

## The Right to Vote<sup>(★)</sup>

Kuwait, the only Gulf Arab country with an elected National Assembly, still denies women their right to vote and be elected. The Kuwaiti constitution was promulgated in 1962, and legislative elections started in 1963. Over the past years, the question of political rights for women has been a controversial and central issue, an issue that has social, political and religious dimensions.

Article I of the election law states that voting rights are restricted to literate male Kuwaiti nationals over the age of twenty-one. A poll of these men showed that 58 per cent opposed electoral rights for women, 27 per cent were in favor. The issue still remains an important challenge to Kuwaiti women who remain determined to win their political rights. Several Kuwaiti women's organizations have been challenged by these limitations and tried to register as voters in February's elections, 1985. Article 29 of the constitution states that «all people are equal in human dignity and in public rights and duties before the law without distinction as to race, origin, language or religion».

Based on this article, a group of deputies who won the elections presented a bill to grant women their electoral rights. The ministry of Islamic affairs issued a fatwa (ruling) as to the validity of the bill stating «the nature of the electoral process befits men, who are endowed with ability and expertise: it is not permissible that women recommend or nominate other women or men».

The fatwa was opposed by many people and caused sharp debate. Critics of the fatwa have argued that this statement is not based on the Holy Quran, women in Islam were able to give their opinion in public affairs and had their rights since the early days of Islam. Instead, the fatwa is based on the Maliki school of jurisprudence in the 8th century. Advocates of women's right to vote, refer to article 6 of the constitution which

states that the system of government «shall be democratic, under which sovereignty resides in the people, the source of all powers». People in the article represents all men and women of the country.

Serious attempts have been made to grant women their electoral rights. The first attempt was in 1971, when Deputy *Salem al-Marzook* proposed that the vote be granted to literate women who have finished their primary education. The assembly did not approve this proposal. Another attempt was made by the society for the Advancement of the Family during the same year, calling for changes in the personal status laws regarding polygamy.

The National Assembly was suspended in 1976, and no elections were held until Sheikh Sabah al-Salem al-Sabah revived the assembly in 1981. A bill was presented after the 1981 elections by deputy member, *Ahmad al-Tukheim*, proposing to amend article I to give women the right to vote. The bill did not gain enough support and was blocked by the fundamentalist religious groups who oppose the enfranchisement of women based on their argument that these practices are un-Islamic and do not conform with the Kuwaiti traditions. In 1985, the Reform Society, one of the religious Islamic groups, called for giving women the right to vote. The editor of their magazine, *al-Mujtamaa* was quoted saying «Islam says a women should cover her hair and her arms, not her mind».<sup>(1)</sup>

The government of Kuwait has always advocated women's education and employment. The perspectives of all government plans are aimed at people's welfare and improving women's status. In 1980, and when asked about the political rights of women, Prime Minister Sheikh Saad al-Abdullah al-Salem al-Sabah said, «In my opinion, the time has come to take note of the position of Kuwaiti woman and her effective role in society, and put forward the matter of the vote for study and discussion».<sup>(2)</sup>

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(★) This article is based on the following sources:

- *Assayad*, 18 September 1985, pp. 68-70.
- *The Daily Star*, 18 February 1986.
- *The Middle East*, October 1985, pp. 7-9.

(1) *The Middle East*, October 1985, p. 8.

(2) *Ibid.*, p. 9.