center for the MIDDLE EAST
Rice University's Baker Institute for Public Policy

CORPORATION OF NEW YORK

PLURALISM AND INCLUSION IN POST–2011 KUWAIT

A.KADIR YILDIRIM, EDITOR

CONTRIBUTORS

Daniel L. Tavana, Princeton University
Courtney Freer, London School of Economics
Hamad H. Albloshi, Kuwait University
Tahani Al Terkait, Durham University

INTRODUCTION

Kuwait, one of the bright spots for democracy in the Gulf region prior to the Arab Spring protests, has since experienced mounting challenges to its pluralistic socio-political makeup. Recent developments have shown the extent of the existential threat felt by the regime as the demands and actions of political opponents continue unabated.

The regime's fears have led to major changes to aspects of Kuwait's political system—changes put in place to reduce the available maneuvering space for the opposition, thereby undermining key pillars of pluralism in the country.

The Kuwaiti experience in particular demonstrates the fragile nature of fundamental political rights and inclusive policies in the region. While we are accustomed to the idea that the struggle for such rights moves toward greater inclusion, the past decade has shown that the assumption does not withstand the force of pushback by illiberal currents both in the Middle East and the rest of the world, including the United States.

The policy briefs in this collection draw attention to the countervailing dynamics of pluralism and inclusion in Kuwait since the onset of protests in 2010. The authors analyze the political, religious, social, and gender dynamics of pluralism in Kuwait, paying attention to the actions of both societal and oppositional groups and regime policies.

One of the most consequential policies enacted by the Kuwaiti ruling family during this period has involved changes to the electoral law in 2012. The revised election law targeted the opposition's criticism of the government by limiting its presence in the parliament. In his brief, "The Evolution of the Kuwaiti 'Opposition': Electoral Politics after the Arab Spring," Daniel Tavana examines the specific ways that the new electoral law hinders the opposition's chances of winning seats in the parliament. One of the most striking findings of Tavana's analysis is that while the previous electoral law facilitated crosscutting and cross-ideological electoral coalitions, the new law shifts the focus of campaigns to precincts and exacerbates social divisions and polarization.

Building on the analysis of Kuwait's election laws, Courtney Freer examines changes in Kuwait's Islamist landscape and finds that major Islamist actors such as the Muslim Brotherhood's political arm in Kuwait, the Islamic Constitutional Movement (ICM), and some Salafi blocs have found ways to continue cross-ideological partnerships with secular factions in the opposition. In her brief "Kuwait's Post-Arab Spring Islamist Landscape: The End of Ideology?" Freer argues that cross-ideological collaboration has enabled Islamist actors to push back against the regime's restrictive policies to curb political pluralism in the parliament.

In the brief "Social Activism and Political Change in Kuwait since 2006," Hamad Albloshi sheds light on the dynamics of recent social activism in Kuwait. The broader institutional setting is key to making sense of the present surge in societal activism. In particular, Albloshi argues that the periodic rise of social movements corresponds to the episodic ineffectiveness and weakness of the parliamentary opposition. When opposition factions within the parliament fail to fulfill their main task of holding the government in check, Kuwaiti citizens take matters into their own hands by forming social movements to pressure the government. Such activism has been instrumental in pressing for reforms and fighting corruption.

Two recent events have shaped gender politics in Kuwait in recent years: the Sufoor controversy and the "My Hijab Makes My Life Beautiful" campaign. Tahani Al Terkait investigates both events in her brief "Civil vs. Religious: Dilemmas in Pluralistic Society, Examples of Gender Politics from Kuwait." Al Terkait finds that neither incident marks a pointed departure from the historical dynamics of gender politics in the country. Instead, both events merely underscore the deep-seated contradictions between "the civil and religious

characteristics" of Kuwait's political system. Lack of progress on the further integration of Kuwaiti women in the socio-religious arena demonstrates the ongoing tensions between modernity and tradition and between conservatives and liberals.

This report is based on the "Pluralism and Inclusion in Post-2011 Kuwait" workshop held in Kuwait City, Kuwait, on May 5, 2018, in collaboration with Alsalam Center for Strategic and Developmental Studies. It is part of a broader research project on "Building Pluralistic and Inclusive States Post-Arab Spring" that is supported by a grant from the Carnegie Corporation of New York. The workshop was hosted by Kuwait University.

A.Kadir Yildirim, Ph.D.
Fellow, Center for the Middle East, Rice University's Baker Institute
Principal Investigator, "Building Pluralistic and Inclusive States Post-Arab Spring"

ISSUE BRIEF 08.07.18

The Evolution of the Kuwaiti 'Opposition': Electoral Politics after the Arab Spring

Daniel L. Tavana, Princeton University

Analyses of Kuwaiti politics are replete with references to "the opposition." Impressionistic accounts—from journalists, think tanks, and social scientists—often refer to the opposition as a coherent, publicly known group of elites known for their politicking in the National Assembly (*Majles al-Umma*) or for their activism outside formal state institutions. During election campaigns, this tendency to label candidates as members of "the opposition" intensifies as candidates criticize the government in an effort to signal their independence and mobilize voters. The reality of Kuwaiti politics, however, belies these distortions. Since 2012, the presence of opposition in the *Majles al-Umma* has diminished, largely due to an emiri decree that amended Kuwait's election law. This brief analyzes how the new law has limited the opposition's ability to succeed in light of changes to the dynamics of electoral contestation after the Arab Spring.

Since independence, political life in Kuwait has resembled the "segmented pluralism" of many small European democracies. Segmented pluralism reconciles "religious and ideological diversity with civic cohesion," whereby "social movements, educational and communication systems, voluntary associations, and political parties" are organized "along the lines of religious and ideological cleavages."[1] In Kuwait, competition between these *familles spirituelles*, or segments, has created a delicate consociational balance checked by the prerogatives of the ruling Al-Sabah family.[2] In the realm of electoral politics, these groups include blocks of Sunni and Shia, Liberal and Islamist, and *hadhar* (settled or sedentary) and *bedu* (bedouin or nomadic) voters. Despite the relative pluralism that has characterized political competition between these groups over time, the government's top-down dominance of state institutions has led different constellations of these segments to claim ownership of an opposition identity throughout Kuwait's history. In turn, the absence of a well-institutionalized opposition—and public frustration with this opposition's ability to deliver—has stunted electoral competition in Kuwait.

Since parliamentary elections were first held in 1963, Kuwait has used four different non-proportional, plurality (block vote) electoral systems. In plurality electoral systems, electors vote for candidates in multimember electoral districts. Candidates need not obtain a majority of votes in order to win a seat. In 2006, Kuwaiti activists and elements of the then opposition succeeded in reducing the number of electoral districts from 25 two-member districts to 5 ten-member districts with partial block (limited) voting. Previously, each elector was given two votes in districts that each elected two candidates. Under the partial block (limited) voting system, each elector was granted four votes. With larger districts and more votes at their disposal, electors were free to distribute their votes to family members, tribal representatives, representatives

The intensity of the Majority Bloc's criticism of the government prompted the emir to dissolve the National Assembly in June 2012. The dissolution plunged Kuwait into the most significant political crisis since 1992.

The atomization of candidates has led them to view elections as "every person for themselves" contests.

Candidate strategy changed under the new SNTV system, eliminating the value of electoral coalitions, or lists.

from different political factions, and other candidates. Elections were held under this system in 2006, 2008, 2009, and February 2012, producing largely short-lived assemblies with sizable oppositions.

After elections were held in February 2012, during the events of the 'Arab Spring,' a group of over 30 MPs announced the formation of the Majority Bloc (*Al-Aghlabiyya*). The Majority Bloc was arguably Kuwait's most vocal anti-government opposition bloc in the National Assembly's history. The intensity of the Majority Bloc's criticism of the government prompted the emir to dissolve the National Assembly in June 2012 after only four months in session. The dissolution plunged Kuwait into the most significant political crisis seen since the post-liberation restoration of the National Assembly in 1992. In an attempt to resolve the crisis in the government's favor, the emir issued an emiri decree amending the electoral law in October 2012. The new law left Kuwait's five electoral districts intact but controversially switched to a single non-transferable vote (SNTV) electoral system. Each elector would now have only one vote, instead of four.

Since this change, Kuwait has held three parliamentary elections in December 2012, 2013, and 2016. These elections were boycotted by different elements of the opposition in protest of the emiri decree. Since 2016, however, many opposition-affiliated tribal and Islamist candidates have returned, arguing that the Constitutional Court's 2013 decision to uphold the emiri decree has largely settled the issue of the law's legality.

