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PUSHING TOWARD PARTY POLITICS?

Kuwait's Islamic Constitutional Movement

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Kuwait's Islamic Constitutional Movement (ICM), founded in 1991, is a relatively new political actor in Kuwait. Yet by the standards of regional Islamist movements, it is one of the most experienced in parliamentary and electoral politics. The ICM can claim some real electoral and programmatic successes, but any move beyond marginal or incremental achievements rests largely on its ability to build on the success of an ad hoc and diverse coalition of Islamist, liberal, and populist political forces. In short, if the ICM navigates difficult waters, it may be able to achieve many of its goals while demonstrating the broader potential of an Islamist electoral movement as part of a coalition pressing for liberalizing political reform. Kuwaiti political history suggests strong reasons for skepticism—the opposition has never been able to maintain a united front for long, and the Kuwaiti government has tools at its disposal to disperse, placate, and even exclude dissenters. But the opportunities beckoning the movement and other opposition political forces are stronger than they have ever been.

THE ISLAMIC CONSTITUTIONAL MOVEMENT IN KUWAITI POLITICS

Since its founding, the ICM has been dedicated to the proposition that Islamization of Kuwaiti politics and society could be most effectively pursued through constitutional means. Circumstances for constitutional action were not auspicious in 1991. At the time, Kuwait was just emerging from Iraqi occupation. Nor was postwar chaos the only obstacle; the parliament that the ICM was seeking to join had been suspended for five years, long before the Iraqi invasion.

Fifteen years later, there is much to suggest that the ICM's strategy has been vindicated: the restoration of the country's parliament in 1992 has allowed the movement to become a major player in the country's political life. The Kuwaiti Islamic movement, of which the ICM is a part, has gained greater influence in the society, thriving despite all the turmoil of regional politics. The ICM has also been part of an on-again, off-again parliamentary coalition that has successfully used constitutional prerogatives to pass legislation and question ministers. Those parliamentary prerogatives had been rarely used in the past, partly because on two occasions their use had provoked the amir to suspend parliament. But as much as it has accomplished, the ICM still stands outside the central structures of political power, pursuing its goals by harassing the government rather than forming it.

Like any player in the political process, the ICM has had to make difficult tactical choices, and its gradual success has come largely because the ICM has generally been judicious in building alliances and careful in picking battles. With the government and the ruling family, the ICM has striven to position itself simultaneously as an opposition movement and as a party accepting gradualism and the limitations of the Kuwaiti political system. Like other Islamist forces, the ICM has had to balance between building a broad Islamist coalition and competing (especially with Salafi and Shiite political forces) to write an

Islamic agenda and even for votes. And like liberal and more secular forces, the ICM has had to find a balance between forming broad opposition coalitions and challenging those who have a very different vision for Kuwaiti society.

In 2006, the ICM threw in its lot with a coalition pursuing a confrontational strategy toward the government, uniting with erstwhile rivals to press hard for electoral reform. When the government reacted by escalating the confrontation, dissolving parliament, and calling for new elections, the ICM and its partners scored an impressive victory. After the election, Kuwaiti political observers proclaimed that the opposition was now the majority—an untenable situation in any parliamentary democracy, because any opposition movement winning an electoral majority would cease to be an opposition and instead form the government.

The Political Context

The choices and opportunities now facing the ICM can only be understood in the context of Kuwait's unusual hybrid political system. Since independence, Kuwaiti politics has combined domination by a ruling family (common to all Arabian peninsular states except Yemen) with some of the features of a constitutional monarchy. Kuwaiti men (and since 2006, Kuwaiti women) periodically elect a parliament, a body that has considerable authority over legislation and a limited but real ability to call individual ministers to account. Indeed, parliament may even go so far as to declare itself unable to cooperate with the cabinet, forcing the amir to dismiss the cabinet or dissolve parliament and call new elections.

Members of the ruling Al-Sabah family traditionally do not compete for parliamentary seats, but they do monopolize top cabinet slots. Until recently, the position of prime minister was always held by the crown prince. All ministers—even those who do not hold elected seats—are allowed to vote in parliament on most matters. Many elected deputies win their seats by providing services to constituents or even buying votes; with Kuwait's small population (only 1.1 million citizens), restricted franchise, and (until 2010) tiny electoral districts, it has sometimes been possible to win a seat with fewer than 1,000 votes. The government has often managed to manipulate the retail nature of politics by funneling favors to citizens through allied deputies, thus supplementing its own votes in parliament with a number of "service deputies." And while self-styled opposition individuals and movements of various coloration—liberal, leftist, or Islamist (political parties have no legal status in Kuwait)—have often done well in elections, they have generally failed to work together.

The result has been a parliament that is sometimes feisty and obstructionist but rarely able to act positively in pursuit of a well-defined agenda. It can question ministers, air scandals, and appeal to public opinion, but in the final analysis, the government can generally cajole the votes or divide the opposition enough to deflect parliamentary pressure. Deputies frequently annoy and embarrass the government, but they can rarely move beyond this to determine the composition of the cabinet or pass legislation over government opposition.

On two occasions when parliament seemed poised to go farther (in 1976 and 1986), the amir reacted by dissolving it in a clearly unconstitutional manner, suspending the legislature for five years the first time and for six years the second.

In the period since the Iraqi occupation, however, the opposition has shown signs of viability. It has persuaded the prime minister not to select some ministers (including some members of the ruling family)

that it viewed as incompetent or corrupt. It has occasionally coordinated effectively over a particular issue. Its greatest success came in 2006, when it pushed for electoral reform, combining Kuwait's 25 districts (each represented by two deputies) into 5 (each to be represented by 10 deputies). Reformers claimed that this would turn elections from occasions for buying votes from neighbors and campaigning among tribal or family members to a more programmatic and ideological contest. Only after the opposition had won the 2006 elections (held under the old system) did the reform pass.

A Historic Opportunity?

Thus Kuwait, despite some democratic and parliamentary features, is not a full parliamentary democracy, and when the new parliament convened, the anomaly of an opposition majority has confronted the ICM with all of the tactical dilemmas it had faced since its creation, now in especially bold relief. The government and ruling family were clearly resentful of the opposition's strength and made clear that they felt parliament risked overstepping its bounds. The Islamist movement appeared relatively cohesive, but success in parliament now depends on translating a partial coincidence of interest into party-like coalition and discipline in voting. Other political forces—also fairly strong in parliament—waver between seeing the Islamists as a potential partner for political reform and a threat to the future of Kuwaiti society.

