CHAPTER IV

KUWAIT’S TRYST WITH DEMOCRACY

The purpose of this chapter is to explore the problems which democratization poses to the traditional political system of Kuwait and its tryst with democracy as a result of the discovery of oil. The intent of the study is to determine first the extent to which the Kuwait monarchy has been able to cope with problems of democratization and liberalization, and secondly the effect of the consequent changes upon its political authority and upon the state's traditional political institutions. The chapter also investigates a brief survey of the country's economic and political structure in the pre-oil period. Next it analyzes the welfare state with education as a factor established in the aftermath of the oil boom, with special attention to the enormous socio-economic changes in context of liberalization which have swept Kuwait. Finally, the chapter focuses on the political consequences of democratization for these socio-economic transformations in context of liberalization. The chapter also analyzes the weaknesses affecting, and challenges facing, Kuwait's political system, balancing this assessment with a consideration of more positive factors, which have led to the restoration of parliamentary life after each period of dissolution. Kuwait experienced the fifth dissolution in its parliamentary experience.¹ On 3 July 1999, elections were held with 288 candidates competing for the 50 parliamentary seats. The election campaign was short but heated, with candidates charging the government with conspiracy, interference in the elections, and impotence. On June 29, 2006, for the first time universal suffrage was in force. It saw the participation of women in national elections. The voters selected the 50-members of the country's national Assembly. It is estimated that there are around 340,000 eligible to vote in Kuwait of which 57 per cent are women; the turnout was 35 per cent. In 2006 elections, there were 27 women candidates among the 249 in the electoral fray. But the repeated (five times) dissolution of Parliament raises many

questions about democracy in Kuwait, which is located in a region that does not look favorably on democratic reforms. The Emir Sabah Al-Ahmad Al-Jaber Al-Sabah dissolved the National Assembly of Kuwait on 18 March 2009 over accusations of supposed abuse of democracy and threats to political stability. An early parliamentary election was held in Kuwait on 16 May 2009, the country's third in a three-year period. It also raises a legitimate question concerning the reason(s) behind the uniqueness of Kuwait, with its relatively open society. Why is there a democracy in Kuwait in the first place? Does it really reflect education as a factor towards empowerment within Kuwaiti society? Why have other states in the region moved so slowly, while Kuwait enacted a constitution in 1962? And what are the major challenges facing democracy in Kuwait? This chapter attempts to answer these questions, and to explore the strengths and weaknesses of a rare continuing democracy in the Arab world, despite the limitations.

Early Kuwaitis who settled the area more than two centuries ago chose Sabah the First, the founder of the present ruling family, as their ruler. They agreed that he would handle the daily affairs of the society, and that they would support him financially, provided that he consulted with them on major decisions. This political formula created complete interdependence between the ruler and the ruled, and could rightly be described as "joint governing". Jill Crystal describes the situation accurately: "This Sabah preeminence departed significantly from inherited political institutions, where a leading Sheikh ruled with only limited and contested power..., an individual Sheikh's right to rule, and to pick his successor was still more constrained.. Sabah family rule, though well established, remained limited until well into the twentieth century. This was because the merchants, owing to their financial power, could still check Sabah designs. By the end of Mubarak's rule (1915), Kuwait had an economic and social structure that reflected a century of pearling and trading. Its political structure consisted of a ruling Sheikh, whose preeminence was secure, but constrained by the merchant elite, tied to the economy of pearling and trade." Although external factors naturally affected the political system,
these internal dynamics functioned as a political infrastructure, directing and balancing the political process. It was within this framework that Kuwait created its first Shura Council in 1921, and an elected Legislative Council in 1938.4

DEMOCRACY, LIBERALIZATION AND POLITICAL CONSEQUENCES

The point at issue is whether Kuwait's monarchy has been able to cope with the problems posed by modernization. The Ruler here has undoubtedly been concerned with the same dilemma which has confronted his counterparts elsewhere in Asia and Africa. For, on the one hand, centralization of power in this institution is necessary to promote social, cultural and economic reform, while, on the other hand, this centralization makes difficult or impossible the expansion of the power of the traditional polity and the assimilation into it of the new groups produced by modernization: an intelligentsia, a commercial or entrepreneurial group, and professional and managerial types. The participation of these groups in politics seemingly could come only at the expense of the monarchy. Hence, we have to see how the Kuwait Monarchy has resolved this dilemma and which of the following three strategies were adopted: (a) reducing or ending the role of monarchical authority and so promoting movement toward a modern, constitutional monarchy in which authority is vested in the people, in parties and in a parliament; (b) or combining monarchical and popular authority in the same political system; (c) or maintaining itself as the principal source of authority in the political system and so minimizing the disruptive effects upon itself of the broadening political consciousness.

From its earliest days, the Kuwait Government was regarded as being patriarchal in character; it never displayed any signs of autocratic despotism. The power of the sheikhs was usually limited by custom and by the checks exerted by the strong oligarchy.5 The traditional decision-making apparatus was a functional partnership between the royal family, Al Sabah sheikhs, and the representatives of the great families, Al Ghanim, Al


5 Frank Tachau. (1975). Political Elites & Political Development in the Middle East, John Wiley and Sons. New York, p.185
Khalid, Janaat and Al Salih, etc. although the carrying out of the policy normally was the exclusive domain of the sheikhs. The beginning of the erosion of the role of public opinion and public consultation coincided with Sheikh Mubarak's assumption of power in 1896. After his death in 1915 some attempts were made to reassert the customary consultative role. The attempts were successful in 1921, when at the time of his accession as Amir, Sheikh Ahmed Ibn Jabir agreed to establish a Consultative Assembly of 12 delegates chosen by the notables. The experiment with the Assembly, however, was not a success, as the members were too divided to face the Sheikh as a united body and meetings ceased. Further efforts were made to revive the Assembly between 1930 and 1938. Though these were fruitful, they were nevertheless short-lived owing to the vulnerability and weakness of the would-be parliamentary movement.

The 1950's witnessed the creation of a far weaker form of consultative chamber; namely, the Supreme Council. But this council was drawn mainly from members of the Al Sabah family, with priority to those who supervised executive departments. Thus, Sheikh Mubarak's concept of a centralized ruling apparatus persisted until 1961. Nevertheless, experience with a formal institutionalization of the consultative and decision-making process was clearly not new to Kuwait. In 1961 Kuwait was confronted with a constellation of difficulties: (1) Iraq’s threat to seize the country, (2) a rising flood of alien immigrants, (3) the growing pressure of an emerging middle class denied political power at home, and (4) problems associated with rapid economic and social change. The Amir was convinced that the country was in the midst of a serious political crisis and that it was advisable to dismantle the patriarchal system which vested political power solely in the ruling family. So in a move to widen the arena of political participation, he called in December 1961 for the election of a Constituent Assembly to draft a constitution and to act as a temporary parliament for the emirate. On the recommendation of an Egyptian constitutional expert, the Constituent Assembly presented a draft constitution which was promulgated in November 1962 by the monarch. The constitution provided for the

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6 Fekri Shehab, op. cit., p. 127.
7 Ghanim El Najar. (1986). Notes on Kuwait Political Economy, Kuwait University, p.32.
creation of a National Assembly composed of fifty deputies elected by eligible Kuwaiti citizens. The tenure of the legislature was to be four years. Each of the emirate's constituencies was to be represented by five deputies. Cabinet personnel, up to one-third the number of the elected members, may also sit in the assembly by virtue of office, and because many Al Sabah sheikhs hold cabinet portfolios, the ruling house has had ample representation in the legislature. Legislative power would be exercised by both the assembly and the amir. For example, the sole responsibility of appointing the cabinet rested with the amir, but the assembly could override any veto initiated by the amir by a two-thirds majority vote. Deputies were authorized to scrutinize the budget, ratify or reject all treaties pertaining to peace, natural wealth, resident status and finance. Furthermore they were free to question any minister, discuss any major policy, and pass a motion of no-confidence on any individual minister. Confidence votes, on the performance of the prime minister and Cabinet at large, however, were completely prohibited. If a situation developed where there was a breakdown in co-operation between the assembly and the prime minister, then it would be left to the amir to dismiss the latter or to call for an election of a new assembly.

From its institution in 1963, the Kuwait national assembly was dominated by three major political and social forces: the prominent businessman, the bedouins and the middle class. The prominent businessmen had played a significant role in the political history of the country. Their contribution in 1938 events was devastating. In July of that year they led the movement which later culminated in the establishment of the legislative Assembly. By virtue of the law which was promulgated later by the Ruler, the Assembly exercised legislative, executive as well as judicial powers. Owing to the growing conflict between The Ruler and the Assembly, the latter was dissolved in December 1938.11

10 Al Marayati, op. cit., p.286.
11 Jasim Khalaf, op. cit., pp.92-93.
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12 Kuwait Politics Database, 2008 Election Results.
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Before the discovery of oil, the business oligarchy provided the emirate with most of its income through taxes. Inauguration of the oil era, however, reversed relationship of economic dependency. The monarchy emerged as the sole distributor of the oil revenues and hence the business oligarchy depended on it for its livelihood. Nevertheless, as noted above, the business oligarchy remained the major beneficiary of this diffused wealth. The prominent businessmen were very influential in the early assemblies of 1963 and 1967 gaining respectively 16 and 17 seats. It was from 1971 onwards that their share in the number of seats began to be reduced substantially, going from thirteen down to only two. The eclipse of the business oligarchy could only be explained by the rising power of the two remaining forces: namely, the bedouins and the middle class. The bedouins - a name used to denote the inhabitants of the desert - emerged in particular as the most dominant force in the Assembly. This group comprises mainly the following tribes: Anaza, Shammer, Ajman, Mutair, Dhafir, Awazim, Al-Rashaidh, Al-Murra, Qahtan and Bani Khalid.13 Before the advent of the oil industry the bedouins depended on nomadic herding to generate their income. With the striking of oil in the late 1940's, the bedouins were forced to abandon this economic activity as they found it extremely difficult to cope with the soaring cost of living that accompanied the oil boom. They soon settled in the cities in large numbers and sought jobs in the police, the army and the oil industry. The granting of Kuwaiti citizenship - made possible by the naturalization decree of 1959 would facilitate the integration of the bedouin into national political life. To obtain more educational as well as health services for their regions, the bedouins appealed to their fellow kinsmen for electoral support. Their share of the Assembly seats went up from 19, or 38% in 1963 to 27, or 54% in 1985. The third dominant force in the Kuwait National Assembly has been the middle class. This social stratum - being the by-product of social mobilization - comprises different factions such as the politicized nationalists, the religious activists, and the politically uncommitted. The first faction - the politicized nationalists - is strongly committed to promoting Arab unity and to putting an end to colonialism in the area.14 This faction is represented by two groups: 1) Al-tajammu'al-dimuqrati (Democratic Bloc), which is led by a prominent physician, Ahmed Al Khatib.

and 2) Al-Kutlah Al-Wataniyeh (National Bloc), headed by Jassem Al-Qutami, a member of one of the prominent families. The second faction, the religious activists, mainly comprises the Muslim fundamentalists known in Kuwait as Jam'iyat Al-Islah and Jama'at Al-Salafiyyyn. This faction seeks to spread Islamic doctrine throughout the Muslim world. The third faction is made up of the politically uncommitted. The majority of members of this group are Kuwaiti professionals. In the Assembly they are generally categorized as the most educated and modern-minded members. They do not usually adhere to any political ideology and tend to take an independent stand on most political and social issues.

Since 1981 the middle class has ranked as the second most important force in the Kuwait national assembly. It emerged only once as the most numerous force, in the 1975 election, gaining 23 seats out of 50, but that role was short-lived. For in the 1981 election the group's share shrank to only 15 seats. This result was attributed mainly to the redistricting policy implemented by the government in that year. The ten constituencies were increased to 25; a measure dictated by the building of new residential quarters in El Jahra El Jadida (New Jahra) and Sabah El Saleem. The redistricting had favoured more the bedouins whose share promptly rose from 21 to 27 seats. Middle class decline, however, was short-lived, since it managed in 1985 to regain most of the seats lost in the 1981 election.

As with many other parliaments, the Kuwait National Assembly has not enjoyed much autonomy and rarely initiated policy. But it did discharge its function of criticizing and exposing the government more effectively. Furthermore, it endowed the major political and social forces in the country - the bedouins, the urban merchants and businessmen, and the nationalists, intellectuals and professionals - with an institutionalized means of expression. The bedouins were used frequently as a counterweight to the radicalism of

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the professionals and the nationalist intellectuals. Although sometimes impatient with the family's rule, the business oligarchy did not agitate for major reforms, as they were in an economically advantageous position. It was the nationalist intellectuals led by Dr Ahmed Al-Katib who mounted the fiercest criticism against the political and social order and often played the role of opposition inside the Assembly. This role was apparent in the debate over oil policy. As the country's chief concern, oil had, not surprisingly, dominated the debates of the National Assembly throughout the first decades of its existence: 1963-75. The debates over oil policy were exemplified in the scrutiny of the following issues: the principle of royalty expensing, the utilization of natural gas, the

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18 The principle of royalty expensing was the first oil issue to be debated by the National Assembly. It was a formula devised by the Middle East oil-producing countries at the beginning of the 1960's in order to increase their share of the oil revenue. Previously the practice which was based on the so-called fifty-fifty agreements signed by the foreign operating companies with many host countries in the 1950's was that when the operating company exported its crude oil, it paid a royalty to the host government amounting to 12.5 per cent of the value of the oil at the 'posted' price less the cost of production, then paying income tax at 37.5 per cent of the total value of oil at that price, the host government thus receiving 50 per cent of the value. As the companies were free to fix the posted price, they used their right to reduce it when the price at which they were able to sell the oil fell below the posted price. This of course had the effect of unilaterally diminishing the revenues of the host government. To correct this, the host countries initiated the principle of royalty expensing which was accepted by the companies. In Kuwait this was apparent in the agreement which was reached between the government and the owners of Kuwait Oil Company (KOC) in Dec. 1964. This meant that royalty payments on crude oil (12.5 per cent of the posted price) were to be treated as cost items in calculating the taxable income instead of crediting it against the actual tax as otherwise assessed. As a partial offset, however, the companies were allowed a discount of 8.5 per cent for 1964 off the posted price of each grade of oil; for 1965 and 1966 they were offered a discount of 7.5 and 6.5 per cent respectively. These discounts had undoubtedly diminished the revenues of the government. So the agreement which was meant to boost the government revenues did in fact work in favour of the companies. It was for this major reason that the agreement failed to be ratified when it was submitted for discussion in the National Assembly in Jan. 1965 (see, Kuwait National Assembly Proceedings 23 Jan. 1965).
19 Unlike the case in some other oil-producing countries, crude oil production in Kuwait is associated with massive production of gas. In 1970 total gas production in Kuwait from all oil fields approximated 10 million tons. Until this time it has been found possible to use only 20 per cent of this gas for power generation, water distillation, refinery uses, and re-injection into oil fields to maintain reservoir pressure. What was left then about 8 million tons was flared off. This was valued at 180 million dollars annually. On several occasions the National Assembly pleaded with the government to put pressure on the oil companies to utilize this gas. The oil companies, however, were reluctant to do so on the ground that the operation costs were high. It was in January 1971 that the oil companies changed their position with regard to gas utilization. In an agreement reached with the government they consented to a gas project which involved the construction of extensive facilities to utilize the gas associated with crude oil output for the production of liquefied natural gas and such derivatives as propane and butane. The government was obliged, according to the agreement, to shoulder the costs of 50 per cent of the gas project. The agreement was exposed to bitter criticism in the National Assembly when it was submitted for discussion in March 1971. The oil companies were attacked for their contradictory stands vis-à-vis gas; for previously they had alleged that gas could not be utilized, owing to the expense, while the agreement indicated otherwise. The agreement in itself gave more benefits to the oil companies than to the government. The Assembly
participation agreement, the nationalization of oil, and finally the Santa Fe deal. The members were wondering why the government did not assume all responsibility for gas utilization and so in turn reap the benefits alone. Despite the reservations expressed, it was finally ratified, (see: (i) Al-Esbou' El Arabi, 5 July 1972 (Lebanon Daily Newspaper), (ii) Al Hadaf (The Aim), 8 March 1971, (Kuwait Weekly Newspaper), (iii) Mir'at Al Umma (National Mirror), 28 June 1972.)