In what follows, I examine how the new electoral law has undermined the consociational balance that has defined electoral contestation since the National Assembly's inception in 1963. This analysis comes from interviews I recently conducted with current and former parliamentary candidates in Kuwait and precinct-level results from the 2016 *Majles al-Umma* elections.

The new one-vote system has changed how both candidates and citizens approach elections. From the beginning, it was clear that the switch to SNTV was designed to

limit the ability of different "groups"—tribes, proto-parties, and other ideologically connected factions—to form electoral coalitions (lists) and mobilize voters. Under the four-vote system, it was not uncommon for Kuwaitis to split their votes among candidates they supported on the basis of various ascriptive, social, or political ties. Not only did the old system encourage candidates to form coalitions and campaign for votes they might not otherwise receive, but it also gave the competition for votes a distinct strategic flavor as candidates and factions negotiated with each other before each election.

In contrast, candidate strategy changed under the new SNTV system, eliminating the value of electoral coalitions, or lists. In 2016, for example, there was considerable internal debate within the Islamic Constitutional Movement (ICM, or Hadas) over whether or not to support a second candidate in the Second District. Both Jama'an Al-Herbesh and Hamad Al-Matar were elected in February 2012, but neither had participated in an election since the electoral law was changed. The ICM reluctantly agreed to support both candidates in 2016. Al-Herbesh came in fourth place with over 2,400 votes; Al-Matar came in eleventh place with 1,710 votes, narrowly (and controversially) losing the district's final seat by less than 50 votes. A similar trend can be seen among larger tribes in the Fourth and Fifth Districts. For example, candidates from the Al-Mutair tribe, one of the largest tribes in Kuwait, were able to win four seats in February 2012. They won only one seat in 2016.

The atomization of candidates has led them to view elections as "every person for themselves" contests. In turn, this has encouraged candidates to focus their mobilization efforts on precincts within their districts where they are most likely to capture a voter's single vote, rather than attempting to garner the support of different groups across the district. In the Second District, for example, a candidate needs roughly 1,500 to 1,800 votes to secure a seat in the *Majles al-Umma*, a three-fold decrease from elections held under the four-vote system. Candidates now know they have fewer opportunities to mobilize

voters in parts of the district where they do not reside or have other social, familial, or ascriptive tribal or sectarian ties.

In practice, this change has limited electoral competition to individual precincts within each of Kuwait's five electoral districts. Precincts typically consist of one or more areas (*mintaqa*). Areas in Kuwait are small, geographically confined neighborhoods ranging from a few hundred registered voters (e.g., Fahad al-Ahmad Suburb) to nearly 20,000 registered voters (e.g., Sabahiya). There are 50 precincts, and the mean precinct contains nearly 10,000 voters. This competition within individual precincts has been particularly disadvantageous to those opposition candidates with broader, district-wide appeal, because these candidates are now unable to secure an elector's second, third, or fourth votes from precincts outside their own. The new system is disadvantageous in this way because tribal and Islamist opposition candidates were better able to secure more voters across precincts when voters were able to distribute their votes to family members, tribal representatives, and representatives from different political factions. Now, with only one vote, efforts to mobilize voters across several precincts have become more difficult.

In the 2016 *Majles al-Umma* election, the average candidate received a narrow majority (50.6%) of votes from their top two precincts.[3] Table 1 breaks this figure down in greater detail by electoral district. For example, in the Second District, the average candidate received 63.5% of votes from the top two precincts in which they performed best. It is difficult to explore these relationships over time, as the Ministry of Interior has not made comprehensive, historical, precinct-level results available. Candidates have always had strongholds, or precincts where they performed better comparatively. But by prohibiting candidates from forming coalitions and appealing to swing voters' second, third, and fourth votes, the shift to SNTV has incentivized candidates to focus on the precincts they are most familiar with.

As a result, the new law—and the attendant localization of electoral appeals

TABLE 1 — POLLING STATION-LEVEL RESULTS, *MAJLES AL-UMMA* ELECTION (2016)

Electoral district	Candidate votes from top two precincts (mean)	Total number of precincts
First	0.535	8
Second	0.635	8
Third	0.427	10
Fourth	0.538	11
Fifth	0.394	13

SOURCE Author's Analysis

it has engendered—has intensified competition between those candidates most likely to cooperate once inside the *Majles al-Umma*. Candidate rivalries are now forged within these precincts—not across them—among individuals with similar social, political, and business networks. This has fragmented cooperative tendencies among MPs who hail from similar precincts with overlapping electoral bases. In other words, it has encouraged competition within previously cohesive groups. In 2016, candidates popular in the areas of Abdullah Al-Salim Suburb, Shamiya, and Shuwaikh, for example, described their rivals as those who were also most popular in the same areas. In the Fourth and Fifth Districts, candidates affiliated with certain tribes are now having to compete with each other to win support from members of their tribes. Tribal candidates described this uncomfortable reality to me in detail: the new law has pitted tribal leaders against each other and depressed turnout in areas with large numbers of tribal voters.

These new dynamics have further encouraged citizens to look to their representatives for services. The types of services MPs offer vary across districts, but they include, for example, the provision of support for business interests and access to health care and employment. "Service MPs" are certainly not new to Kuwait, but the gradual reemergence of clientelistic politics has led candidates to emphasize

By prohibiting candidates from forming coalitions and appealing to swing voters' second, third, and fourth votes, the shift to SNTV has incentivized candidates to focus on the precincts they are most familiar with.

their ability to deliver services through their connections to state institutions. This trend has deepened even in parts of the country where it was previously less common. A former minister who has struggled to win a seat under the new law describes this development in Mishref:

> In Mishref—there are very rich people, they have lots of resources. When I was running, they said: "You are very nice, you were a good MP, and you are honest. But you didn't provide any services [khadamat]. When you became a minister, you did not appoint any of our family members." You see how things have changed? Usually in Mishref—they never asked about this. The new system prevents people from voting for the future.

This renewed focus on services, clientelistic transactions, and favoritism has strengthened the government's hand, privileging those candidates with access to state institutions.

If the previous electoral law encouraged candidates to build bridges with different types of voters, the new law has done the opposite. Previously, candidates took great pride in their ability to win support from all different voters: Sunni or Shia, Liberal or Islamist, *hadhar* or *bedu*, and so on. Obtaining such diverse support was not always a necessary condition of electoral success, but it was often an important one. Where candidates were once incentivized to coordinate with those outside their family, tribe, or sect, many now resort to polarizing group-based appeals in an attempt to attract support from those voters already most likely to vote for them. Seen in this light, it is not difficult to understand how these changes have exacerbated societal divisions and heightened consociational tension.

By moving electoral competition into precincts, limiting cross-cutting and political appeals, and increasing citizen demands for services, the new electoral law may erode the "segmented pluralism" vital to the National Assembly's status as the Gulf's lone competitively elected legislative institution. These changes have limited the ability of opposition-minded elites to win elections and form parliamentary blocs forged from campaign-related coalitions. While the diversity of political life in Kuwait will likely endure, the mechanisms through which candidates and citizens approach elections will have lasting, generational effects. Left unchecked, these effects may gradually undermine the pluralism that has been a feature of electoral life in Kuwait since independence.

ENDNOTES

1. Val R. Lorwin, "Segmented Pluralism: Ideological Cleavages and Political Cohesion in the Smaller European Democracies," *Comparative Politics* 3, no. 2 (January 1971): 141, https://www.jstor.org/stable/421297.

2. Arend Lijphart, "Consociational Democracy," *World Politics* 21, no. 2 (January 1969): 207-225, https://www.jstor.org/stable/2009820; Arend Lijphart, "Consociational Theory: Problems and Prospects. A Reply," *Comparative Politics* 13, no. 3 (April 1981): 355-360, https://www.jstor.org/stable/421902.

3. This figure is calculated only from those candidates who finished among the top 30 candidates in each of Kuwait's five districts, for a total of 150 candidates.

AUTHOR

Daniel L. Tavana is a doctoral candidate in the Department of Politics at Princeton University, where he researches elections, comparative political behavior, and public opinion in the Middle East and North Africa. He holds master's degrees from Cambridge University and the Kennedy School of Government at Harvard University, as well as a bachelor's degree from the University of Pennsylvania.

center for the
MIDDLE EAST
Rice University's Baker Institute for Public Policy

ISSUE BRIEF 08.08.18

Kuwait's Post–Arab Spring Islamist Landscape: The End of Ideology?

