

Kuwaiti Women in the Line of Fire

By Lynn Maalouf

On May 16th, 1999, Sheikh Jaber Al-Ahmed Al-Subah, the Emir of Kuwait, issued a decree granting women the right to vote and run for public office, "in appreciation of the effective and important role played by Kuwaiti women." With Kuwait having the only elected parliament in the Gulf, this move heralded a substantial step in the process of "democratization". Nevertheless, the Kuwaiti experience with democratization took a different turn, on November 30th, 1999, when the Kuwaiti parliament rejected this decree, depriving women thereby from their full constitutional rights, the right to become first-class citizens in their own country. Talal al-Arab, a writer in the leading Kuwaiti newspaper *Al-Qabas*, commented on these decisions by asserting that "the freedom of half of Kuwait's population has been buried in the name of democracy." (Howard, Jon, "Democracy in Kuwait Not for Women," *PMA Newsletter*, December 2, 1999)

Although this issue has been hotly debated since Kuwait's independence in 1961 and its nascent parliamentary life soon thereafter, the Emir's move took the people by surprise. The Parliament's rejection came even more as a surprise, as it was an outright act of defiance to the Emir. These events have to be read in the light of the women's struggle to gain suffrage rights, the relationship between the Emir and Parliament and the power play between the different parties involved in the decision.

Kuwaiti women and their struggle for political rights

The Constitution of Kuwait states that "all people are equal in human dignity and in their rights and duties, irrespective of their being male or female or differing in nationality or language."

Although this provision is clear in its substance, it has been applied in a narrowly selective way, depriving thereby several groups of their rights. These include second-class or naturalized citizens, those known as *biduns*, people of nomadic origin who are classified as stateless because they cannot prove settlement requirements, women, and members of the military and the police. These groups have been granted their political rights by the Constitution, but have not been able to exercise them because of an electoral law barring them from their voting rights. As such, only men 21 years and above, and who can trace their Kuwaiti roots sev-

eral generations back can vote. This has left only 113,000 of Kuwait's 793,000 citizens eligible.

Women started claiming their rights since the beginning of parliamentary life, in 1963. They formed different movements and organizations, held numerous demonstrations, and attempted in vain, nearly at each parliamentary election, to include their names in the voting lists. According to Margot Badran, "from the very start of parliamentary life in Kuwait, women protested the withholding of their constitutionally granted suffrage rights. Women's associations began in the 1960s, simultaneously with the birth of their suffrage campaign." (Badran, Margot, "Gender, Islam, and the State - Kuwaiti Women in Struggle, Pre-Invasion to Postliberation", Yvonne Yazbeck Haddad and John L. Esposito ed., in *Islam, Gender and Social Change*, Oxford University Press, 1998, p. 190)

At the social and economic level, Kuwaiti women have successfully reached a privileged status. With a high level of education, (open to all Kuwaiti citizens), these women today represent 31 percent of the workforce, some holding respectable positions such as rector of Kuwait University, head of the Kuwait News Agency and Ambassador to Zimbabwe, while others run businesses and newspapers, and work in the oil industry. According to Badran, however, women's movements have been fraught with weaknesses preventing them from having an efficient lobbying impact: "The history of women's associations from the 1960s through the 1980s reveals the difficulties of women to form a broad united front. Kuwaiti scholar Hayat Al-Mugni has pointed out that women replicated societal divisions along class and kin lines. When women began to breach these barriers in the attempt to organize around a women's rights agenda, they met a counterthrust. The state, National Assembly, and Islamic groups, themselves composed of class and kin factions, each in their own way, operated to undo the nascent broadening gender base of feminists. Meanwhile, women themselves allowed their old antagonisms and rivalries to be rekindled." (Ibid, p.193).

In her paper, Badran describes the women's resistance activities during the Iraqi invasion of 1990, drawing a comparison between their remarkable organizational skills at



that time, whereby they were able to pull together and form a united base, and the postliberation period. According to her, these skills withered once the occupation drew to a close, as they did not manage to maintain their unity and use it to lobby for their political rights. As Badran puts it, "While women were rhetorically adept in exploiting their resistance experience to strengthen their call for political rights, they were unable to redirect the practical and organizational skills they had honed in resistance. It was not long before class, kin, ethnic, and sectarian divisions resurfaced, dissipating the cohesion they had achieved under occupation. What women could do for their nation under siege, they could not do for their gender in normal times." (Ibid, p.200.) Their resistance, however, gave them more legitimacy to call for their rights, as they had proven to be committed citizens, and had risked and given their lives for their country. As such, "if women's calls for the vote and the right to be elected could be ignored before the invasion and occupation of 1990-1991, in the postliberation era they could not be so cavalierly dismissed. Women (and second-class citizens and biduns) defended their country on all levels during the invasion and occupation. This defense, and the loyalty and practice of citizenship it displayed, has made women's demands for their full political rights more compelling, as well as claims of second-class citizens and biduns – and the withholding of them more egregious." (Ibid, p.193.)

