Report

Kuwait's 2012 National Assembly Elections and the Future of Kuwaiti Democracy

Mohammed Badri Eid*

29 February 2012

Recent parliamentary elections that took place on 2 February came in the wake of popular mobilisation that ousted the former government and saw the dissolving of parliament. The elections have raised a number of questions and created numerous problems regarding the democratic process in Kuwait - both as it currently stands and around its future. The successive political crises between government and parliament and the absence of any real progress are a cause of deep concern for Kuwaiti citizens - regardless of their political persuasion.

Introduction

For the fourth time in less than six years, on 2 February 2012, more than 400 000 Kuwaiti voters elected their 14th National Assembly in the hope of rescuing the country from the cycle of political crises that has plagued it for years.

The recent parliamentary elections came in the wake of popular mobilisation that ousted the former government and saw the dissolving of parliament. The elections have raised a number of questions and created numerous problems regarding the democratic process in Kuwait. The successive political crises between government and parliament and the absence of any real progress are a cause of deep concern for Kuwaiti citizens - regardless of their political persuasion.

The results of the 14th National Assembly elections suggest that the newly elected Assembly and government (that was to be announced before 15 February) are patently aware of the major challenges they face and the expectation that their citizens have placed in them. Such challenges necessitate a re-consideration of the established relationship between the two bodies and how this needs to be engaged with and amended.

From this perspective, this report highlights the results of the elections of the new National Assembly. It attempts to extrapolate the political implications, and seeks to provide answers to a number of issues and questions, such as: to what extent can cooperation and integration be achieved in how the new government and National Assembly perform? And what would the relationship between the two spaces of authority be like post-election? What are the implications for the concept of Kuwaiti democracy? How long is this Assembly likely to stand for? What are the most pressing challenges facing the new government? And, what is the future for Kuwaiti democracy?

'Troubled' Democracy and a 'Volatile' Electoral Climate

Despite being the pioneer of democracy in the Gulf region, Kuwaiti democracy suffers from recurrent crises. This is reflected in the dissolution of the National Assembly four times in less than six years (2006, 2008, 2009 and 2011). This has taken place in the context of a conflict between the executive and the legislature - which is also one of the causes of the crisis with Kuwaiti democracy.

Compared to the political systems in the vast majority of Arab countries, how political reality plays out in Kuwait serves to confirm the existence of a genuine democratic politic. However, it also suggests the existence of a compounded crisis that has been accumulating and has worsened in recent years.

There have been endless political crises over the years; seven governments have been formed, and parliament was dissolved four times. This compared to parliament only being dissolved twice between 1963 and 1986 (in 1976 and 1986 with the first elections for the National Assembly taking place in 1963).

The crisis in Kuwaiti democracy reached its peak in 2011. By the end of the year it reached critical point when rivalry between opposition MPs in the Assembly and the Government escalated. There was polarisation and political squabbling, during which the country experienced an unprecedented volatile political atmosphere. There were confrontations with the government of former Prime Minister Sheikh Nasser Al-

Mohammad Al-Ahmad Al-Sabah that saw some political forces take to the streets demanding, for the first time, the dismissal of the prime minister. These developments followed confrontations and fights among political forces in parliament. This took place against a backdrop of what has become known in the media as the 'deposits and transfer of millions' scandal, and amidst a rare display of ill-discipline that was reflected in political discourse. The dispute turned from talk to action, and then manipulation of the masses.

Some analysts have described the democratic and political landscape in Kuwait as 'Kuwaiti democracy without democrats.'

Political tension reached a peak when parliament was stormed. This was something unique to the Kuwaiti political landscape, and culminated in the sacking of the government and dissolution of the Assembly.

Thus, elections for the 14th National Assembly were held in a very different political climate to previous elections. Since the start of the election campaign, the political arena saw a heated battle between the various political strands (including independents). This impacted on the overall environment under which elections were conducted, where significant polarisation was seen in the various constituencies.

In spite of this tumultuous electoral climate, the election was characterised by the highest levels of transparency and integrity. Transparent glass boxes were used to cast ballots and the counting of votes was open to all and broadcast live.

Furthermore, election monitoring was also done in a different way. In an unprecedented move, the Kuwaiti authorities agreed to employ independent electoral observers to monitor the election process. Three hundred electoral monitors observed the election to ensure no irregularities.

