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## **The Arab Spring Comes To Kuwait: Will Democracy Arrive And Liberty Thrive?**

By Doug Bandow – 12/10/12

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KUWAIT CITY, KUWAIT—Kuwait is a shrimp among whales, to borrow an image usually applied to Korea. Little more than a postage stamp in the Persian Gulf, Kuwait was long overseen, or “protected,” by Great Britain, before becoming independent in 1961. It offers a liberal model for other Gulf states, but faces increasing internal political strife and an uncertain future.

Kuwait has a population of some 3.6 million, two-thirds of whom are not citizens. Abundant oil revenue has provided the Kuwaiti people with a good life. However, the small country is stuck in a bad neighborhood. Scars remain from the short-lived Iraqi invasion two decades ago. Earlier this year Alanoud al-Sharekh of the International Institute for Strategic Studies told me: “We are well aware of the dangers of antagonizing our more populous and militarily powerful neighbors.”

For this reason Kuwait is among the most pro-American of nations. “Kuwaitis always remember the sacrifices of the American people in liberating Kuwait,” Undersecretary of Information Salman Sabah al-Salem al-Homoud al-Sabah told me last week. However, this history has less meaning for younger Kuwaitis, who make up a majority of the population.

Although an Islamic monarchy, Kuwait has the Gulf’s oldest elected parliament, most free media, and greatest religious liberty. The Emir appoints the government but is constrained by a constitution. Still, criticism of the royal family is restricted: former MP and opposition leader Musallam al-Barrak was arrested in October for insulting the royals. Nevertheless, most Kuwaitis seem proud of their system. Undersecretary al-Homoud al-Sabah lauded Kuwait’s “long practice of democracy.”

However, politics has become unusually ugly. The National Assembly elected in 2009 gained a reputation for being dominated by the government and, worse, corrupt. Public opposition spread across the political spectrum. Earlier this year the liberal Shafeeq Ghabra, a political scientist at Kuwait University who once ran his country's information office in Washington, told me that "This is becoming the Kuwaiti Watergate." About the same time I talked with an Islamist former MP, Dr. Naser al-Sane, who opined that "corruption was the hot issue of the campaign."

New elections were held in February, which yielded a strong opposition and Islamist majority. Musallam al-Barrak, through that contest the longest-serving MP, told me last week that this was the first time "the voting reflected the people." All perfectly democratic, but the results were not so kind to liberty. An Islamist parliamentary bloc formed which pressed to make Sharia the source of all law, penalize blasphemy with the death penalty, and block any new Christian churches. The Emir said no to all three measures.

That blocking power is now at issue. While visiting Kuwait last week I increasingly heard people insist on creation of a government dependent on parliament, as in most Western nations. Some Kuwaitis even questioned the monarchy, whose ruling family goes back centuries in this region.

The February parliament didn't last long. In June the Constitutional Court reinstated the previous parliament on technical grounds—that it had not been properly dissolved. Opposition leaders with whom I spoke believed the ruling was a government ploy. Said al-Barrak: the government "didn't like that 35 MPs were observing their every move. The government and the state really wanted to get rid of this parliament for reason of changing the constitution." Government officials responded that they had nothing to do with the ruling, since the judges were independent; indeed, in September the jurists rejected the Emir's proposal to change election districts. Whatever the case, the old MPs were no more popular than before and in October the Emir properly dissolved the body. Ghabra criticized the "frozen" political process.

Kuwait has five districts of varying populations which each elect ten legislators. Kuwaitis traditionally chose four candidates, leading to complaints that the largest tribes traded votes and shut out smaller communities. Undersecretary al-Homoud al-Sabah argued that "the four-vote system was getting us into an unstable

situation.” Prevented from changing the districts, the Emir decreed that citizens would have only one vote in the election scheduled for December 1. He said he acted “to preserve national unity,” but his decision was criticized for being both unfair and unconstitutional. Public protests ensued, followed by an electoral boycott.

The actual vote went smoothly. An international delegation concluded that the election process was “very good in general,” with confidentiality in voting and transparency in operation. The members were less complimentary about some aspects of the system, such as wide disparity in size of voting districts.

The government claimed success. Undersecretary al-Homoud al-Sabah told me that he was “very optimistic. Kuwait will go forward.” People would work together and the “new parliament will confront the main issues of concern to all Kuwaitis with the cooperation of the government.”

Turnout was down from 59.5 percent in February, but still seemed respectable at 40.3 percent, given the boycott. While touring polling places I met supporters of candidates from smaller tribes as well as the Shia minority who believed they finally had an opportunity to win. In fact, most of the parliamentarians elected were new. Undersecretary al-Homoud al-Sabah argued that “many young people had a chance to enter the parliament.” One MP who chose to run for reelection told me the boycott was “political terrorism.”