Women's gaining access to their political rights would have been a momentous and revolutionary step: already, with Kuwait having the only elected parliament among the Gulf States, it would also have been the only one where women could vote and run for office. It is to note here that Qatar

allows women to vote, but only in municipal councils, which has only advisory powers, and in Oman, two women sit on the Consultative Council, but this body is elected indirectly.

Government and Parliament Discord

On November 23rd, 1999, the National Assembly (Majlis Al-Umma) rejected the Emiri decree, with a majority of 41 MPs against 21 who voted in favor of it. One week later, Parliament proposed a new law to give women the franchise, but this also failed, albeit narrowly, with 32 MPs against, 31 MPs in favor, and 2 abstentions. The vote needed 33 voices to pass.

The unicameral Parliament consists of 50 members, directly elected in 25 multi-member constituencies by majority vote. Its prerogatives, however, are limited: the Emir can cancel any decision taken in the Assembly, and dissolve Parliament, as he did on May 4th, 1999, just a few days before he passed his contested decree. This decision to dissolve Parliament is attributed by most analysts to a frustrating 2-year deadlock between the Assembly and the Government (which is mainly constituted by members of the Al-Subah family): "they (many Kuwaitis) say it reflects not only the Emir's frustration at the legislative standoff, but a decision to sideline, at least for now, the Crown Prince and Prime Minister, Sheikh Saad al-Abdullah, who is the Emir's brother and who has a reputation for indecisiveness." [Douglas Jehl, "Rest of Kuwait (the Women) May Soon Get Right to Vote"] *The New York Times*, June 18, 1999). According to the Constitution, this dissolution conferred upon the Government the role of custodian, until the

Obligations of Women

- Be virtuous, faithful, humble, kind and serviable
- Avoid being idle, be the first to rise and the last to go to sleep
- Avoid gossiping and do not step out of doors too frequently
- Merit the trust of your husband and guard it
- Concentrate all your efforts on procuring happiness for all those who are dear to you
- Have blind faith in your husband
- Be his support and his strength
- See through his eyes only - and confide all your thoughts in him
- Be indulgent when he is in the wrong
- Banish all sentiments of jealousy and resentment
- Produce lots of children (especially males)
- If it is a girl, bring her up in fear, submission and respect for males...
- Raise her to be the perfect housewife
- A good wife must be gratefully of her household
- She must not lend an ear to wicked tongues pushing her to revolt
- She must not leave the house without her husband's permission
- If he takes another wife, she must accept her rival and avoid making reproaches and quarrels

(To be continued...)

RIGHTS OF WOMEN

- Eating
- Drinking
- Sleeping
- The End.



Source: Daiffa, Women's Algeria (drawings)

following parliamentary elections, which were due in October. This role gives the Government the power to issue decrees that have full force of law. Once it is formed, however, the National Assembly can review and reject any of those decrees.

A review of the press following the Emir's decree shows how very few observers expected a parliamentary rejection. In fact, some did not even raise the issue. Shafeeq Ghabra, Director of the Kuwait Information Office in Washington D.C., however, was one of the very few to seriously question the parliament's reaction. In a Special Report, he wrote: "Although the elections resulted in a Parliament much more liberal than the previous one, it is no sure thing that the reforms will pass. There are still serious constitutional implications to consider. There is a group of liberal MPs who, despite their long support to women's rights, object to the manner the decrees were issued. This bloc fears that Parliament's acceding to these decrees, although they do not deal with "urgent" matters (as specified in the Constitution), will set a dangerous precedent that will undermine parliamentary authority in the future". (Kuwait Information Office, *Newsletter Supplement*, Vol. 7/99, Washington D.C.). In fact, Article 71 of the Constitution states that emiri decrees could be issued "should necessity arise for urgent measures to be taken while the National Assembly is not in session or is dissolved". But women's political rights were not perceived as "urgent" matters, nor were the other 60 or so government decrees, which related to drastic political and economic reforms.

So according to Ghabra, the majority of MPs who would have voted for the law in regular times, and who had long

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supported the women's cause, in fact rejected the decree mainly in protest against the procedural fashion in which these decrees were issued. Later on, however, during an open panel discussion, Ghabra stated that "although the relationship between Parliament and Government has often been seen as a hopeless stalemate, resulting in a

constitutional crisis that already brought on three parliamentary dissolutions in Kuwait's short history, this fresh new Parliament has a fair chance of constructively tackling these issues at hand and continuing on the path of democratization and liberalization". (Center for Contemporary Arab Studies, Georgetown University, "Open panel discussion on Kuwait's recent parliamentary elections," September 9, 1999). In line with

Ghabra's previous analysis, Howard Schneider from the Washington Post wrote: "It was assumed that once its Emir ruled last spring that women should have full political rights, Parliament would accept the decision as a logical step along the path of openness and participation. In a rebuff to the country's monarch and a reminder of how sensitive the issue of women's rights remains on the Arabian Peninsula, the Kuwaiti National Assembly last week narrowly rejected legislation that would have allowed women to vote and run for office." ("Kuwait at Odds Over Women's Rights," *The Washington Post*, December 2, 1999).

