

Web Commentary

Middle East Program

May 2008

Kuwait's 2008 Parliamentary Elections: A Setback for Democratic Islamism?

By Nathan J. Brown

Summary

Kuwait's May 2008 elections dealt a setback to the local affiliate of the Muslim Brotherhood, the Islamic Constitutional Movement (HADAS) rewarding more rigid salafi Islamists and tribal candidates. The outcome was puzzling because a major electoral reform—heavily backed by HADAS—was supposed to reward well-organized ideological parties of which HADAS is Kuwait's leading example. HADAS's setback can be explained in part by tactical miscalculations as well as a strategy by party leaders to lessen its oppositional and confrontational approach. HADAS can probably recover in the next elections, but its long term project of realizing its goals through political reform has been dealt a serious blow. The new parliament is likely to be less cohesive but more confrontational than the outgoing one. The result will be a deepening political deadlock between the government and the parliament in the Gulf's most democratic political order.

While Egyptian Muslim Brotherhood leaders are dragged before military courts, Hamas parliamentary deputies languish in Israeli prisons, and Jordan's Islamists veer toward confrontation with the government, Kuwait's Islamic Constitutional Movement (known as HADAS, its Arabic acronym)—descended from the Kuwaiti branch of the Muslim Brotherhood—has been integrated as a normal political party. It sends ministers to the government, negotiates with other parliamentary blocs, and runs the most sophisticated election campaigns that Kuwait has witnessed. Indeed, HADAS's strong party machinery is unusual not only in Arab terms but also stands in contrast to its rivals in the Kuwaiti political spectrum, all of which are still composed of a collection of prominent personalities with at best a rudimentary organization to back them.

The 2008 parliamentary elections—Kuwait's second in two years—were supposed to vindicate the HADAS approach. The party had helped push through a new electoral law designed to reward parties and ideological campaigns. But the exact opposite occurred—HADAS lost half of its seats.

International press coverage focused almost exclusively on two aspects of the election results: the failure of women to gain a seat and the triumph of the Islamists. These accounts were accurate, but missed more important—but far more subtle—long-term developments. With regard to women, it is true that even the strongest female candidate narrowly missed election. But the extension of the franchise to women has forced all candidates—even the most conservative—to find ways to campaign among women and to craft positions and address issues important to female voters. And with regard to Islamists, those who triumphed hailed not from HADAS but from the far more conservative (even rigid) salafi movements, tribal districts, and Kuwait's Shi'i population.

HADAS lost an election by rules it helped design. That electoral setback may very well be temporary. Far more than the loss of seats, however, HADAS is threatened by the rise of more pugnacious but also very fractious political forces in Kuwait. The 2008 elections will probably only deepen a political deadlock rooted in Kuwait's attempt to combine democratic and monarchical elements—and that deadlock threatens the HADAS political strategy, based as it is on long-term political reform.

After Kuwait was liberated from Iraq in 1991, the United States implicitly coupled its support for Kuwaiti security with an insistence that parliamentary and electoral life be revived. But the United States now is largely disengaged from the domestic political scene in Kuwait, despite its strong verbal push for Arab political reform. Kuwait's long-simmering and nonviolent political crisis has been long been overshadowed by more dramatic and bloody conflicts. But the threat to one of the region's most democratic experiments is real.

The New Law

The Kuwaiti constitutional system combines a freely elected parliament with a strong executive branch. The parliament has a strong legislative role; it can also question and remove confidence from individual ministers. While it cannot remove confidence from the cabinet as a whole or the prime minister, it can declare that it cannot cooperate with them, forcing the amir to either dismiss them or call for new elections. The prime minister—who has always been a leading member of the ruling Al Sabah family—is required to bring one member of parliament into his cabinet and has sometimes invited more. But top positions are held closely by the Al Sabah. In the past, parliaments would occasionally move to question individual ministers. In recent years, however, such questioning has come fast and furious with members of the ruling family no longer treated as sacrosanct. Yet the parliament's ability to act coherently in support of a positive agenda—rather than just harass the government—is hampered by the strongly independent streak of many deputies and the lack of coordination among deputies that stems from the weakness of the party system.

In 2005, HADAS joined hands with rival groups across the political spectrum to press for a new electoral system in Kuwait that was designed to address this problem. That effort led to a full-scale confrontation between the parliament and the government. But the alliance did not back off, finally frustrating the government so deeply that in 2006 the

amir was moved to dissolve parliament early and call for new elections. But rather than defeat the opposition, that move led to a decisive victory for the alliance. HADAS gained its largest share (six out of the fifty seats) and the combined forces of the opposition formed a majority.