At present, further political liberalization in Kuwait depends on a successful alliance of forces that have regarded each other warily for all of the ICM's life and on a government that continues to be flat-footed in response. The potential payoff is enormous—the prospect of moving Kuwait toward the kinds of constitutional monarchy and party politics that has seemed an unreachable dream since Kuwaiti independence in 1961.

FORMING AN ISLAMIC CONSTITUTIONAL MOVEMENT IN AN UNCONSTITUTIONAL MONARCHY

The Islamic Constitutional Movement is the political wing of the country's Muslim Brotherhood. Neither the ICM nor the Muslim Brotherhood exists in any legal sense: the country's legal framework makes no provision for political parties. The movement's main legally recognized manifestation is the Social Reform Society, a charitable nongovernmental organization. But like its sister movements elsewhere in the Arab world, the Kuwaiti Muslim Brotherhood has managed to engage in a diverse range of related but separate activities in the social, charitable, economic, and political realms. Kuwait has experienced periods of political repression, but has escaped the harsh authoritarianism that has characterized many other Arab states. Official repression, when it has come, has not only been gentler but also restricted to the political sphere, allowing the Brotherhood to work, with some of its activities legally unrecognized but tolerated and unimpeded.

The Kuwaiti Muslim Brotherhood

The Kuwaiti branch of the Brotherhood was formed in 1952 as the "Islamic Guidance Society"; following a short period of repression, the organization reformed as the "Social Reform Society" when the country gained independence in 1921. The movement eschewed the name "Brotherhood," since a militant Wahhabi group by that name, associated with the Saudi family, had invaded Kuwait

in 1961.[1] From its beginning and through the 1980s, the Kuwaiti group was often influenced by the parent Egyptian organization. Formal organizational ties existed (until they were broken in 1991), but the model of the Egyptian organization—with its networking activities and organizational efforts—proved far more influential than any formal ties. More important still were the personal contacts; Egyptian teachers and some other officials came to work in Kuwait as the country developed economically, and many Egyptian Muslim Brotherhood leaders found the Gulf states far friendlier places to live when the Nasserist regime moved against the organization after 1954. In addition, Kuwaiti students in Egypt, particularly during the resurgence of Islamic activism on Egyptian campuses in the 1970s and 1980s, also were shaped by the example and ideology of the Egyptian movement. Many of the movement's current leaders emerged from the Islamist student movement of that period. Finally, the Kuwaiti movement also emulated the Egyptian one not only in organizing among students but also in moving into professional associations and seeking to organize groups of followers in fields previously dominated by nationalists and leftists.

The Social Reform Society—the formal organization associated with the Kuwaiti Muslim Brotherhood—largely concentrated on social, educational, and charitable activities, but the broader movement, though lacking any formal status, did enter political affairs. The Brotherhood ran candidates for Kuwait's parliament, scoring some modest successes. But for its first three decades, the Islamic movement, like its counterparts in other Arab countries, concentrated mainly on cultural and religious issues. Partly for that reason, the Brotherhood stood strongly against the various leftist and nationalist movements that seemed far too secular (and sometimes too supportive of governments like Egypt's, which harshly repressed their own Islamic movements). When the amir of Kuwait closed down parliament in 1976, the Brotherhood equivocated; one of its leaders served as a minister after the suspension, and the Brotherhood cooperated with an attempt by the amir to amend the constitution as a condition of restoring it. These actions earned the Brotherhood a permanent reputation as a movement too quick to curry favor with the government; the suspicions created by its actions during the first suspension of parliament continue to this day.

The Formation of the Islamic Constitutional Movement

Parliamentary life returned in 1981, and the Muslim Brotherhood again won a few seats. These deputies struck a more confrontational pose toward the government than their predecessors had done. Indeed, the Kuwaiti parliament as a whole became a difficult body for the government to manage, resulting in a second suspension of parliamentary life beginning in 1986. This time the Brotherhood made its stand clearer, participating in (though hardly leading) efforts to call for the restoration of parliament. But it was the 1990 Iraqi invasion and occupation of Kuwait that permanently changed the Brotherhood's political role, resulting in the creation of the ICM.

During the occupation, the Brotherhood helped organize resistance among those who remained in Kuwait. The formation of this resistance led to a shift in the leadership of the movement: younger activists, many of whom remained in Kuwait during the occupation, gained stature at the expense of the older generation and those who had fled. Immediately after the Iraqi withdrawal, younger Brotherhood elements who had led the resistance formed the ICM. At the same time, the Brotherhood broke its international links with the Muslim Brotherhood, which in its eyes had not given sufficient support to the cause of Kuwaiti liberation. The younger generation also attempted to develop political language that had broader appeal. One of the founders of the movement explains that when members of the Muslim Brotherhood spoke among themselves, they could argue primarily in religious terms. But when the ICM

began attempting to persuade and mobilize voters, it had to find language that demonstrated it could address popular material as well as moral concerns.[2]

While other Islamist movements have dithered about the formation of a political party (and some, like Egypt's Muslim Brotherhood, continue to demur), there appears to have been little controversy among Kuwaiti Islamists about the matter. Criticisms of the move from what might be viewed as the Islamic right—based on rejection of democratic politics or participation in a non-Islamic system—were made gently and then dropped, perhaps partly because Salafi groups (traditionally aloof from regular politics) themselves had followed the Brotherhood into participation in parliamentary elections in the 1980s.

The ICM's status as a proto-party, with a distinct organizational identity separate from the broader Muslim Brotherhood movement (which now has left the political field to the ICM), has allowed it to develop a clear set of electoral strategies. This organizational ability is hampered only slightly by the movement's lack of any formal legal status. Even if it is not recognized by law, the ICM has a clear organization and set of governing structures. Its general membership (open to those who are recruited and undergo a probationary period) forms a "general assembly," but day-to-day matters are directed by a secretary general, a secretariat, a technical office (a vaguely named body that activists acknowledge plays a critical decision-making role), and an eight-member political bureau. The parliamentary bloc's activities are governed by a parliamentary committee, consisting of ICM parliamentarians and other leaders and experts. In this way, the ICM deputies are kept under the watchful eye of the party leadership. As one former deputy said, "You do not decide to run from the Islamic Constitutional Movement; you are asked to run."[3] Since some leading ICM members have failed to gain nomination (including past deputies), the statement seems historically accurate.

The result is that unlike other blocs, the ICM is more than the sum of a few leading personalities. Indeed, the organization shows an ability to gauge the popularity of its various potential candidates and has no hesitation in jettisoning from its electoral list leading figures in the movement who have not performed well in past balloting.

Electoral Success and Limitations

This structure has served the ICM well in elections held since its founding. At a conference in Riyadh of all major Kuwaiti political groups while the country was still under Iraqi occupation, the royal family agreed to restore the parliament, and in the resulting 1992 elections, the ICM won four seats.