In Jan. 1973, in common with several other Middle East countries, the Kuwait government signed a participation agreement with the country's main oil-producing concern, the Kuwait Oil Company (KOC), owned equally by British Petroleum (BP) and Gulf Oil. KOC produced over 90 per cent of Kuwait's oil output in 1972. The agreement would have given the government an initial 25 per cent share in KOC and a 51 per cent (controlling) interest by 1982. The agreement was referred to the National Assembly for ratification. The agreement was criticised on the ground that it would mortgage the country's economic future. When the government sensed that the agreement might fail short of ratification it announced its intention to renegotiate it. The negotiations for new participation terms started between the government and KOC in June 1973. An agreement was reached in Jan. 1974 for the acquisition by the government of a 60 per cent share, with the right to acquire the remaining 40 per cent by 1979. The newly negotiated agreement received wide support in the National Assembly. The agreement was praised on the ground that it gave more say to the government. The idea of nationalization of the oil industry - which was raised by the opposition faction - was dismissed due to the lack of trained local staff in the fields of oil production, marketing and distribution. It was on this understanding that the Assembly voted to accept the agreement, with retroactive effect from Jan. 1975. (see: (i) the Kuwait National Assembly Proceedings No. 292/B, 30-1-73, (ii) Al Qabas, 26 Nov. 1973 (Kuwait Daily Newspaper), (iii) Al-Siyasa (Politics), 18 Dec. 1973 (Kuwait Daily Newspaper), (iv) Al-Talia (The Vanguard), 19 Dec. 1973 (Kuwait Weekly Newspaper).

The issue of nationalization was reactivated by the opposition in May 1975. In a proposal submitted to the Assembly, they called again for the nationalization of the oil industry, asserting that it was the only way to preserve this national strategic commodity. They maintained that though the participation Agreement had given the state a 60 per cent share of the KOC, nevertheless it did not secure much say on the board of directors. The oil companies remained in charge, a fact illustrated by their control of 76 per cent of the votes of the board of directors. Before the opposition proposal was submitted for discussion, the government in a surprise move introduced a bill calling for nationalization. This step took the Assembly by surprise since it was only a year after the ratification of the participation agreement. The government was probably motivated either by (1) the fact that it did not want the opposition to win the credit for such a proposal and (2) the fact that it must have realized by then that nationalization would not cause any setbacks, judging by the experiences of Iraq and Libya. As a result the Assembly voted unanimously in favour of nationalization. By taking that step, Kuwait became the first Arab Gulf country to nationalize its oil industry (see: Al-Siyasa, 1 May 1975).

Santa Fe was a leading US oil drilling, exploration and services company with annual sales totalling $2 billion in 1980. The company was bought by the Kuwait Petroleum Corporation (KPC) in a bid that cost $2.5 billion. It had been alleged that the KPC offered $51 per share for Santa Fe Stock, more than twice Santa Fe's quoted price on the New York Stock Exchange. In addition there was the allegation that during the takeover of Santa Fe, some people had been involved in 'insider trading', which indicated that there was an advance leak of information. The issue was brought to the notice of the National Assembly in 1985 by the member Dr Abdalla El Nafisi, who demanded a full investigation. As a result the oil minister was requested to make a full report about the deal. In a comprehensive report submitted to the Assembly, the oil minister disclosed that the issue of Santa Fe had been discussed first during the visit of the company's managing director to Kuwait in July 1981. The government idea first was to buy some of the company's shares. But this policy was changed when the Santa Fe director offered to sell the entire company if a reasonable price could be agreed to. As a result the government formed a committee comprising officials from the Kuwait Petroleum Corporation and the Kuwait Investment Office in London to collect data regarding the activities and operations of Santa Fe. In addition, two reputable investment firms, Morgan Grenfell and Salomon Brothers, were asked to assess the deal. The view of the two firms was that the deal was economically sound and they assessed the market value of the share of Santa Fe stock according to New York Stock Exchange figures as falling within the range of 45 - 55 dollars. This information was useful to the special committee which was formed later including the oil minister, the finance minister, the director of Kuwait Trade and Foreign Investment Company, a Kuwait University lecturer, a financial
opposition members won credit for leading constructive debates over these issues which later culminated in the state undertaking the necessary measures aimed at preserving and safeguarding this strategic commodity. Despite this superb record as illustrated by the debates over the oil policy, the Assembly tended however, in the majority of cases, to abuse its authority of controlling the executive branch. This was apparent in the much too frequent use of such parliamentary devices as the interrogation of ministers and the passing of no-confidence motions. Some people were of the opinion that it was the irresponsible and rash behaviour of some members that later led to the dissolution of the Assembly. Whether this view is substantiated by concrete evidence or not will be seen when we examine the issue of the dissolution later.23 The questioning of Cabinet ministers can lead to their impeachment, which the government usually avoids by resignations, reshuffles and dissolving the legislature. Since its inception in 1962, the National Assembly of Kuwait has questioned more than 30 ministers, forcing some to resign, but has never done so with a premier.

First National Assembly
Social Affairs and Labor Minister Abdullah Meshari Al-Roudhan—MP Mohammed Ahmad Al-Rshaid requested to grill the minister but later reached an agreement and withdrew his request.

Electricity and Water Minister Sheikh Jaber Al-Ali Al-Salem Al-Sabah--MP Rashed Saleh Al-Tawhid discussed the grilling but no proposals were made and the National Assembly shifted to consider its agenda.

Second National Assembly
Justice Minister Khaled Al-Jassar--MPs Suleiman Al-Duwaikh, Hamad Al-Ayyar and Nasser Al-Osaimi discussed the grilling over two sessions and no further decision was taken. Some MPs requested formation of inquiry committee and this request was not approved and the session was adjourned.

Third National Assembly
Finance and Oil Minister Abdul Rahman Salem Al-Ateeqi--The minister was grilled by MP Khaled Mas'oud Al-Fuhaid but was not impeached.

Commerce and Industry Minister Khaled Suleiman Al-Adasani--MPs Ali Thnayyan Al-Ghanem, Sami Al-Mnayyis and Abdullah Al-Naibari grilled the minister. The minister survived the ensuing no-confidence vote.

Finance and Oil Minister Abdul Rahman Salem Al-Ateeqi--MPs Ahmad Al-Nafisi, Abdullah Al-Naibari and Salem Al-Marzouk grilled the minister. The minister survived the ensuing no-confidence vote.

Fifth National Assembly
Health Minister Dr. Abdul Rahman Al-Awadi--MP Khalifa Talal Al-Jiri led the discussion in favor of grilling the minister. The minister declined to present data based on the secrecy of relations between physicians and patients and the issue was referred to the Constitutional Court, which ruled in favor of the minister. This was the first time a minister referred such an issue to the Constitutional Court.

Social Affairs and Labor Minister Hamad Issa Al-Rujaib--MPs Khaled Sultan Al-Issa, Meshari Al-Anjari and Khaled Al-Jumai'an led the calls for a grilling. The grilling request was withdrawn due to security circumstances surrounding the aftermath of the 1983 bombings.
Electricity and Water Minister Khalaf Al-Khalaf—MP Ahmad Al-Tukahim grilled the minister and was satisfied enough by the minister’s answers to withdraw the request for a no-confidence vote.

**Sixth National Assembly**
Justice and Legal Affairs Minister Sheikh Salman Al-Duaij Al-Sabah—MPs Mubarak Al-Duwaila, Dr. Ahmad Al-Rubei and Hamad Al-Jouaan requested a grilling and on May 7, 1985 the minister resigned two days before the grilling was to take place. This was the second ruling family minister to be grilled and resign.

Communications Minister Issa Al-Mazidi—MPs Mohammed Suleiman Al-Mirshid, Faisal Al-Sane, and Ahmad Baqer made the request.

Finance and Economy Minister Jassem Al-Khrafi—MP Nasser Al-Bannai made the request.

Oil and Industry Minister Sheikh Ali Al-Khalifa Al-Sabah—MPs Abdullah Al-Nafisi, Jassem Al-Qitami, and Meshari Al-Anjari grilled the minister and in response the Amir dissolved the National Assembly on July 3, 1986. This was the ruling family minister to be grilled.

Education and Higher Education Minister Dr. Hassan Al-Ibrahim—MPs Rashed Al-Hjailan, Ahmad Al-Shraiaan and Mubarak Al-Duwaila had their grilling of the minister listed on the agenda but the National Assembly was dissolved on July 3, 1986 and the grilling did not take place.

**Seventh National Assembly**
Education and Higher Education Minister Dr. Ahmad Al-Rubei—MP Mufarrej Nahar Al-Mutairi grilled the minister. The minister survived the vote of no confidence. This was the third elected minister to be grilled and first elected minister against whom a vote of no confidence motion was submitted.
Eighth National Assembly
Second Deputy Prime Minister/Finance Minister Nasser Al-Roudhan--MPs Sami Al-Mnayyis, Ahmad Al-Mlaifi and Meshari Al-Osaimi grilled the minister but failed to get the required number of signatories for the vote of no confidence motion. However, the minister resigned on November 15, 1997.

Information Minister Sheikh Saud Al-Nasser Al-Sabah--MPs Dr. Walid Al-Tabtabaei, Mohammed Al-Elaim and Dr. Fahd Al-Khanna grilled the minister but the cabinet resigned one day before the vote of no confidence was to take place. After the cabinet was reformed, the minister was reappointed to the cabinet as the oil minister and acting health minister. This was the first cabinet resignation and the fourth ruling family minister to be grilled.

Interior Minister Sheikh Mohammed Al-Khaled Al-Sabah, June 1998--MP Sayed Hussein Al-Qallaf grilled the minister on June 15, 1998. This was the fifth ruling family minister to be grilled.

Justice Minister/Awqaf and Islamic Affairs Minister Ahmad Al-Kulaib, May 1999--MP Abbas Al-Khdhari grilled the minister on May 4, 1999. Then 20 MPs submitted two votes of no confidence motions against the minister. Subsequently, the National Assembly was dissolved constitutionally. This was the first constitutional dissolution of the parliament. Al-Kulaib was the fourth elected minister to be grilled and second elected minister against whom a vote of no confidence motion was submitted. It was first time two votes of no confidence motions were submitted.

Ninth National Assembly
Electricity and Water Minister/State Mmister for Housing Affairs Dr. Adel Al-Sabih--MPs Walid Al-Jiri, Musallam Al-Barrak and Marzouk Al-Hbaini grilled the minister. The minister survived the no confidence vote.

Minister Al-Hashel, January 2001--MP Sayid Al-Qallaf was to grill the minister on January 27, 2001. However, the cabinet resigned before the grilling could take place.
Justice Minister/Awqaf and Islamic Affairs Minister Ahmad Baqer, January 2002--MP Sayid Hussein Al-Qallaf grilled the minister on January 8, 2002. This was the fifth elected minister to be grilled and the second time the government sought interpretation of certain articles from the Constitutional Court.

Education and Higher Education Minister Dr. Musaed Al-Haroun, April 2002--MP Hassan Jowhar grilled the minister on April 2, 2002.

Finance Minister Dr. Yousef Al-Ibrahim, June 2002--MP Musallam Al-Barrak and Mubarak Al-Duwaila grilled the minister on June 24, 2002. The result of the vote of no confidence motion was in favor of the minister. However, the minister resigned on January 25, 2003.

Electricity and Water Minister/Social Affairs and Labor Minister Talal Al-Ayyar, December 2002--MP Sayid Hussein Al-Qallaf grilled minister on December 16, 2002. It was the sixth elected minister to be grilled.

Deputy Prime Minister/State Minister for Cabinet and National Assembly Affairs Mohammed Sharar, March 2003--MP Abdulla Al Naibari grilled the minister on March 3, 2003 and the result of the no confidence motion was in favor of the minister.

Deputy Prime Minister/Defense Minister Sheikh Jaber Al-Mubarak Al-Sabah, May 2003--MP Ahmad Nassar Al-Shraiaan was to grill the minister on May 12, 2003 but the MP withdrew his request one day beforehand.

Tenth National Assembly
Finance Minister Mahmoud Al-Nuri, March 2004--MP Musallam Al-Barrak grilled the minister on March 8, 2004. The minister tendered his resignation last year after he narrowly survived the no-confidence vote.
Health Minister Mohammed Al-Jarallah, May 2004--MP Sayid Hussein Al-Qallaf was to grill the minister on May 3, 2004.

Prime Minister/State Minister for Cabinet Affairs/State Minister for National Affairs Mohammed Dhaifallah Sharar--MPs Ahmad Al-Mulaifi and Ali Al-Rashed were to grill the minister on December 6, 2004.

Information Minister Mohammed Abulhassan, January 2005--On May 23, 2004, MP Al-Tabtabaie threatened to grill minister Abulhassan over allowing the Star Academy television show into Kuwait. MPs Awad Barad, Walid Al-Tabtabaei and Faisal Al-Muslim were supposed to grill the minister on January 3, 2005, but 24 hours before the grilling the minister resigned. In February, Anas Al-Reshaid was appointed the new information minister.


Health Minister Mohammed Al-Jarallah, April 2005--MP Daifallah Bouramiya) accused the minister of squandering public funds and grilled the him for twelve hours on April 4, 2005. On April 6, Al-Jarallah resigned rather than face the no-confidence vote.24

Prime Minister Shaykh Nasser Mohammed Al-Ahmad Al-Sabah, May 2006--MPs Ahmad Al-Saadoun, Ahmad Al-Mulaifi, and Faisal Al-Muslim Al-Otaib sought to grill the Prime Minister. In response, the Amir dissolved the National Assembly on May 21, 2006.

Eleventh National Assembly
Information Minister Mohammed Al-San'ousi, December 2006--On December 17, 2006, Information Minister Mohammed al-Sanoussi resigned, a day before he was scheduled to

be grilled by MP Faisal Al-Muslim Al-Otaib over allegations that he tried to restrict satellite TV stations during this year's legislative elections.

Al-Sanoussi denied he curbed the private TV channels, saying that he only asked them to apply for licenses. In Kuwait, all publications and broadcasting media have to be licensed. Several privately owned satellite stations, operated from abroad, appeared in Kuwait before the June elections, broadcasting interviews with opposition figures and covering the campaign. Most subsequently went off the air.

Faisal Al-Muslim Al-Otaib led the campaign against Al-Sanoussi, claiming that al-Sanoussi wrote to the Interior Ministry, asking it to find out who owned the new TV stations so that this "sensitive and dangerous" situation could be dealt with. In the written request to question Al-Sanoussi, Al-Muslim said, "What the information minister did was against the principles of freedom, and against the constitution that guarantees freedom of speech, expression and publication." Al-Muslim also accused the minister of failing to suppress publications that were anti-Islamic and promoting vice.

Health Minister Health Minister Shaykh Ahmad Abdullah Al-Ahmad, February 2007--MPs Waleed Al-Tabtabaie, Jamaan Al-Hirbish, and Ahmad Al-Shihoumi grilled the minister in February 2007, questioning him about allegations of favoritism, deteriorating health services offered by state hospitals, and wasting public money by sending people for treatment abroad at the country's expense when they could be treated at home. The minister defended himself against accusations of mismanagement and incompetence, acknowledging he made mistakes and has asked the prosecutor general to investigate. But lawmakers were unconvinced and decided he should face a vote of no confidence. The cabinet then resigned on March 4, one day before the vote of no confidence was to take place.\(^\text{25}\)

Oil Minister Sheik Ali Al Jarrah Al Sabah, June 2007--MPs Musallam Al-Barrak, Abdulla Al-Roumi, and Adel Al-Saraawi grilled the minister, who then resigned before a no-confidence vote could be held.

Health Minister Maasouma Al-Mubarak, August 2007--On August 25, 2007, Faisal Al-Muslim Al-Otaib and Islamist MP Waleed Al-Tabtabaie submitted to Speaker Jassem Al-Kharafi a motion to grill Health Minister Maasouma Al-Mubarak following the August 23rd Jahra Hospital fire which led to the death of two elderly patients. However, the minister resigned before she could be grilled.

The first angle of the grilling accused Dr Maasouma of committing violations in the Foreign Medical Treatment Department and toying with ministerial law 2007/25 issued by the minister after assuming office. Indicating according to the law only those patients suffering from diseases for which treatment is not available in Kuwait can be sent for treatment abroad according to the recommendation of a specialized panel of doctors and the physicians in charge of the patient, the MPs said in their grilling motion "as per the law the Health Minister and undersecretaries of health cannot interfere in the decision. However, this law was never implemented and was repeatedly violated under the minister's supervision."


Awqaf and Islamic Affairs Minister/Justice Minister Dr. Abdulla Al-Ma’touq, October 2007--MPs Walid Al-Tabtabaei and Ali Al-Omair submitted their request to grill the minister on October 22, 2007.