The coalition soon dissolved as a result, reflecting ideological and even personal rivalries, but not before forcing through its cherished electoral reform. The new law reduced Kuwaiti electoral districts from twenty-five to five. The HADAS purpose was clear—the larger districts would reward well organized parties (and HADAS is Kuwait’s only well organized party) and recast Kuwaiti elections from neighborhood contests fought over hundreds of votes to more ideological competitions favoring groups with clear programs. According to the new law, Kuwaitis in each of the five districts would be able to vote for four candidates. The top ten vote getters in each district would gain seats in parliament. If the opposition activists found it difficult to cooperate with each other after passing the electoral reform, the path was no easier for the government. Accustomed to dominating the parliament party by divide-and-rule tactics, Kuwait’s rulers found that they could divide but they had far more trouble ruling. The government could not muster a majority for many of its efforts and complained instead that various groups in the parliament seemed to be engaged in a rivalry over which one could criticize more ministers.

Kuwaitis began to trade rumors that a new dissolution was being planned—this time to be followed not by a new election but by a suspension of the parliament (as the ruling family had done twice before). The amir himself seemed only to add to such speculation when he denied the rumors: when he declared that the idea of an unconstitutional suspension had never crossed his mind, Kuwaitis simply noted that he had mentioned what had been unmentionable.

In the end, however, the amir decided not to suspend parliament (at least not for now) but instead to opt for early elections. HADAS therefore swung into electoral mode, entering the fray on terms it had helped design. It was a considerable shock, therefore, when it lost half its parliamentary seats.

What had happened?

Preparing for Elections

HADAS had been positioning itself to take advantage of the new law from the moment it was passed. The new party leadership, which had emerged to rejuvenate HADAS after an electoral setback in 2003, is widely regarded as savvy, both in tactical and organizational terms. With its own resources and external consultants, the party prepared for the new system by building its media capabilities and undertaking election simulations (to try to anticipate how voters would approach the new ballot).

Perhaps most significantly, the party deliberately began to strike a less confrontational pose against the government. As tensions between parliamentarians and cabinet ministers escalated (ultimately leading to early elections in May 2008), HADAS positioned itself as standing above the fray. As tensions between the parliament and the government

escalated, HADAS read the public mood as holding both sides equally responsible for the gridlock. It accepted a ministry and began to tone down its rhetoric. In the confrontations that emerged, HADAS tried to position itself as a responsible mediator, neither too quick to embarrass the government nor too pliant.

And the HADAS leadership took steps to prepare for the new electoral system, fully aware that the government's frustration with the parliament might lead to a premature dissolution (which indeed did come two years before the parliament's term was finished). It formed a women's organization to ensure that it would be well positioned to campaign among the new female electorate. It explored the selection of possible candidates very seriously—HADAS is unique among political groupings in Kuwait in that its top organizational leaders are not candidates for parliament; the party therefore has been able to jettison candidates it feels are weak.

The Campaign

Thus, when a frustrated cabinet reported to the amir that it could no longer work with a parliament it found both obstructionist and obstreperous, HADAS was ready to spring into action. Its overall campaign theme was "responsibility," suggesting not only that its deputies would place the national interest above personal or party ones, but also that it would not act as impetuously or grandstand like more opposition-minded parliamentarians on both the liberal and Islamist ends of the spectrum.

HADAS stressed its traditional campaign themes of accountability and anti-corruption. It also pursued its more gentle approach to the Islamization of laws (rather than immediate application of shari'a) that it had developed over the past decade. And mindful that most Kuwaiti voters were now women, it developed a set of proposals designed to appeal to them. Its approach was not based on a liberal conception of equal rights but still addressed issues of undeniable concern to Kuwaiti women (offering support for divorcees, new mothers, and those married to non-Kuwaiti citizens). It did not put forward any women candidates (though some party leaders clearly hope to do so in subsequent elections) but it still showed that it had adjusted to the extension of the franchise in an agile way.