It may be a surprise that a party that had just formed a year previously was able to mount a successful campaign, but, of course, the ICM had decades of Muslim Brotherhood experience to draw on. The ICM leaders themselves often earned their first electoral experience as university students, competing in various student association elections with increasing success. Muslim Brotherhood leaders who speak about the matter often mention mosques as a primary recruiting ground, but for the ICM, university campuses were, if not a recruiting ground, an important training arena. To this day, the ICM leadership tends to draw on the middle class and professionals (its current secretary general is a medical doctor and a member of Kuwait University's faculty of medicine).

But it should also be noted that as time went on, the ICM proved able to appeal to voters in outlying areas, where tribal identities are stronger and sedentary life sometimes more recent—a very different population than older Kuwaiti political forces are accustomed to mobilizing. The population of such areas was often brought into the political process by the ruling family, anxious to find a counterweight

to more central and urbanized areas, where liberals and leftists proved strong. The government strategy worked well in the short term—indeed, the government still finds it can co-opt some tribal deputies—but the ICM (and some Salafi groups) found their conservative social agenda to be a winning electoral platform.

But Islamists were not the only group that made strides in the 1992 elections. Overall, opposition groups did extremely well in 1992 and made some effort to coordinate positions so that parliament could play an active role in determining the members of the cabinet as well as government policy and national legislation.

Yet the high hopes for the 1992 parliament were gradually deflated, largely because the government was able to play opposition elements off against each other and opposition movements themselves began to focus on some of the issues dividing them.[4] While the parliament did manage to press the ruling family to form a broad cabinet and successfully defended some parliamentary prerogatives (such as preventing the government from applying laws issued by decree when parliament was suspended), the various opposition elements soon found themselves enmeshed in squabbles, especially over educational and cultural issues. A leading intellectual, Ahmad al-Rubʿi, had been brought into the cabinet as minister of education in 1992. Al-Rubʿi had been a political activist who flirted with revolutionary ideas in his student days; he had entered parliament in 1985 as a member of a leftist bloc. Islamists regarded him with deep suspicion, and when al-Rubʿi embarked on a series of educational reforms that aimed to diminish religious influence in the educational system, Islamist deputies attempted to remove him from office. While the move failed, the battle lines between Islamists and other opposition elements soon dominated the parliamentary agenda; other skirmishes were fought over issues like gender segregation in the universities and amendment of the constitution to make the Islamic Sharia the primary source of legislation.

For the next decade, parliament proved itself annoying to the government and ruling family on several occasions but threatening on none. In 1999, for instance, the amir decided to dissolve the parliament after a series of confrontations (in which the ICM played a leading role); on this occasion (unlike in 1976 and 1986), he did so constitutionally by calling for immediate elections. In all of the post-invasion elections, Islamist forces did fairly well. Before the formation of the ICM, the Muslim Brotherhood generally held at least one seat (and four in 1985). The ICM itself won between four and six seats in each election, except for 2003, when it won only two; often its close allies added another seat or two to its parliamentary bloc. Thus the ICM claimed four seats in the 2003 elections.

With parliament divided among a broad array of groups, and with a significant number of "service" deputies—those elected on the basis of their ability to obtain government benefits for their constituents and thus highly amenable to co-optation—the ruling family was able to deflect parliamentary ambitions to play a more aggressive legislative and oversight role. The government was greatly aided by a Kuwaiti constitutional oddity referred to earlier: ministers (most of whom do not come from the ranks of elected deputies) may vote in parliament on most issues. In the current cabinet, for instance, ministers give the government 17 votes from outside parliament's elected membership. With only 50 elected members, the government needs only to pick up a small number of votes to obtain a parliamentary majority on many matters. For instance, when parliament voted in 2005 to extend the vote to women, the majority of elected deputies actually voted against the move, but they were defeated by a large showing of ministers supporting the change.

Since only elected deputies participate in a vote of confidence, parliament is able to act far more confrontationally in such matters. The prelude to a vote of confidence—an interpellation (or formal

questioning of a minister)—is a confrontational step and one that previous parliaments used sparingly. Since the occupation, however, deputies have resorted to the device more frequently. Each interpellation becomes a dramatic affair where policy debates, corruption allegations, and mutual recriminations are aired publicly and political rhetoric often escalates. But an interpellation is a negative step against a particular minister's policies or conduct and does not constitute any positive legislative agenda (indeed, it often leaves fairly hard feelings and deepens divisions). ICM deputies have often shown some enthusiasm in using the tool to push their agenda, moving against ministers deemed hostile to Islamization or overly permissive of practices offensive to religious or traditional values.

The combination of parliamentary failure to develop a clear legislative agenda with the periodic dramatic clashes occasioned by interpellations has inspired the image of a parliament that is obstructionist. Indeed, parliament has been unable to pursue fundamental constitutional reform designed to make the government more accountable to the society's elected representatives. Its one positive constitutional step—a move to amend the constitution to proclaim the Islamic Sharia "the" rather than "a" source of law—was successfully blocked by the amir. A second demand of many deputies—separating the positions of crown prince and prime minister—was accomplished, although more because of the illness of the crown prince and divisions within the ruling family than because of parliamentary pressures.

The Parliament's Breakthrough Year

In 2006, the ICM helped lead a parliamentary effort that offers the promise of a qualitative shift in Kuwaiti politics. The death of the amir led to a confused (and unusually public) struggle within the ruling family for succession, with parliament unwillingly dragged into the dispute. No sooner had that battle ended when a new crisis erupted over the proposed electoral reform. A coalition of parliamentarians had led the call for reducing the size of Kuwait's electoral districts. The ICM—the best organized political grouping—embraced the idea enthusiastically; it was joined by other reform-oriented political leaders from liberal and leftist camps. The momentarily unified opposition was supported by a popular movement, led by students organizing both in Kuwait and abroad. The popular campaign not only stiffened the backbone of parliamentarians, it also led to rivals' jockeying to claim the electoral reform mantle.

The coalition of Islamists, other reformers, and students caught the government off guard, causing it (and leaders of the ruling family) to miscalculate badly. The cabinet itself seemed split on the matter and used some clumsy methods (such as attempting to tinker with the reform and referring the matter to the constitutional court), leading the parliamentary reform bloc to move to full confrontation with the government. When some deputies threatened to interpellate the prime minister—an unprecedented step in Kuwaiti politics (and virtually unthinkable in earlier times, when prime ministers also served as crown prince)—the amir dissolved parliament. Since the proreform coalition had mustered a majority in support of its position, the amir may have felt that he had defeated the opposition by forcing an election according to the old rules.

