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The Evolution of the Kuwaiti 'Opposition': Electoral Politics after the Arab Spring

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Analyses of Kuwaiti politics are replete with references to "the opposition." Impressionistic accounts—from journalists, think tanks, and social scientists—often refer to the opposition as a coherent, publicly known group of elites known for their politicking in the National Assembly (*Majles al-Umma*) or for their activism outside formal state institutions. During election campaigns, this tendency to label candidates as members of "the opposition" intensifies as candidates criticize the government in an effort to signal their independence and mobilize voters. The reality of Kuwaiti politics, however, belies these distortions. Since 2012, the presence of opposition in the *Majles al-Umma* has diminished, largely due to an emiri decree that amended Kuwait's election law. This brief analyzes how the new law has limited the opposition's ability to succeed in light of changes to the dynamics of electoral contestation after the Arab Spring.

Since independence, political life in Kuwait has resembled the "segmented pluralism" of many small European democracies. Segmented pluralism reconciles "religious and ideological diversity with civic cohesion," whereby "social movements, educational and communication systems, voluntary associations, and political parties" are organized "along the lines of religious and ideological cleavages."[1] In Kuwait, competition between these *familles spirituelles*, or segments, has created a delicate consociational balance checked by the prerogatives of the ruling Al-Sabah family.[2] In the realm of electoral politics, these groups include blocks of Sunni and Shia, Liberal and Islamist, and *hadhar* (settled or sedentary) and *bedu* (bedouin or nomadic) voters. Despite the relative pluralism that has characterized political competition between these groups over time, the government's top-down dominance of state institutions has led different constellations of these segments to claim ownership of an opposition identity throughout Kuwait's history. In turn, the absence of a well-institutionalized opposition—and public frustration with this opposition's ability to deliver—has stunted electoral competition in Kuwait.

Since parliamentary elections were first held in 1963, Kuwait has used four different non-proportional, plurality (block vote) electoral systems. In plurality electoral systems, electors vote for candidates in multimember electoral districts. Candidates need not obtain a majority of votes in order to win a seat. In 2006, Kuwaiti activists and elements of the then opposition succeeded in reducing the number of electoral districts from 25 two-member districts to 5 ten-member districts with partial block (limited) voting. Previously, each elector was given two votes in districts that each elected two candidates. Under the partial block (limited) voting system, each elector was granted four votes. With larger districts and more votes at their disposal, electors were free to distribute their votes to family members, tribal representatives, representatives

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from different political factions, and other candidates. Elections were held under this system in 2006, 2008, 2009, and February 2012, producing largely short-lived assemblies with sizable oppositions.

After elections were held in February 2012, during the events of the 'Arab Spring,' a group of over 30 MPs announced the formation of the Majority Bloc (*Al-Aghlabiyya*). The Majority Bloc was arguably Kuwait's most vocal anti-government opposition bloc in the National Assembly's history. The intensity of the Majority Bloc's criticism of the government prompted the emir to dissolve the National Assembly in June 2012 after only four months in session. The dissolution plunged Kuwait into the most significant political crisis seen since the post-liberation restoration of the National Assembly in 1992. In an attempt to resolve the crisis in the government's favor, the emir issued an emiri decree amending the electoral law in October 2012. The new law left Kuwait's five electoral districts intact but controversially switched to a single non-transferable vote (SNTV) electoral system. Each elector would now have only one vote, instead of four.

Since this change, Kuwait has held three parliamentary elections in December 2012, 2013, and 2016. These elections were boycotted by different elements of the opposition in protest of the emiri decree. Since 2016, however, many opposition-affiliated tribal and Islamist candidates have returned, arguing that the Constitutional Court's 2013 decision to uphold the emiri decree has largely settled the issue of the law's legality.

In what follows, I examine how the new electoral law has undermined the consociational balance that has defined electoral contestation since the National Assembly's inception in 1963. This analysis comes from interviews I recently conducted with current and former parliamentary candidates in Kuwait and precinct-level results from the 2016 *Majles al-Umma* elections.

The new one-vote system has changed how both candidates and citizens approach elections. From the beginning, it was clear that the switch to SNTV was designed to

limit the ability of different "groups"—tribes, proto-parties, and other ideologically connected factions—to form electoral coalitions (lists) and mobilize voters. Under the four-vote system, it was not uncommon for Kuwaitis to split their votes among candidates they supported on the basis of various ascriptive, social, or political ties. Not only did the old system encourage candidates to form coalitions and campaign for votes they might not otherwise receive, but it also gave the competition for votes a distinct strategic flavor as candidates and factions negotiated with each other before each election.

In contrast, candidate strategy changed under the new SNTV system, eliminating the value of electoral coalitions, or lists. In 2016, for example, there was considerable internal debate within the Islamic Constitutional Movement (ICM, or Hadas) over whether or not to support a second candidate in the Second District. Both Jama'an Al-Herbesh and Hamad Al-Matar were elected in February 2012, but neither had participated in an election since the electoral law was changed. The ICM reluctantly agreed to support both candidates in 2016. Al-Herbesh came in fourth place with over 2,400 votes; Al-Matar came in eleventh place with 1,710 votes, narrowly (and controversially) losing the district's final seat by less than 50 votes. A similar trend can be seen among larger tribes in the Fourth and Fifth Districts. For example, candidates from the Al-Mutair tribe, one of the largest tribes in Kuwait, were able to win four seats in February 2012. They won only one seat in 2016.

The atomization of candidates has led them to view elections as "every person for themselves" contests. In turn, this has encouraged candidates to focus their mobilization efforts on precincts within their districts where they are most likely to capture a voter's single vote, rather than attempting to garner the support of different groups across the district. In the Second District, for example, a candidate needs roughly 1,500 to 1,800 votes to secure a seat in the *Majles al-Umma*, a three-fold decrease from elections held under the four-vote system. Candidates now know they have fewer opportunities to mobilize

voters in parts of the district where they do not reside or have other social, familial, or ascriptive tribal or sectarian ties.