Education and Higher Education Minister Nouria al-Subeih, January 2008--MPs Saad Al-Shraye grilled the minister on January 8, 2008. On January 22, 2008, the parliament voted 27-19, with two abstentions, against the impeachment of Education Minister Nouria al-Subeih.

Subeih had to defend herself against allegations that she had attempted to deceive the nation when she denied a press report that three male students had been sexually assaulted by an Asian worker at a state school. She explained she had been misinformed and issued an apology.
Islamist lawmaker Saad al-Shreih also accused Subeih of not showing enough respect for Islam when she did not punish a 14-year-old girl who had allegedly drawn a cross on her religion text book and scribbled notes on it that she hated Islam. The minister told the house there was no evidence the girl had actually done that and so she was just referred to counseling. Shreih, however, still managed to gather the requisite signatures of ten lawmakers to force the no-confidence vote.

In the lead-up to the vote, MPs Ali Al-Deqbasi, Musallam Al-Barrak, Saleh Ashour and Hussein Muzyed spoke against the minister and MPs Ali Al-Rashed, Mohammad Al-Saqer, Khalaf Al-Enezi and Adel Al-Saraawi spoke in her defense.

Twelfth National Assembly
Prime Minister Nasser, November 2008—MPs Walid Al-Tabtabai, Abdulla Al-Barghash and Mohammed Hayef Al-Mutairi submitted a request on November 18, 2008, to grill the Prime Minister based on overriding security records, absence of the State’s prestige, and government confusion in running the affairs of the state and increase in rates of financial and administrative corruption. In response, the cabinet resigned in protest.

Prime Minister Nasser, February 2009—In February 2009, the ICM announced its intentions to grill PM Nasser. On February 5, 2009, Al-Qabas quoted MP Ashour as saying the he suspected that the plan to grill Prime Minister Nasser is a plot between the cabinet and the ICM. At the same time, MP Al-Tabtabaei advised the Salafi MPs to support ICM’s grilling.

The other institution apart from the Assembly which witnessed extensive political transformation was the cabinet. Executive power was no longer the sole domain of the ruling family. New forces were mobilized to share power with the monarchy, namely the business oligarchy and the new middle class. This was apparent in the cabinets which followed independence. To the first cabinet three merchants were appointed as against twelve members of the ruling family. In the second, which was formed in January 1963,

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26 Al-Marayati, *op. cit.*, p.288
they increased to five as against eleven members of the ruling family. The additional portfolios for the new elements encompassed ports, customs and that of the minister of cabinet affairs. In the next cabinet, formed in December, 1964, the number of recruits drawn from the business oligarchy increased to ten as against five members of the ruling family. This cabinet, however, had been challenged by some Assembly members on the grounds that its composition violated the constitutional provision against conflict of interests. The members alleged that six ministers of the cabinet were involved in business enterprises and were thus disqualified to serve, in accordance with Article 131 of the constitution. So as to disrupt the process of oath-taking by the new ministers, twenty-one deputies of the Assembly walked out of the meeting scheduled for the purpose. This deprived the Assembly of its quorum and apparently led to the resignation of the cabinet. The incident was analogous to the parliamentary vote of no-confidence which the constitution does not approve. The crisis was contained by the Emir's move to give concessions to the opposition. The six businessmen who were alleged to the disqualified were replaced in the new cabinet formed in January 1965. Those who were sworn in instead were some representatives of the new middle class who now entered the cabinet for the first time. By yielding to the pressure of the opposition, the Emir was making it possible for the Assembly eventually to share control with him over the cabinet. The recruitment of the new forces reached its highest level in the September 1976 and February 1978 cabinets when they represented over 60 per cent of the total membership. This was a further indication of the significant political change affecting the cabinet.

The Kuwait National Assembly has been dissolved five times in its political history. In August 1976, the reasons for dissolution were given as follows according to the Amiri decree. The Emir of Kuwait has the power to dissolve the assembly and call for new elections within two months. On two such occasions, the assembly was dissolved unconstitutionally, and no new elections were held within the legally required period. The Emir of Kuwait in such cases ruled by decree. The first case was in 1976 and lasted until

27 J.M. Landau, op. cit.
28 Al-Najar, op. cit., p.69.
1981. The other case lasted from 1986 until 1992. On three other occasions, the Emir dissolved the Assembly and held new elections immediately afterward. This happened in 1999, in 2006, and most recently in March 2008. First, that the Assembly failed to decide on a number of legislative proposals owing to the slow and complicated parliamentary procedures; this resulted in the failure of hundreds of parliamentary bills, the majority of which concerned crucial issues dealing with the livelihood of the individual citizens. Second, that the Assembly had wasted most of its time in unnecessary debates and that the members often made unfounded allegations against ministers. Third, that there was a lack of co-operation between the Assembly and the cabinet. And, finally, that the critical conditions within which the Arab countries were struggling to survive at that time - in particular, the Gulf countries - dictated swift and prompt action to preserve the state's security. The 2006 dissolution was brought by what is locally known as the Kuwaiti Orange Movement, when Kuwaitis held mass protests and demonstrations to demand that electoral districts be reduced in number from twenty-five to five.

A prominent Kuwaiti scholar, Dr Adil Tabatabaee, challenged the view that the National Assembly was unable to discharge its legislative functions effectively and that most of its legislative proposals were obstructed. In his book, *The Legislative Authority in the Arabian Gulf Countries*, Dr Tabatabaee argued otherwise, claiming that the Kuwaiti National Assembly had performed its legislative functions superbly. He pointed out that between 1963 and 1976, the Assembly had enacted 584 laws. This was in comparison with the 458 laws which were promulgated by the government after the dissolution from 1976 to 1981. Dr Tabatabaee maintained that even during the fourth legislative session, which did not extend more than two years owing to the dissolution, its achievement was considerable, given (1) its enactment of 60 laws, (2) the convening of 666 sessions and (3) the submission of 202 reports by the Assembly's various committees. This was in addition to the 226 questions which were addressed by the members, with the government responding to 213 of them. To Tabatabaee this represented a fine record of legislative accomplishment. This comparison based on figures only is misleading for two

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reasons: first, the two periods (1963-76) and (1976-81) are different in length. Secondly, the circumstances are not parallel in terms of their pressures and challenges. The first period witnessed the establishment of the state apparatus, the launching of the socio-economic developmental plans and the nationalization of the oil industry. Hence one would assume the passing of more laws during this period compared to the other. The claim that the Arab countries were threatened by critical circumstances and that there was a pressing need to preserve state security was mainly associated with the civil war in Lebanon. It was widely believed that the liberal democratic atmosphere in Lebanon, apparent in the freedom of expression, press and association, had been mainly responsible for the civil strife which has bedevilled that country after 1975. As Kuwait was experimenting in the same way with parliamentary democracy and a relatively free press, it was feared that the unhappy Lebanese experiences would be repeated here. It was believed that the uncontrolled or rather misguided freedom of expression in the National Assembly would cause more fragmentation in the society and could ultimately lead to total political anarchy and collapse. Misgivings over these matters were expressed by the Crown Prince and Prime Minister in a statement he gave after the dissolution of the Assembly: The freedom of press has no value if it not been performed with a sense of responsibility. . . . The press deserves freedom if it proves capable of assuming responsibility. . . . By responsibility we mean working for the national interest, promoting love and solidarity in the society, and preserving the pride and dignity of others and avoiding acts of blackmail. . . . The political, economical and social conditions of a beloved sister country (Lebanon) did necessitate the adoption of a democratic system. But this political system has been abused as it has been utilized by the various political factions to facilitate foreign intervention. The end result was a catastrophe: a civil war which wrecked the entire political system. There were attempts by some forces to transfer this conflict to Kuwait - by making use of the democratic atmosphere here - and in turn to bedevil this peaceful country as they did that sister state .. .

31 Al-Najar, *op. cit.*, p.87.
The royal decree, apart from dissolving the National Assembly and delegating its powers to the Amir and the council of Ministers, stipulated the following: (a) suspension of provisions 56-F3,107,174 and 181 of the Kuwait constitution, (b) the issuance of laws through Amiri decrees (c) formation of a committee of experts and experienced people to study the possibility of amending the constitution, so as to correct alleged malpractice associated with the previous parliamentary experiment; the committee would have to conclude this assignment in a period not exceeding six months, and its recommendations would have to be submitted to the Amir after the approval of the council of ministers; the ratification of the constitutional amendments would be conducted either through a referendum or by a new National Assembly which should convene not later than 1980.33

This committee was not formed until February 10, 1980. In a move which was interpreted as a first step towards the restoration of parliamentary democracy, the monarchy issued a decree appointing a 35-man committee and assigned to it the mission of amending the constitution.34 The committee held its first meeting on 19 February 1980, and it was attended by the Crown Prince and Prime Minister, Sheikh Saad Al Abdulla El Sabah. The Crown Prince delivered a speech in which he requested the members to assess the former parliamentary experiment, for the purpose of singling out its main deficiencies and shortcomings and of proposing remedies. He pointed out that some of the parliamentary shortcomings were associated with some of the constitutional provisions. For this reason he urged the committee to consider the possibility of amending these constitutional provisions. The committee was able to conclude this mission within four months. In June 1980 it submitted a proposal for amending 17 constitutional provisions.35 The Amir issued a decree calling for the convening of the National Assembly by not later than February 1981, so as to ratify these constitutional amendments.

33 'The Democratic Experience in Kuwait', a report compiled by the Kuwait News Agency (Feb. 1981). Art.56 stipulates that some of the government appointed ministers should be from the members of the National Assembly. Art.107 declares that in case the National Assembly is dissolved, an election for a new Assembly should be made during a period not exceeding two months from the date of dissolution. Art. 174 concerns the procedure of amending the constitution. Art. 181 stipulates that no constitutional provision shall be suspended unless during times of emergency. 34 Al-Wattan (The Homeland), 9 February 1981, (Kuwait Daily Newspaper). 35 Ibid.
On 8 September 1980, preparations were made for the election of the new Assembly. The first measure undertaken was the amendment of the 1962 electoral law. The law originally divided Kuwait into ten constituencies with five deputies representing each. The new amendment divided Kuwait instead into twenty-five constituencies, with two deputies representing each. The justification made by the government for altering the law was that the demographic structure of the country had changed greatly, as was clear with the opening of new residential areas as well as the shrinking of other areas. The redistricting, however, seemed to have had a negative electoral impact, as the numbers of electors of 1981 election dropped dramatically compared to that of 1975. This is judged from the figures, respectively 41,1953 and 52,993. The fifth (5th) Assembly was convened on the 9th of March 1981. One of its main tasks was to debate the constitutional amendment issue referred to above. This issue generated very heated discussion among members. One group of members interpreted the proposal of amending the constitution as a step towards restricting democracy and denying the Assembly its legislative and supervisory powers. On this basis they refused on principle to discuss the issue of constitutional amendments. Another Assembly faction supported the proposal on the grounds that the critical conditions which the country was living at that time necessitated many constitutional amendments. As a compromise, ten deputies presented a motion asking for the submission of the proposal to the Assembly Legislative Committee to study the issue in much greater detail and report back to the Assembly. This motion was challenged by the government on the ground that it conflicted with the constitutional provision which stipulated that the Amir and one third of the Assembly members had the right to propose a constitutional amendment. By referring the proposal to the Legislative Committee, the government argued, the Assembly would be denied the right to decide on such a fundamental issue. It was agreed finally to take a vote on the motion and the result was that 26 members supported it while 34, including ministers

36 A. Al-Assiri and K. Al-Manoufi, op. cit., p.98.  
38 Al-Anba' (The News), 27 Nov. 1984 (Kuwait Daily Newspaper).  
who were members by virtue of their portfolios stood against. Hence, with the defeat of
the motion, the Assembly opened the debate on the constitutional issue.

In the deliberations the members who stood previously against the constitutional
amendment re-emphasised their stand. A well known member from this group was
Ahmed El Sadoun, who urged the Assembly deputies to stand firm against the scheme of
amending the constitution. In his view endorsement of these constitutional amendments
would lead to the suppression of democratic rights as well as to an encroachment on the
powers of the Assembly. He specified the most critical constitutional amendments as
article 50, which would deprive the Assembly of its powers; article 65, which would
oblige the Assembly either to give priority to a government decree submitted within a
period of thirty days or otherwise letting it become law; and finally article 69, which
would give the government the right to extend a state of emergency even after the end of
the conditions which necessitated it. The opposition was able to mobilize public opinion
against the constitutional amendments. The press in particular waged a vigorous
campaign against the proposals. This opposition eventually persuaded the majority who
had supported the scheme earlier to change their positions. The turning point was
reached when 18 Assembly members presented a petition to the Ruler requesting
withdrawal of the constitutional amendment proposal. The latter acquiesced in this
demand.

Apart from the constitutional amendment controversy, there were other issues which
dominated the deliberations of the Assembly. Among these were the gigantic crash of the
unofficial stock market, the Souk al-Manakh, and the publications law. Like the
amendment issue, these two matters occasioned very heated discussions in the Assembly
and sometimes the political atmosphere was so tense that there were fears that dissolution
might ensue. Despite these stormy sessions, the 5th Assembly was able to complete its
four-year term of office.

Ibid.
The real controversy, however, arose in the Assembly immediately following its election in February 1985, the Assembly collided with the government over the case of the justice minister's alleged improper use of government funds (i.e. Small Investors Relief Fund) during the Souk Al-Manakh crisis. During the election campaign there had been vague allegations that the minister, a member of the ruling family, had reaped some personal financial gains during the crisis. At the beginning of April 1985, a few details began to appear in the press, with an accuracy that can only have come from a leak. A question was tabled in the Assembly on April 12, and it was followed by the opposition organizing a motion of no confidence in the minister, scheduled for May 7. Support for it became so widespread that the minister submitted his resignation in advance, on May 5, which was promptly accepted by the Ruler.

The confrontation between the Assembly and the government continued even after the resignation of the justice minister. The Assembly fought three battles on financial issues. The financial sector was producing a continual crop of political issues, which were being fought with increasing bitterness. At the end of March 1986 the Assembly invoked its right to appoint one of its deputies as a special investigator to examine internal documents at the Central Bank. The government, sensing encroachment on its executive authority over all para-state organizations, refused, and passed the matter to the constitutional court. In mid-April the Fadhala committee, which was set up in July 1985 to investigate details of a K.D. 150-million loan granted by the Commercial Banks to the Industrial Bank of Kuwait, submitted a final report which was emasculated because of the government's refusal to cooperate, and the matter was again referred to the constitutional court. At the end of April a storm was raised over allegations from the State Audit Bureau of mismanagement and misappropriation of the Fund for the Relief of Small

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44 Al-Watan, 17 April 1985.
45 Ibid.
46 Al-Siyasa, 7 May 1985.
47 Al-Mujtamal, 2 May 1986 (Kuwait Weekly Magazine).
Investors. This had already been a contentious issue, since it was in connection with the same issue that the justice minister had been forced to resign in May 1985.48

Another manifestation of confrontation developed in the ministry of education. This ministry had been the focus of a battle with the Muslim fundamentalist deputies. This group was particularly concerned about the reformist approach of the minister, Hassan Ali Al-Ibrahim, in a ministry which had long been their stronghold.49 When they objected to a specific set of reforms, he tendered his resignation on May 11, 1986. He then withdrew it nine days later, after the government made it clear that his reform programme would be implemented regardless. The State Audit Bureau's report which alleged mismanagement of the country's reserves (referred to above) caused a fierce reaction in the Assembly. In a special Assembly session which was convened to debate the report, the minister of finance, was asked to give an explanation of the issues involved.50 In his reply the minister stated that he was not responsible for the violations committed with regard to the Fund for the Relief of Small Investors. He maintained that such violations took place during the tenure of the previous finance minister, who is currently the oil minister. Even by involving the oil minister, the finance minister was not able to clear himself from the charges made against him.51 The Assembly members held him at least partly responsible for the violations made since he had known that there was a misappropriation of the funds but failed to report it. For this reason he and the oil minister were severely reprimanded by the Assembly.