Courtney Freer, Ph.D., London School of Economics

THE ARAB SPRING IN KUWAIT: PRIORITIZING POLITICAL REFORM

By the time the Arab Spring came to Kuwait, the country was already undergoing serious political debates about the prevalence of state corruption. Indeed, the need for accountable governance was a common theme of protests throughout the region. In Kuwait, such concerns came to overshadow the more social and ideological agendas that had previously been the focus of Islamists, such as gender segregation in schools and the proclamation of sharia as *the* rather than *a* primary source of legislation. The Muslim Brotherhood, as Kuwait's oldest and most organized Islamist organisation, having been established in 1951, tended to voice support for such policies both inside and out of parliament. This Sunni group created a dedicated political arm, the Islamic Constitutional Movement (ICM), in 1991 to manage the Brotherhood's electoral participation. In recent years, and particularly since the Arab Spring, the ICM has come to focus its agenda more urgently on agitating for political reform rather than the promotion of social policies often linked to Islamist blocs. While cross–ideological, pro–reform movements uniting members of the Muslim Brotherhood and secular political actors crumbled elsewhere in the Middle East, I argue that they have in fact persisted in Kuwait and even expanded to include increasingly politically pragmatic (or *Ikhwanized*) Salafi blocs. Shiite Islamist

groups meanwhile remain politically active and pragmatic, largely by maintaining a rather reliably loyalist position with government policies.

From 2010 to 2011, members of the cross–ideological opposition, including the Muslim Brotherhood, some Salafi groups, and secular political blocs, called for the questioning of Prime Minister Shaykh Nasser Mohammad al–Sabah on charges of inappropriate use of public finances for a second time, leading to the largest demonstrations in Kuwaiti history in September 2011. In this atmosphere, the opposition also increasingly began agitating for electing prime ministers and other cabinet members, all of whom are appointed by the emir, as a means of enhancing public oversight of governance and diminishing corruption.

In the midst of protests in late 2011, the cabinet resigned and parliament was dissolved, leading to elections in February 2012. In these polls, the public elected a decidedly pro–opposition parliament, with 34 out of 50 seats going to members of the broad–based opposition, and with Salafi and Brotherhood blocs each winning all four seats they contested. After only four months, however, the pro–opposition parliament was dissolved, with the Constitutional Court declaring the dissolution of the prior 2009 parliament unconstitutional and reinstating that decidedly loyalist legislature. This action, a rare foray of the judiciary into political life in Kuwait, galvanized members of the

While cross–ideological, pro–reform movements uniting members of the Muslim Brotherhood and secular political actors crumbled elsewhere in the Middle East, they have persisted in Kuwait and even expanded to include increasingly politically pragmatic Salafi blocs.

Sunni Islamist representation, comprised of both the Muslim Brotherhood and Salafi groups, was the most drastically affected by the change in electoral law.

The government's sentencing of 67 opposition activists to harsh prison sentences in December 2017 for having stormed parliament in 2011 only strengthened cross-ideological opposition unity.

opposition from varying ideological strands, including the Muslim Brotherhood, Salafis, and secular blocs, to form the National Front for the Protection of the Constitution in September 2012. Such cross-ideological coalitions originally emerged as early as the 1990s, helping the ICM earn more seats in parliament, but tended to fall apart largely due to disagreements between secular and Islamist blocs about the urgency of social reform legislation. In the 2000s, however, such coalitions have dissolved largely due to changes in legislative law introduced by the government that have spurred political blocs to reorganize their campaigns.

In October 2012, Emir Shaykh Sabah al-Ahmad al-Sabah, warning of threats to national unity, persuaded the cabinet to change electoral law ahead of the December 2012 polls. This move granted each voter one rather than four votes, a measure expected to strengthen the representation of traditionally loyalist tribal groups at the expense of ideological political blocs. This decision ultimately led to an opposition-wide boycott of the polls. As a result of the cross-opposition boycott, parliament was dominated by a blend of liberal and tribal blocs, with independent pro-government MPs holding 30 out of 50 seats. Within the opposition, the Muslim Brotherhood's political bloc was entirely absent from the legislature for the first time since its creation in 1991 because it refused to participate in the election. Sunni Islamist representation, comprised of both the Muslim Brotherhood and Salafi groups, was therefore the most drastically affected by the change in electoral law, as their number of seats decreased from 23 MPs to four. Several popular Salafi blocs joined the election boycott, leaving Salafis independent of these blocs to win seats. Elections in June 2013 yielded very similar results, as the opposition boycott continued.

While loyalist parliaments, which served from December 2012 to October 2016, sought to stave off the implementation of vastly unpopular austerity measures as low oil prices persisted, they passed several controversial laws, including a law barring those who had been jailed

for insulting the emir from contesting parliamentary elections,[1] as well as a law mandating DNA testing for all citizens (which has since been overturned).[2] Such policies, in addition to widespread suspicions of government corruption in Kuwait, galvanized the opposition blocs that had previously boycotted the elections to resume participating in electoral politics in 2016. At the time, it was thought that these opposition groups could block the most objectionable policies from within parliament at the very least, and at most, they could enact reforms to enhance public participation in government. The opposition's return to the polls in November 2016 predictably altered parliament's composition: 60 percent of seats changed hands, amid 70 percent voter turnout—quite an indictment of the previous assembly. Throughout the post-Arab Spring era, both Sunni and Shiite Islamists have been active participants in Kuwait's political system, though, broadly speaking, Sunni Islamists have become more involved with the cross-ideological opposition and Shias have been associated with a loyalist position.

THE POST-ARAB SPRING ISLAMIST LANDSCAPE

The Muslim Brotherhood

After the Arab Spring, and because of the change to electoral law that granted each Kuwaiti citizen one rather than four votes each in 2012, the Kuwaiti Muslim Brotherhood, through its political bloc the ICM, removed itself from institutionalized political life. In the words of one former MP from the ICM, the bloc hoped to demonstrate that "[t]he more we stay away, the more we show it's the government that cannot perform."[3] Ahead of the November 2016 polls, however, the ICM became one of the first opposition groups to determine that political participation would be worthwhile despite its reservations about the new electoral system.

Leaders of the ICM believed that the Brotherhood enjoyed enough popular support to garner seats in parliament.

Indeed, upon its return to parliamentary life in 2016, the ICM won three seats, though a fourth is informally under its control in the current legislature, meaning that a fourth MP reliably votes alongside the ICM in the legislature. Although members of the ICM do not always vote in line with each other in parliament, as a whole, they have become part of the opposition movement, though they previously enjoyed closer relations with the government, particularly before the Iraqi invasion of Kuwait. The government's sentencing of 67 opposition activists, including ICM MP Jamaan al-Harbash, to harsh prison sentences in December 2017 for having stormed parliament in 2011 only strengthened cross-ideological opposition unity. Although the accused were quickly released from custody, the final result from the Court of Cassation released in July 2018 upheld shorter sentences of three years for al-Harbash, as well as two other current MPs and the opposition figure Musallam al-Barrak.[4]

The issue of corruption, which drove protests during the Arab Spring, continues to unite the cross-ideological opposition and encourage the political pragmatism of Sunni Islamists. Indeed, the latest parliamentary questioning of the prime minister in May 2018, filed by one member of the secular opposition and one Salafi, largely focused on reasons behind Kuwait's decline in the Corruption Perceptions Index (CPI) published by Transparency International to rank perceived levels of corruption around the world, as well as the government's laxity in implementing legislation meant to target financial crimes like bribery and graft.[5]

The Muslim Brotherhood, as I have argued elsewhere,[6] has been on a trajectory towards increasing politicization since 1991, when it created the ICM. Because the Kuwaiti Muslim Brotherhood is divided into a distinct political branch (*hizb*) and social movement branch (*haraka*), it is well-positioned to balance pragmatic political concerns with spiritual and ideological ones. Thus, electoral issues are the purview of the political branch, while the social movement branch handles more informal social outreach. Salafi organizations, increasingly interested in supporting political reform, do not benefit from this structural division, and as Salafi groups in Kuwait have become increasingly politicized, they have splintered off from the country's traditionally quietist organizations, as explained below.