But the legitimacy of the process was sharply contested. The opposition doesn’t believe the 40 percent turnout number. Former MP Saad Bin-Tefla figured the government was “cheating on the voting,” that turnout was 33 percent maximum. Worse, he argued that the few votes necessary to elect someone with only one vote cast made it easy to buy votes. Al-Barrak made the same point: “In one area of 120,000 voters a person with 500 votes can win.” At bin-Tefla’s dewaniya (a ritualized social gathering which acts as both a meet and greet as well as a discussion club) there was extended talk of the election and the potential for conflict. “The Emir wants to take Kuwait down a dark hole,” argued bin-Tefla.

An estimated 46 of the 50 winners were believed to be government supporters. Several openly proclaimed that they planned to support the authorities. Although opposition activists predicted that the new parliament would not last long, they

worried that it still might commit substantial mischief on the government's behalf. For instance, Bin-Tefla feared that legislators would close down corruption investigations.

Undersecretary al-Homoud al-Sabah preferred not to speak of an "opposition," calling everyone "loyal Kuwaitis," but government critics freely used the term. The boycott joined tribes, youth, Islamists, liberals, and the opposition. Said Ghabra: "Almost all of the political forces boycotted. Many of the merchants and well-known people in the commercial sector boycotted. All of the tribes that historically were pro-government boycotted. It was the weakest election in the history of Kuwait."

Bin-Tefla told me that "This is unprecedented. Kuwait has always been ruled by consensus." If there is a consensus today, it appears to be against the government. Unfortunately, neither side shows any sign of backing down. He warned that "This is going to escalate. I know it is not going to stop."

The most dramatic symbol of public anger is the flurry of demonstrations, with orange the color of choice. On the Friday before the election tens of thousands of Kuwaitis protested against the poll. A couple days after the vote thousands more Kuwaitis gathered in 15 different locations to protest. Demonstrations continued on the following nights as young activists used Twitter to call for even bigger demonstrations elsewhere in an attempt to outdo earlier protestors. Another large march was held on Saturday.

The post-election demonstrations, for which no permits were requested, were met by force, including tear gas and multiple arrests. The Emir conferred with members of the royal family—which suffers from divisions within—and government, while protestors called for dissolution of the new parliament and reversal of the one-vote rule. However, the Emir invited the new parliament to open on Sunday, December 16. No resolution appears to be in sight.

Shafeeq Ghabra told me that Kuwait was at a "political crossroads, whether Kuwait would move toward more democratization or withdraw from democratization." He argued that "the people of Kuwait want to see a "deepening of democratization to deal with the ills" afflicting their nation.

The government realizes that it faces a substantial challenge. “People expect better performance,” said Undersecretary al-Homoud al-Sabah: “the big challenge is to persuade the people that the new government will execute.” He pointed especially to needs in education and infrastructure, and admitted that “many government departments need to be upgraded and developed.” He also criticized the electoral system, advocating revision of the districts.

However, most of the people I talked to wanted more than to just an improved status quo. Al-Muslim made further demands: an elected prime minister, fully independent courts, and financial disclosure for government officials and MPs. Support for full separation of powers and a popularly-elected government were echoed by others. Ghabra explained that “society has evolved over time” while there has been “no change” in a “government driven by the dominance of the executive branch.” Hence the need for substantial reform.

Nevertheless, Musallam al-Barrak emphasized the protestors’ commitment to the Emir. He told me the situation in Kuwait was different than elsewhere in the Arab Spring: “we want to have an elected government. That does not mean we are against the ruling system.” He added: “We just want to make corrections to the laws and constitution that brings Kuwait forward.” Similarly, another opposition activist and former MP, Faisal al-Muslim, said that “we want a national movement. But we still respect the law and the constitution. We are not like the Arab Spring that wants to change the ruling system.”

However, the changes desired sound like they would transform the ruling system. Al-Muslim said that “we want to change the laws and constitution to have more freedom and to have the government respect political decisions.” Kuwait is not supposed to be “ruled by one person.” Al-Barrak wrote that “The current struggle is therefore a struggle for power. Is power—as stated in the constitution—for the public, or is it—contrary to the constitution—for the Emir?” The basic issue, argued Ghabra, is a “popularly elected government.”