Apart from the finance and oil ministers, two other ministers were exposed to severe criticism. The minister of communications and public works was in the firing line for allegedly allowing some prominent citizens to run up huge unpaid telephone bills, while the education minister continued to be under pressure after his abortive resignation in May 1986. With specific questions tabled against the ministers of oil, finance, communications and education, and the press openly discussing the prospects for votes of

48 Al-Tali'a, 26 April 1986.
50 Al-Tali'a, Op. Cit.
51 Ibid.
no confidence, the Crown Prince and Prime Minister submitted the resignation of his
government on July 1, because of the impossibility of cooperation between the (cabinet)
and the Assembly. This clearly delighted significant elements in the National
Assembly, who offered a series of possible deals whereby questions would be dropped if
the ministers were dropped from the cabinet. But the stakes were in fact far higher.
Alarmed by a bombing attack on oil facilities at Ahmadi and the local reaction to it, the
Amir was forced to abide by an earlier agreement he had made with the Prime Minister in
March 1986 to dissolve the Assembly in case of further attacks on the government. When
the Amir dissolved the Assembly on July 3, he upheld his belief in the democratic
process but argued that the dust of the dispute obscured the sun of truth. He asserted
that he had waited a long time hoping that the two bodies would settle their differences
by discussion, but that unfortunately did not materialise. He added that he had seen the
picture of democracy shaken and its application crumble, pulling down with it social
values and hence paving the way for the disintegration of the Kuwait society. In
addition to its internal problems, he concluded, Kuwait faced external threats, a situation
requiring a united front.

The Amir accepted the resignation of the cabinet, asked the prime minister to form a new
government, indefinitely suspended the Assembly, and amended the publications law No.
3/1961 in order to arm the minister of information with sweeping new censorship powers.
The press curbs were almost identical to a government press bill which was deferred by
the Nation Assembly after acrid debate at the end of March 1986.

The dissolution of the Assembly was welcomed by all groups except the progressive
opposition. In the business community the dissolution was greeted with genuine pleasure,
as the Assembly had provided the principal obstacle to the injection of fresh cash into the

52 Al-Yaqza (The Awakening), 11 Nov. 1986 (Kuwait Weekly Newspaper).
53 On 17 June 1986 four separate 3-5 kg bombs exploded simultaneously under a Kuwait Petroleum
Company crude oil pipeline at Ahmadi, together with 12-15 kg explosives at an oil depot in northern
Ahmadi. They caused serious fires and the destruction of two tanks, but only interrupted the flow of oil
exports for a few hours. Statements by senior government officials quickly pointed the fingers of blame at
Iran, which responded characteristically on June 22 by blaming Iraqi agents.
54 Al-Siyasa, 4 July 1986.
55 Al-Ra'id, 10 July 1986 (Kuwait Weekly magazine).
56 Al-Risala, 4 July 1986 (Kuwait Weekly newspaper).
local economy. Among the Kuwaiti middle classes, especially in the civil service, the
dissolution was also welcomed as the only practical way out of the impasse, which was
blamed on overambitious deputies. The Islamic opposition took the news very quietly
indeed. For this they were duly rewarded by the dropping of the education minister,
whose anti-Islamic reforms had provided the focus for their complaints over the previous
period, when the new cabinet was announced. The only group which was critical of the
dissolution was the progressive caucus.

During the 1950s, initiatives for holding elections came from the ruler, the merchant
families, and the emerging political grouping of younger, educated Kuwaitis, but these
were not successful. However, these moves, combined with the vibrant press, the
traditional openness of Kuwaiti society, as well as the major political changes elsewhere
in the Arab world (namely, independence of most countries and the superpowers' rivalry
for regional supremacy), spurred efforts toward democratic reforms. This reached its
peak with Kuwait's independence on 19 June 1961. The process was further speeded
along by Iraq's claim of sovereignty over Kuwait, leading to the Kuwaiti crisis of 1961, and
culminating in Kuwait's decision to become a constitutional monarchy. The newly
independent state would have an elected legislature, a Constitution, and full separation
of powers. A Constituent Assembly was elected in early 1962, with the full backing of Amir
'Abdallah al-Salim Al Sabah (1950-1965), who is widely respected in Kuwait and
considered to be the father of the Constitution. Consequently, the first parliamentary
election was held in 1963. The elections of July 1999 would be the ninth in the 38 years
of Kuwaiti Parliamentary experience. The details of the deliberations in the Constitution
Committee of the Constituent Assembly were revealing. The deliberations took the form
of negotiations between the elected members on one hand, and a representative of the

57 For more details of the Kuwaiti crisis of 1961 see Martha Docas. (1973). Azmat al-Kuwayti (The Kuwait
Crisis), Beirut: Al-Nahar Press; and Benjamin Shwadran. (1966). "Kuwait Incident," Middle East Affairs
Vol. 13, January-February.
58 Many laws were issued to regulate and institutionalize what had formerly been the absolute powers of the
ruling family. Thus Parliament plays a role in the appointment of the Crown Prince, and his removal if he
proves to be unfit (Law No. 4/1964, issued 30 January 1964). Law No. 12/78 specifies the Amir's own
budget. Laws can be found in Majmu'a al-Qawanin al-kuwaitiya. (1978). (Collection of Kuwaiti Laws).
Kuwait: Idarat al-Fatwa wa al-Tashri'a.
Arab Gulf State" (Unpublished Ph.D. Dissertation: Oxford University.)
ruling family (the current Crown Prince and Prime Minister, Sa'd al-'Abdallah Al Sabah) on the other, over the amount of power that the ruling family would concede to the elected assembly. The details of the deliberations, which were made public only recently, leave no doubt that the participants were aware of the fact that they were about to institutionalize the relationship between the ruling family and the "citizens", a term replacing the traditional "subjects". These constitutional deliberations could themselves be the subject of a study on political transformation in a traditional society. The new Parliament faced its first crisis in 1964, when it brought down the newly formed government; the Amir refused a request by his brother the Prime Minister to dissolve Parliament. But Amir 'Abdallah, who had strongly supported the Constitution and Parliament, died in November 1965. He had kept in check those members of the ruling family opposed to parliamentary democracy, and his death removed those checks. The dissolution of the elected Municipal Council in May 1966, and the rigging of the parliamentary elections of 25 January 1967, were two signs of this. The government's behavior became part of a predictable cycle: government would interfere in one way or another with every other Parliament. That Parliament elected in 1963 completed its term, whereas the one which followed in 1967 was chosen through election rigging. The third parliamentary session of 1971 completed its term, but the fourth was dissolved unconstitutionally in its second year, in 1976. The system continued for four years without a Parliament, until the government changed the electoral boundaries and increased the number of constituencies, and held a new election for the fifth Parliament in 1981. That Parliament completed its four year term, while the sixth, elected in 1985, was dissolved in 1986. The country then continued without a Parliament until after the Iraqi occupation of Kuwait in 1990-91. After Kuwait was liberated, a new election for the seventh Parliament was held 5 October 1992. That Parliament completed its term, but true to the paradigm, the eighth Parliament was dissolved, this time constitutionally, on 3

62 Direct election rigging is not widely practiced in Kuwait. This occasion, 1967, was the first and the last time it was practiced.
May 1999. This alternation seemed more like a mathematical formula than a political process.

As noted, the elections of 3 July 1999 marked the ninth parliamentary elections since independence. The timing came as a surprise, in the midst of a political crisis, and left candidates with only 60 days to prepare their campaigns. The result was a very tense campaign in which strong attacks were aimed at the government. Candidates claimed that the government allocated a special fund to support loyal pro-government candidates. The government also was affected by these tensions: for the first time in Kuwaiti electoral history, the government took legal actions against four candidates. Two weeks after his decision to dissolve the Parliament, the Amir made another surprise move, by announcing his intention to grant full political rights to women, further inflaming an already tense campaign. Islamic groupings opposed the decision, denouncing it as anti-Islamic and unconstitutional. When preachers at Friday sermons opposed the decision, the government responded by suspending 26 of them. Supporters of the move held public rallies with more than 30 non-governmental organizations (NGOs). As a result, women's political rights became a central issue in the campaign.

The government also took action against so-called tribal primary elections. Tribal politics dominates in about half of the 25 electoral districts. Tribes, in at least six districts, had used internal primaries, to minimize the possibility of scattering tribal votes over weaker tribal candidates. The method proved useful, and hence flourished. From only two such primaries in 1975, the number rose to 15 in 1996. Tribes who controlled more than 15% share of votes in a district could consider holding a primary. Most tribal candidates who won primaries then won comfortably in the general elections. The government, for its part, had found the method favorable to its political ends, since tribal candidates had generally been loyal to the government. However, the tide shifted and some tribal candidates became critical of the government, while many tribesmen expressed opposition to the primaries as anti-democratic, mostly because of the unfair competition within the tribe itself. The general public mood turned against the continuation of tribal primaries. As a result, the 1996

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63 The new Parliament elected in 1999 subsequently rejected, by a narrow margin of two votes, the Amiri decree on women's voting, as well as other decrees issued during the period when Parliament was suspended.
Parliament issued a law banning primary elections in general, and tribal primaries in particular. With the confusion of a hasty election campaign, two tribes publicly announced their intentions to hold tribal primaries. The government, reluctant to move at first, eventually decided to take action against the organizers. At least 176 participants (including 21 candidates) were taken to court; 160 were acquitted and 16 were fined. This issue of tribal primaries became another major theme in the 1999 election campaign. Although political parties are not legal in Kuwait, de facto political groupings put up candidates for the elections. They have not been legalized since independence in 1961. Nonetheless, the constitution itself does not explicitly prohibit parties. Candidates for election (e.g., to the National Assembly) stand in a personal capacity. In practice, however, several political groups act as de facto parties:

- The Islamic Constitutional Movement (Hadas)
- The National Democratic Alliance
- The National Islamic Alliance
- The Islamic Salafi Alliance
- The Popular Action Bloc
- The Justice and Peace Alliance

In 1999, there were six political groupings, with varying degrees of officially committed candidates. The two most apparent were the Islamic Constitutional Movement (ICM), the local name of the Muslim Brothers, and the Kuwaiti Democratic Forum (KDF), an alliance of liberals, Arab nationalists, leftists, and independents. The ICM officially nominated four candidates and unofficially supported 13. The KDF nominated two candidates and unofficially supported one candidate. The other four groupings were the Islamic Popular Bloc (IPB), a Salafi Islamist group; the Salafi Movement (SM), a splinter group of IPB; the National Islamic Alliance (NIA), a Shi'i Islamist group; and the National Democratic Bloc (NDB), a liberal group based largely in the academic and business communities. None of these four groups officially nominated candidates, mostly for tactical reasons, but they made no secret of which candidates they supported. The IPB

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64 For the election results, see any of the five major Kuwaiti dailies (Al-Rayy al-'Amm, al-Watan, al-Siyasa, al-Qabas, al-Anba') for 4 July 1999 and subsequent days.
and the SM each supported ten candidates, while the NIA and the NDB backed four each. All the groups won seats, with the ICM winning six, the KDF three, the IPB two, the SM one, the NIA two, and the NDB three. The main losers were the pro-government candidates, with 11 major incumbents losing what had been considered "safe", secured seats. The election results were a clear indication of public dissatisfaction with both the government and the previous Parliament. Only 48% of the incumbents were reelected. The government lost 11 of its valued supporters from the previous Parliament, and 11 of the new members were candidates who had lost in the 1996 elections. The government is likely to face challenges in dealing with such a Parliament. If we credit the notion that the government created the political crisis which led to the Parliament's dissolution, hoping to increase the number of its supporters in the legislature, then the calculation backfired.

The assembly is composed of different unofficial political factions in addition to independents:

* The Islamic bloc: Consisting mainly of Salafi and Hadas members. The Islamic bloc is the most influential bloc in the assembly with around 21 members elected in the 2008 national elections (17 in the 2006 election), although its loose organization made it less effective. Their chief goal is the complete return of the Shari'a law. Bills supported by the Islamic bloc include the elimination of co-education at the university level (passed in 1998).

* The Shaabi (Populist) bloc: A coalition of independents and other nationalist parties with a focus on lower- and middle-class issues. In 2006 national elections, they won around 10 seats of the parliament.

* The liberal bloc: With eight members elected in the 2006 elections. The liberal bloc supported the women's suffrage bill in 1999 and 2005.

In 2006 general election, a coalition of 29 candidates who were members of parliament was formed (which was increased to 36 members after the election) for supporting the 5 electoral districts bill.
ELECTION RESULTS
It can be difficult to summarize Kuwaiti election results. Political groups and parliamentary voting blocs exist, however, actual political parties are illegal. While it is possible to determine how well the members of formal political groups fare in elections, most candidates do not belong to one of the formal political groups. Some of these candidates may receive support from one of the formal political groups and others adopt a clear ideological position as Islamists, liberals, or leftists. Some candidates associate themselves with the government. Yet in a number of cases it is difficult to determine, and to classify, the ideological positions of candidates and deputies.65

In the 2003 elections the liberal/left Minbar al-Dimuqrati group lost the two seats it held in the 1999 parliament. The Salafis doubled their representation, to 6 seats. The Hadas lost several seats, winning only 2 in the 2003 elections. The Popular Bloc lost 4 of its 10 seats. Once elected, many deputies form voting blocs in the National Assembly. Following the 2003 elections, according to Al-Dustoor (a Kuwaiti newspaper published by the National Assembly, July 20, 2003) 16 deputies joined the Islamist bloc; 6 joined the Popular Bloc (a populist group that includes both bedouin and Shi'i deputies); 4 joined the liberal bloc.

ELECTION HISTORY
The earliest modern elections in Kuwait were held in 1921. Elections were held again in June and then in December of 1938 for a majlis al-tashri'i, or Legislative Council. The ruling family dissolved the second Council in 1939. Following independence in 1961 elections were held in 1962 to elect 20 members to the constitutional convention.

The 1962 constitution calls for elections to be held at a maximum interval of four years (or earlier if the Emir dissolves the parliament). Kuwait's first National Assembly was elected in 1963. Subsequent elections were held in 1967, 1971, and 1975. In 1976, however, the Emir issued a decree suspending the parliament. New elections were held in 1981 and again in 1985, but the Emir again suspended the parliament in 1986. Following

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65 Complete results for elections to the National Assembly, and elections to the assemblies of 1921 and 1938-39, can be found at the Kuwait Politics Database.
protests, the government held elections to an unconstitutional majlis al-watani in 1990, just before the Iraqi invasion of Kuwait. Most Kuwaitis rejected this majlis: organized political groups, across the political spectrum, boycotted the elections and did not run candidates. Only a few deputies from previous parliaments ran for seats in the majlis al-watani, and most of these were from outlying Bedouin districts. Fulfilling a promise made during the Iraqi occupation, the Emir held new elections for the National Assembly in 1992. Elections were held again in 1996. On May 4, 1999, the Emir once again dissolved the National Assembly. This time, however, it was done through entirely constitutional means, and new elections were held on July 3, 1999. Parliamentary elections were next held on 5 July 2003. On May 21, 2006, the Emir dissolved the National Assembly through constitutional means.

The next elections were held on June 29, 2006. This was the first general election in which Kuwaiti women could vote. Over 340,000 Kuwaitis, including about 195,000 women, were eligible to vote for 253 candidates, including 28 women, but the women candidates failed to win a single seat. This was also the case at the election held on May 17, 2008. However, at the subsequent election, held on May 16, 2009, four women were elected to the National Assembly, for the first time in Kuwait's history.

Kuwait has universal adult suffrage for Kuwaiti citizens who are 21 or older, with the exception of (1) those who currently serve in the armed forces and, (2) citizens who have been naturalized for fewer than 30 years.

The Explanatory Memorandum of the Constitution bars members of the ruling family of the Mubarak branch (the branch from which the Emir must descend) from running for election to the National Assembly, though the Memorandum does not explicitly prohibit these members of the ruling family from casting votes. It is not clear if the prohibition on

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candidacies would be enforced. Some members of the ruling family are found on the voter rolls, though prominent members of the family do not vote.

In 1996 naturalized citizens were given the right to vote, but only after they had been naturalized for at least 30 years. The franchise was expanded to include women on May 16, 2005, in a 35-23 vote with one abstention. Under pressure from Islamists, the right of women to run as candidates and to vote was made subject to Islamic Law: for example, men and women will vote in separate polling places. Most residents of Kuwait are not citizens and consequently do not have the right to vote. Kuwait's citizenship law, in theory, gives citizenship to those who descend, in the male line, from residents of Kuwait in 1920.

**DISTRICTS AND VOTING PROCEDURES**

Prior to 2006, Kuwait has been divided into 25 electoral districts, each of which elects two members to the National Assembly, for a total of 50 elected members (additional members sit as appointed members of the cabinet). Each voter could cast ballots for two candidates, though it is also possible to vote for only one candidate. In each district the candidates who win the largest and second largest number of votes earn seats in the National Assembly.