Salafis

Kuwait's Salafis first became politically organized in 1981 as the Society for the Revival of the Islamic Heritage (RIHS), inspired by the ideology of Egyptian Shaykh 'Abd al-Rahman 'Abd al-Khaliq, who approved of Salafi participation in politics despite objections from the quietist Salafi clerics.[7] The RIHS participated in the 1981 polls—marking the first time anywhere in the world that Salafis participated in parliamentary elections—and impressively won two seats in parliament.[8] Following the liberation of Kuwait in 1991, however, the RIHS became more politically aligned with the government, with many members having been granted government positions, especially in the Ministry of Awqaf (religious endowments) and Islamic Affairs.[9]

Kuwait's Salafi landscape became divided after the Iraqi invasion and occupation in 1990–1991: one branch became politically active because of its objections to the government's handling of the crisis, and the other remained politically inactive and loyal to the regime at all costs. The Islamic Salafi Association (ISA) formed in 1991 in response to the perceived co-optation of the RIHS by the government and has subsequently become the largest Salafi bloc in parliament. The ISA's agenda primarily emphasizes social morality and loyalty to the government. The Salafi Movement, created as an offshoot of the ISA in 1996, openly promotes the implementation of political reform. This movement has become one of the most outspoken Salafi blocs in voicing a desire to increase popular political participation. It has also become increasingly oppositional towards the government.[10] The Umma Party, established in 2005 as an offshoot of the Salafi Movement, is the only more

Throughout the post–Arab Spring era, both Sunni and Shiite Islamists have been active participants in Kuwait's political system, though Sunni Islamists have become more involved with the cross-ideological opposition and Shias have been associated with a loyalist position.

In the 2016 election, while the pro–government blocs had a poor showing, independent Salafis won four seats. This result signals a shift in the Salafi landscape towards the opposition and away from previously organized political blocs.

oppositional Salafi bloc. Furthermore, even though political parties are illegal in Kuwait, the Umma Party was established as a self-proclaimed political party. The Umma Party is most similar in priority and structure to the Muslim Brotherhood, as it mainly calls for enhanced participation in government.[11] Over time, Kuwait's activist Salafis have become more *Ikhwanized*, generally privileging political agendas over social reforms.

In the 2016 election, while the pro-government blocs had a poor showing, independent Salafis won four seats. This result signals a shift in the Salafi landscape towards the opposition and away from previously organized political blocs. The rise in independent Salafi candidates, and now MPs, further suggests frustration with bloc policies of boycotting and an inability to unite Salafis from different blocs. It may also signal a new strategy of running independently as a means to circumvent the 2012 electoral law, which many Kuwaitis believe was implemented to erode support bases of organized blocs by decreasing the number of votes per person from four to one. Logically, then, activist Salafis and the Muslim Brotherhood have sought greater cooperation through the Kuwaiti League of Preachers, which has granted *ulama*, a space for speaking about political reform, although it has not led to any formal unification of political agendas.[12]

Shiite Islamists

The National Islamic Alliance (NIA), founded in 1979, is Kuwait's primary Shiite Islamist political bloc, tracing its origins to Hezbollah of Kuwait. The organization follows the teaching of 'Ali Khamenei yet has been careful not to adhere too closely to pro-Iranian political stances. After the Kuwaiti government summoned 1,500 Shias for mourning the death of Hezbollah commander Imad Mughniyeh in 2008, the NIA has been particularly careful to maintain good relations with the Kuwaiti government. Meanwhile the Justice and Peace Assembly (JPA) primarily comprises followers of the Shirazi school[13] and has a reputation of being a reliably pro-government force in the National Assembly, though it tends

to win only one seat. Neither of these blocs participated in the opposition's parliamentary boycott, and the NIA actually benefitted the most from the decreased competition during the boycotted elections. Indeed, in the first post-boycott election, the NIA had more seats in parliament than any other single bloc, at five.[14]

While not experiencing Ikhwanization in terms of working with political blocs of different ideologies to effect political change, the Shiite movements are acting pragmatically to maintain freedom to form political blocs, as are Sunni Islamist groups, suggesting the limits to Islamist ideological influence within the parliamentary system. Since the scandal of the Imad Mughniyeh affair in 2008 and increasingly in the past decade, Kuwait's Shiite Islamist movements have come to be identified with regime positions, in this way maintaining their safety and position within political life.

LOOKING FORWARD

Broadly speaking, since the Arab Spring, we have not seen a targeted governmental campaign against Islamists or the Muslim Brotherhood in Kuwait, as has occurred elsewhere in the region. Rather, it seems that the government is more concerned about efforts that unite secular and Islamist political blocs since such campaigns were successful in restoring parliament in 1992 and adopting five electoral districts in 2006. As Bjorn Olav Utvik argues, while politically active Sunni Islamists often begin with a "moral watchdog approach" to gain followers, their supporters subsequently expect the organization to gain more influence over government policies, in turn pushing Sunni Islamists to enter politics.[15] Having gained a following by opposing the Muslim Brotherhood's politicization, increasingly vocal politically active Salafis have come to resemble the Brotherhood in order to maintain political relevance in post-Arab Spring Kuwait, where corruption has become a key issue. In fact, the anti-corruption agenda has even been increasingly resonant with Kuwait's traditionally loyalist tribal populations.

Sunni Islamist groups in Kuwait have learned the lessons of Islamist groups elsewhere about overreaching in terms of running too many candidates and of the need for working across ideological lines to advance political reform, rather than trying to achieve it alone. Meanwhile Shiite Islamist groups have also acted pragmatically to maintain their ability to act in political blocs. Both Sunni and Shiite blocs in Kuwait, then, have understood how the Arab Spring revealed the fragility of Islamist groups. In such an environment, the traditional Sunni Islamist focus on social policies and ideology will also likely continue to diminish, with increasing focus on sweeping political reform and less focus on serving as a so-called "sharia lobby."[16]

ENDNOTES

1. B. Izzak, "National Assembly Approves Amendment to Election Law – New Election Law Bars Those who Insult God, Prophets, Amir," *Kuwait Times*, June 22, 2016, http://news.kuwaittimes.net/website/national-assembly-approves-amendment-election-law/.

2. Hanan al-Saadoun, "Kuwait Set to Enforce DNA Testing Law on All – Officials Reassure Tests Won't be Used to Determine Genealogy," *Kuwait Times*, January 23, 2016, http://news.kuwaittimes.net/website/kuwait-to-enforce-dna-testing-law-on-citizens-expats-visitors-tests-wont-be-used-to-determine-genealogy-affect-freedoms/.

3. Interview with former ICM MP, Kuwait City, November 21, 2013.

4. Sara al-Shurafa, "Kuwait's Highest Court Sentences Lawmakers to Prison," *Gulf News*, July 8, 2018, https://gulfnews.com/news/gulf/kuwait/kuwait-s-highest-court-sentences-lawmakers-to-prison-1.2248078.

5. Habib Toumi, "Third Grilling Motion Filed in One Week against Kuwaiti Ministers," *Gulf News*, April 23, 2018, https://gulfnews.com/news/gulf/kuwait/third-grilling-motion-filed-in-one-week-against-kuwaiti-ministers-1.2210019.

6. Courtney Freer, "Exclusion-Moderation in the Gulf Context: Tracing the Development of Pragmatic Islamism in Kuwait," *Middle Eastern Studies* 54, no. 1 (2018): 1–21, https://doi.org/10.1080/00263206.2017.1357031.

7. Bjorn Olav Utvik, "The Ikhwanization of the Salafis: Piety in the Politics of Egypt and Kuwait," *Middle East Critique* 23, no. 1 (April 2014): 23.

8. Zoltan Pall, "Kuwaiti Salafism and its Growing Influence in the Levant," Carnegie Endowment for International Peace, last modified May 7, 2014, 12, https://carnegieendowment.org/2014/05/07/kuwaiti-salafism-and-its-growing-influence-in-levant-pub-55514.

9. Pall, "Kuwaiti Salafism," 6–7.

10. Pall, "Kuwaiti Salafism," 8.

11. Utvik, "Ikhwanization," 23.

12. Zoltan Pall, "Kuwaiti Salafism after the Arab Uprisings: The Reconfiguration of the Power Balance," *Middle East Insights* 125 (April 15, 2015): 4, https://mei.nus.edu.sg/publication/insight-124-kuwaiti-salafism-after-the-arab-uprisings-the-reconfiguration-of-the-power-balance/.

13. Toby Matthiesen, "Hizbullah al-Hiaz: A History of the Most Radical Saudi Shia Opposition Group," *Middle East Journal* 64, no. 2 (Spring 2010): 182. The Shirazi School follows the teachings of the Shiite author and political leader Ayatollah Sayed Mohammad al-Shirazi, rather than those of Ayatollah Khomeini, with whom he had a power struggle in post-1979 Iran. Al-Shirazi, unlike al-Khomeini, favoured the rule of a council of religious scholars, rather than a single cleric, within the Islamic state and so expected to be more involved in government following the Iranian revolution. "Iran arrests son of Shirazi cleric after calling Khamenei a pharaoh," *Al Arabiya*, February 6, 2018, http://english.alarabiya.net/en/News/middle-east/2018/02/06/Iran-arrests-son-of-Shirazi-cleric-after-calling-Khamenei-a-pharaoh.html. Supporters of the Shirazi school have in recent years been outspoken critics of the Iranian regime and its policies.