The Map of the New National Assembly and its Political Implications

The results of parliamentary elections indicate a change in the composition of the National Assembly's fourteenth legislative term, with an average of fifty-two percent change. This rate varied between the five different constituencies. The first, third and fifth constituencies saw the highest rate of change, reaching sixty percent each, with four out of ten MPs re-elected from each constituency from the outgoing legislature. The second and the fourth constituencies witnessed a forty percent change with each constituency re-electing six out of ten MPs from the previous legislature.

The most significant change from the parliamentary election is that the majority of the new National Assembly are from the opposition.

With the slogan of 'reform' and 'fighting corruption' used in its election campaign, the opposition has taken full control of Parliamentary powers, with their number of MPs having risen to thirty-four. Thirty-three seats are needed to prevail over the vote of the fifteen non-elected ministers, who, under the Constitution, can exercise the right to vote in the National Assembly.

The results of these elections point to a number of significant factors about both the future of the democratic process in Kuwait and the relationship between the National Assembly and government. These include:

- The domination of the pro-change trend over calls for political continuity; this trend is especially evident among young voters who represent a large segment of Kuwaiti society, and who supported the political opposition in the National Assembly.

- The second significant trend to emerge from this election is the resurgence of a strong current of Sunni Islam. This is represented by the dominance of the Islamic Constitutional Movement and independent Salafis, comprising around twenty-three MPs in the 2012 parliament, compared to only nine MPs in the former assembly. With this result, the Islamists regain their weight and strong presence in the current assembly.

In this context, the current parliament has seen the return of members of the Islamic Constitutional Movement, the 'Development and Reform' group, and members of the Popular Action Bloc led by veteran lawmaker Ahmed Sadoun, a former speaker of the Assembly. The Popular Action Bloc's Muslim Al Barak won a landslide victory with a record number of 30118 votes.

The gains made by parties with Islamic orientations are mainly due to their strong stance toward the government, as well as their religious positioning.

- The third significant trend is poor performance of many pro-government MPs in the five constituencies.

- The fourth significant trend is the lack of female representation in the Assembly of 2012. This follows the historic achievement by women in 2009, with the election of four women MPs, all of whom have now lost their seats. Their performance was mediocre and below the level of expectations of Kuwaiti women who are looking to bolster their position in society.

- The fifth is the decline in the representation of the National Action Bloc whose representation dropped from five members to only one, with most of its veteran candidates losing their seats. This is mainly due to the balance that characterised the positions and policies of this bloc towards the internal squabble that has pervaded Kuwait over the past months. The new Assembly, however, includes a number of MPs who are close to or affiliated with the liberal trend in Kuwait, namely: Mohamed Saqr, Shaya Shaya, and Ali Al-Rashid.

- The sixth significant trend is the decline in the number of Shi'a MPs, with seven MPs, as opposed to a former nine, gaining seats in the Assembly. The most prominent Shi'a lawmaker who has lost his seat is Dr. Hassan Jowhar. Jowhar has lost his seat for the first time after retaining his parliamentary seat for the past six successive Assemblies (1996, 1999, 2003,-2006,-2008 and 2009).

- The seventh is the decline in the number of MPs to contest by-elections, compared to their presence in the 2009 Parliament. This indicates a dominant affiliation to the state at the expense of other 'lesser' affiliations. It also indicates an increase in awareness and understanding among the various segments of society – especially of the younger generation – of the incompatibility of these issues with the rights of citizenship and the pillars of the state of the law.

- The eighth is the success and the emergence of young candidates who, for the first time, occupy senior positions. This indicates a qualitative change in the age of the members of the National Assembly in the favour of a new generation of young politicians.

- The ninth is the exit of a number of veterans, who hold a rich political legacy, but have declined in popularity. It appears that young voters are opting for 'fresh blood' and innovative ideas to impel change.

The Expected Government and the New National Assembly

Analysts have suggested that the 14th Assembly will be a 'transitional Assembly', and expect it to be short-lived (between six months to two years). As such the impressive victory achieved by the opposition and its ability to counter-balance the vote in the

National Assembly may not end the political crisis. The fierce and heated battle for the presidency of the Assembly may be the cause of its transience.

Others argue that this assembly contains deep contradictions, and is a minefield that can explode at any moment. Some of the new MPs have described it as an 'extremist Assembly' and likened it to 'a sea of darkness'.

Others also expect an increase in parliamentary confrontations, and ongoing political crises between the executive and the legislature. With the thirty-four (out of fifty) opposition MPs holding seats and accounting for sixty-six percent of representation, they feel the opposition will try to exercise the role of 'peer' against the government.