Yet the amir had miscalculated: those forces supporting the electoral reform won a majority in the new parliament. The ICM, one of the leading members of the reform coalition, performed especially impressively, with all six of its nominees gaining election. The newly seated parliament immediately passed the law creating five electoral districts. In addition, the various factions in the reform coalition worked as blocs to hammer out a common legislative agenda. Kuwait seemed on the verge of entering an

era of party politics, with opposition parties enjoying a parliamentary majority. While that majority has since shown itself to be both shaky and unwieldy, it still augurs a different kind of politics for Kuwait's future. Indeed, all the blocs in parliament (but especially the ICM) have begun to maneuver not only to accomplish whatever they can in the current parliament but also to position themselves favorably for the next election four years from now. Thus, by the end of 2006 it was still unclear to what extent the events of the year had transformed the role of the parliament in Kuwaiti political life.

WORKING TO BE BOTH ISLAMIC AND CONSTITUTIONAL

When asked to present their program, ICM leaders repeatedly refer to their organization's name: they portray it as a movement that is both Islamic and constitutional. And indeed such a description is extremely apt, since much of the ICM's agenda is encompassed by those two features.

The ICM as an Islamic Movement

From its founding, the ICM has focused on two kinds of Islamic causes: implementation of the Islamic Sharia and the protection of a fairly conservative vision of Kuwaiti traditions and values.

On the Sharia, the ICM has evolved in a practical direction. At the beginning, it focused most of its energies on amending article 2 of the constitution in order to cite the Islamic Sharia as *the* rather than *a* source of legislation. The issue was generally popular and the movement was able to garner the support of deputies outside the Islamist bloc to pass the amendment—only to have it vetoed by the amir.

While the ICM continues to call for the amendment, its energies are increasingly directed elsewhere. The amir's opposition (and perhaps the realization that the amendment may have little practical effect[5]) has led the ICM instead to insist that newly adopted legislation not violate the Sharia. At times, the ICM has shifted its attention from article 2, whose wording is vague, to article 79 by asking that a clause be inserted barring any law violating the Islamic Sharia. (The article now simply reads "No law may be promulgated unless it has been passed by the National Assembly and sanctioned by the amir.") The ICM also often cites the work of a committee formed by the amir to review all Kuwaiti laws and suggest amendments whenever necessary to bring them into compliance with the Sharia. The committee, while it works at a glacial pace, still earns the praise of ICM leaders. Finally, the movement has occasionally introduced legislation in parliament that aims to implement various Sharia provisions. For instance, it has worked to advance a law that mandates payment of *zakat* (alms).

In this evolutionary development, the ICM has followed a path familiar to several other Islamist electoral movements in the Arab world, from the PJD in Morocco to the Muslim Brotherhood in Egypt and Hamas in Palestine. Namely, while abandoning the Islamic Sharia is unthinkable for an Islamist movement, leaders have found that the slogan "implementation of the Sharia" often engenders powerful opposition. While the ICM has hardly abandoned its emphasis on the Sharia, the path it favors now focuses on gradualism and revision of laws through a democratic legislative process. This both assuages some concerns and leads to more practical results.

Beyond its advocacy of the Sharia, the ICM also has stressed a second set of issues clustering around a conservative social agenda. Much of that agenda has a strong religious coloration, but it is not always based directly on Islamic law. And on these matters, the ICM has done little to reassure its critics—

indeed, a good portion of its electoral support may come from its ability to present itself as the defender of Kuwaiti morals. Whether it is television broadcasts that seem excessively lurid, the availability of books that are portrayed as insulting to Islam, or mixed-gender classrooms, the ICM has struck strong positions against perceived moral corruption in Kuwaiti society, often using forceful language that it eschews on most other occasions.

It is these cultural issues that cause far more public controversy than the ICM's relatively gentle calls for implementing Sharia. These controversies have led liberal critics to question the ICM's commitment to democratic principles. The ICM does show far more consistency in this regard than its critics charge: it supports liberalizing political reforms fairly faithfully, but it draws the line when liberalization leads in a cultural direction. Thus, in the 1990s, it supported reform of the press law to diminish licensing requirements but also insisted that publishing material offensive to religious values be legally prohibited with criminal penalties, not merely fines. The party argued that justice had to come before freedom.[6]

Some Islamist movements interested in building broader coalitions and public support have downplayed cultural issues (most notably, perhaps, in the electoral campaigns of Egypt's Muslim Brotherhood in 2005 and Palestine's Hamas in 2006), but the ICM has shown only limited signs of following such a path, particularly because its core constituency might regard such a strategy as an abandonment of basic principles. Occasionally, as will be examined below with regard to women's political rights, there is debate within the movement concerning what stance is required by Islamic teachings, but more often the ICM makes little effort to distinguish between conservative social practice and religious requirements.

The ICM's Islamic identity also influences its stand on a host of other issues. On foreign policy, for instance, it supports the Palestinian cause and Hamas. But unlike most Islamist movements, its position toward the United States is quite mild; the ICM has not been critical of the security relationship between Kuwait and the United States. The American failure in Iraq, however, may embolden those who find ties with the United States excessively close. The ICM is generally liberal in economic outlook, although it also supports a set of financial and commercial enterprises that endeavor to operate along lines consistent with Islamic law.

The Constitutionalism of the ICM

The ICM's constitutionalism—its interest in operating within the Kuwaiti constitutional order rather than overturning it—has also evolved since the movement's founding. Unlike the ICM's evolution on the Sharia, the shift in position on constitutional issues has made the ICM more demanding rather than less. While the ICM joined other parties in calling for the restoration of parliament after the Iraqi occupation, it was generally more moderate in tone than some of the non-Islamist opposition throughout most of the 1990s. But it was protective of parliament's prerogatives under the 1962 constitution—prerogatives that were generally exercised more energetically after the restoration of parliament in 1992 than before.

The ICM has pushed constitutional reform more forcefully in recent years in a liberalizing and democratizing direction. As described above, its liberalization is narrowly political rather than broadly cultural, but it is deeply held and doggedly pursued. It joined many of its fellow Islamic movements by issuing its own detailed reform plan in time for the 2006 elections. In general, the ICM called for more effective popular participation in government, adopting an almost strident democratic rhetoric.

Specifically, the ICM has pressed in recent years for a political party law and electoral reform that have the potential to change the nature of Kuwaiti politics in some fundamental ways, leading to more democracy and a pluralistic party system.