14. Sharmaake Sabrie and Pekka Hakala, *Policy Briefing: Kuwait's Political Crisis Deepens* (Belgium: European Union, 2013), 6.

15. Utvik, "Ikhwanization," 23.

16. Shadi Hamid, *Temptations of Power: Islamists and Illiberal Democracy in a New Middle East* (New York: Oxford University Press, 2014), 47.

This issue brief is part of a two-year research project on pluralism in the Middle East after the Arab uprisings. The project is generously supported by a grant from the Carnegie Corporation of New York.

AUTHOR

Courtney Freer, Ph.D., is a research fellow at the Kuwait Programme, LSE Middle East Centre, and a former research assistant at the Brookings Doha Center. She holds a doctorate from the University of Oxford, a master's degree in Middle Eastern studies from George Washington University, and a bachelor's degree from Princeton University. Her research interests focus on domestic politics in the Gulf states, with particular emphasis on Islamism and tribalism.

center for the
MIDDLE EAST
Rice University's Baker Institute for Public Policy

See more issue briefs at:
www.bakerinstitute.org/issue-briefs

Cover image credit:
flickr.com/kuwaitelections2012 (CC BY-NC-ND 2.0)

Cite as:
Freer, Courtney. 2018. *Kuwait's Post-Arab Spring Islamist Landscape: The End of Ideology?* Issue brief no. 08.08.18. Rice University's Baker Institute for Public Policy, Houston, Texas.

ISSUE BRIEF 08.09.18

Social Activism and Political Change in Kuwait Since 2006

Hamad H. Albloshi, Ph.D., Kuwait University

From 2006 to 2012, Kuwait had three major social movements calling for reforms: Nabiha Khamsa (We Want It Five) in 2006; Irhal (Leave) in 2009; and Karamat Watan (Dignity of the Nation) in 2012. This brief examines the causes underlying these movements. I argue that while each movement emerged as a result of certain sociopolitical pressures in Kuwait, there is a larger institutional setting that facilitates their emergence. Understanding the rise of these social movements is critical to understanding the nature of the Kuwaiti political system, how the pluralist dynamics of Kuwaiti politics operate, and how Kuwait's political system differs from its counterparts in the Gulf Cooperation Council (GCC).

This brief is divided into three sections. First, I offer a brief overview of the nature of the Kuwaiti political system to account for its role in the emergence of social movements. Then, I examine each of the three recent social movements with respect to how the Kuwaiti political system was conducive to their rise and their pluralistic characters. Lastly, I analyze the process that leads to successive social protest movements, especially in the case of Karamat Watan and the regime's response to it.

THE KUWAITI POLITICAL SYSTEM

The political system in Kuwait is a semi-democratic constitutional monarchy ("partly free," according to Freedom House's latest report).[1] The country has parliamentary elections, limited freedom of expression, and more permitted political activities in comparison to other countries in the GCC. However, the ruling regime has a tight grip on the political structure, preventing any major changes to the system and limiting the ability of the people to check the government. Therefore, this political and institutional context encourages Kuwaitis to form social movements in order to check the government and push for reforms.

Kuwaitis participate in parliamentary elections to choose their representatives in the National Assembly, yet they do not have the right to choose the prime minister, who is appointed by the emir according to Article 56 of the constitution. The emir similarly appoints cabinet ministers upon the recommendation of the prime minister. At least one of the appointed ministers must be an elected legislator, while others can be appointed from outside parliament. Once appointed by the emir, the prime minister and his cabinet ministers become part of the National Assembly and are referred to as "the government."

As a result, opposition factions are not included in the formation of the cabinet, which carries key implications for how the political system functions. Opposition political factions may manage to win seats in parliament, but these are weak positions compared to the government, which constitutes the largest bloc with 16 members including the prime minister. In addition, the government also has

> **The ruling regime has a tight grip on the political structure, preventing any major changes to the system and limiting the ability of the people to check the government. This political and institutional context encourages Kuwaitis to form social movements.**

When citizens see the National Assembly fail to solve a particular problem or fulfill its obligation to check the government and its performance, social movements emerge.

supporters among the elected legislators. Therefore, the cabinet is the most influential political body in parliament.[2]

The opposition, by contrast, suffers from structural weakness. It is highly factionalized, and its members hail from various social, economic, and political backgrounds. Despite having several tools at its disposal to provide checks on the government, such as questioning the ministers, impeaching them, or requesting a vote of no confidence, no minister has been held accountable and lost the confidence of parliament since 1963, showing the limitations of parliamentary oversight to counter corruption, for example.

Another feature of the Kuwaiti political system is its nonpartisan nature, which means that the relationship between the executive and legislative powers is not based on partisan affiliation, but rather on individualism. This feature allows legislators to switch alliances between the opposition and the government depending on electoral prospects. Therefore, whenever there are changes in alliances within parliament, when it is believed that a minister cannot survive a vote of no confidence, or when legislation cannot be blocked, the regime dissolves parliament and calls for new elections. Parliament has been dissolved eight times since 1976, which demonstrates the weakness of the opposition vis-à-vis the government. When elections are organized and a new cabinet is formed, the country goes through the same process of having a weak parliament and a government that resists the reformation of the system and avoids serious allegations of corruption made against its members.

This inability of parliament, and more specifically of the opposition, thus underlies the episodic political activism of Kuwaiti society. When citizens see the National Assembly fail to solve a particular problem or fulfill its obligation to check the government and its performance, social movements emerge.

SOCIAL MOVEMENTS IN KUWAIT SINCE 2006

1. Nabiha Khamsa

Nabiha Khamsa emerged in 2006 with a platform to reduce the number of electoral districts in the country. Kuwait had been divided into 10 districts in 1961. However, the authorities changed the electoral system and increased the number of districts to 25 in 1981. This change meant more districts with fewer constituents. Smaller district sizes provided the regime with a better chance of interfering in elections to influence results. For example, one particular way of interference is buying votes to increase the chances of winning an election in a district with a smaller constituency. The Nabiha Khamsa movement called for a reduction in the number of electoral districts, claiming that the change would help reduce corruption and limit the government's ability to interfere in elections. The government responded by delaying the reduction of electoral districts. In turn, some members of parliament attempted to impeach the prime minister, Nasir al-Muhammad. This attempt was the first in the history of Kuwaiti politics. However, al-Muhammad was not impeached because the regime dissolved the National Assembly on May 21, 2006 and called for new elections.

Nabiha Khamsa emerged in response to the failure to achieve progress on electoral law reform. The movement consisted primarily of Kuwaiti youth. Some movement activists were independent, whereas others belonged to political groups such as the Muslim Brotherhood–affiliated Islamic Constitutional Movement (ICM), the Shiite Islamic National Coalition (INC), and the liberal National Democratic Coalition (NDC). Other independent politicians and legislators supported Nabiha Khamsa as well.

When the National Assembly was dissolved and new elections were called in 2006, the youth activists in Nabiha Khamsa decided to support those candidates who were in favor of changing the electoral system. These young activists were successful in their efforts. Many candidates supported by the movement made it to the National Assembly, forcing the regime

to retreat from its previous position on electoral reform, ultimately revising the electoral law to reduce the number of districts to five, with 10 legislators per district. In the new electoral system, voters had the right to vote for four candidates in their districts.

2. Irhal

Irhal, the second social movement in recent years, emerged on the heels of corruption allegations against then Prime Minister Nasir al-Muhammad in 2009. He was accused of financial mismanagement in 2008, and a year later he was accused of bribing legislators. As a result, there were attempts to impeach him, but the National Assembly was not able to hold him accountable. Therefore, the Irhal movement rose in response to both the corruption and poor performance on the part of the prime minister and the government.

Prior to these events, a 2003 change in the institutional structure of the Kuwaiti political system facilitated this kind of social activism. Historically, the crown prince was always appointed as the prime minister in Kuwait. Although there was no legal impediment to the impeachment of a crown prince acting as prime minister, legislators were careful not to damage the reputation and image of the future emir. Hence, a prime minister was not cross-examined in parliament prior to 2003, when the positions of crown prince and prime minister were separated. When Sabah al-Ahmad, the current emir, came to power in 2006, Nawwaf al-Ahmad became the crown prince, and their nephew Nasir al-Muhammad was appointed as the prime minister.

