria, the Sundanese Malidiyya in Egypt led by Muhammad Ahmad were prominent among the religious movements in Arab World. Though the Arab Revolt of 1916 was welcomed by many Arabs as an expression of Arab nationalism, the Revolt failed to bring independence for the area.\(^{22}\)

Under the name of a “mandate” established by the newly established League of Nations, the British Government made a deal with France in 1916, to divide the Arab area between them, thus replacing the Ottoman rule with joint British and French military occupation. In this deal, Syria and Lebanon were placed under French mandate, while Iraq, Palestine, and Trans Jordan were

\(^{21}\) Duri, n.9, p. 157
placed under British rule. It is during this time that the British government gave leaders of the Zionist movement a promise to secure the establishment in Palestine of a national home for the Jewish people. The colonial powers brought important changes for the Arab countries including the financial, administrative, and communicative reforms. The main purpose of the colonial powers to introduce these reforms was to maximise the exploitation of the resources of the Arab land for colonial powers.

Regarding the Arab world's colonial legacy, four problems are especially silent. The first is the rearrangement of the map, which fragmented the Arab world into some twenty countries. Another problem of the colonial world is the inability of the British government to reconcile its contradictory promises to Arabs and Jews in Palestine. The efforts of the British government to establish a Jewish homeland created a bitter long term conflict that cost great human and material losses on all sides. Thirdly, following the policies of "divide and rule", the colonial powers encouraged ethnic and sectarian differences in the region. The fourth problem of the European Colonialism was its distortion of socio-economic development in the Arab World. This helped elevate one segment of the population in wealth, education, and technological

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training, while maintaining the majority of population in undeveloped conditions.

**Arab Nationalism and the Experiments of Representative Governments**

The nationalism of this period became more secular, taking the religious notion of *umma* but reformulating it in nationalist terms. While the idea of Arab Nationalism did not wither away, the struggle for independence became the main concern of the political movements. Consequently, Arab Nationalism was reduced to the level of local sub movements involved in the struggle against foreign rule\(^25\). The struggle for Independence varied from peaceful resistance in the Gulf States and Lebanon to full scale armed struggle in Algeria and South Yemen, and a mix of political and military opposition in other countries. The first Arab country to gain formal independence was Egypt in 1920, while Djibouti was the last in 1977. Most other Arab countries gained independence in the 1940’s and 1950’s.

The newly independent Arab states had to cope with the problems of traditional society, the legacy of colonialism and the challenges of nationalism building. These challenges including building modern political intuitions, developing the economy and the society, maintaining independence and strengthening loyalties to the new state, and containing social divisions.

\(^{25}\) Sharabi, n. 13, p.116
Egypt, Syria, Iraq, Lebanon, Sudan and other Arab states made attempts at liberal democratic in the post independence year. Though Lebanon democracy lasted until the eruption of civil war in 1975, most of those early experiments of implementing democratic models of government soon failed. In Sudan, three intervals of democratic government alternated with military rule. However, the situation in the Arab World, especially after the 1991 Gulf War, paved the way for the fuller democratisation in a liberal democratic sense.

There have been various opinions on democratizing the polity in Arab World. It has been argued that democracy is unviable in the Arab World on account of the Islamic factor and the notion of the rentier state. But Arab World had indeed been a part of the global movement towards democracy.

Many researchers have been sceptical about the prospects of democracy in the Arab region due to the rise of Islamic movements. For them, the mixture of politics with religion in general and Islam in particular is antithetical to democracy.

Islamic movements have sprang up mostly out of specific domestic circumstances such as economic failure, corruption, and ban on political participation, human right abuses and the persistence of authoritarian rule.
Authoritarian regimes have generally done little for the material well being of the people and in return faced the general discontent of the people. Islamic groups have the ability to articulate popular discontent in reference to Islam. So, Islam has been found to be an effective platform to make political demands. The primary concern of these groups is to end the dictatorial rule, consolidation of democratic institutions and political participation of the people. The main beneficiary of the elections that took place in the Arab countries was the Islamic groups. In contrast to the popular belief among the scholars that the growth of Islamic groups will curb the development of democracy, majority of the mainstream Islamic groups seeking the change in the societies advocated the use of democratic and electoral means and non-violence and encouraged the people to participate in the electoral process. The high level of participation of people in the national elections is evident in the third world countries when compared to the developed countries which suffer from strikingly low level of participation in national elections.

Another factor which had made scholars doubtful about the development of democracy in Arab World is the notion of rentier state. In a rentier state, revenue is derived from external rather than domestic sources, it accrues directly to the state and as a consequence to this process, the state becomes distanced from society. There is no requirement to tax citizens and without taxation there is unlikely to be representation. The citizens of the State are not engaged in productive activity and therefore have no need to form trade unions.
or political parties or indeed any organization charged with an economic imperative. Their needs are met by the State's distribution of goods and services that is the allocation of oil wealth in the form of welfares. In other words, an unwritten social contract exists between the ruler and the subject. The ruler buys off any political demands by offering welfare networking.