In spite of this it seems that there is a general mood of optimism about the opposition obtaining more than half of the seats, as it gives it 'a role in the leadership of government' where the government knows it will be interrogated and held to account. The government will be unable to ignore the strong will for reform. Therefore, the decisive factor depends on the new government's ability to cooperate with and 'attract' Islamic orientated groups.

It is certain that the relationship between the anticipated government and the new assembly will be the 'code word' for determining the future of the democratic process in the country.

That said, over the past five years, four parliamentary assemblies were dissolved due to a worsening crisis between the government and executive power. This has resulted in immense frustration and apathy amongst a broad sector of the electorate, as can be read in the rate of participation in recent elections: no more than sixty-two percent, as compared to more than eighty-five percent voter turnout in previous elections.

The aggravation of the conflict between parliament and the government has damaged the parliamentary procedure and hampered legislative activity. Not only was time and effort wasted but a number of customs and traditions were done away with as a result of quarrels and power-plays.

The picture that emerged was often confusing, and it was not known whether such trends were motivated by personal challenges or 'partisan' agendas - or simply by a genuine drive for reform. The members of the last four assemblies that were dissolved were not given the chance to display their ability on legislation and development plans that the government had prepared - and which were supposed to be in the interest of the people and the country.

Thus, elements of the political crisis have become complicated. Government performance and policy is also responsible for compounding the issue, either due to ambiguity in the vision of some decisions, or as a result of the lack of consultation and transparency. This regards internal economic and political options, and trends in regional policy, particularly in light of the escalation of tension between the Gulf states and Iran.

Some analysts are of the view that composition of the new government, which the Prime Minister will announce before the 15 February 2012, will determine, at least in part, how successful it will be in resolving the political crisis that has beset the country in recent years. There have been suggestions that an understanding between the acting Prime Minister and the House of Representatives has been reached – which is a positive sign.

Coming out of a cycle of successive political crises requires redoubled efforts from both the assembly and the government. A promotion of cooperation between these two authorities is the basis of the democratic system.

What is needed is a strong government that comes up with initiatives, owns its decisions and is self-confident. It must have a clear programme of political action, and enjoy parliamentary approval within the spirit of the constitution.

The new MPs will be required to rationalise the use of constitutional tools of control, and give the new government the opportunity to present its vision and programmes with enough time to implement them. In other words, the sword of constitutional control should not be brandished before the government has been given the chance to implement its programmes and there has been an evaluation of the government's performance. This requires the existence of two cooperative, complementary authorities to enact a legislation that serves Kuwait and facilitates its implementation in order to serve the citizens.

Elections and the Future of Kuwaiti Democracy

Perhaps the questions to raise now are: will the crises be re-produced and repeated intermittently without the two authorities, the executive government and the legislative National Assembly, being able to reach a shared position to save Kuwait? Will the disputes and stalemates that have scarred the political landscape of Kuwait erode at Kuwait's fifty year-old parliamentary experience?

It is now imperative to find a successful formula that can save the Kuwaiti democratic experience from this cycle of crises; an experience that began in the early 1960s amidst momentum, optimism and excellence.

After half a century of parliamentary experience in Kuwait, it is crucial that Kuwait produces a system and mechanism that is able to reach a political formula that has a clear majority in the executive. This needs to be affected in a manner that allows for organised political dynamism and does not disrupt or hinder progress, but saves Kuwait from recurrent polarisation, squabbles, tensions, dissolutions of parliaments and resignations of the government. This state of political turbulence breeds frustration and does not allow for positive reform, but rather gives space for a questioning of the feasibility of the Kuwaiti experience.

A synergetic relationship will allow the assembly to complete its constitutional tenure, and will fortify the government with a parliamentary majority preventing previous experiences.

Conclusion

Kuwaitis hold hope that the recent parliamentary elections are the beginning of a return of stability in political life and a start of a development process that breaks from political bickering and crises of the past.

The questions which must now be posed are: will there be a national assembly that interacts positively with the issues of Kuwaiti society, or will it once again become an assembly circumscribed by 'political conflict' that damages the political climate and society more than it benefits it? Or, will the parliament become, as desired by Kuwaiti citizens and as was the vision of the founding fathers of the country, a 'crown jewel' that takes forward Kuwait's democracy?

---

*Mohammed Badri Eid is researcher specialising in the affairs of the Gulf states.

Al Jazeera Centre for Studies