HADAS adjusted to the new electoral system in other ways as well. The districts were now five times as large—and, with women added to the voting rolls, the number of electors per district now stood at ten times what it had traditionally been. Rather than campaigning door-do-door in a small neighborhood by visiting all-male diwaniyyas (traditional evening gathering places), HADAS candidates took to the media with abandon. In this they were hardly alone, as Kuwait's press and television stations were awash in electoral propaganda. Barred by the municipality from erecting signs for the first time, Kuwaitis were also showered with tissue boxes, t-shirts, baseball caps, car visors, pens, and juice boxes emblazoned with the names of candidates. HADAS seemed ideally suited to this new campaign—it had deep pockets (though some wealthy merchants running for office could outspend anything HADAS could gather from its own supporters), sophisticated media consultants, and a well-honed message. HADAS also allowed each district to spin its campaign themes in a particular way. In one electoral

district with a very mixed population, for instance, the HADAS candidate stressed national unity and downplayed his sunni and Islamist credentials so as not to alienate shi'i voters.

On a tactical level, HADAS deliberately held back from nominating a full slate of candidates. Rather than nominate four candidates for each district (the maximum any voter could select), HADAS did not nominate more than three. This freed the party to form confidential vote-swapping alliances in which HADAS would instruct a given number of its voters to include the names of some rival candidates in return for a similar pledge from its partner. The most attractive and logical trades would take place with salafi candidates. Negotiations with the salafis continued up until the end of the campaign but ultimately bore no fruit, blocked by a combination of conflicts between principles and personalities. HADAS was therefore forced to turn at the last minute to independent candidates for a collection of tactical vote-swapping arrangements.

The Setback

With a law seemingly tailor-made for its purposes and two years of preparation, why did HADAS see its share of seats cut by half?

Most post-election punditry in Kuwait focused on the triumph of tribalism and sectarianism, and for good reason. Two of Kuwait's five electoral districts saw their returns dictated almost entirely by tribal identities. While the larger districts were intended to be too large for tribes to manage, in fact large tribes showed themselves able to use primaries even more effectively than they had in the past to rally around a slate of candidates. HADAS's ideological politics found less purchase in such districts. Thus, when its nominees lost in tribal primaries, the party's fate was sealed. Two HADAS incumbents—one the deputy speaker of the parliament—were very soundly defeated as a result. In a third district with a heavy Shi'i population HADAS similarly fared badly. In the run-up to the election, the government had clumsily managed to stir up tribal and sectarian identities. Two Shi'i deputies who had praised 'Imad Mughniya—a Hizbollah leader implicated in some violence in Kuwait in the 1980s—after his assassination. The MPs found themselves hauled in for questioning by prosecutors. That move backfired as Kuwaiti shi'a, feeling politically excluded, managed to subdue deep divisions and rallied around the two parliamentarians. With the tribal primaries—barred by law but operating as an open secret in past elections—the government tried to forcibly shut some down. The resulting clashes between tribal members and police shocked Kuwaitis accustomed to boisterous but peaceful campaigns. Not only did tribal members coalesce around the primary winners, but the victorious deputies are entering the parliament with a deep grudge against the minister of interior.

Tribalism and sectarianism explain only a portion of HADAS's failure, however. In the district mentioned above with the heavy shi'i population, sunni Islamist candidates of different orientation (including some salafis far more suspect in shi'i eyes) outperformed HADAS. The HADAS candidate finished eleventh, disappointing party leaders who were confident he would squeak by. In HADAS's most successful district, where two of its candidates won, the party only narrowly escaped humiliation: its longest serving MP,

who had won every race he had entered since the parliament was restored in 1992, finished tenth; the party's other candidate, a fresh face running for the first time, finished eighth.

What explains the HADAS performance in these districts? Four factors seem to have predominated.

First, many Kuwaitis pointed to personal weaknesses in the candidates HADAS had nominated. There is probably considerable truth to this, since Kuwaiti voters are still very much used to the older electoral system in which they expected to have a direct personal relationship with the parliamentarians representing them and therefore look far more to personality than to party. But since HADAS has far more freedom to select candidates than Kuwait's other political groupings—all of which are firmly based on particular personalities—this suggests some tactical mistakes by the party leadership.

Second, the HADAS switch to the new style of campaigning may have swung too far. Its sophisticated media campaign probably helped its candidates, but the 2008 elections had more of a retail than a wholesale character, contrary to expectations. The importance of vote-swapping alliances, discussed above, may have proven extremely critical to the outcome of some races (though since such deals are made under the table, it is difficult to say with certainty just how large a role they played). HADAS leaders also noted that groups of families would often vote intentionally as a bloc in order to sway candidates in their direction.