Following this change, legislators were free to challenge the prime minister or impeach him.[3] Twelve requests were made to impeach Nasir al-Muhammad in the period between 2006 and 2011. Six of these attempts were made between 2006 and November 15, 2009, one day before the emergence of Irhal. Not only does this pattern show the tense nature of the relations between al-Muhammad and the opposition in parliament, but it also shows the inability of the opposition to

hold al-Muhammad accountable despite numerous attempts. Thus, the failure of parliament and the opposition paved the way for another social movement. Like Nabiha Khamsa, Irhal found parliamentary support but this time without the main Shiite political group (INC), which shifted its alliance in 2008 and began supporting the government.[4] Irhal increasingly gained traction in 2011 after the emergence of another scandal when al-Muhammad was accused of bribing legislators for the second time. As a reaction, Irhal mobilized tens of thousands of people in front of parliament on November 27, 2011. In response to protests, al-Muhammad resigned the next day. These events coincided with the Arab Spring and might have ended up strengthening the movement.

3. Karamat Watan

Following the Irhal movement, a period of political instability ensued with the resignation of Prime Minister al-Muhammad, dissolution of parliament, and holding of new elections. The atmosphere in the country was tense, and emotions associated with the Arab Spring were strong. The opposition managed to win 35 out of 50 elected seats in parliament, overtaking the parliamentary majority for the first time since 1963. However, parliament was dissolved by the Constitutional Court because of irregularities in the dissolution of the previous parliament. In anticipation of another opposition-dominated parliament, the emir decided to change the electoral law again. In October 2012, he issued a decree that reduced the number of votes each citizen cast from four to one.

The stated goal of this change to the electoral system was reducing social and sectarian tensions within society. However, this change weakened the ability of the opposition to form alliances across different political and ideological groups to support their candidates. Therefore, it reduced the chances of the opposition to gain more seats in the National Assembly. Karamat Watan first emerged as a blog on October 11, 2012 in response to rumors about the emir's

Despite the suppression of Karamat Watan, the regime did not limit the political space available to opposition groups, and it did not exclude any of them from the political scene in the country.

The unique institutional structure of the country necessitates social activism to spur political reform and to fight corruption.

intention to change the electoral system, just a few days before the emir's official decree on this issue. The blog announced that it would organize a rally in protest of the decree. A few days later, Karamat Watan launched its account on Twitter. While the movement's initial platform revolved around a return to the previous electoral system, it evolved into a demand for a full parliamentary system.

Importantly, Karamat Watan was overwhelmingly dominated by Kuwaitis with tribal backgrounds, who are known as the Bedouins. This portion of society had a positive relationship with the government for many decades. However, this changed in the 1990s, when some legislators with tribal backgrounds became leaders of the opposition in parliament. The relationship between the Bedouins and the authorities has also deteriorated in recent years with the emergence of government-supported politicians who attacked the Bedouins and questioned their loyalty. In response, the Bedouins supported Karamat Watan in great numbers. Urban (Hadaris) and Shiite Kuwaitis,[5] however, sided with the government.

Various political groups joined Karamat Watan, the most important of which were the Muslim Brotherhood–affiliated ICM, the Popular Bloc, and the Progressive Movement. Other independent politicians joined Karamat Watan as well. They were not able to force the emir to withdraw his decree, and the government called for new parliamentary elections in December 2012 that were boycotted by the above-mentioned political groups and other politicians in order to delegitimize any elections based on the emir's decree. The new parliament was dissolved again by the Constitutional Court in 2013, and a new election was organized in the same year, which was also boycotted by the same opposition political groups.

THE REGIME'S RESPONSE AND THE AFTERMATH OF KARAMAT WATAN

The government's response to these three social movements differed significantly. The authorities' reaction to Karamat Watan in 2012 was harsh in comparison to their response to Nabiha Khamsa and Irhal in previous years. First, the government suppressed Karamat Watan rallies harshly, frequently resorting to excessive force to disperse protestors. Second, many protestors were arrested as part of the crackdown on Karamat Watan. Lastly, the government withdrew citizenship from members of the opposition, such as Abdallah al-Barghash, Saad al-Ajmi, and Ahmed al-Jabir.

There are a number of reasons why the government's crackdown on Karamat Watan was more severe than other episodes of protests. First, Karamat Watan was a direct challenge to the authority of the emir because he issued the decree that changed the electoral system, while other movements were seen as political disputes with the government and prime minister. Second, the movement demanded the reformation of the political system into a parliamentary one, which threatened the power of the ruling family, and ultimately the emir, who has the right to choose the prime minister. Finally, Karamat Watan's deep reach into Kuwaiti society became a concern. Karamat Watan organized rallies in different parts of the country, while the other two movements' reach remained constrained to rallies in front of parliament. The government suppression proved to be detrimental to Karamat Watan, which failed to achieve a return to the previous electoral system or instigate reforms.[6]

As stated, political groups that were part of Karamat Watan boycotted the elections of 2012 and 2013. However, the 2016 election marked the end of electoral boycotts by the ICM and other groups. The eventual return of some political groups to parliament carries several implications. Any political reform effort requires the presence of opposition groups in parliament; without parliamentary representation, the opposition groups are unlikely to effect change in the country. Furthermore, Kuwait is unique among the GCC countries in how it deals with political groups within the country. Despite the suppression of Karamat Watan, the regime did not limit the political space available to opposition groups, and it did not exclude any of them from the political scene in the country. For example, despite its connection to the

Muslim Brotherhood and its role in Karamat Watan, the ICM is active in society and has representatives in the National Assembly.

The political institutional structure—in particular, the parliamentary opposition—in Kuwait has failed to meet reformist demands in society. The unique institutional structure of the country necessitates social activism to spur political reform and to fight corruption. However, as the case of Karamat Watan clearly shows, social activism is not sufficient on its own; it needs to be complemented with parliamentary opposition groups' initiatives to influence decision-making mechanisms. In addition, government response also shapes the success of social movements. The case of Karamat Watan demonstrates that the government's harsh response limits the ability of activists and politicians to push for change.

ENDNOTES

1. "Kuwait Profile," Freedom House, https://freedomhouse.org/report/freedom-world/2018/kuwait.

2. It is important to note that the constitution neither bans nor allows the creation of political parties. Different political groups emerged in the country before independence in 1961. These groups took different names and came from different social and political orientations. The regime has been realistic in dealing with them and allows them to operate and compete in elections as long as they do not endanger national security. These political groups have not been able to win a majority in the National Assembly, but they have formed different blocs in order to balance the government.

3. During the period between 2006 and 2018, there were 20 attempts to impeach the prime minister.

4. It is important to note that the Shia had been supportive of the authorities for decades. However, when Ayatollah Khomeini came to power in Iran in 1979, a section of the Kuwaiti Shia was in favor of him, and their positive relationship with the Kuwaiti government was damaged. This section of the Shia was in favor of the opposition in the 1980s, and

when Kuwait was liberated, they founded the INC, which continued to support the opposition. The group disassociated itself from the opposition after the assassination of Emad Mughniyyah, a Lebanese leader of Hezbollah. Because the group was influenced by the Iranian revolution and its ideological roots, the INC organized a mourning event to pay him respect. The reaction of the public was negative toward the event and its organizers because Mughniyyah had been accused of stealing a Kuwaiti airplane in 1988. The group was attacked from members of the opposition as well. Since then, the INC has aligned with the authorities in confronting the opposition. For more about the Shia and their position toward the opposition, see Hamad H. Albloshi, "Sectarianism and the Arab Spring: The Case of the Kuwaiti Shi'a," *Muslim World* 106, no. 1 (2016): 109–126.

5. Kuwaitis belong to different social groups. In terms of religion, most belong to one of two groups: Sunnis or Shia. They are also divided into two major ethnic groups: Arabs and non-Arabs. Most of the non-Arabs come from Iran. Sunnis and Shia can be Arabs or Persians. Among the Arabs, there are divisions between those who have an urban background, known as the Hadar, and those who have tribal backgrounds, known as Bedouins.

6. For more information about the movement, see Hamad H. Albloshi and Michael Herb, "Karamat Watan: An Unsuccessful Non-Violent Movement," *Middle East Journal*, forthcoming.

AUTHOR

Hamad H. Albloshi, Ph.D., is an assistant professor of Political Science at Kuwait University. He is an expert in Iranian history and politics, and he holds a doctorate in international relations from the Fletcher School of Law and Diplomacy at Tufts University.

center for the
MIDDLE EAST
Rice University's Baker Institute for Public Policy

See more issue briefs at:
www.bakerinstitute.org/issue-briefs

ISSUE BRIEF 08.10.18

Civil vs. Religious Dilemmas in Pluralistic Society: Examples of Gender Politics from Kuwait

Tahani Al Terkait, Ph.D., Durham University

INTRODUCTION

Since its independence in 1961, Kuwait has served as a unique example in the Gulf because it has a semi-parliamentary governing system, relatively free press, and vibrant civil society. This brief reflects on the question of pluralism and inclusion in Kuwait by examining two recent examples of gender politics: a Friday sermon aired and circulated to all mosques in Kuwait on March 23, 2018, and a billboard campaign with the slogan "My hijab [headscarf] makes my life beautiful" that was funded by the Ministry of Awqaf and Islamic Affairs.