In practice, this change has limited electoral competition to individual precincts within each of Kuwait's five electoral districts. Precincts typically consist of one or more areas (*mintaqa*). Areas in Kuwait are small, geographically confined neighborhoods ranging from a few hundred registered voters (e.g., Fahad al-Ahmad Suburb) to nearly 20,000 registered voters (e.g., Sabahiya). There are 50 precincts, and the mean precinct contains nearly 10,000 voters. This competition within individual precincts has been particularly disadvantageous to those opposition candidates with broader, district-wide appeal, because these candidates are now unable to secure an elector's second, third, or fourth votes from precincts outside their own. The new system is disadvantageous in this way because tribal and Islamist opposition candidates were better able to secure more voters across precincts when voters were able to distribute their votes to family members, tribal representatives, and representatives from different political factions. Now, with only one vote, efforts to mobilize voters across several precincts have become more difficult.

In the 2016 *Majles al-Umma* election, the average candidate received a narrow majority (50.6%) of votes from their top two precincts.[3] Table 1 breaks this figure down in greater detail by electoral district. For example, in the Second District, the average candidate received 63.5% of votes from the top two precincts in which they performed best. It is difficult to explore these relationships over time, as the Ministry of Interior has not made comprehensive, historical, precinct-level results available. Candidates have always had strongholds, or precincts where they performed better comparatively. But by prohibiting candidates from forming coalitions and appealing to swing voters' second, third, and fourth votes, the shift to SNTV has incentivized candidates to focus on the precincts they are most familiar with.

As a result, the new law—and the attendant localization of electoral appeals

TABLE 1 — POLLING STATION-LEVEL RESULTS, *MAJLES AL-UMMA* ELECTION (2016)

Electoral district	Candidate votes from top two precincts (mean)	Total number of precincts
First	0.535	8
Second	0.635	8
Third	0.427	10
Fourth	0.538	11
Fifth	0.394	13

SOURCE Author's Analysis

it has engendered—has intensified competition between those candidates most likely to cooperate once inside the *Majles al-Umma*. Candidate rivalries are now forged within these precincts—not across them—among individuals with similar social, political, and business networks. This has fragmented cooperative tendencies among MPs who hail from similar precincts with overlapping electoral bases. In other words, it has encouraged competition within previously cohesive groups. In 2016, candidates popular in the areas of Abdullah Al-Salim Suburb, Shamiya, and Shuwaikh, for example, described their rivals as those who were also most popular in the same areas. In the Fourth and Fifth Districts, candidates affiliated with certain tribes are now having to compete with each other to win support from members of their tribes. Tribal candidates described this uncomfortable reality to me in detail: the new law has pitted tribal leaders against each other and depressed turnout in areas with large numbers of tribal voters.

These new dynamics have further encouraged citizens to look to their representatives for services. The types of services MPs offer vary across districts, but they include, for example, the provision of support for business interests and access to health care and employment. "Service MPs" are certainly not new to Kuwait, but the gradual reemergence of clientelistic politics has led candidates to emphasize

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their ability to deliver services through their connections to state institutions. This trend has deepened even in parts of the country where it was previously less common. A former minister who has struggled to win a seat under the new law describes this development in Mishref:

> In Mishref—there are very rich people, they have lots of resources. When I was running, they said: "You are very nice, you were a good MP, and you are honest. But you didn't provide any services [khadamat]. When you became a minister, you did not appoint any of our family members." You see how things have changed? Usually in Mishref—they never asked about this. The new system prevents people from voting for the future.

This renewed focus on services, clientelistic transactions, and favoritism has strengthened the government's hand, privileging those candidates with access to state institutions.

If the previous electoral law encouraged candidates to build bridges with different types of voters, the new law has done the opposite. Previously, candidates took great pride in their ability to win support from all different voters: Sunni or Shia, Liberal or Islamist, *hadhar* or *bedu*, and so on. Obtaining such diverse support was not always a necessary condition of electoral success, but it was often an important one. Where candidates were once incentivized to coordinate with those outside their family, tribe, or sect, many now resort to polarizing group-based appeals in an attempt to attract support from those voters already most likely to vote for them. Seen in this light, it is not difficult to understand how these changes have exacerbated societal divisions and heightened consociational tension.

By moving electoral competition into precincts, limiting cross-cutting and political appeals, and increasing citizen demands for services, the new electoral law may erode the "segmented pluralism" vital to the National Assembly's status as the Gulf's lone competitively elected legislative institution. These changes have limited the ability of opposition-minded elites to win elections and form parliamentary blocs forged from campaign-related coalitions. While the diversity of political life in Kuwait will likely endure, the mechanisms through which candidates and citizens approach elections will have lasting, generational effects. Left unchecked, these effects may gradually undermine the pluralism that has been a feature of electoral life in Kuwait since independence.

ENDNOTES

1. Val R. Lorwin, "Segmented Pluralism: Ideological Cleavages and Political Cohesion in the Smaller European Democracies," *Comparative Politics* 3, no. 2 (January 1971): 141, https://www.jstor.org/stable/421297.

2. Arend Lijphart, "Consociational Democracy," *World Politics* 21, no. 2 (January 1969): 207–225, https://www.jstor.org/stable/2009820; Arend Lijphart, "Consociational Theory: Problems and Prospects. A Reply," *Comparative Politics* 13, no. 3 (April 1981): 355–360, https://www.jstor.org/stable/421902.

3. This figure is calculated only from those candidates who finished among the top 30 candidates in each of Kuwait's five districts, for a total of 150 candidates.

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