According to *The Estimate*, "The parliamentary maneuvering preceding the vote was not merely an exercise in procedure. In a sense, it was part of a continuing effort by Parliament to assert its rights vis-à-vis the Amir, although women's voting happened to be the casualty in this case." The article continues: "Given Kuwait's complex history of Parliamentary life, and the several dissolutions of Parliament by the Amirs, constitutional questions are not merely parliamentary procedure but a crucial part of the country's evolving democratic experience", ("Kuwait MPs No to Women," *The Estimate*, December 3, 1999, Volume XI, Number 25). It seems then that the Parliament's rejection of the emiri decree was mainly motivated by an attempt to safeguard democratic procedures, representing a stance against the government's intervention in parliamentary life, regardless of the decrees' substance, and what MPs traditionally stood for. Sadly enough, women's political rights, which would have been positively revolutionary, were scapegoats of the clash between Parliament and Government.

The Second Vote: Parliament's Own Bill Fails

The November 30th results of this second bill, which had an identical content as the emiri decree, bore a more truthful representation of parliamentary politics, and of the different groups existent there. The narrow outcome, compared to the outright rejection of the emiri decree, illustrates the real debate on this issue in Kuwait, with the latter standing on a tight rope.

The main groups that voted against the bill were the Sunni Muslim and tribal MPs, while those who were in favor were the Shi'ite Muslims and liberal MPs, along with the government ministers, who are ex-officio MPs. The divergence between Shi' and Sunni Muslims may be attributed to the interpretation of the Quran: "Sunni Muslims, prevalent in Saudi Arabia and Kuwait, cite a Kuranic injunction against women holding leadership positions. In Iran, home of the Shiite branch, which has an influential minority in Kuwait, women can vote and hold office." (Douglas Jehl, op.cit.). Among the Shi'is, the prominent clergyman Husayn Al-Qallaf surprised many by voting against the bill, although he had strongly supported it during the debate that preceded the vote. In an interview with Reuters, he explained that "his abstention was due to lack of measures in the draft law to



Source: Daiffa, Women's Algeria (drawings)

A National Debate That Continues

According to the emiri decree, and to the parliamentary bill put forward thereafter, women would have been able to vote in 2003. The narrow margin, with which the parliamentary bill failed, however, leaves the issue open, with real expectations of a future reversal of outcome. These latest developments may nurture anger among women, and generate a unifying motivation, which would draw them together in a more efficient way, and perhaps allow them to lobby more successfully for the few decisive votes.

satisfy religious concerns before allowing women to take part in politics" (Ashraf, Fouad, "All-Male Kuwait Assembly Spurns Women Rights", *Middle East Times*, Issue 99-49).

Going beyond religious interpretations though, these stances may also be attributed to personal power games. For example, the *Arab Times* accused MPs of voting "with religious groups to secure electoral favor and personal gain" (Howard, Jon, *Ibid.*) Discussing the political atmosphere during the 1992 parliamentary elections, which also seems relevant today, Badran describes the hesitant and non-committal attitude of the liberals, compared to the firm stance of the Islamists: "Most Islamists meanwhile supported women's rights to vote, but stood firmly against women's right to be elected to Parliament. Less surprisingly, the Islamists, clearer and more consistent about their conservative approach to culture and society, did not admit women in their diwanias. In the male politics regarding political rights for women, the secular progressives appear reluctant to see a translation of their progressive rhetoric into reality because of the fear that Islamists might gain more power if women had the right to vote." (Badran, *op.cit.*, p.201).

Most Islamists were actually not hostile to the idea of women voting, but rejected totally the idea of being ruled by women. Moreover, as Shafiq Ghabra writes, some women have also been against the idea of female suffrage: "Some conservative women have opposed it as inconsistent with their traditional beliefs; but other liberal women have opposed it because they feared that the majority of conservative women would elect officials who might do away with the other rights women already had" (Ghabra, *op.cit.*).

While MPs cannot reintroduce the law during its current term, they could do so later on, after some lobbying. As for the government, it can propose a draft law again, but that is doubtful given its first failed attempt.

Once again, women's rights were drowned in men's politics. In 1999, their cause was the victim of the process of democratization, and its defensive attitude against the Emir and his government. The real issue, however, was able to transpire in the parliamentary vote, and the results have proved how close women are to acceding to their rights. On the other hand, this cause may be caught in a

deadlock of Kuwaiti traditional politics and the socio-cultural environment: "The politics of women's political rights is preventing women from gaining access to their constitutional rights. There are different layers to these politics. There are class and kinship interests at work which imply that these interests are best served through the preservation of the presently gendered political culture. There are patriarchal concerns operating that temper masculinist enthusiasm for political rights for women, especially the right to be elected." (Badran, *op.cit.* p.203)

Women started claiming their rights since the beginning of parliamentary life, in 1963.

References

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