Third, HADAS deputies may have been hit hard by corruption allegations. Kuwaiti campaigns are often rich fields for rumors spread through diwaniyyas, leaflets, SMS messages, and blogs. And Kuwait is also awash both in oil money and in politicians with extensive business interests. This provides fertile ground for allegations and innuendo, whether fair or not. As opposed to the 2006 elections, in which the various opposition groups had rallied around a common cause of electoral reform, in 2008 they ran against each other. Negative and even scurrilous gossip was deployed widely. (A particularly nasty example was a widely circulated and possibly doctored picture of one of Kuwait's leading women candidates showing her wearing a head covering and standing next to Hizbollah leader Hasan Nasrallah, effectively reminding voters at the same time that the candidate in question is shi'i, part Lebanese, and does not normally cover her hair as more conservative Kuwaiti women do.) And HADAS candidates were targeted by some last minute corruption allegations that they struggled to fend off. If HADAS was not the only target of such negative campaigning, it was particularly vulnerable. Its anti-corruption rhetoric made it particularly important that its own candidates be seen as above reproach. HADAS deputies had volunteered full financial disclosures of their assets and business interests in 2006; now they stood accused of only feigning purity. As opposed to other Islamist movements that have very extensive social service networks on which to draw, HADAS's strong (though informal) association with the Kuwaiti Muslim Brotherhood's charitable arm, the Social Reform Society, may have actually proved a liability when other parties levied the charge (denied by HADAS) that charitable funds were being used for an expensive political campaign.

Finally, HADAS may have been damaged by its strategy of standing above the fray. Its leadership describes its softer touch on Islamic issues as a product not only of strategic considerations but also of principle—peaceful, gradual, and gentle persuasion, they argue, is not only a more effective route toward Islamization but also more in keeping with religious values than pugnacious rigidity and hectoring. Yet many religious Kuwaitis find such an approach as opportunistic, and salafis in particular do not hide their disdain for a movement that they charge privileges politics over religion. A party that bases its appeal on religious principles faces an inherent tradeoff between motivating its core constituents by sticking to its guns and appealing to less committed groups by soft-pedaling core ideology. By tilting too much to the latter, an Islamist party in the Arab world also opens itself up to the criticism that it is really pursuing an accommodation with the government. While the past decade has seen the electoral rise of Islamist parties in the Arab world, the most recent elections—in Morocco and Jordan—have punished those who seek to present a particularly accommodationist face. HADAS may have suffered a similar problem in the recent parliamentary voting, and Kuwait’s salafis may have been the beneficiaries.

The Aftermath

In 2003, HADAS suffered a worse setback, winning only two seats. At that time, senior party leaders, many of them party founders, stepped aside in favor of a younger generation of activists. The turnover in party leadership seemed to pay off handsomely when the party gained six seats in 2006. The reversal of 2008 does not seem to have set off a panic; party leaders have put on a brave face in public, insisting that they will stick to their principles. Even in private, they seem to incline toward fine tuning their strategy rather than abandoning it. In the next election—which may come much sooner than four years from now if the government finds the 2008 parliament as obstreperous as its predecessor—it will likely take several steps designed to repair its standing. First, it will select different candidates in an attempt to project a more youthful image in central districts—and it will select candidates in tribal districts more likely to perform well in the primaries of the leading tribes.

Second, it will carefully study the results of the 2008 voting to determine which techniques were more effective in various districts. In this respect, HADAS still may find that the new electoral system rewards it over the long term. With its far stronger organization and more disciplined operations, it is simply better positioned to study, analyze, fine-tune, and adjust—and it is also far less wedded to particular personalities—than any other political bloc.

Yet HADAS faces a far deeper problem than its electoral setback in 2008. The current constitutional deadlock in Kuwait limits what the party can accomplish. At present, the government regards parliament as an obstructionist nuisance. The prime minister, a leading member of the royal family, has always assembled a cabinet that makes polite nods in the direction of powerful parliamentary blocs but makes little effort to build a true majority government. The weakness of the party system, the right of non-elected ministers to vote in most parliamentary matters, the willingness of many deputies to be placated by the provision of services to their constituents, and the deep divisions within

the parliament have made it possible for the government to continue without assembling a reliable majority. And the parliament can express its will only by using fairly crude tools, most notably moving against particular ministers by launching formal questioning of them (a step that precedes a withdrawal of confidence).