In 2006, the National Assembly passed legislation to divide Kuwait to 5 electoral districts only, which was a major issue in the preceding election campaign. The voter now can cast votes for 4 candidates and in each district the highest 10 candidates earn seats. It is hoped that this would make vote buying more difficult and decrease the importance of tribe, family and sect in elections. Elections in Kuwait are held for both the National Assembly (Majlis al-Umma) and for the Municipality. Kuwait's 1962 constitution calls

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70 Chronology of some of the important events in Kuwait. * June 19, 1961- The Independence of Kuwait.
* February 27, 1962- The Preliminary Assembly convened.
* November 11, 1962- The Constitution of Kuwait was signed by the Emir, Sheikh Abdullah Al-Salem Al-Sabah after being passed unanimously in the Assembly.
* January 29, 1963- The First constitutionally elected Assembly convened.
* February 27, 1967- The second elected Assembly convened, allegedly by forged elections.
* August 29, 1976- The first, unconstitutional, dissolution of the Assembly by Sheikh Sabah Al-Salem Al-Sabah.
* July 3, 1981- The second, unconstitutional, dissolution of the Assembly by Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah.

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for elections to the unicameral National Assembly at a maximum interval of four years. Elections are held earlier if the Emir exercises his constitutional power to dissolve the parliament.

**DEMOCRACY, IMPARTIALITY AND GOVERNMENT INTERFERENCE**

Elections in Kuwait meet a relatively high standard of fairness. The government does not interfere in the counting of the ballots (the one exception was the election of 1967 in which the government manipulated the results in a few districts). The Kuwaiti media - with a number of Arabic language dailies - extensively cover campaigns. Candidates have ample opportunities to meet with voters. The very small size of districts makes electronic media less important in elections. Candidates enjoy a wide degree of freedom to take political stands, and the press extensively covers statements made by candidates.

In recent years Kuwaiti elections have been marred by persistent reports of vote buying. Both the government and wealthy candidates are accused of buying votes, and it is widely thought that the overall effect is to help pro-government candidates. In the 2003 elections several groups launched campaigns to discourage Kuwaitis from selling their votes. Some candidates emphasize their close ties to the government and promise that, if

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* May 4, 1999- Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah dissolved the National Assembly on the grounds of a political deadlock between the Government and the Assembly. This time he called for elections within the constitutional period of two months.

* November 23, 1999- The National Assembly rejects an amiri decree by Sheikh Jaber Al-Ahmed Al-Jaber Al-Sabah to grant women's suffrage in the next elections.

* May 16, 2005- The National Assembly passes women's suffrage law after several attempts since the amiri decree of 1999.

* January 24, 2006- The National Assembly of Kuwait voted [3] ruling emir Saad Al-Abdullah Al-Salim Al-Sabah out of office just moments before a letter of abdication was received from the emir. The Kuwait Cabinet nominated Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, prime minister, to take over as emir.

* January 29, 2006- Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah was sworn in as the 15th emir of Kuwait, which was unanimously approved by the National Assembly.

* May 21, 2006- Amidst week long disputes over reform to decrease the number of electoral districts, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah dissolves the Assembly calling for new elections June 29th of 2006.

* March 17, 2008- Sheikh Sabah Al-Ahmad again dissolves the Assembly due to misuse of parliamentary powers by some members. He called for elections May 17, 2008.

* March 18, 2009 - Sheikh Sabah Al-Ahmad dissolves the Assembly calling for new elections in two months time. This happened immediately following some members' calls to "grill" (see Politics of Kuwait for a definition of grilling) the prime minister, after months of "grilling" and political deadlock. The government resigned on March the 17th.

* May 16, 2009 - The first women MPs were elected into the National Assembly. 4 women won in the 2009 election: Aseel al-Awadhi, Rola Dashti, Massouma al-Mubarak and Salwa al-Jassar.
elected, they will deliver government services to their constituents. In the parliament, these deputies are known as "service deputies." It is widely thought in Kuwait that the government promises the delivery of services to other deputies in exchange for votes on important issues.

Kuwait is divided into 6 governorates (muhażah). The governorates are further subdivided into districts.

**TABLE II: GOVERNORATES OF KUWAIT**

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Capital</th>
<th>Area</th>
<th>Population Census of 2005</th>
<th>Created</th>
</tr>
</thead>
<tbody>
<tr>
<td>Al Ahmadi¹³</td>
<td>Al Ahmadi</td>
<td>5 120</td>
<td>393 861</td>
<td>1946 from Al Asimah</td>
</tr>
<tr>
<td>Al Asimah (Al Kuwait)²⁹</td>
<td>Al Kuwait</td>
<td>200</td>
<td>261 013</td>
<td>original Governorate</td>
</tr>
<tr>
<td>Al Farwaniyah</td>
<td>Al Farwaniyah</td>
<td>190</td>
<td>622 123</td>
<td>1988 from Al Asimah</td>
</tr>
<tr>
<td>Al Jahra³⁷</td>
<td>Al Jahra</td>
<td>12 130</td>
<td>272 373</td>
<td>1979 from Al Asimah</td>
</tr>
<tr>
<td>Hawalli</td>
<td>Hawalli District</td>
<td>84</td>
<td>487 514</td>
<td>original Governorate</td>
</tr>
<tr>
<td>Mubarak Al-Kabeer</td>
<td>Mubarak Al-Kabeer</td>
<td>94</td>
<td>176 519</td>
<td>Nov. 1999 from Hawalli</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>17 818</td>
<td>2 213 403</td>
<td></td>
</tr>
</tbody>
</table>

¹³ The Neutral Zone was dissolved on Dec. 18, 1969, and the northern part with 2590 km² was added to Al Ahmadi (with small part in the northwest added to Al Jahra)

²⁹ including the islands of Failaka, Miskan, and Auhah

³⁷ including the islands of Warbah and Bubiyan
TABLE III: DISTRICTS OF KUWAIT-Kuwait is divided into five districts.

<table>
<thead>
<tr>
<th>District One</th>
<th>District Two</th>
<th>District Three</th>
<th>District Four</th>
<th>District Five</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bayan</td>
<td>Abdullah Al-Salem</td>
<td>Abraq Khaitan</td>
<td>Andalus</td>
<td>Abu Halifa</td>
</tr>
<tr>
<td>Bnied Al-Gar</td>
<td>Doha</td>
<td>Hadiya</td>
<td>Ardiyeh</td>
<td>Ahmadi</td>
</tr>
<tr>
<td>Hawalli</td>
<td>Faiha</td>
<td>Keifan</td>
<td>Fardaws</td>
<td>Fahaheel</td>
</tr>
<tr>
<td>Mishref</td>
<td>Kuwait City</td>
<td>Khaldiya</td>
<td>Farwaniyah</td>
<td>Fintas</td>
</tr>
<tr>
<td></td>
<td>(downtown)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rumaithiya</td>
<td>Mansouriya</td>
<td>Rawdah</td>
<td>Jahra</td>
<td>Mahboula</td>
</tr>
<tr>
<td>Salmiya</td>
<td>Nuzha</td>
<td>South Khaitan</td>
<td>Jleeb Al-Shuyoukh</td>
<td>Mangaf</td>
</tr>
<tr>
<td>Salwa</td>
<td>Qadsia</td>
<td>Surra</td>
<td>Omariya</td>
<td>Qurain</td>
</tr>
<tr>
<td>Sharq</td>
<td>Shuwaikh</td>
<td>Udailiya</td>
<td>Rabiya</td>
<td></td>
</tr>
<tr>
<td>Al-Jabriya</td>
<td>Shammiya</td>
<td>Sabah Al-Nasser</td>
<td></td>
<td>Riqqah</td>
</tr>
<tr>
<td></td>
<td>Sulaibkhat</td>
<td></td>
<td></td>
<td>Sabah Al-Salem</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Sabahiyah</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Wafra</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Al-Zour</td>
</tr>
</tbody>
</table>

Kuwait was divided into ten districts in the National Assembly elections between 1963 and 1975. Each district elected five deputies to the Assembly. Before the 1981 elections the government redistricted Kuwait, creating the system of 25 districts. Following the redistricting, fewer Shi'ite candidates won seats in the Assembly. This was a deliberate result of the redistricting, and it followed the 1979 Revolution in Iran.

PRIMARIES

Tribal and sectorial primaries are illegal in Kuwait, though the prohibition is rarely enforced and in practice tribes (and in some districts, sects) do hold primaries. These primaries allow tribes to avoid splitting their votes among a number of different
candidates, thus helping tribes to ensure that their members vote for one or two candidates, making it more likely that these candidates will win seats in the National Assembly. Many non-tribal Kuwaitis oppose these primaries on the grounds that it increases the importance of tribal affiliation and makes it more difficult for those who do not belong to tribes to win seats in predominantly tribal districts.

**TABLE IV: SUMMARY OF THE 16 MAY 2009 NATIONAL ASSEMBLY OF KUWAIT ELECTION RESULTS**

<table>
<thead>
<tr>
<th>POLITICAL COALITION GROUPS</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independents</td>
<td>21</td>
</tr>
<tr>
<td>Sunni Islamist</td>
<td>13</td>
</tr>
<tr>
<td>Liberals (Shia and Sunni)</td>
<td>7</td>
</tr>
<tr>
<td>Shia Islamist</td>
<td>6</td>
</tr>
<tr>
<td>Popular Bloc</td>
<td>3</td>
</tr>
<tr>
<td>Total (turnout 50 %)</td>
<td>50</td>
</tr>
</tbody>
</table>

An early parliamentary election was held in Kuwait on 16 May 2009, the country's third in a three-year period. The state run KUNA news agency said the turnout was only 38.3 per cent four hours before close, but voting picked up late in the evening. The ballot to elect 50 MPs was called after Sheikh Sabah al-Ahmad al-Sabah, the Kuwaiti emir,

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71 Kuwait Politics Database.
dissolved the parliament in March triggering the third election since 2006. Political infighting between elected MPs and the unelected cabinet chosen by the Al-Sabah family has led to three parliament dissolutions and five different cabinets in as many years. A total of 210 candidates, including 16 women, stood for a four-year parliamentary term, but analysts see little hope that the political deadlock will end, whatever the outcome. Around 385,000 people were eligible to vote, with female voters making up 54.3 per cent. Kuwait had voted on six occasions between 1991 and 2009. The election was notable in that women were elected for the first time since Kuwait gained independence from the United Kingdom in 1961.

The Emir Sabah Al-Ahmad Al-Jaber Al-Sabah dissolved the National Assembly of Kuwait on 18 March 2009 over accusations of supposed abuse of democracy and threats to political stability. The government had resigned just two days before to evade questioning in parliament. Suggested solutions to this recurring problem (government resignation) include the formation of a government without any members of the royal family (a so-called "popular government"), thus making the possibility of parliamentary questioning a reality, or appointing the crown prince as PM, which would make parliamentary questioning sufficiently unlikely so that it would not be a problem any more. 210 candidates attempted to win 50 seats. 16 were female.

The results were announced on 17 May 2009. For the first time, Kuwait, which has no political parties, successfully elected female MPs. Four women will appear in parliament. Aseel al-Awadhi and Rola Dashti were victors in the third district; both received their education in the United States. Also winning were Massouma al-Mubarak and Salwa al-Jassar. Women's rights in Kuwait improved in 2005 when Kuwaiti females were allowed

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An early parliamentary election was held in Kuwait on 17 May 2008 after the Emir Sabah Al-Ahmad Al-Jaber Al-Sabah dissolved the National Assembly of Kuwait on 19 March 2008 over constant clashes between the government and the elected MPs. The last elections were held less than two years previously and saw a loose alliance of reformists and Islamists gain almost two thirds of the seats. 361,685 Kuwaitis were eligible to vote, more than half of them women; 27 of the 275 candidates were women. None of the female candidates won.

New rules introduced for this election have changed the 25 constituencies electing two to five electing 10. This was a demand of the reformist Kuwaiti Orange Movement, which led mass demonstrations in 2006, who believed the change would impede vote buying electoral frauds. A leading theme in the election was inflation, which hit a record high.

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**TABLE V: SUMMARY OF THE 17 MAY 2008 NATIONAL ASSEMBLY OF KUWAIT ELECTION RESULTS**

<table>
<thead>
<tr>
<th>COALITION ALLIANCE</th>
<th>2006</th>
<th>2008</th>
<th>change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Islamic Bloc (Sunni) (incl. Hadas)</td>
<td>17</td>
<td>21</td>
<td>+4</td>
</tr>
<tr>
<td>Shia + Popular Action Bloc (opposition)</td>
<td>9</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Liberals and allies</td>
<td>8</td>
<td>7</td>
<td>-1</td>
</tr>
<tr>
<td>Independents (pro-government strong families and tribal members)</td>
<td>16</td>
<td>13</td>
<td>-3</td>
</tr>
<tr>
<td>Total (turnout 80%)</td>
<td>50</td>
<td>50</td>
<td>—</td>
</tr>
</tbody>
</table>

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78 BBCArabic.com, Al Jazeera English
79 Emir von Kuwait setzt Neuwahlen an (International, NZZ Online)
80 BBC NEWS | Middle East | Kuwait emir calls fresh elections
81 The Associated Press, “Kuwaitis elect new parliament”; also derStandard.at
9.5% four months before the election. Many candidates in the election proposed increased governmental subsidies to be funded by oil profits.84

TABLE VI: SUMMARY OF THE 29 JUNE 2006 NATIONAL ASSEMBLY OF KUWAIT ELECTION RESULTS85

<table>
<thead>
<tr>
<th>Results</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Islamic Bloc (Sunni)</td>
<td>21</td>
</tr>
<tr>
<td>Popular Bloc</td>
<td>9</td>
</tr>
<tr>
<td>National Action Bloc (liberals)</td>
<td>7</td>
</tr>
<tr>
<td>Independents (mostly pro-government)</td>
<td>13</td>
</tr>
<tr>
<td>Total (turnout 80 %)</td>
<td>50</td>
</tr>
</tbody>
</table>

Kuwait held a national election on June 29, 2006. The voters selected the 50 members of the country's National Assembly. For the first time, universal suffrage was in force, and all Kuwaiti citizens at least 21 years of age were allowed to participate except for members of the armed forces. It is estimated that there are around 340,000 people eligible to vote in Kuwait. Although 57% of the eligible voters in Kuwait are women, in the final poll, only 35% of the total voters were women.86

The National Assembly of Kuwait, known as the Majlis Al-Umma ("House of the Nation") is the legislature of Kuwait. The current speaker of the Assembly is Jassem Al-Kharafi. The Emir unconstitutionally dissolved the National Assembly in 1986 and restored it after the Gulf War in 1992. The Emir has also constitutionally dissolved the

85 Kuwait Politics Database.
86 "Reformists sweep vote in Kuwait; women lose", International Herald Tribune
Assembly several times—meaning that he dissolved it but allowed for elections immediately afterward.

Until recently, suffrage was limited to male Kuwaiti citizens above the age of 21 whose ancestors had resided in Kuwait since 1920, and adult males who have been naturalized citizens for at least 20 years. On May 16, 2005, however, the Assembly passed a law in support of women's suffrage, allowing women to vote and run for office, as long as they adhere to Islamic law. The fifty-seat assembly is elected every four years. Currently there are five geographically distributed electoral districts.

**TABLE VII: DISTRICT CENSUS OF 2005**

<table>
<thead>
<tr>
<th>District</th>
<th>Area on Map</th>
<th>Registered Voters</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>District One</td>
<td>Hawalli</td>
<td>66,641</td>
<td>487,514</td>
</tr>
<tr>
<td>District Two</td>
<td>Al Kuwait</td>
<td>41,365</td>
<td>261,013</td>
</tr>
<tr>
<td>District Three</td>
<td>Al Farwaniyah</td>
<td>58,674</td>
<td>622,123</td>
</tr>
<tr>
<td>District Four</td>
<td>Al Jahra</td>
<td>93,711</td>
<td>272,373</td>
</tr>
<tr>
<td>District Five</td>
<td>Mubarak Al-Kabeer &amp; Al Ahmadi</td>
<td>101,294</td>
<td>570,380</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>361,685</td>
<td>2,213,403</td>
</tr>
</tbody>
</table>

Every eligible citizen is entitled to four votes, though he or she may choose to only cast one vote. The ten candidates with the most votes in each district win seats. Cabinet ministers (including the prime minister) are granted automatic membership in the Assembly, which increases the number of members in the assembly from fifty to sixty-six. The Cabinet ministers have the same rights as the elected MPs except that: 1) they do not participate in committees' work, and 2) they cannot vote when an interpolation leads to a "no-confidence" vote against one of the Cabinet members. The parliament building was designed by the famous Danish architect Jørn Utzon, who also designed the Sydney Opera House.