I analyze the ramifications of both events and the government's and public's responses to them. In doing so, I also offer an overview of how far Kuwait has come in recent years with regard to integrating women in the socio-religious sphere. This entails an assessment of the impact of societal traditions and religion as they relate to women's issues in Kuwaiti society.

As a reflection of Kuwait's socio-religious diversity, the 1962 constitution embraced modernity and democracy while simultaneously adhering to Arab identity and Islamic teachings. Yet women's socio-religious rights lagged significantly behind until recent years. In 2005, Kuwaiti women succeeded in amending the electoral law, thereby winning the right to vote and run for office. Despite securing women's political rights via legislation, the issue remains a contested one. Conservatives still regard women's status in socio-religious spheres

as private and sensitive. For them, women's rights are subject to the law of God and family/tribal traditions. In this view, it is the family who determines the limitations of women's socio-religious spheres. Thus, many Kuwaiti women still find themselves constrained by their families or male guardians (e.g., husbands, fathers, or brothers). The roots of this controversy date back to the constitutional debates of 1962.

In debates surrounding the 1962 constitution, a clear division was apparent between conservatives and liberals that remains to this day. Conservatives believe that democracy and Western ideals undermine Islamic sharia, which they consider the one and only source of legislation. Conversely, liberal voices and reformists endorse the foundations of a constitutional state and embrace representative democracy in which the people are the source of all powers. Both conservative and liberal factions are represented in the government and civil society, and they continue to struggle for a Kuwait that follows their partisan ideals. The following two cases explore the dynamics of this conflict as they relate to gender politics and pluralism in recent years.

THE FRIDAY SERMON: *SUFOOR* CONTROVERSY

The Friday sermon, delivered on March 23, 2018, focused on the presumed risks and detrimental impact of atheism on youth and

The 1962 constitution embraced modernity and democracy while simultaneously adhering to Arab identity and Islamic teachings. Yet women's socio-religious rights lagged significantly behind until recent years.

Those who considered Kuwait a constitutional and civil state were infuriated by what they viewed as another government-sponsored attempt to violate the rights and freedom of women, while advocates of preserving Kuwait's Islamic identity were delighted.

society. Friday sermons in Kuwait are unified and authorized by the Ministry of Awqaf and Islamic Affairs. Each week, all mosques across the country deliver the same sermon. The sermon on March 23 described women's freedom and spiritual/self-development courses as forms of "atheistic intellectual terrorism"[1] and asserted that such courses were subverting Kuwaiti society in violation of Islamic teachings.

The tone of the sermon was severely critical. It warned prayer-goers of the destructive consequences of women's freedom, claiming that it would "deprive [them] of [their] Islamic traditions," along with values such as chastity, virtue, timidity, and a conservative dress code (i.e., wearing the veil). The sermon argued that the demands of *sufoor* (uncovered women) for the freedom to choose their clothing amounted to blasphemy and indecency.[2]

The sermon sparked an immediate controversy in Kuwait, precisely along the conservative versus liberal lines set out above. The situation went viral, igniting a

tinderbox of opinion. Three days later, Karima Mohammad Karam, an ordinary Kuwaiti woman, took the initiative and protested outside the Ministry of Awqaf and Islamic Affairs, with a protest sign that stated:

Because I am a sufoor *woman and do not wear the veil, I denounce what came in the Friday sermon dated 23.03.2018, published on the website of the Ministry of Awqaf. The sermon linked indecency, immorality and the lack of female chastity and timidity to* sufoor *women; and stated that women who do not wear the veil are practicing the infidel's traditions. I consider this statement an insult to all women who decide not to wear the hijab. Therefore, I call on the Ministry of Awqaf to apologize.*[3]

Karam's sign concisely summarized the two conflicting viewpoints in Kuwait. Her stance represented liberal voices supporting Kuwait as a constitutional civil state, while the Friday sermon represented the conservative position, which considers women's freedom a violation of Islamic sharia.

The Women's Cultural and Social Society (WCSS)—established in 1963 and one of Kuwait's first civil society organizations to specialize in women's issues—responded similarly. It urged all NGOs and civil society representatives to sign a petition at a public event on April 16, 2018. At the rally, the WCSS was joined by lawmakers, academics, and activists, all of whom marked their objections to the sermon and its implications for women's rights. Protestors argued that Kuwait is a constitutional, democratic, and civil state, and that attacks on women's rights do not align with how the country defines itself.

The WCSS event urged the Ministry of Awqaf and Islamic Affairs to apologize to all women, adopt a much more moderate tone, and file charges against the officials responsible for drafting the sermon. The organization claimed that the sermon ran contrary to Article 30 of the Kuwaiti constitution, which guarantees personal liberty for all.[4] Moreover, to increase public awareness of women's rights, the WCSS launched two campaigns in Arabic across all social media outlets. The first

IMAGE 1 — KARIMA KARAM PROTESTING OUTSIDE THE MINISTRY OF AWQAF AND ISLAMIC AFFAIRS

SOURCE "A Kuwaiti Woman protests against the Friday Sermon and Amadi Responds: We Did Not Accuse the Sufoor Women," *Al-Anba*, March 27, 2018, https://bit.ly/2LWjJ3Q.

campaign asserted that *sufoor* is not an act of indecency and that women have the freedom to choose what they wear in public, including the veil. The second denounced any form of male guardianship over women,[5] reminding its audience that Kuwait is a civil state.

During this controversy, the government remained mostly silent. The only reaction came from officials at the Ministry of Awqaf and Islamic Affairs, who flatly (and inaccurately) rejected the idea that the sermon had been against *sufoor* women. Fahad Amadi, the undersecretary at the ministry, stated, "It is totally untrue that the Friday sermon would accuse unveiled women of indecency." Amadi insisted that the sermon only concerned the dangers of atheism and was not about whether women should wear the hijab. He did, however, acknowledge the ministry's desire for women to abide by sharia law, perform prayers, give alms (*zakat*), fast, undertake the *hajj* (pilgrimage), and adhere to the Islamic dress code.[6]

The fallout from the Friday sermon amply demonstrated the divisions in Kuwaiti society. Many conservative voices applauded both the sermon itself and the response of the ministry. These conservatives regarded it as the government's responsibility to discipline all those who do not abide by Islamic teachings, including unveiled women. Their opponents, meanwhile, utilized platforms in the printed press, social media, and civil society to condemn both the sermon as well as the government for approving it.

The implications of this controversy run deeper than women's freedom and the veil; they deal with the fundamental question of Kuwait's identity, its socio–religious sphere, and who the key actors are on this issue (i.e., individuals, family, or the government). In this particular case, the Ministry of Awqaf and Islamic Affairs acted as if it was the guardian of Kuwaiti society, appearing to overstep its constitutional bounds in so doing. The Kuwaiti constitution embraces the Universal Declaration of Human Rights, and Kuwait ratified the Convention on the Elimination of All Forms of Discrimination against Women in September 1994. The

IMAGE 2 — SIGNING THE PETITION AT THE WOMEN'S CULTURAL AND SOCIAL SOCIETY

SOURCE Women's Cultural and Social Society (@wcss_q8), "Qabas 16 April 2018," Instagram photo, April 16, 2018, https://www.instagram.com/p/BhpCub_Hi1Z/?utm_source=ig_web_copy_link.

recent actions of the government, through the Ministry of Awqaf and Islamic Affairs, completely contradicted these precedents.

MY HIJAB MAKES MY LIFE BEAUTIFUL

Another recent incident involving gender politics in Kuwait included a hijab campaign that was adopted and approved by the Ministry of Awqaf and Islamic Affairs, the same department that authorized the Friday sermon. Some consider these two cases as part of an organized campaign by conservative voices at the ministry; others believe it to be a mere coincidence.

In early April 2018, the ministry sponsored a highly visible billboard campaign encouraging women to wear the hijab. Featuring a painting of a covered woman and the phrase "My hijab makes my

life beautiful," the billboard was originally launched in the al-Jahra governorate, with a plan to expand the campaign to the remainder of Kuwait soon afterwards. The campaign sparked further controversy between conservatives and liberals. Those who considered Kuwait a constitutional and civil state were infuriated by what they viewed as another government-sponsored

IMAGE 3 — BILLBOARD WITH THE SLOGAN "MY HIJAB MAKES MY LIFE BEAUTIFUL"

attempt to violate the rights and freedom of women, while advocates of preserving Kuwait's Islamic identity at a time of growing calls for liberalism and secularism were delighted.