ICM leaders are not afraid now to speak of the ambition to create a "constitutional monarchy"—on the British model rather than that prevailing for monarchies in the region. The more commonly used phrase in Kuwait is "popular government," suggesting a cabinet that reflects the will of the parliamentary majority (rather than the current system, in which key positions are monopolized by the ruling family, and parliament, in practice, might target individual ministers but has little influence over the composition of the government as a whole). While converting the Kuwaiti political system in this way would offer unparalleled opportunities to the ICM, some of the organization's leaders fear that pursuing it too publicly or enthusiastically would be overly confrontational and might lead to a political crisis that endangers the gains the ICM has already made.

There is no escaping that such talk is a direct call for diminishing the role of the ruling family in politics. While the ICM has not questioned the idea of a ruling family and generally uses fairly polite rhetoric about the family's role, it has been increasingly bold in calling for measures that would effectively transfer considerable political authority from the family to institutions accountable to the people and their elected representatives in parliament.

USING AND ENHANCING PARLIAMENTARY TOOLS

How has the ICM used its parliamentary seats to pursue its broader agenda? On the Islamic front, its parliamentary agenda, like its general approach, has moved from the general to the specific. On the constitutional front, it has sketched out a similarly practical agenda, although unlike the Islamic agenda, it has grown more rather than less ambitious.

Islam

With regard to Islamic issues, the ICM focused much of its parliamentary effort in the 1990s on provoking public controversies. Some of the issues raised (such as those described above concerning the interpellation of the minister of education or amendment of the constitution to make the Islamic Sharia the main source of legislation) were defeated. Still, they had the general effect of demonstrating the political strength of the Islamic bloc and its talent for outmaneuvering non-Islamist forces in the battle for public opinion. The ICM also had a few concrete accomplishments, such as the move toward gender segregation at Kuwait University. But the ICM's moral and tangible victories tended to divide the opposition and aggravate fears of Islamists in other political camps.

In recent years, the ICM has shifted its tactics to emphasize areas of common concern with others in the opposition. It has joined moves against ministers on the grounds of financial rather than moral corruption; it has worked on legislation (such as the *zakat* law to mandate payment of alms) that has broader support (as opposed to an earlier proposal to found a Kuwaiti equivalent to the Saudi religious police). Nevertheless, the movement has hardly abandoned its interest in advancing a conservative social agenda or in defending against perceived attacks on Islam.

For instance, the ICM found itself in a battle with liberals on the one hand and Salafis on the other on the nature of Ramadan television programming. The ICM frequently targets the ministries and

other government institutions considered liberal bastions, and it charged that state television had aired vacuous entertainment at the expense of religious programming. But when Kuwaiti television broadcast a historical series on a religious theme, the ICM felt compelled to defend it against Salafi critics. It has been precisely such interest in cultural issues that has led the ICM's critics to charge that the movement is easily distracted by superficial controversies over which parliament has little control.

On one intense recent controversy—that of political rights for women—it was the Islamists themselves who were divided. Indeed, the controversy, which played out over several years, was probably the most internally divisive in the ICM's history. Two separate matters were at issue—whether or not women could vote and whether they could run for office. From the point of view of the Islamic Sharia, many movement leaders felt that there was no real objection to women voting, but some members of the ICM's deeply conservative voter base opposed any change to Kuwait's male-only franchise. Therefore, the ICM expressed its concerns less in terms of Islamic law and more in terms of the barriers to open campaigning in a gender-segregated society. After protracted internal debates, meetings, and conferences as well as consultation with legal and religious experts, the ICM leadership ultimately was able to take a more forthcoming position in support of women's suffrage. But more liberal leaders could not coax the movement into supporting full political rights for women to run for office. The matter came before parliament several times and any reform was consistently defeated, partly with Islamist votes. In 2005, however, proponents of women's political rights finally emerged victorious. Because the legislation granted full political rights (not merely the vote) to women, Islamists championed the opposition in parliament.

In the short term, the matter was not only internally divisive but also politically embarrassing— favoring the vote for women but not full political rights often seemed to unsympathetic observers like hairsplitting and mindless opposition to change. But in the longer term, the movement's defeat may have been a blessing in several ways. First, it resolved what had been a divisive debate within the ICM. Second, the addition of women voters may have strengthened the ICM—members recount how one of their leading parliamentarians, Nasser al-Saniʿ, was going down to defeat in the 2006 elections until the women's ballots (cast separately in gender-segregated polling) were counted. Finally, the ICM was able to show its fealty to the constitutional process: while it lost on the issue in the parliamentary arena, it accepted the result. Some ICM leaders even talk about eventually fielding women candidates.

Constitutionalism

On the constitutional front, ICM deputies participated with others in defending parliamentary prerogatives. While the ICM had a reputation for being less confrontational than other opposition groups, in fact, the ruling family did not always find working with Islamist forces much easier than their non-Islamist counterparts. In the 1996 parliament, in which the Islamist bloc held 15 seats, tensions between parliament and the government grew so strong that the prime minister and crown prince finally asked the amir to dissolve parliament—the first time that Kuwait had moved to early elections.

More specifically, the ICM staked out strong positions in the 1990s on financial corruption in public bodies, with one of its leading parliamentarians (Nasser al-Saniʿ) developing a specific expertise in issues of accountability in public funds. ICM deputies attempted not only to investigate officials but also to provide a firm legal basis for public integrity by urging passage of financial disclosure laws. To prove the sincerity of their dedication to the issue, ICM deputies have disclosed their own financial holdings. ICM leaders have also claimed to be willing to hold members of the Islamist movement to the same standards of financial probity that they expect of others.[7]

Over the past few years, the ICM has moved beyond general support for parliamentary prerogatives and opposition to corruption to supporting efforts at more comprehensive political reform. Not only was the ICM an integral part of the coalition that brought about the 2006 electoral reform, but the ICM also supports a series of other political reforms aimed at making the Kuwaiti political system both more democratic and more partisan. While the ICM enthusiastically supported the move from 25 to 5 districts, it has also signaled support for making Kuwait a single electoral district. This would necessitate proportional representation and a party list system and perhaps force the issue of a political party law (which the movement supports) onto the country's political agenda.

The ICM has also more gingerly explored the issue of the current electoral boundaries; each of the current five districts was formed merely by combining five of the older districts without addressing the serious imbalances created by those older boundaries. As a result, the current electoral districts are uneven in size, with outlying areas—and their more tribal and socially conservative populations—underrepresented. Redrawing boundaries would almost certainly strengthen the ICM, but it would also be extremely divisive, since it would undercut the older, longer-settled areas, populated in part by Kuwait's most powerful families, many of whom look at the outlying districts as coarse and less than truly Kuwaiti.