And it is here that the gains made by Kuwait's salafi movement will prove most significant. In general, salafi movements in the Arab world seek to encourage study and lifestyles that they deem in keeping with the model of the early Islamic community; they claim to hew very close to the Quran and place the Islamic shari'a at the very forefront of their agenda. In most countries, they eschew formal politics. In Kuwait, they have taken the unusual step of running for parliament, but generally as loosely affiliated independents coalescing around a few poles of thought rather than as an organized party. In 2008, one salafi group went so far as to found a party, however. Yet while they seem to be following the HADAS path, salafis do not hide their disdain for the Muslim Brotherhood more generally as a movement that pursues politics at the expense of religion. Its leaders insist that they will not get sucked into making the kinds of compromises that political maneuvering often entails. In the 2008 election, some salafi firebrands did especially well and immediately issued pugnacious statements indicating that they aimed to use the parliamentary tools they had won. The most prominent salafi leader sparked national headlines for extremely contentious remarks in a post-election meeting with the prime minister. The ideology of salafi deputies may be too rigid for HADAS's taste, but it may ultimately be their feisty and uncooperative style rather than matters of substance that create more problems.

The result will likely be a parliament that does not shy from confrontation but is even more splintered than it was in the past—among salafis, other Islamists, shi'a, tribal deputies, liberals, and nationalists. The system will lurch from crisis to crisis with only the illusion of political movement. And it is precisely this pattern that has frustrated many Kuwaitis and perhaps begun to discredit democracy in the Gulf. More ominously, it has also alienated the ruling family, which has lately begun to float rumors that it will suspend parliament for a trial period as a prelude to constitutional reform. Such an unconstitutional step, unthinkable in the 1990s out of concerns that it would jeopardize the American security guarantee, can now be credibly threatened.

The United States not only sees its influence at low ebb in the region but it has also clearly indicated a profound lack of interest in Kuwaiti democracy. Oddly enough, the U.S. administration most aggressive in its democratization rhetoric and most interested in furthering political reform has thoroughly disengaged from Kuwaiti politics (with a brief upsurge of interest only about the granting of the franchise to women). Kuwaiti voters anxious for international protection for their democratic experiment may rue the headlines in the international press that followed the 2008 elections—with foreign press coverage focusing on the triumph of Islamists and the failure of women to win a single seat, the resulting parliament is a less attractive hero in its battles with what remains a monarchical system.

HADAS has a clear long-term solution to Kuwait's constitutional deadlock. It would prefer a full party system, a cabinet composed of elected deputies, and a prime minister who comes from outside the ruling family. The 2008 elections dealt this vision a setback that may be far more serious than the party's loss of half of its seats. It is true that other parliamentary blocs—the liberals and the salafis—are slowly beginning to imitate the HADAS party organization. But that is the only step in the direction of a constitutional monarchy that was taken in 2008. By voting along tribal and sectarian lines, Kuwaitis undermined any step toward a party system. By aiming their criticisms at each other rather than (as they had in 2006) the government, the parliamentary campaigns made post-election cooperation less likely. In the previous parliament, clear Islamist, liberal, and populist blocs emerged and those blocs tried to develop a joint program through a "bloc of blocs" that actually constituted a parliamentary majority. Yet the bloc of blocs disintegrated as each went its separate ways, and none of them seems eager to revive the experiment. And with deep rivalry between HADAS and the salafis along with the election of a large number of independent Islamists, it is not even clear if a viable Islamic bloc will emerge. Thus the 2008 parliament will likely be as cantankerous as past ones when facing the government but deputies will be even less cohesive when facing each other. Kuwait's political deadlock will likely only deepen.

Kuwait's HADAS has managed in less than two decades to emerge as the Arab Islamist party most thoroughly integrated as a normal political actor. Its leaders are frustrated because they feel that in a sense they have become more democratic than the political system in which they operate—and perhaps more than Kuwaiti society is ready for. Kuwaiti democracy is indeed faltering—not because the Islamists are challenging it but because they have not yet found a formula for deepening it.

Nathan J. Brown is a nonresident senior associate at the Carnegie Endowment and is also professor of political science and international affairs and director of the Middle East Studies Program at the George Washington University. His past work has focused on Palestinian politics and on the rule of law and constitutionalism in the Arab world.

© 2008 CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

The Carnegie Endowment for International Peace is a private, nonprofit organization dedicated to advancing cooperation between nations and promoting active international engagement by the United States. Founded in 1910, Carnegie is nonpartisan and dedicated to achieving practical results.