Safa al-Hashem, the only female representative in the Kuwaiti National Assembly, was among the campaign's sharpest critics. She described it as "strange and unacceptable in a civil country where the constitution guarantees personal freedom. […] The country requires a campaign to strengthen national unity and dismiss all sorts of discrimination."[7] Al-Hashem raised parliamentary questions to the Minister of Awqaf and Islamic Affairs, who sought further detail about the campaign's organizers, its sources of funding, and whether the ministry had conducted a feasibility study to determine the beneficiaries.

Yet another MP, Faisal Al-Kandari, was hugely supportive of the campaign. He reminded opponents that Kuwait is an Islamic state that expects people to respect Islamic traditions and culture, including wearing the hijab. Al-Kandari argued that the campaign embraced Islamic principles, particularly for the younger generation.[8]

Another social activist, Aroub al-Rifai, also spoke up in support: "As an Islamic country, Kuwait has a Ministry in charge of Awqaf and Islamic Affairs. It carries out its work and activities using public funds to promote Islamic values and practices, such as: (1) Prayers, by looking after the mosques; (2) Pilgrimage, by supervising *hajj* travel agents; (3) Advocating fasting, *zakat* and wearing the hijab through awareness campaigns; (4) Encouraging the recital and study of the Quran." Al-Rifai finished her statement by posing a question to opponents: "Why are they agitated when the Ministry proceeds with its real work and responsibilities?"[9]

Overall, the hijab campaign received more public attention than the Friday sermon, and it once more divided Kuwaiti public opinion. Supporters were accused of backwardness; opponents, who believed in the freedom of choice for women to wear what they wish, were described as secularists and atheists. Moreover, the campaign again

politicized the status of women in a country whose laws do not discriminate between women wearing the veil or otherwise. The ministry appeared to overreach its legal and constitutional bounds and in doing so, underscored the continued confusion in Kuwait, a supposedly pluralistic society that combines Western and Islamic laws.

REFLECTIONS AND IMPLICATIONS

The Friday sermon and the hijab campaign were not isolated incidents. They offer key insights into the present state of Kuwaiti political pluralism. In 2005, female suffrage was granted after more than four decades of struggle by women, with conservative voices in the Kuwaiti parliament rejecting it as late as August and November 1999.[10] Similarly, the 1996 gender segregation law (implemented at Kuwait University since May 2004) sparked nationwide controversy.

The problem, at its core, is not the difference of viewpoints between liberals and conservatives over public policy, which is absolutely normal in any pluralistic society. Instead, the problem is far more complex and deep rooted. The conflict between the state's religion and civil governing system emanates from Kuwait's 1962 constitution, and it continues to reverberate across the small emirate's politics and society. Article 2 of the constitution states, "The religion of the State is Islam, and Islamic Sharia shall be a main source of legislation." Yet Article 6 notes, "The system of Government in Kuwait shall be democratic, under which sovereignty resides in the people, the source of all powers. Sovereignty shall be exercised in the manner specified in this constitution."[11]

According to the records of the Constituent Council,[12] which had responsibility for drafting and ratifying Kuwait's first constitution, debates over the newly independent state's religion were the most intensive among the fully 32 sessions of the Council and 23 sessions of the Constitution Committee. From the start, conservative members stated their profound reservations, focusing their concerns on whether sharia would be stipulated as *a* or *the* main source of legislation. The former

IMAGE 4 — ALRIFAI'S TWEET SUPPORTING THE HIJAB CAMPAIGN

SOURCE "My hijab makes my life beautiful: A billboard raises controversy in Kuwait," *BBC Arabic*, April 13, 2018, http://www.bbc.com/arabic/trending-43753837.

would grant legislators the flexibility of adopting other civil laws; the latter would restrict them to sharia only. Although the former was ultimately agreed upon and inserted into the fledgling constitution, conservative efforts to amend the sharia clause have continued ever since.

Both the Friday sermon and hijab campaign are merely the latest examples highlighting the profound contradictions between the civil and religious characteristics of the Kuwaiti political system. How can civil law successfully coexist alongside sharia in a supposed democracy? Are conservatives—who insist that Kuwait is a religious state, with sharia mandated by the constitution—in the right? Or are the liberals—who defend civic principles, reject any form of guardianship over women's rights, and point towards the articles in the constitution that state Kuwait is a democracy that guarantees personal freedom—right?

These questions, centered on the tensions between modernity and tradition, democracy and sharia, and politics and religion, continue to reverberate across Kuwaiti society. The two recent examples described in this brief confirm that neither the citizenry nor the government can fully determine the answers.

The ministry appeared to overreach its legal and constitutional bounds and in doing so, underscored the continued confusion in Kuwait, a supposedly pluralistic society that combines Western and Islamic laws.

See more issue briefs at:
www.bakerinstitute.org/issue-briefs

Cover image credit:
**flickr.com/kuwaitelections2012
(CC BY-NC-ND 2.0)**

Cite as:
Al Terkait, Tahani. 2018. *Civil vs. Religious Dilemmas in Pluralistic Society: Examples of Gender Politics from Kuwait.* Issue brief no. 08.10.18. Rice University's Baker Institute for Public Policy, Houston, Texas.

More specifically, the answer to the key question of how Kuwait has evolved in recent years in terms of integrating women in socio-religious spheres is deeply dispiriting. That there are still so many ongoing challenges more than half a century after the constitution was ratified highlights Kuwait's continued lack of seriousness in taking real steps to fully integrate women into its socio-religious spheres. Both the Friday sermon and the hijab campaign amply demonstrate that far too many still treat women, both with and without the veil, as objects, not as partners, for much needed reform and change.

ENDNOTES

1. To access the full March 23 sermon, see "Friday Sermon," Ministry of Awqaf and Islamic Affairs, March 23, 2018, http://masajed.gov.kw/Content/DepartmentContent.aspx?ContentID=6213.

2. "Friday Sermon."

3. "Karima Karam Protests against the Sermon of Sufoor Woman," *Al-Qabas News*, March 26, 2018, https://alqabas.com/516884/.

4. Women's Cultural and Social Society, press release, March 29, 2018, http://wcss-kw.org/?p=1240.

5. The concept of 'guardianship' in Islamic law involves legal responsibility and care over minors and women. However, the campaign launched by the WCSS used the term metaphorically to highlight that Kuwaiti society refuses all forms of control and guardianship, which conservatives seek to enforce through direct and indirect channels.

6. For more on the statements of Ministry of Awqaf and Islamic Affairs officials, see "A Kuwaiti Woman protests against the Friday Sermon and Amadi Responds: We Did Not Accuse the Sufoor Women," *Al-Anba*, March 27, 2018, http://www.alanba.com.kw/ar/kuwait-news/821620/27-03-2018.

7. "MP Al-Hashem Remarks on Hijab Triggers Controversy," *Kuwait Times*, April 12, 2018, http://news.kuwaittimes.net/website/mp-al-hashem-remarks-on-hijab-triggers-controversy.

8. For Safa al-Hashem's tweet and others, see "Hijab and Personal Freedom...A Parliamentary Dispute in Kuwait," *Al-Hurra*, April 11, 2018, https://www.alhurra.com/a/kuwait-hijab-contoversy/431416.html.

9. Aroub al-Rifai set out her views on *Twitter*: Aroub al-Rifai (@AroubAlRifai), Twitter, April 12, 2018, https://twitter.com/AroubAlRifai/status/984350754772267008.

10. For more on women's suffrage in Kuwait, see Tahani AlTerkait, "The Constitutional and Conceptual Underpinnings of Kuwait's System of Government" (PhD diss., University of Durham, 2017), 180-182, http://etheses.dur.ac.uk/12552/.

11. The Constitution of the State of Kuwait, November 11,1962, http://d.kna.kw/sms/pdf/En_Dostoor.pdf.

12. Records of the Constituent Council, 2014, http://d.kna.kw/sms/pdf/mahadher1st.pdf.

AUTHOR

Tahani Al Terkait, Ph.D., is a researcher in politics and international relations with a focus on democracy, democratization, gender politics, human rights, feminism, and constitutional reforms in the Middle East and North Africa region, particularly in Kuwait. She holds a doctorate in politics from Durham University and a master's degree in international studies and diplomacy from the School of Oriental and African Studies at the University of London.

center for the
MIDDLE EAST
Rice University's Baker Institute for Public Policy