Outside of electoral reform, the ICM also pursues a variety of other liberalizing political reforms, with the caveat, noted above, that its support for liberalization rarely leaves the political for the social or cultural realm. But the ICM generally embraces causes associated with political rights. It is particularly attentive to the problems of Kuwait's *bidun* population (*bidun* literally means "without" and refers in Kuwait to those resident in the country but without any citizenship), although critics do not see the ICM's stance as altruistic, since many *bidun* are members of the same tribes that provide core electoral support to the movement. The ICM does not have a monopoly on political reform issues, but it does participate with other movements in developing other proposals, such as those to enlarge parliament (because a greater number of deputies might allow the body to widen its legislative and oversight activities to new fields) or change parliament's bylaws (to allow more work to be done in committees to address the concern that it has been more a debating society than a working body).

With an ambitious agenda and only a handful of deputies, ICM achievements will necessarily rely heavily on the ICM's relationship with the government and with other political groups in Kuwait. What partnerships and rivalries has the ICM built and how do these affect the ICM's past record and likely future course?

COPING WITH A WARY BUT TOLERANT GOVERNMENT

The history of the relationship of the ICM (and the broader Kuwaiti Muslim Brotherhood movement) with Kuwait's rulers displays several features familiar to other Arab states. As happened in Jordan, Syria, and Egypt, for instance, the Muslim Brotherhood was born in a far more tolerant political environment than is the norm in much of the region today. The movement used this more permissive atmosphere to concentrate initially on a broad range of activities: missionary, educational, and charitable work. The movement only dabbled in politics by running candidates on a limited scale in parliamentary elections. As Arab politics grew increasingly ideological in the 1950s and 1960s, the Brotherhood became an adversary of various leftist and nationalist movements. In Jordan in those decades or in Egypt in the 1970s, the government often regarded the Brotherhood as a potential counterbalance to radical movements on the opposite side of the political spectrum. Perhaps most like the Jordanian Brotherhood, the Kuwaiti movement was deemed by outsiders as willing and able to

reach political accommodation with the government. Kuwait was thus spared the harsh confrontations that occurred between the Islamist movement and the regime in Egypt, Algeria, and Syria.

The period since the Iraqi occupation has seen Kuwait's Brotherhood begin to strike out in a different direction. It did so first by establishing a party-like organization distinct from the movement as a whole (a step also taken by the Brotherhood in other, but not all, Arab states); in Kuwait, the party organization, though it lacks legal recognition, has still been able to avoid becoming subordinate to the broader Islamist movement, unlike in some countries where the party is legal but weaker vis-à-vis the broader movement, such as Jordan. What marks Kuwait as truly different, however, is the extent to which the political party has been incorporated as a normal political group.

To be sure, there are tensions between the Kuwaiti Muslim Brotherhood and the government. Since the mid-1980s, and especially since the formation of the ICM, the movement has increasingly positioned itself as part of the political opposition, prompting the government to respond with the divide-and-rule tactics described above. The possibility that the current parliament will overcome such tactics and actually move to restrict the role of the ruling family may make for a stormier relationship than existed in the past. The tensions between the government and the movement are not restricted to the political realm: the Muslim Brotherhood is very active in the charitable arena internationally as well as domestically. In the 1990s, Kuwaiti Islamist charities were held responsible by the Egyptian government for funding the radical Islamist opposition; since 2001, Kuwait's other allies (most notably the United States) have pressured the government to monitor and restrict the role of Kuwaiti Islamic charities.

To date, neither the more confrontational domestic conditions nor the escalating international pressures have led the Kuwaiti government to engage in the tools of harassment used in Jordan or the harsh (if calibrated) repression employed in Egypt. Ironically, the Kuwaiti movement has never been legally recognized, unlike the situation in other less permissive countries. The ICM itself has had to develop a clear leadership structure, fund and manage campaigns, and develop platforms and party publications without any legal status. The Kuwaiti government's foot-dragging on electoral reform and reluctance to legalize political parties is largely explained by its fears that such steps would only strengthen the ICM and perhaps lead other opposition political groups to develop similar organizational skills.

The ICM is therefore entering a period of greater tension in its relationship with the government. Remarkably, the possibility of an "unconstitutional dissolution" of parliament—dissolving the body, suspending those clauses of the constitution allowing for parliamentary elections, and allowing the amir and an unaccountable cabinet to rule by decree—is being seriously discussed in Kuwait for the first time since the restoration of parliament in 1992. There are far less extreme options available to the government (such as mollifying the reformers or seeking to divide them), and a full confrontation between the Islamic movement and the government seems unlikely. The relatively permissive political atmosphere in Kuwait will probably survive, but the current tension is forcing all political actors to develop new strategies.

COORDINATING WITH RIVALS

Oddly, the ICM finds itself a target of suspicion both because it is seen simultaneously as too reluctant to confront the government and too close to radical Islamists. Both sets of doubts originate not only in recent political events but also in political rivalries that date back to the 1960s, making them not easy to dispel.

Suspicions of the Islamic Constitutional Movement

As far as the ICM's reputation as being insufficiently dedicated to political opposition, such suspicions are based in part on the priorities of the Islamist movement in Kuwait. Like its counterparts in other Arab countries, the Islamist movement is not solely a political party following an electoral logic, but a wide-ranging effort to enhance the Islamic nature of Kuwaiti society in the social, economic, and cultural realms. The diverse activities associated with the movement lead it to value protected social space; an overly confrontational or politicized attitude might endanger aspects of the movement that benefit from official acquiescence. The formation of the ICM did change the behavior of the Islamic movement to some extent, since it resulted in a wing of the movement that specialized in electoral and political work. The ICM had an interest in pressing for greater political liberalization—from which it would likely benefit—and indeed currently presents itself explicitly as an opposition political group.

But even in the 1990s, when the ICM emerged as an opposition party, its potential partners continued to see it as too quick to cut separate deals with the government to protect the status of the Islamist movement more generally (especially in the educational and charitable arenas). While there is a rough consensus among the diverse opposition groups on the requirements of political reform (enhanced role for parliament, greater fiscal transparency, genuine political accountability, electoral reform, and diminished dominance of the ruling family over the government), the ICM's potential partners often charge the movement with insufficient enthusiasm for the cause. In the 1990s there may have been some justice to this charge, because the ICM was quite willing to concentrate on elements of its agenda that set it against other opposition elements (especially in the cultural realm), but in the last few years its dedication to the cause of political reform seems to have run quite deep.

