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Sultan Barakat and John Skelton



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Sultan Barakat

Senior Fellow, The Brookings Institution

Chairman, Post-war Reconstruction and Development Unit, University of York

sultan.barakat@york.ac.uk

and

John Skelton

Results, Learning and Research Manager

Mercy Corps

jskelton@lr.mercycorps.org

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The Reconstruction of Post-war Kuwait: A Missed Opportunity?

SULTAN BARAKAT AND JOHN SKELTON

Abstract

The reconstruction of Kuwait, following its occupation by Saddam Hussein's Iraq in 1990, constitutes a significant though rarely studied episode of post-war recovery. On the eve of liberation in 1991, Kuwait faced a number of challenges including physical rehabilitation and reconstruction, political and constitutional issues, reconciling a deeply divided population and socio-economic recovery. The passing of more than twenty years since Kuwait's liberation allows the paper to reflect, from a long-term perspective, on the decisions which were taken following liberation and how these have impacted the country's subsequent political, social and economic trajectory. The timeliness of such an examination has been highlighted by the contemporary ongoing political crisis in Kuwait in the context of the Arab Spring, at the centre of which stands a widely perceived, long-standing deficit of the Al Sabah regime's political legitimacy. The paper argues that had Kuwait's reconstruction assumed a different shape, it is conceivable that the country would have experienced a profoundly different development trajectory over the following two decades. The authors contend that Kuwait's contemporary political and socio-economic crises have their roots in a post-war reconstruction model which delivered substantial success in physical and rapid macro-economic recovery, but which did not fully realise opportunities to establish an accountable and trusted governance system, promote reconciliation and equality between divided groups, and encourage sustainable social and economic development. The paper argues that the opportunity to deliver long-term benefits was undermined by a non-holistic post-war vision dominated by notions of regime security which in turn necessitated renewed post-war business-as-usual authoritarianism, exclusionary nationalist policies and the recreation of the pre-war power-for-welfare political trade-off.

1. INTRODUCTION

This paper examines the reconstruction of Kuwait following its occupation by Saddam Hussein's Iraq in 1990–1 – a subject that has until now been rarely addressed despite the regional political significance of the Gulf War and its aftermath. The rebuilding of Kuwait constitutes a significant episode of post-war recovery, with the Kuwaitis leveraging the technical assistance of western construction and engineering firms for project implementation through a combination of oil wealth and high international political stakes. On the eve of liberation, Kuwait faced a number of challenges: physical reconstruction, socio-economic recovery, political and constitutional issues, and the need to reconcile a deeply divided population. The central aim of the paper is to reflect on how decisions taken following liberation impacted the country's subsequent political, social and economic trajectory. This inquiry is achieved through situating the Kuwaiti experience within a post-war reconstruction

conceptual framework which emphasizes both the challenges facing post-war development and its uniquely transformative potential.

Now, more than twenty years after Kuwait's liberation, there is a clear opportunity to assess reconstruction efforts from a long-term perspective. This timeliness has been highlighted by the contemporary ongoing political crisis in Kuwait, in which the Al Sabah regime's widely perceived deficit in political legitimacy has, since 2010, been dramatically expressed in the regional context of the Arab Spring and its mutations.

The paper argues that had Kuwait's reconstruction assumed a different shape, it is conceivable that the country would have subsequently experienced a profoundly different development trajectory. The authors contend that Kuwait's contemporary political and socio-economic crises are rooted in a post-war reconstruction model that delivered substantial success in physical and short-term macro-economic recovery, but which did not fully realize opportunities to establish an accountable and trusted system of governance, rebuild trust and reconciliation between divided groups, and promote sustainable and equitable social and economic development. The paper argues that the long-term benefits of reconstruction were undermined by a non-holistic post-war vision dominated by notions of regime security. This in turn led to a post-war return to authoritarianism, exclusionary nationalist policies and the pre-war power-for-welfare political and economic system, justified publicly by claims of exceptional circumstances amid a national emergency. This missed opportunity for a more transformational post-war vision, based on principles of democracy and social justice, is now increasingly clear, especially given the mass protests against political and social governance that have engulfed the country since 2011.