The driving force behind the protests, or “the heart” of the campaign, as al-Barrak told me, is the youth movement. An incredible 70 percent of the population is under 29. The young people I talked with were skeptical of the government. They varied in their view of the system, the appropriateness of the boycott, and the wisdom of protests. But most appeared to oppose the one-vote decree and

desire a more representative government. Some of them even indicated being less than enamored with royal rule. One told me: "I am not sure that monarchy is the best system for Kuwait. The royal family now believes the country, property, and people belong to them."

This human wave is shifting the debate. Ghabra argued that "the youth movement is maturing, is changing. It is making the opposition more serious" and unwilling to "play the old game of compromise."

Everyone now is peering through the glass darkly. Undersecretary al-Homoud al-Sabah advocated that "after this election we should put our hands together and look to the future. As we get more experience in our democratic system we have to work together." That seems unlikely, however. The opposition is adamant.

Al-Muslim saw one solution as a Constitutional Court ruling against the one-vote decree. This would be the simplest answer. The undersecretary told me that "the Emir declared he respects any decision of the Constitutional Court."

The second possibility, said al-Muslim, "is to go down on the streets and protest. This is being led by the youth." Indeed, al-Barrak argued that the demonstrations are essential: "The government will never listen unless more protestors go down to the streets and make sure this protesting will go on and on." He insisted that "all protesting has to be in peace. That makes the government mad." If the demonstrations are sustained, bin-Tefla told me they could "exhaust the regime." However, this course creates the greatest risk of violence and conflict.

The third choice, according to al-Muslim, is "the political way" led by MPs who refused to seek reelection, backed by political groups and the youth movement. This could cause the political leadership to "go back on the decree they made." He predicted a government reversal, since it has "happened in other countries that the will of the people always wins. Especially the Kuwaiti people. In many different decades Kuwaitis have protested against the leadership and have always won."

The longer the controversy persists the more likely it is to undermine the monarchy. Ghabra said "the hierarchical system is breaking down." Asked bin-Tefla: "Why is the Emir using his power to put people in jail? It makes people hate him more. Time after time, everyone will hate him." Moreover, bin-Tefla

warned, “the more violence the government uses, the more extreme will be youth demands.”

In fact, fear of violence is growing. Al-Barrak said “in protesting we will make peace, there will be no breaking of anything, no clashes between the military and the people.” In return, the authorities said permits would be granted for protests so long as the law is followed. However, al-Barrak argued that “we don’t really need permits to go down to the street. We only need to give them notice that we are going down.” Moreover, with “anger is driving youth out to the street,” in al-Muslim’s words, younger demonstrators seem unconcerned about such legal technicalities. And the government is responding with force. There have been injuries, including to al-Barrak’s nephew, but so far, thankfully, no one has been killed. Yet.

One 30-something sympathetic to the opposition nevertheless complained that “there is no control by parents, by the opposition, by the government, by anyone.” Al-Muslim similarly acknowledged that there is “no leadership, control” and predicted that “there will be clashes with the people.” Mohammed al-Khalifah, a former air force brigadier general and MP, complained that “the government and police are taking bad actions against the protestors.” Worried bin-Tefla: “if someone is killed, I don’t know how violent it could get.” Al-Muslim said it is “very dangerous. It could go from peace to violence quickly.” Al-Khalifah even warned that “bad guys” within the police might make an “incident between the police and the people,” which could “cause an explosion in Kuwait.”

Another concern, at least to an outside observer, is the wisdom of liberals forging a political alliance focused on process over substance. One student organizer, Khaled al-Fadhala, told the Financial Times: “The youth want change. Whoever will bring that change, the youth want. I don’t care if they’re Islamists, Muslim Brotherhood, Shia ... as long as they win in a democratic election.” However, what if the result delivers less liberty? Such as a parliament determined to kill blasphemers and close churches.

There is still reason for optimism in Kuwait. The personal, family, and social ties which tightly bind many Kuwaitis have not disappeared. I attended a dewaniya hosted by a member of the royal family with an opposition leader in attendance. A government official accompanying me opined that “here one of the top

opposition leaders is at the dewaniya of a member of the ruling family. In Iraq he would be in the basement being tortured.” This fact, said my friend, “gives me hope.” Moreover, everyone is aware that they live in a dangerous neighborhood. Observed Undersecretary al-Homoud al-Sabah, “we are a small country surrounded by big countries. We need to show unity.”

Kuwait is no longer a boring oasis of stability in the Persian Gulf. “Only God knows where things are heading,” said bin-Tefla. As the current political crisis—a word increasingly used—plays out, Kuwaitis may find themselves with something closer to a popularly elected government. Unfortunately, however, experience shows that this may not make them freer. It seems that Kuwait is fulfilling the famous Chinese curse: the small Gulf nation is living in “interesting” times.