Yet at the same time as some critics charge that the ICM is only lukewarm in opposition, others suspect that the ICM is actually masking radical sentiments. Part of this fear comes from recent events in the region—while the ICM and the Kuwaiti Muslim Brotherhood more generally have completely eschewed violence, it is not uncommon for critics to charge in private that the ICM differs from more radical groups only in its ability to put forward a gentler image. As long as political violence is common in the region, there is probably little that the ICM can do to dispel such doubts, which are based on nothing that the ICM has said or done but instead on the enthusiasm with which some radical Islamist groups elsewhere have embraced violent means.

But while fears of violent inclinations on the part of the ICM may be groundless, non-Islamist actors sometimes advance a more subtle critique of the movement based on its program. While the ICM claims to (and indeed always does) act through constitutional and legal mechanisms, its vision of Kuwaiti society is explicitly based on the need to cultivate Islamic values in the society. For non-Islamists, this is easily and perhaps naturally portrayed as an attempt by the ICM to impose a specific—and highly conservative—interpretation of proper Islamic practice on the society as a whole. Such a critique of the ICM's platform is essentially secularist in nature and for that reason is not always voiced in public debates—the argument that religion and morality are strictly personal concerns finds little resonance in most of Kuwait society. But in liberal and some elite circles, the ICM is viewed as authoritarian not because of its political practices—which are difficult to criticize—but because of the content of its program. The milder ICM approach on the Islamic Sharia has not yet reassured such critics, and each move by ICM deputies to raise a cultural issue only deepens the fears of some of its critics. For this reason, there will likely always be difficulties in moving beyond tactical cooperation among opposition forces to a joint strategic program.

Even within Islamist ranks, the ICM finds rivals as much as partners. Among Kuwait's Sunni population, the ICM is in the unusual position of coexisting with Salafi parties (in many Arab countries, Salafi movements eschew electoral politics). The willingness of Kuwait's Salafis to run for parliament has diminished the ideological gap between the Muslim Brotherhood and Salafis that existed in an earlier period (when Salafis were suspicious that the Muslim Brotherhood was too willing to compromise on religious matters). In recent years, the ICM has formed an Islamic bloc in the parliament with representatives of Kuwait's various Salafi strains.

The ICM's relationship with Kuwait's Shiite Islamists is more difficult. Some of the ICM's attempts to adopt elements of Sharia law rest on Sunni rather than Shiite legal interpretations. Thus, the ICM was forced to make concessions to Shiite deputies when pursuing legislation to mandate payment of the *zakat*. ICM deputies argued that Shiites, like non-Muslims, were free under the proposed law to do the same as non-Muslims and consider the fairly small mandatory *zakat* payment a tax while privately pursuing their own charitable activities—a view that offended Shiites, who objected to being lumped together with non-Muslims. Despite such awkward situations, the ICM often attempts to reach an accommodation with Shiite Islamist deputies, but it is hampered by its parliamentary partnership with Salafis, most of whom take a far less tolerant attitude toward Shiite Islam. As a result, Shiite Islamist deputies do not vote with the Islamist bloc but instead with the populist one.

Thus cobbling together opposition coalitions in parliament is a difficult task. Yet the incentives for doing so are now sufficiently strong—since all opposition elements depend on an active and powerful parliament to pursue their objectives—that intensive efforts are underway to build a working opposition majority.

Efforts at Cooperation and Possible Rewards

Perhaps the most critical factor in determining the course of Kuwaiti politics is the ability of the very disparate groups constituting the opposition to work together on a common reform agenda. The rewards of successful coordination would be substantial indeed for all groups. But the suspicions among the movements run very deep. In particular, as is the case in other Arab countries, many non-Islamists with a history of political opposition have come to regard the Islamist movement as a greater adversary than the government. The possibilities for forging a common reform front are real; indeed, they are being actively explored. But they are occurring against a background of rivalry and distrust.

In the current parliament, three groupings that operated as loose alliances in the past have attempted to form something more closely resembling parliamentary parties. One of the three groupings—the Islamist—controls seventeen seats. A second bloc, which labels itself "nationalist," is liberal on both political and economic issues and holds eight seats. A third bloc, called "popular" and counting seven members, is the least compromising on matters of political reform; its approach towards economic issues is populist, suspicious of foreign oil concessions, and in favor of canceling citizen debts. It also includes some religious Shiite deputies, who complain that the Islamist bloc is sectarian Sunni. The remaining elected members are progovernment, tribal, or service deputies.

The various blocs reflect long-standing political tendencies in Kuwaiti society, and deputies have often caucused within each bloc before a major parliamentary vote. But in the current parliament the blocs have sought to go further, even requiring members to vote in accordance with the stance taken by the majority of bloc members on major issues. Bloc discipline is not absolute—for instance, bloc members take a forgiving attitude in cases where discipline might call for a deputy to vote against a

minister from his tribe or district. (Oddly, Kuwaiti deputies are exempted on the precise matter for which party discipline is most expected in parliaments elsewhere—votes of confidence.) The blocs have moved toward threatening to expel members who break ranks in binding votes. Since the blocs only operate in parliament and members are elected as individuals, it is not clear that the threat of expulsion would have much effect—deputies would not fear losing their seat because of a loss of organizational or party support. The ICM alone is able to exercise such discipline over deputies, partly because its members are nominated for parliament by the organization itself and do not run without its support (with only one exception in the ICM's entire history). Other blocs do not seem to be rushing to follow the ICM's example for establishing a party-like organization.

The current parliament is also unique in the determination of the three blocs to use their collective majority in a coherent and disciplined manner. Leaders of the three blocs meet regularly to coordinate positions; in October 2006, they hammered out a set of 12 laws they wished to pass. The list not only named the laws but also set deadlines for each. Perhaps in deference to the numerical weight of the Islamic bloc, the coalition decided to focus first on the *zakat* law. The decision to concentrate on legislation (that is, a positive agenda) rather than on bringing down ministers seems partly a response to a widespread perception of parliament as obstructionist and incapable of constructive action.

Yet for all the enthusiasm surrounding the opposition majority, the coalition is still very shaky. It failed part of its first test regarding electing chairs of standing committees—in a secret ballot, progovernment deputies won some posts. Parliament also elected as speaker a figure seen as closer to the government (also in a secret ballot, although some ICM deputies displayed their ballots to members of other blocs to dispel concerns that they would break ranks).

CONCLUSION: CAN AN OPPOSITION COALITION REFORM KUWAITI POLITICS?