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87 Kuwait District Census of 2005.
OPERATIONAL VERSUS RADICAL CHALLENGES

This historical survey suggests that Kuwaiti democracy is in serious crisis. Since the first parliamentary elections, Parliament was absent in one form or another. This has been demonstrated by a number of challenges operating within the political system as well as outside it. These challenges are mainly responsible, for what could be seen, as a precarious democracy. The precarious nature of Kuwaiti democracy raises many questions. If one assumes that the ruling family is opposed to democracy, then why did it reinstate it after earlier interventions? With the major sources of power at the government's disposal, what type of social forces are able to pressure the government to restore democratic institutions? The question is not one of the absence of democracy in Kuwait (that is, after all, the norm in the region), but rather, why Kuwait has indeed had a democratic experience, however precarious. Which has the stronger impact on decision-making, vis-à-vis democracy, internal and local politics, or external factors? The challenges facing Kuwaiti democracy may be grouped under two major categories: structural challenges and political challenges. The structural challenges are all those factors hindering the efficacy of Kuwaiti democracy which are part of the legal structure of the system, either through a legal instrument (legislation or decree) or the Constitution. Political challenges are those factors stemming from the political process generally, which have a major influence on parliamentary democracy.

The challenges involve relations with Parliament and the principle of separation of powers. Political parties are not legal in Kuwait, but de facto parties are tolerated. The Constitution itself does not prohibit the formation of political parties. But the lack of legal parties recognized as such creates a situation in which there is an imbalance in Parliament's functions, between the government on one hand, and the elected members on the other. (Ministers of the government serve ex-officio as Members of Parliament.) Under the internal working rules of Parliament, only the government is allowed to speak and be represented as a united bloc; this makes the government the only de facto political party permitted to operate in Parliament. 88 Elected members are not allowed to function

collectively, or to have a single spokesman for a group of parliamentarians. As a result the government enjoys a stronger position in lobbying for votes on key issues. The government ministers move among the elected members as a unified body; while elected members can speak only as individuals. There are no legally recognized groups inside the Parliament except the government. Although some are known to be affiliated with specific political groupings, this is not recognized procedurally under the rules of Parliament. On several occasions, politically-affiliated parliamentarians have voted against the position of their "party", because there is no official recognition of parties and thus no party discipline in voting. In addition to the government ministers who serve ex officio, some 50 percent of the elected members would not have been elected without government support, which makes them an indispensable reserve of support for the government's program. On the surface, it would appear that the government would be capable of winning any vote with little difficulty. But if that assumption held, the government would never have needed to dissolve Parliament. In fact, Parliament has frequently proved to be capable of seriously challenging the government, as will be explained below.

The government is appointed by the Prime Minister and approved by both the Amir and the Parliament. If the Parliament does not approve of the government, the Prime Minister would take the matter up with the Amir who would decide whether to dissolve the Parliament and call a new election, or to ask the Prime Minister to form a new government, to avoid the confrontation with the Parliament. In 1964, because of a number of resignations, the Prime Minister formed a new government. The majority of the elected members refused to endorse the new government. The Prime Minister took the matter to the Amir, asking for dissolution. The Amir instead ordered the Prime Minister to dissolve his cabinet and form a new one. As noted, the Constitution makes appointed Ministers de facto members of Parliament. In addition, the government has to include at least one elected member of Parliament, in order to be a constitutional government. In general, the government tries to adhere to the bare minimum

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89 Al-Qabas, 17 May 1999.
constitutional requirement (one Minister who is an elected MP), with the exception of the 1992 and 1996 cabinets. The practice of keeping to the minimum has often put the government in a delicate situation, when the elected members of the Cabinet disagrees with the government on an issue and resigns, thus rendering the government unconstitutional. As a matter of caution, the government increased the number of elected members in the Cabinet to two to prevent this. The question of how many ministers should be elected parliamentarians is still intensely debated, especially after the 1992 and 1996 elections, when the number of elected Ministers was increased to five and four respectively. The Constitution limits the size of the cabinet to 16 Ministers including the Prime Minister. The government should not constitute more than one-third of the Parliament, in order, the theory goes, not to dominate voting. Ministers are considered to be full Parliament members, and may vote on all issues, except on a vote of confidence. The presence of this large number of appointed members in what is supposedly an elected body, weakens the democratic process. If left unchanged, the process of government formation, and the very idea of having appointed members in an elected body, will remain a major structural weakness haunting the Kuwaiti parliamentary process.

The Government of Kuwait, as a representative of the state, controls all major economic resources in the country. Since 1975, the government has owned 100% of the oil industry, the main source of income for Kuwait. In 1975, under pressure from the Parliament, the government nationalized the oil industry, composed of the Kuwait Oil Company (previously shared by Gulf Oil and British Petroleum), the Kuwait National Petroleum Company (KNPC: a locally, privately owned firm handling distribution and refining for local use), and the Petrochemical Industries Co. (privately owned by a joint Kuwaiti-Italian venture). Since then, the vast oil resources have been under the direct political and bureaucratic influence of the government, and subject to political manipulation. The government's power, as a result, increased to the extent that no other socioeconomic players could challenge it. Most of the owners of KNPC, who were mostly members of the traditional merchant families, contested government pressures on

them to sell their shares, and only sold after putting up a fight. Another source of the
government's power is land. Kuwait has a unique system of land ownership, under which
the government owns (and has since as far back as 1954) 97 percent of the land. Aside
from one to three percent which is privately owned, the rest of the land is under
government control, in terms of distribution, preservation, or any other purposes.92 The
government also employs over 95 percent of the Kuwaiti labor force, and is thus able to
affect directly the livelihood of most citizens.93 These vast resources at the government's
disposal give it a dominant position in any balance of power, against which no political
group or social force can compete effectively. This imbalance is made worse because of
the lack of legal political parties. As noted, the de facto parties have no legal recognition
in Parliament, and members are considered individuals, not members of party blocs, no
matter how many may have been elected on one party's platform. Hence, the government,
in reality, is the only legitimate, and organized, political institution with potentially
unchallenged power.

The government, in theory, does not interfere in the electoral process. And, also in
theory, the government does not run for election, and does not favor any "official"
candidates of its own. The reality however, is different. The government supports many
candidates. The support may take different forms and employ differing means, depending
on the candidate's value in the government's eyes. This could take the form of financial
support, or facilitating various types of services for the candidate's electoral constituency,
a method which is widely employed. The government's supporters, elected through this
type of support, have always been a majority in the Parliament. Over the years they have
normally controlled over 50 percent of the seats. Instructions are given to Ministers to
facilitate all requests by certain candidates. If a loyal MP changes his views, and decides
to take an anti-government position on an issue important to the government, this support
will be withdrawn. That facilitation of services, or what is locally known as wasta
(favoritism), is an important element in any candidate's campaign. Wasta normally
continues even after the candidate is elected, if he is interested in running for a second

term. The wasta is implemented by bypassing laws and regulations, and favoritism in all government departments. This kind of indirect interference gives those candidates supported by the government a competitive edge in the general elections.

The repeated absences of Parliament have worked against the establishment of a deeply rooted democratic culture. This has confused even some government ministers. For instance, when the Five-Year Plan of 1985-1990 was prepared, it stated as its main goal principles enshrined in the Constitution and democratic values. Once the Parliament was dissolved in 1986, and several articles of the Constitution were suspended, the whole plan was put on the shelf. The plan was not essential to running the country's affairs, but such a plan, with all the hard work that had been put in it, serves as a general guideline for the government. The discontinuity of the parliamentary experience has affected the MPs themselves. They are constantly haunted by the idea of the dissolution of Parliament at any moment, which does not support a stable democracy. Government assurances of its commitment to democracy and the Constitution have often proved unreliable. Just a few days before Parliament was dissolved in 1976, the Deputy Prime Minister delivered a speech commending the Parliament for its hard work and cooperation with the government. A few days later however, an Amiri decree dissolved the Parliament, saying totally the opposite. During the 1986 dissolution, matters were even worse. Press censorship was introduced for the first time. Based on the author's personal experience the two main words the government's censors were ordered to censor were "democracy" and "constitution". This weakening of democratic political culture is probably the major challenge facing Kuwaiti democracy. It weakens the credibility of the Parliament, and creates a political disenchantment with the legislative authority. The mere fact that every other Parliament has been dissolved affected people's perceptions of democracy and its continuity, in which they do not know whether to look forward to the next election, or expect another dissolution.

Kuwaiti democracy, with all its shortcomings, has been the only ongoing democracy in the region for over 40 years. Iran had its share of democratic reforms in earlier periods, until it was ended by the US-backed coup d'état against the nationalist government of Mohammad Mossadiq in 1953. The electoral process which was introduced following the Islamic Revolution of 1979, makes Iran the only country in the Gulf region besides Kuwait to have an electoral process with a relatively high degree of openness. Parliamentary life functioned in Iraq prior to the overthrow of the monarchy in 1958, but has been absent since. In Saudi Arabia, the appointed Shura Council is the only form of participation in government. In the other smaller Gulf Cooperation Council states, participatory forms of government are mostly restricted, so far, to the models of appointed or semi-elected Shura Councils without any real power. The only serious attempt took place in Bahrain in 1974, where a National Council, based on the Kuwaiti model, was elected, but was dissolved a year later. The regional political formation has thus always been less than favorable toward democracy and democratizing reforms. The general argument has been that democracy is a Western concept, and that the people of the Gulf are not ready for full participation, and that therefore the best system is the traditional democracy, with face to face consultation, and respect for the ruling house.\(^6\)

Endowed with vast oil resources, the Gulf countries were able to provide for many of the material needs of their people, to a degree that many democracies or revolutionary governments could not sustain, and this eased the demands for democratic reforms in the region. Such an argument was invoked as well by Kuwaiti governments, especially during the periods when Parliament was suspended, to justify its actions. Some government officials, with less emphasis, are still using the same argument. These regional pressure(s) were and still are an important factor in support of anti-democratic forces inside Kuwait. That pressure encourages and justifies actions against democracy. Any limitation to democracy in Kuwait finds a positive echo in the region.

Democracy in Kuwait is seen by its participants, both government and to some extent the political groupings, as limited to the electoral process. Most of the struggle and debate

\(^6\) For such a conservative view see, Gulf Center for Strategic Studies, "Democratic Developments in the Gulf", Seminar, London, 24 November 1993.
has been confined to the parliamentary aspect of democracy. Much less emphasis has been devoted to other aspects of democratic principles, such as freedom of assembly and freedom of association. The Law of Public Benefit Societies gives the government the full authority to regulate, ban, grant, and license any society in the country. Past and present experience finds the government restricting freedom of association in an arbitrary manner. In addition, freedom of assembly has always been restricted in practice, or through the Law of Gatherings. The same could be said, to a much lesser extent, about freedom of the press. The political and opposition groups have always concentrated on the Parliament, and paid little attention to the other foundations of democracy. Their argument is that Parliament is the most important institution, and if there is no Parliament, all other freedoms will not function. The result of this argument having prevailed was that, whenever the Parliament was suspended, the whole political process was brought to a halt.

DEMOCRATIZATION AND SOME POSITIVE ELEMENTS

External pressures, whether from Western governments or non-governmental organizations, such as international human rights organizations, and education as a factor have been instrumental in "pushing" the Kuwaiti government in the direction of democratic reforms. This was especially so after Kuwait was liberated from Iraqi occupation on 26 February 1991. Kuwaiti pro-democracy elements extensively used reports published in the West in their quest for democracy. Although it has been argued that "the" external elements play "the" main role in shaping the directions of the Kuwaiti polity, internal dynamics play at least as important a role, and even more so in certain cases. If these "external factors" alone were the sole influence, with no role left for the internal dynamics of the system, then Kuwait should have ended up with a Shura

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Council, on a model similar to the one prevailing in the Gulf. External factors do not, and did not, determine the details of the political system for a specific country. Even if they could, the finer details of a Constitution, a Parliament, the rule of law, and other aspects, could not be operated by external forces. Without internal dynamics capable of promoting democratic principles, the whole process would disappear in very short time.

That Kuwaiti democracy has survived all the shortcomings mentioned in the first part of this chapter testifies to the strength of these internal dynamics. They offer us insight into the question of why, after each dissolution of Parliament, the government has returned to democracy. One of the guiding principles of the Kuwaiti political system is the abovementioned concept of "joint governing", originally established between the ruling family and the leading merchant families. Although the principle was much weakened by the growth of government power after the onset of oil revenues, the historical relationship still plays a role, even if only at the level of the political subconscious. Though its influence cannot be easily measured in practice, it has always influenced political thought and directed decisions, especially in periods of crisis. Two examples might illustrate this point. In June 1970, the Crown Prince and Prime Minister at that time, Jabir al-Ahmad (the present Amir), delivered a speech which was interpreted as a criticism of the election rigging of January 1967. He criticized the poor achievements of the Parliament, for which the government was responsible, called on citizens to participate in building their own country, and assured the "people" of the government's resolve to correct wrongs, and curb corruption.\(^{98}\) He was in reality, appealing to the politically active, traditional merchants, who had withdrawn from participation in the official political machinery due to their rejection of the government's role in the 1967 elections. They used a traditional Kuwaiti opposition tool, which this author have called "opposition by withdrawal", which has proven effective in many instances over the years. The government's public apology created sharp disagreements among opposition groups over the government's guarantees that the abuses of 1967 would not be repeated, and one group decided to boycott the elections. The elections of 1971 were held with the least government interference, and a

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98 *Al-Siyasa* (Kuwait), 23 June 1970.
number of opposition figures ran and won important seats. The second example involves the October 1990 Jidda Conference in Saudi Arabia, during the Iraqi occupation of Kuwait. The conference was an attempt by the government to demonstrate its legitimacy to the world. Kuwaitis were summoned from all parts of the world to attend in a show of solidarity, especially in the wake of the French initiative for a peaceful solution with Iraq. The Kuwaiti Government-in-Exile organized the conference as a political public relations event. The government decided upon the contents of the speeches, and who would deliver them, beforehand. However, negotiations over the structure, and the names of the speakers at the conference, were debated one day before the conference was to start. Some opposition figures threatened to withdraw from the conference, if no clear commitment to democracy and the 1962 Constitution was included in the Prime Minister's speech. The prepared speech did not include such commitments. The other point of disagreement was over who would speak representing the people, since the government had chosen one of its previous ministers to do that. As a result of these pressures, the conference ended with a public commitment to democracy, and not merely as a public relations exercise to show solidarity, as the government had intended. In addition, the person who spoke on behalf of the people was 'Abd al-'Aziz al-Saqr, the first elected Speaker of Parliament in 1963, and the Chairman of the Chamber of Commerce and Industry, at that time the figurehead of traditional merchant families and a critic of the government. The government seemed to be searching for legitimacy and the merchant families and opposition figures seemed to be an important element in their quest.

With the adoption of the 1962 Constitution, the Kuwaiti political system became well defined and institutionalized. The Constitution was produced through an agreement between the ruler and the elected representatives of the people. There are several weak points in the Constitution, but generally, it upholds most of the principles that exist in most Western democracies, such as the separation of powers, respect for individual freedoms, the rule of law, and the like. The weaknesses of the Constitution are mainly confined to the relationship between the executive and legislative branches, where the

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99 Al-Rayy al-'Amm (Kuwait), 28 August 1996.
100 For the documents and events of the Jidda Conference, see Sawt al-Kuwayt (London), 21 October 1990.
executive is given much more weight. Over the years, the Constitution necessarily provided the basis for most of the country's laws; it helped eliminate dependence on traditional norms and values as the basis of legal instruments. It became the driving force, and the starting point, for pro-democracy activists. Several attempts by the government to amend the Constitution have failed. The most notable case was in 1980-1981. There was no Parliament at the time as a result of the 1976 dissolution. Responding to internal and external pressures, the government formed an appointed committee to amend the Constitution. The committee was presented with draft changes to review, and was to report back to the government. The political opposition joined forces in a campaign against the committee and its role. After deliberation the committee rejected most of the points in the government's draft. In response, the government hastily called new elections. After its failure with the appointed committee, the government sought to amend the Constitution through the only legitimate method, Parliament. In order to guarantee parliamentary support, sweeping changes in the electoral boundaries were introduced, increasing the number of constituencies from 10 to 25. The government studied the demographic characteristics of the constituencies, and drew the boundaries accordingly. Most opposition figures lost in the elections. The government presented its draft amendments to the newly elected Parliament. This provoked another campaign by opposition groups, which was so effective that even the most loyal MPs were afraid that they would lose their seats in the next elections. Though the draft amendments passed in the initial deliberations, under pressure, the government was forced to withdraw them. Thus the Constitution, whatever its weaknesses, remains an important political platform for the pro-democracy forces.