Among the Arab countries, Kuwait has the only elected legislature since its formation in 1961. The process of democracy in Kuwait was present right from the emergence of the state. This research is intended to be a study in the evolution of democracy in Kuwait. It would discern the various phases of Kuwait's parliamentary experience and election that took place in Kuwait. It analyses in detail the role of the political groups and the role of women in the process of democratization in Kuwait.

After the independence of Kuwait in 1961 the country adopted a constitution in November 1962, which provided a unique blend of hereditary rule and a representative government. According to the constitution, the ruler of Kuwait should be a male descendent of the al-Sabah family, which is ruling Kuwait from 1750 A.D, when people of Kuwait decided to appoint a Sheik to administer their affairs. The Emir appoints the Prime Minister who is the crown prince and appoints and dismisses ministers on the recommendations of Prime Minister. The National Assembly was established which consists of 50 elected members by secret ballot as well as 11 non-elected cabinet ministers as ex-
officio members. The members are elected for every four years.

The National Assembly is given authority in matters relating to the budget and approves all government expenditure. It must ratify treaties related to war and peace, alliances, the use of natural resources and financial obligations. The members have right to ask questions and raise debate on matters concerned to the cabinet. Ministers are to be appointed from the Assembly members and others and the cabinet is not to exceed 1/3 of the Assembly. The male citizens whose family had been living in Kuwait since 1920 over the age of 21 years have right to vote. Women and other male citizens whose families had arrived in Kuwait after 1920 were excluded from voting. Kuwait citizens are guaranteed individual freedom; they are equal before the law in prestige, rights and duties.

The political parties are illegal in Kuwait but the candidates have their own political preferences. In 1963 elections, candidates are from three main blocs, the tribals who were the supporters of the ruling family, the members of the business community that included independent and moderate reformist elements and pan-Arab and leftist sympathisers.

The tribals were mainly the Bedouins who were offered government jobs, housing, social services by the ruling family. Bedouins today account for an estimated 65% of the total population. The business oligarchy is not a
homogenous community but derived from independent and moderate reformists. The pan-Arab and leftist sympathisers are mainly the intellectuals, university professors and professionals. They supported the Palestinian cause and the anti-imperialist forces in the region and sympathised with Arab Unity and economic justice.

The Shi'ite minority community comprises of 20 to 30 percent of the population. They are an urban group migrated to Kuwait in stages from the Arabian Peninsula and from Iran. The Shi'as are known for their work ethic and many are highly educated. The Iran-Iraq war created tension and antagonism between the Sunni majority and Shia. Iran's revolution created a wave of religions revivalism and this in turn led to the formation of many political group in Kuwait and among them Islamic National Alliance (INA) is important. It was formed in 1992 and it has two representatives in the Kuwait National Assembly.

The Shi'a, over the years has attained a certain measure of equality with the Sunni majority, although they still face some discrimination. Sunni fundamentalists continue to see the Shi'a as second class citizens and Shi'ite fundamentalist view Sunnis with suspicion. These negative perceptions are reflected in both personal and business relationship.

The National Assembly was dissolved by the Emir on two occasions in 1976 and 1986 for its direct criticism of the ruling family and its attempt to
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question the cabinet on the foreign policy, inter-Arab politics and national security which were considered to be the reserved domain of the al-Sabah.

In August 1990, Kuwait was occupied by Iraq. During this crisis, the opposition united with the Emir to free the country from Iraq. The aftermath of the Gulf War-II saw the restoration of National Assembly in 1992. This period witnessed ample transparency between the government and the people. The public had access to information connected to the Emir's decisions, activities and the progress made Kuwait's cabinet more responsible. The parliament also keeps the cabinet in check by challenging and scrutinizing the drafts of Emir. In April 1999, the rift between the executive branch led by Crown Prince and Prime Minister, Sheikh Saad and the parliament became more rigorous. The Islamic groups in the parliament put pressure on the ministry of religious affairs for publishing a version of Quran with typographical errors. When the cabinet threatened to resign, the Emir suspended the parliament and called for early elections. When the parliament is dissolved, Emir issued 60 decrees which included the decrees about the economy in accordance with its membership in world Trade Organisation (WTO), women's political rights, naturalizing several thousands of Kuwaitis lacking citizenship. Soon after the assembly was formed, it rejected many of the decrees including political rights for women but later voted for WTO related laws.

One of the serious problems of Kuwaiti democracy is the issue of citizenship. The Arab states utilize two basic principles in their definition of
citizenship: *jus sanguinis* and *jus soli*. The principle of *jus sanguinis* recognises an individual's citizenship is based on individual's place of birth. In Kuwait, the estimated population was 2.2 million by 1 August 1990 of which 70% were non Kuwaitis. Here, the question of citizenry and naturalisation arises. The residency requirement for naturalisation is ten to thirty years and there is no guarantee that it will be granted. Though they were granted naturalisation, their political rights were strictly controlled. Naturalised Kuwaitis are granted citizenship rights such as civil service employment, property ownership and access to welfare benefits in the form of educational and retirement allowances but they are not permitted the right to vote for any representative body until twenty years after acquisition of citizenship and are ineligible for nomination or appointment to a representative body or ministerial position. It was estimated in 1981 elections that the eligible voters who were above 21 years of age and whose ancestry was prior to 1920 comprised only 6.4% of the total population.