The ICM has found its fate tied up with a longstanding division within Kuwaiti politics about the nature of the constitutional order.[8] The ruling family has regarded the constitution and parliament as its gifts to the Kuwaiti people; the rulers have agreed to consult with the population on major matters but keep ultimate authority in their hands. On two occasions they have taken back their gift for several years. For much of the Kuwaiti opposition, the constitution is seen instead as a contract between the ruling family and the population—the population agrees to allow the family a leading role so long as it operates within the bounds of the constitutional order. In their view, such a contract cannot be unilaterally abrogated by either side.

Thus, when the amir opened the regular session of Kuwaiti parliament in October 2006, he spoke of respect for "separation of powers"—meaning something quite different than what many parliamentarians believe the phrase means. For the amir, parliament risks overstepping its bounds in its insistence on playing an extensive role in government; for opposition parliamentarians, the ruling family is seen as balking at allowing constitutional institutions to operate with full authority. Ominously, the new parliament was greeted not only with a speech from the amir but also with a flood of rumors that he was considering an "unconstitutional dissolution" for a third time. In response to steady questioning, the amir finally stated that the idea of such a step had not crossed his mind, which hardly seemed a categorical denial. He has spoken more openly of forming an upper house of parliament—most likely an

appointed body on the Bahraini model that would circumscribe the actions of the existing elected body. Such a step would require a constitutional amendment and thus the assent of the parliament, unless the amir imposed the new body by fiat.

Like many Islamist movements, the Kuwaiti Muslim Brotherhood has an agenda that goes far beyond political reform; it is working for the long-term Islamization of Kuwaiti society. Thus the movement hesitates before throwing in with a confrontational political opposition for fear that it will endanger its current institutions and subordinate its long-term agenda to short-term, political maneuvering. But the formation of the ICM has pulled the Muslim Brotherhood fully into the political process and tied its fate to the cause of political reform perhaps more than is the case with any of its sister Islamist movements anywhere else in the region. In a few areas—such as the interest in developing a legally recognized political party—the ICM is even willing to go further than other elements of the opposition coalition (despite the traditional distrust of partisanship by Islamist movements). If the political opposition succeeds in its program—of investigating corruption, strengthening the legislative and investigative abilities of parliament, and moving toward ideological and programmatic politics—the rewards for the ICM could be rich indeed. This has drawn the ICM into an attempt to form an alliance with a group of liberal and populist politicians whose political values and orientations have historically made them very wary of Islamists.

The success of the opposition program may not become clear until the next parliament is elected in 2010. The effects of the recent electoral reform are not yet clear.[9] ICM leaders are clearly preparing themselves for the new system, although they are tight-lipped about the precise nature of their plans. The new law will likely reward them, although it will probably increase the need for a coalition. Each voter will get four votes, and the top ten vote-getters in each of Kuwait's five districts will enter parliament. Assuming the ICM works to avoid splitting its votes and therefore nominates no more than four candidates per district, it will be impossible for the ICM to obtain a majority on its own.

Other blocs seem less well prepared for the move toward ideological, constituency-based, and even mass politics; their leaders seem to hope that their prominence as individuals will continue to earn them electoral success. Given the nature of the new voting system—which they had a hand in devising—they may be right, because a disciplined party can realistically hope to win at most four of the ten deputies per district. Even if this is the case, however, some coordination within each bloc is likely to be necessary to avoid similarly oriented candidates' competing for the same bloc, and it is not yet clear if any political group other than the ICM has sufficient discipline to take full advantage of the new law.

The Kuwaiti government and ruling family have still not made clear how they would react to the prospect of a cohesive opposition with a clear program of political reform. The country's leadership may attempt to stave off reform by the same divide-and-rule tactics that served it so well during the 1990s; it may flirt with unconstitutional dissolution or at least hint at it as an attempt to intimidate the opposition; or it may attempt to work with the reformers and negotiate a reformed political system.

In this context, the ICM faces some very hard choices. It stands on the brink of achieving a greater level of political influence than almost any of its sister movements, but this may depend not only on its becoming more comfortable with its current role in the opposition but also on its cooperation with political forces it has traditionally regarded as unsympathetic to the Islamic movement's religious, cultural, and moral values.

NOTES

[1]   The Islamist movement in Kuwait is covered well in two Arabic-language studies: Falah `Abd Allah al-Mudayris, *Jama`at al-Ikhwan al-Muslimin fi al-Kuwayt* (Kuwait, 1994); and Sami Nasir al-Khalidi, *Al-Ahzab al-Siyasiyya al-Islamiyya fi al-Kuwayt* (Kuwait, 1999).

[2]   Isa Shahin, personal interview, Kuwait, October 2006.

[3]   Mubarak al-Duwayla, personal interview, Kuwait, October 2006.

[4]   An extremely useful and rich database on Kuwaiti politics, compiled by Michael Herb, can be found at http://www2.gsu.edu/~polmfh/database/database.htm.

[5]   There is now a fairly large body of writings on attempts to integrate Sharia with constitutional law. I have analyzed these efforts with Adel Omar Sherif in "Inscribing the Islamic Shari`a in Arab Constitutional Law," in Yvonne Yazbeck Haddad and Barbara Stowasser, *Islamic Law and the Challenges of Modernity* (Lanham, 2004) and with Clark Lombardi in "Do Constitutions Requiring Adherence to Shari`a Threaten Human Rights? How Egypt's Constitutional Court Reconciles Islamic Law with the Liberal Rule of Law," *American University International Law Review,* vol. 21, pp. 379-435, 2006.

[6]   See the ICM history presented by the party: *Musirat Ithna `Ashar `Aman,* p. 42.

[7]   This has been most recently demonstrated by the case of Isma`il al-Shatti, one of the ICM's founders, who is expected to come under parliamentary questioning over some financial actions he took as a minister. Al-Shatti's position in the movement was frozen when he accepted a ministerial appointment without consulting the appropriate ICM bodies. ICM deputies are now considering whether to cooperate with other blocs in interpellating al-Shatti. Similarly, some observers of the movement claim that the ICM bases its decisions on whom to nominate for parliament partly on the basis of their personal integrity and that prominent members of the movement have not been nominated in cases where doubts were raised. The nomination process is not open, so it is difficult to assess the accuracy of such accounts.

[8]   I have written of this in *The Rule of Law in the Arab World* (Cambridge, 1997), chapter 6. See also Mary Ann Tetreault, *Stories of Democracy* (New York: Columbia University Press, 2000).

[9]   The main argument by some liberal reformers—that the new system will diminish corruption and vote buying—may not be borne out in practice. Because the system will have ten-member districts, it is likely that there will be an abundance of very close races in which the marginal value of each vote is just as high as it is in the current system—and this will result in significant incentives to use corrupt methods to gain the allegiance of individual voters. I am indebted to elections expert Jarrett Blanc for pointing this out.

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