Kuwait has been a haven for political activity since the 1930s. With the sweeping political changes of the 1950s in the Arab world, almost all Arab political factions were reflected in the Kuwaiti political scene. Many young Kuwaitis studying abroad, primarily in Arab capitals such as Cairo, Beirut, Baghdad, and Damascus, were influenced by the politics of the time; they brought these ideas home. Many of these political groupings have been transformed in the last 50 years, but in the process, they infused lively

discussion into the political process, and helped in shaping and influencing government decisions. Although political parties are not recognized in Kuwait, political groupings, as noted, announce their candidates and win seats. During the campaign to restore democracy, which lasted from December 1989 until the Iraqi invasion, these political groupings, along with independents, played a major role in bringing pressure on the government.

The press, especially the five Arabic dailies, plays an influential role in affecting and directing the political decision-making process. It has been said that, if the Parliament is one wing with which democracy can fly, then the press is the other wing. It is doubtful whether the Parliament would have the same influence without the press. Privately owned, the press has gained more freedom, and a relative independence from the government. For commercial and political reasons, the press strives to reflect the wide range of opinions in the society. Successful and popular papers are normally those that do not appear, in the public eye, to be loyal to the government. The parliamentary news is a major section in the dailies. The weekly parliamentary session is published in full, and occupies three to five pages. It was not surprising, then, that the press has been equally and simultaneously targeted when Parliament was under fire. In 1976, in the same decree that dissolved Parliament, the press law was amended to allow the Minister of Information to close any paper by an administrative order, as opposed to a court order. The result was one daily was closed for one month, and two weeklies for six months. The parliamentary dissolution of 1986 was accompanied by the introduction of a new restrictive element. For the first time in Kuwaiti history, a pre-censorship law was introduced. This pre-censorship was completely lifted on December 1991. The reader of the Kuwaiti press today will be amazed by the high degree of permissiveness, and by the

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102 Al-Rayy al-'Amm, 23, 24, and 25 August 1996.
103 The government owns the radio and television, but the press has always been privately owned. During the Iraqi occupation, the government published one daily newspaper from London, named Sawt al-Kuwayt (The Voice of Kuwait). Also, immediately after liberation, another government-operated newspaper was published in Kuwait named Al-Fajr al-Jadid (The New Dawn). Both newspapers continued publishing until the government decided to stop supporting them in December 1992. As a result the two papers ceased to exist.
104 The daily was Al-Watan and the two weeklies were Al-Hodef and Al-Rai'id.
strong opinions critical of the government expressed therein. The press, as it is today in Kuwait, plays a major role in supporting democratic principles.105

One characteristic of Kuwait's democratization is the low degree of political violence, even during periods of crisis. This unwillingness to use violence to settle political differences has helped in easing the tension and bitterness for the victims, and created a better atmosphere for dialogue. Even in a major political crisis on the scale of 1938, when the elected Legislative Council was charged by the Ruler with plotting to overthrow him, only two people died, and those who were arrested were imprisoned for about four years and then released. In another political crisis in 1959, in response, to a public rally where speeches to replace the ruling family were delivered, several arrests took place, but for only a day or two. In 1968 and 1969, in response to a group of Kuwaiti revolutionaries' campaign of planting explosives to protest election rigging and the visit of the Shah of Iran, those arrested were later pardoned by the Amir. The worst period for violence was that which lasted from 1986, until just prior to the Iraqi invasion in August 1990. Scores of Kuwaiti Shi'a who, allegedly, sympathized with Iran were arrested and tortured. Later in that period, when the pro-democracy movement began its campaign to restore democracy, and took to the streets in what was seen by the government as a plot against it, several arrests were made, but for a few days only and without the use of torture. It seems that the Kuwaiti culture is a non-violent culture, which sheds minimal blood to settle political differences.

A major feature of the Kuwaiti political system is the outspoken political differences between members of the ruling family. Some observers may see this as a sign of

105 Take for example the political crisis that erupted during the second week of February 2000. In response to publishing a forged Amiri decree, the government in a hasty move, decided to close down the two newspapers which published the decree. The next day, the Parliament strongly attacked the government, and subsequently the Amir interfered and canceled the government decision. The government leaked its intention to resign which created an atmosphere of major political crisis, which was later contained for the time being. In a related move, the five editors of the Arabic dailies issued a statement criticizing the Minister of Information for what they described as his failure to protect the press during the Council of Ministers' deliberations which resulted in the Cabinet's decision to close down the two papers. The Minister of Information responded by denying the allegations and reaffirming his commitment to freedom of press. For the text of the editors' statement and the Minister's response see the Kuwaiti Arabic dailies 22 February 2000.
weakness; but it has proved to be to the benefit of a more open society, and a more participatory form of governing. One of the major elements contributing to the establishment of the 1938 Legislative Council was the sharp differences between the Amir Ahmad al-Jabir and 'Abdallah al-Salim, who became the Chairman of the Council, and later became the Amir (1950) after the death of al-Jabir. During 'Abdallah al-Salim's rule, disagreements between the Amir and other family members over democratic reforms were well known. With independence, differences of opinion were aired as well. Some members of the ruling family (two of them ministers) withdrew from Parliament, because it limited the power of the ruling family. During the dissolution of 1976, there were differing opinions over the steps and the measures taken, and the commitment to the Constitution. Probably the only time there was little disagreement among the ruling family was the period between the 1986 dissolution and the Iraqi invasion of 1990. Since Kuwait's liberation in 1991, differences over the level of commitment to democracy and the Constitution, and over the way the country is being administered, have been clear, with public statements and resignations from public office used as expressions of such differences. It reached a historical climax when, on 13 July 1992, 17 junior members of the ruling family signed a petition to the Amir demanding political reforms and a clear commitment to the constitution. This was a historic event, with members of the family openly demanding change. In the summer of 1993, the leadership of the group made

106 Najat al-Jasim, Al-Tatawwur al-Siyasi wa al-Iqlisadi, p. 161. For example, the Deputy Prime Minister and Foreign Minister Shaykh Sabah al-Ahmad, refused to participate in the first government immediately after liberation, objecting to the way the government was formed. He also resigned twice in 1997 and 1998 over disagreement on foreign policy matters.

107 Ruling family differences are common in Kuwait, whether in sports, business, or politics. But this document was something new. It put greater pressure on the Prime Minister (who is also Crown Prince), who was its implicit target. Parts of the document are worth quoting here: "... we believe that the constitution, that all Kuwaitis agreed upon, was fair to both the ruler and the ruled, and we must commit ourselves to it, and protect it as a contract which emphasizes legitimacy and justice ... freedom and democracy should be adapted to by a more open mind, and neutrality ... we have agreed among ourselves that one of the main goals of the system (meaning the ruling family), is the enlargement of the base of the political participation, which could not be attained without the enhancement of the concept of elections for everybody ... it is important to build a state of institutions, which is ruled by an institutionalized structure, which is not affected by the change of people ... [I]aw and justice, and their firm application are the safety valve of society, and should be applied fairly without favoritism or discrimination, and we should be committed to the rule of law more than anybody else ... protecting public funds is an integral part of protecting the rulership ... the rulership should be kept away from conflicts in the society, whether political, electoral, or family matters, and should be kept away from the electoral campaign, in order to protect the system and its image. ..." Al-Zaman (Kuwait), 15 May 1999. The timing of the document enhanced its importance, since it was issued before democracy had yet been reinstated.
the petition public, and went further by meeting with political groupings to explain their positions and concerns. The main figure behind the petition started publishing a weekly magazine in May 1999, with highly critical opinions of the government. Past experience shows that differences between ruling family members have proved to be helpful in enhancing democratic processes, and not the other way around.

The Diwaniyya is the traditional meeting area adjacent to a Kuwaiti home. There are thousands of diwaniyyas in Kuwait. They are considered social institutions; however, their political role far exceeds the seemingly purely social function for which the institution seems designed. Almost all elections and important political meetings prior to the 1950s were held in diwaniyyas, which put the institution in the forefront of political progress. It has been the place from which election campaigns of the post-independence era have been launched. No candidate can win without meeting with the major diwaniyyas of his constituency. Its social context has made it immune from government interference, since it is considered to be part of the home, which is protected by law. The pro-democracy campaign which began in December 1989 (demanding a restoration of Parliament) was known as the "Monday's Diwaniyyas", for the pro-democracy movement chose the diwaniyyas as the locale for their public rallies to demand the restoration of democracy, mainly because the diwaniyyas were exempt from the restrictions imposed by the Law Of Gatherings. Since diwaniyyas are limited in size, people turned out by the thousands and held the rallies in the streets. Although the government, in its attempt to curb the movement, stormed and closed down some diwaniyyas, the movement had already achieved its goals through the use of what had been seen as a modest social gathering place.

108 Nasir Sabah al-Ahmad bought the magazine al-Zaman from the previous owner Mubarak al-Jasim. under whom it was called al-Risala. Renamed al-Zaman, it began publishing as a monthly magazine, and then on 1 May 1999 began appearing as a weekly. Examples of the main topic on the first page of the first four issues are as follows: 1 May 1999 "In An Interview with al-Zaman, Nasir Sabah al-Ahmad: We do not Understand and We do not Accept the Government's positions"; 8 May 1999:"The Supreme Planning Council is A Lame Duck;" 15 May 1999: "The Solution is Political Reforms;" 22 May 1999."Nasir Sabah al-Ahmad: Is there a Solution?" and "What Type of Government do we Want?." This is not the first time that a ruling family member has owned or partially owned a newspaper or magazine, but it marks the first time that the owner has developed a coherent program of reforms and a thought-out critique of government actions. Although al-Ahmad has been appointed as a special advisor to the Prime Minister recently, he is still critical thus far.
Democratization and electoral practice in Kuwait is not limited to the parliamentary elections. Elections are held all over the place in Kuwait, whether in student societies, cooperative societies, public benefit societies, the chamber of commerce, sports clubs, trade groups, trade unions, or the municipal council. As already noted, even the Kuwaiti tribes organized tribal primaries to choose tribal candidates for the general elections, which became an issue in 1999. Hardly a day passes without news of some sort of election. This familiarity with elections of various kinds has made people familiar with the importance of elections and trained them for the political process.

Although the decision shattered their hopes, they nevertheless felt that time was on their side, not on that of the government, indicating that after 25 years of a free press and democratic elections, it was too late to turn to mediaeval socio-political conditions.

Judging from the dangerous conditions threatening Kuwait, the dissolution of the Assembly was entirely justifiable. Kuwait's security has been at stake, especially since the country became engulfed in the Iraqi-Iranian war. The Iranians, believing that the Kuwaitis were assisting the Iraqis, took some retaliatory measures against Kuwait, such as attacking Kuwait oil tankers and sending their agents inside Kuwait on a series of bomb attacks against oil installations. This serious security problem was not taken into account by the Kuwait parliamentarians when they waged their campaign against the government. It became evident that the different Assembly groups were competing with each other for the honour first to cause the downfall of a government minister. This was clearly illustrated by an editorial in the Fundamentalists magazine *El-Mujtama'*(Society).

In this editorial, the fundamentalists accused their rivals, the progressive bloc, of obstructing their efforts to interrogate the education minister, in order to promote their own plan to interrogate the finance and oil ministers. It is in this light that the author of this paper believes that some Kuwaiti deputies had abused their parliamentary authority to control the executive and that they failed to use this authority responsibly. It is due to this irresponsible and rash behaviour on their part that the only democratic system in the

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Gulf region was shattered. Whether there is any hope of reinstating parliamentary democracy depends entirely on the Ruler's ability to resolve such issues associated with the Iranian-Iraq war and the country's economic crisis. If these problems persist, the Ruler might be compelled to resort to the formula of power-sharing. However, we have to assert here, in case this system is reinstated, the tendency of the Ruler would always be reversion to patriarchal absolutism whenever he felt that there was an attempt to undermine his political authority and institutions.

The executive branch has proven effective in deflecting or pre-empting parliamentary scrutiny even where this is nominally allowed. Kuwait offers an impressive but solitary case of parliamentary oversight. The ministers of defence and interior answer to the National Assembly, and the Interior and Defence Affairs Committee of the Parliament also questions ministers and top security officials including heads of intelligence, and, since 2002, has published an annual human rights report.110

While scholars have done much useful work on the causes of democratization, not much attention has been devoted to the causal importance of international variables. Empirical explanations of democratic reform in the Middle East often link the process of political change to domestic economic crises,111 and most theoretical work on democratic change and reform also focuses far more on domestic than on international variables.112 In sharp contrast, this chapter also explores the impact of Iraq's August 2, 1990 invasion and occupation of Kuwait, and its ongoing military threat, on Kuwait's democratic

experiment. As Mary Ann Tetreault has shown, that experiment has some roots extending back to the 18th and 19th centuries, through key events in the 20th century.  

Democratic practices were viewed as useful in meeting the objectives of liberalization with education as a factor. In this sense, the crisis produced an attitudinal change and an increased commitment toward democratic practices. Second, and relatedly, the crisis generated or contributed to forms of liberalization and democratization. A pre- and post-invasion analysis of the National Assembly in particular is telling in the Kuwaiti case in that, like other legislatures in the Arab world, the Assembly best reflects the nature of democratic transition. It is interesting to explore Kuwaiti politics within a broader international context, because global forces and events have played a major role in creating and shaping the Gulf States, and because it is recognized, albeit less often studied, that external actors can facilitate or undermine democratization.  

On that score, prior to the invasion, Kuwait supported Iraq against Iran in the Iran-Iraq war (1980-1988). Moreover, of the six Gulf Cooperation Council (GCC) states, Kuwait was most critical of the US regional role and sympathetic toward Moscow for most of the 1980s. The 1991 Gulf war and ongoing Iraqi threat, however, have made Washington indispensable to Kuwait. That in turn has enhanced the regime’s interest in and commitment to democratic practices, albeit within an Islamic context, as Kuwaiti leaders are quick to remind Westerners.  

Some members of Congress who supported the move toward war, even called for a new democratically elected regime in Kuwait. As President Bush put it, members of Congress argued that the United States had “no real national interest in restoring Kuwait’s rulers,”

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and that since they are "not democratic," Washington should call for UN-sponsored elections in Kuwait in lieu of restoring the royal family. The Kuwaiti leadership understood full well that perceptions of Kuwait as non-democratic were damaging. Since the 1990-91 Gulf crisis, Kuwait has remained concerned about its image. Doing so can also appease those in the US Congress that must justify their support of the war and of Kuwait to their constituents by pointing to such changes in Kuwait. Explicit, implicit, and perceived external pressures in the post-war period influenced the regime in the direction of democratic reform and energized the pro-democracy movement. The Bush administration pressed the Amir to re-establish the parliament which had been fairly elected according to Kuwait's 1962 Constitution, but which he dissolved in 1986. In late March 1991, Bush even sent the Amir a letter emphasizing the need to pursue "political reconstruction." Secretary of State James Baker, who was sent to Kuwait after the war to push human rights and democracy, asserted that movement on these fronts would enhance "the ability of the United States to continue to support Kuwait politically and from a security standpoint, in a manner in which we [the US] supported them against the brutal aggression of Saddam Hussein." President Bill Clinton also strongly encouraged the Amir to give women the right to vote, perhaps in line with the sporadic US proclivity to push democracy in the post-Cold war era. US Assistant Secretary of State William Burns was satisfied enough to describe US-Kuwaiti ties as "very solid." Kuwait also launched a public relations campaign to underscore its support of the United States.

DEMOCRACY, DEMOCRATIZATION AND NATION-BUILDING PROCESS

The Gulf crisis, in addition to influencing the US-Kuwaiti relationship, placed an emphasis on nation-building in its different facets. The notion began to crystallize that a strong nation was important not only to provide for its citizens, but also to protect Kuwait against serious external threats, chiefly from Iraq. Nationalism and nation-building are different enterprises, though related. Ghassan Salame has argued that the failure of Arab nationalism writ large sprang largely from efforts by separate states to maintain their individual integrity against collective efforts to bring them together.

While pan-Arabism was not a profound force in Kuwait prior to the crisis, the crisis placed a much greater emphasis on maintaining individual, national integrity, apart from pan-Arab nationalism. In Jeffrey Herbst's words, external threats powerfully drive nationalism because people are "forced to recognize that it is only as a nation that they can successfully defeat the threat." At an abstract level, the crisis contributed to a greater consciousness within Kuwait about common rather than personal welfare and about collective versus individual interests. This is because, by threatening all actors on the domestic scene, it put a premium on the type of security that is best had only through broader cooperation. They emerged in part because larger segments of society started to realize, especially after working so hard to obtain their freedom during the occupation, that they had a right to have access to information and to be "...freer in all their pursuits..."

If the crisis made nation-building more important, then what was the link between nation-building and democratic practices? At a grassroots level, many more individuals needed, wanted, and demanded to be involved, as reflected perhaps in increased voting activity in the post-war period, not to mention in Kuwaiti tribes where tribal chiefs heretofore unchallenged were unseated by fellow tribesman in local roles.

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The crisis made Kuwaitis more serious about their civic duties, and about the role of the individual in relation to the society and state.

### TABLE VIII: VOTING DATA, KUWAIT (1963-2000)

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<tbody>
<tr>
<td>No. of registered voters</td>
<td>42,005</td>
<td>56,848</td>
<td>81,440</td>
<td>107,169</td>
</tr>
<tr>
<td>Voter turnout</td>
<td>37,689</td>
<td>48,368</td>
<td>67,724</td>
<td>89,387</td>
</tr>
</tbody>
</table>

Not only did more individuals and groups demand participation in nation-building, but they had greater leverage to realize it. The occupation had made heroes of resistance fighters. How one acted during the crisis gained political and cultural capital in Kuwait, and motivated demands for greater participation. As Ghanim Alnajjar, a political science professor and driving force behind a loose coalition of Kuwaiti opposition groups, pointed out, those who stayed behind, while the Sabah ruling family fled, wanted "a say in their own government," through bona fide elections. The Amir eventually did emerge from the war a stronger political actor in some ways. Thus, desire in the citizenry for greater participation was matched by the regime's proclivity to be more accommodative. At the institutional level, the pro-democracy movement also gained influence in this time period. Scholars point to different explanations for the stability of Gulf regimes, including their rentier or semi-rentier status, which decreases their

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131 Based on Jill Crystal and Abdullah al-Shayeji, in Korany et al., eds., Political Liberalization.
accountability to society. Thus, effecting the gradual changes that allow the regime to evolve slowly and maintain power simultaneously.

Mounting public pressure for democratic reform after the war helped push the Amir to announce, on April 7, 1991, the decision to reconvene the dissolved parliament. Some of this pressure could have turned violent. Indeed, the most senior Kuwaiti military officer who remained in Kuwait after the invasion, General Muhammad Badr, even asserted in 1991 that the young men who fought the Iraqi occupation might be "difficult to control" if demands for democratization were ignored by the royal family.

Second, enhanced democratic practices could decrease the chances that Iraq, with or without support from other transnational and ideological forces, could subvert Kuwait. Although Iraq lost the war, it continued to threaten not only to invade Kuwait but to overthrow the Sabahs, a general fear which ranks high among the Gulf monarchies. The notion that vulnerability to outside threats makes democratization more important is not new in Kuwait. Interestingly, as Crystal and al-Shayeji point out, Kuwait's regional vulnerability played a role in prompting its rulers to create the National Assembly in the first place and to use it to obtain explicit popular support, from 1961 on.

DEMOCRACY AND THE NATIONAL ASSEMBLY

Kuwait's democratic experiment has evolved slowly and mainly along the fault line that sometimes separates the regime and the Assembly. The Constitution invested the

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134 Arab oil-exporting states are sometimes referred to as rentier states because they are sustained both economically and politically by using "rents" or income from oil. See, for instance, Jill Crystal. (1995). *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar*, New York: Cambridge University Press, pp. 75-78.


Assembly with some important powers.\textsuperscript{140} That lays the basis for institutional tension between the opposition which seeks to check the royal family by trying to enforce the Constitution, and the royal family which seeks to assert its powers without any significant checks.\textsuperscript{141} Conflicts have endured between the government and opposition over how much power the Constitution gives the Assembly. As one manifestation of this enduring struggle, the Assembly, as noted earlier, was dissolved in 1986 by the Amir. That action triggered a pro-democracy constitutionalist movement which included an interesting amalgam of activists, liberals, merchants, Islamists, and former Assembly members. However, by the eve of the invasion, the authoritarianism of the Sabahs had reached a peak. The parliament had been formed entirely by appointment after the Assembly had been suspended, and the opposition in the parliament was quite weak.\textsuperscript{142} The occupation of Kuwait and the war strengthened the pro-democracy movement, which successfully pushed the Amir to restore the Assembly and to democratize, an act that he saw as important in the face of the continuing Iraqi threat.\textsuperscript{143} In fact, while in exile, the Amir met with the opposition in Jidda, Saudi Arabia, in mid-October 1990. With "one eye on Kuwaitis and another on American policymakers and public opinion," as Gregory Gause has put it,\textsuperscript{144} the Amir agreed to demands for greater democratization, provided the opposition stood by him during his exile. These demands were followed up with more demands upon his return to Kuwait.\textsuperscript{145} While those demands reflected how the occupation impacted internal dynamics, restoring the Assembly also could deal with another reality produced by Iraq's invasion. Despite being a consummate dictator, Iraqi President Saddam Husayn justified the invasion by citing the Amir's dissolution of the 1986 parliament, Kuwait's lack of elections, and its status as a rentier state.\textsuperscript{146} Such criticism contributed seriously to the Amir's interest in restoring the Assembly after the

\begin{thebibliography}{9}
\bibitem{146} On rentier status, see Mary Ann Tetreault, "Independence, Sovereignty, and Vested Glory: Oil and Politics in the Second Gulf War," \textit{Orient}, Vol. 34, March, pp. 96-98.
\end{thebibliography}
war." That the invasion was causally important is underscored clearly by the fact that the Amir seemed in no real hurry to restore the Assembly prior to the invasion. Moreover, the Assembly, as Crystal and al-Shayeji point out, enjoyed a "deepened" favorable consensus on its utility and importance after the invasion in the broader Kuwaiti political spectrum. Thus, the crisis reinforced and buttressed the Assembly in a grassroots, institutional, and top-down manner. To be sure, opposition leaders were not included in critical committees that were planning for the post-liberation period and that could challenge royal family power. However, the crisis gave the pro-democracy movement a boost which ebbed but did not wane. Indeed, in an unprecedented act on July 13, 1992, 17 junior members of the ruling family signed a petition to the Amir. They demanded democratization and asserted unanimous agreement that "...one of the main goals of the system (meaning the ruling family), is the enlargement of the base of the (sic) political participation, which could not be attained without the enhancement of the concept of elections for everybody. The October 1992 elections were free of irregularities. As Ambassador Gnehm asserted, the "process was extremely good at establishing at a grassroots level the idea of democracy." These elections reflected a victory for pro-democracy forces. Among other things, they managed to obtain the appointment of six elected parliamentary members to the cabinet. Oppositional forces won a majority of nearly 35 seats; 19 went to Islamist groups, 16 to secular democratic groups, and 15 to pro-regime or royalist forces. Despite efforts by the regime to act without political checks, the Assembly has asserted its rights increasingly since the Gulf crisis. They include investigating government conduct, debating issues publicly, overruling the Amir by simple majority, and approving laws. Since the elections of 1992, a focal point of dispute has revolved around the Assembly's right to review laws. Under Article 71, the Assembly has the right to review laws issued in its absence and to decide not to confirm

them, in which case "they shall retrospectively cease to have the force of law, without the
necessity of any decision to that effect." Yet, the regime has attempted sporadically to
refer Article 71 to the constitutional court, thus bypassing the Assembly, which has
generated criticism that it was manipulating the Constitution. In its capacity to approve
the government's budget and engage in legislative oversight, the Assembly has also
uncovered government waste and corruption. For instance, in 1997 it attempted to check
item by item the year 2000 government economic and military development plan,
whereas the government wanted parliament to vote on the plan as a whole. While this
conflict was ultimately settled in the regime's favor by the pro-regime constitutional
court, it did reflect some level of assertion by the Assembly. Later, in early to mid-1998,
members of the Assembly excoriated officials for mishandling the budget deficit,
government corruption, and poor performance. Meanwhile, others became more inclined
to question openly whether democracy could allow for the few to lead in a privileged
manner. At a minimum, there exists a fairly regular dialogue between Assembly
members who sometimes seek to check and discredit government officials, and officials
eager to accommodate or at least hear their concerns. These officials also have be-
come more responsive to certain political groupings that have increasingly assumed a de facto
role in the post-liberation period, perhaps akin to political parties; and also to
independent associations that developed clandestinely during the resistance to Iraqi
occupation. These associations include trade unions, business organizations, civic
clubs, ethnic, religious, professional, and political associations. Some are voluntary
women's organizations, others are human rights or war-related organizations, some are
legal and others illegal, eliciting the ire of the government. In toto, they represent an
important post-liberation change in Kuwaiti politics. To be sure, the Assembly's power

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153 For one such case, see John Cooper. (1995). "Testing times for Kuwait's Democracy," Middle East
Times, August 6. In March 1998, the National Assembly even forced the resignation of then Minister of
Information Sheik Sa'ud Nasir Al Sabah over the issue that his Ministry allowed more than 160 books
critical of Islamic orthodoxy to be displayed at Kuwait's November 1998 Arab book fair. His criticism of
Islamists in October 2000, as touched on earlier in this article, may have been partly related to that event.
is attenuated by several factors, including division within its ranks. Islamists, some of whom seek to impose shari'a (Islamic law) and traditional Muslim values, are often pitted against so-called democrats who stress civil liberties. While disunity in the Assembly can undermine challenges to the ruling family, the Assembly has become increasingly institutionalized since the crisis and harder to dissolve or manipulate in any enduring manner. As 'Adnan 'Abdal-Samad, a cleric who headed the Assembly’s committee for the protection of public money put it, for anyone “who has tasted democracy, it’s very hard to forget. It’s like something sweet.” While the Amir did close down the Assembly on May 4, 1999, when the actions of top government officials came under what he believed to be excessive and unfair parliamentary scrutiny, elections were held on July 3 to elect a new Assembly.

DEMOCRACY AND THE DEFIANCE OF CONTINUITY
Critical theoretical distinctions have been made between liberal, electoral, and semi-democracies, but Kuwait is obviously not a democracy based on any accepted definition. Nor would it appear to be under any definition other than one quite broad. Many Kuwaitis believe that their system is truly democratic. More to the point, while the Gulf crisis did advance democratic practices, neither the crisis nor other variables, historical or contemporary, have transformed some key elements of Kuwaiti politics. These elements are worth sketching out briefly for some balance and perspective. Kuwait's key leaders are members of the Sabah family who are not elected. Under its Constitution, its top two leaders, the Amir and the Crown Prince and Prime Minister, cannot be changed by elected bodies. Political parties remain banned, although political groupings have developed and are allowed to play a de facto role. Ultimate power rests with the Amir who retains significant legislative and administrative powers and who controls the broadcast media, sometimes restricting its activity and limiting freedom of expression and assembly. That is reinforced by such things as the illegality of holding

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public gatherings without government approval. Civil rights and democratic impulses are further challenged by corruption, which has increased after the Gulf crisis, and which has generated serious criticism of the government and sporadic political crises. Across the Arab region, six Arab countries, Kuwait, Libya, Oman, Qatar, Saudi Arabia, and the United Arab Emirates, continue to prohibit in principle the formation of political parties. Bahrain is the only one of the six Gulf states which affords the freedom of formation to 'political organizations'. Moreover, as is well known, suffrage in Kuwait extends only to males who can trace their ancestry back to 1920, and, most recently, to male descendants of naturalized citizens as well. This amounts to a small fraction of potential voters. Women have lobbied for political rights for decades, but it was only in 1991 that the Amir promised to grant them more rights, largely in appreciation for their nationalistic role during the Iraqi occupation. Thereafter, the ruling family repeatedly voiced support for such measures, which generated some speculation that the Amir might even enfranchise women before the 1992 elections. That was quite important as an attitudinal change, but did not materialize, partly because of tribalist and Islamist opposition. After he disbanded parliament in May 1999, the Amir, backed by the Cabinet, decreed that women should have the right to vote in the general elections of 2003, and lobbied personally for it, despite his preference for operating behind the scenes rather than in the spotlight. The new Assembly, however, voted against the decree which required a majority vote, by a count of 32-30, with two abstentions. The decree was defeated despite the fact that 15 government ministers could join the voting in favor of the decree, by virtue of a provision in Kuwait's Constitution. That was an irony because, while such intervention in an elected body was undemocratic, it sought to produce a democratic result.

While the National Assembly has been increasingly assertive, its power remains checked not only by its own divisions but also by the Amir. For their part, the Sabahs want democratization, but they do not want Islamists or democratic forces to push their

agendas too far, and have been willing to suspend democratic practices when necessary. In fact, while the Assembly has become more robust in the post-crisis period, we do not observe, outside of its context, much movement in Kuwait in terms of power-sharing, appointments to the sovereignty ministries (defense, finance, interior, for instance), or changes in monarchical control over oil concessions, where the regime maintains a monopoly over resources that yield it significant political leverage.\(^{164}\) We must also note that not all Kuwaitis support democratization. While recognizing the complexity of Islam, its belief systems, assumptions, and behavior patterns, some scholars, as well as regional leaders, have argued that Islam and elements of democracy are incompatible.\(^{165}\) A general distinction may be that while "radical" Islamists tend to reject democratization as imported, "moderates" find aspects of it compatible with Islam.\(^{166}\) However, in Kuwait, the Shi'a have been most likely to support women's voting rights, although not membership in the parliament; other Islamists, by contrast, appear more concerned about seeking religious restrictions based on a narrow application of the shari'a than about practicing democratic change.\(^{167}\) While evidence suggests that Islam in general is not a sufficient predictor of views on women's suffrage,\(^{168}\) some Islamists in Kuwait are quite satisfied with developing "democracy," so long as it is within the confines of a patriarchal system. For instance, in July 1985, Kuwait's Committee for Qur'anic Interpretations and Legislation, responding to a government request, recommended against allowing women voting rights. It argued that such activity befitted men endowed with ability and expertise; that "Islam does not permit women to forfeit their basic commitments" of bearing and rearing children; and that women, however, could exercise

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\(^{168}\) One rigorous study showed that Islamic orthodoxy which refers to beliefs and decisions that center on transcendent authority, was compatible with extending women's rights; meanwhile, Islamic religiosity which refers to practices and behaviors themselves, was not, regardless of the respondents' sects. See "Meyer et al., "Islam," Op. Cit."
indirect influence on their husbands and male relatives.$^{169}$ Islamists who largely opposed
the royal decree on women’s suffrage scored a major victory in 1999 when it was
defeated in parliament.$^{170}$ The democratic experiment in Kuwait in its entirety is a fragile
process marked by ironies and countervailing proclivities and pressures. As in other
cases, like Algeria, the conundrum is that it can produce anti-democratic results.$^{171}$ Some
Islamists in the Assembly want to use the democratic process to undermine it. For
instance, they want to amend Article 2 of the Constitution to make Islam the chief source
of legislation, rather than just one of the sources. Such an act would, in the words of al-
Munis, "destroy the constitution...and the entire democratic process," and reflect the view
held by not a few Islamists that at best "democracy is something manufactured by the
West."$^{172}$

The roots of participatory politics in Kuwait date back to its establishment as a society
more than two centuries ago. The basic agreement among the immigrant families was to
have a ruler who would consult with the people over important issues, while they
supported him financially. The system was undermined by the sudden ability of the ruler
to be financially independent following the discovery of oil, and the great interest shown
by the external superpowers. After independence in 1961, society was transformed from
the traditional form of participatory governing, to a more institutionalized democratic
process. Many factors contributed to the transformation. Internally, the politically active
and open merchant community were able to cultivate a cordial relationship with a
benevolent ruler before he came to power. It was the country’s good fortune that he
(‘Abdallah al-Salim) ruled for 15 years, the critical first years of the oil era. In addition,
the activity of younger political groupings, and the country’s increasing wealth, helped
achieve the transformation. Externally, changes on the international scene, especially the
British decision to withdraw from the Gulf, were important factors. The emergence of
regional powers, with their own rivalry for regional supremacy, gave the small

Middle East," Middle East Policy, Vol. 5, January.
independent state room to maneuver and choose its own political system. With the death of the Amir in 1965, and the subsequent shift of the balance of power in the government’s favor, coupled with a sharp decline in the influence of merchants and political groupings, the democratic process became the first victim. This was demonstrated in the unconstitutional dissolutions of Parliament. But social change, through mass education and economic opportunities, opened the door for new socio-political forces to affect the process in the direction of a more open society. The situation reached its height with the establishment of the pro-democracy movement in 1989, which took to the streets calling for the restoration of constitutional rule. This was helped along by the change in the international order brought about by the end of the Cold War, and the impetus toward more open societies. The Iraqi invasion of August 1990, and the liberation of Kuwait by an international coalition, was a decisive moment for restoring democracy in the country.