Following this introduction, the second part of this paper discusses Kuwait's contemporary political and development challenges, focusing in particular on the country's long-standing political crisis coming to the fore in the context of the Arab Spring. The third section compares these contemporary challenges with those facing Kuwait on the eve of liberation and even before the Iraqi invasion. It is shown that these past concerns, including pressure for political reform and economic difficulties, in many ways mirror the contemporary challenges facing Kuwaiti today. The fourth part proposes a conceptual framework for analysing post-war reconstruction, encompassing both political and economic development challenges. The fifth section describes the reconstruction planning and implementation rebuilding activities undertaken both during and in the aftermath of the Iraqi invasion. The sixth section evaluates Kuwait's experience of post-war reconstruction through applying the proposed reconstruction framework. The authors conclude by identifying a series of insights

which are particularly pertinent to the Kuwaiti case but are also relevant to post-war reconstruction efforts in other contexts.

2. KUWAIT'S ARAB SPRING AND CONTEMPORARY CHALLENGES TO THE AL SABAH REGIME

Since 2006, Kuwait has experienced a prolonged state of political paralysis, characterized by ongoing deadlock between the appointed Cabinet and elected National Assembly. Popular demands for greater political representation lie at the heart of the impasse, with the paramount issue being the ruling family's control of the government and its lack of accountability to the elected parliament. While the Kuwaiti system is the most politically inclusive amongst the Gulf monarchies, the regime has been clear in its position that the opposition's demands for the Al Sabah family members to cede control of the government constitute a 'red line' which it is not willing to cross (Gause 2013: 22).

While Kuwait's political crisis is long-standing, the regional dynamics of the Arab Spring had an aggravating effect, tightening Kuwait's political tensions to breaking point. Despite the regional context, though, few in Kuwait have rejected the monarchy wholesale; nor have protests been galvanized by the sectarian rivalries (Hearst 2012). However, as in uprisings elsewhere, protests have been provoked by a deficit of political legitimacy underpinned by perceptions of corruption, lack of accountable governance and a dearth of economic transparency. The protests have also been driven by perceptions of the socio-economic marginalization of certain groups, especially amongst tribes, youth and the Bidun population (Ghabra 2014).¹ While the political system has been the central issue which has underpinned popular dissatisfaction, mass protests have also been driven by perceived structural injustices within Kuwaiti society. During 2011 and 2012, thousands of Kuwait's 100,000 stateless Bidun population protested against their lack of rights, including citizenship (Amnesty International 2013). Members of the Bidun movement have bonded with opposition groups, joining street demonstrations that demanded political reforms (Ghabra 2014).

Following a corruption scandal which instigated months of anti-government demonstrations and the storming of the National Assembly building by protestors in November 2011, the prime minister, Nasser Al-Mohammed Al-Ahmed Al Sabah, was forced to resign (CNN 2011). National Assembly elections were held in February 2012, and were won by the opposition in a landslide victory. However, political tensions escalated when the

¹ The Bidun mostly originate from the following backgrounds: a first group are descendants of those who failed to apply for citizenship at the time the 1959 Nationality Law came into force. A second group are those originally from Iraq, Jordan and Syria, who settled in Kuwait in the 1960s having been recruited into Kuwait's police and army services. The third group are children of Kuwaiti mothers and stateless or foreign fathers.

Constitutional Court annulled the election results and called for a new election, a move branded by the opposition as a ‘coup against the constitution’. After the reinstated parliament failed to function due to boycotts by the majority of MPs, the emir unilaterally modified the electoral law by decree, without the consent of the National Assembly, reducing the number of votes held by each Kuwaiti from four to one. The act was condemned by critics as a move to weaken the opposition and sparked mass protests, with up to 100,000 gathering to call for constitutional amendments to establish a fully elected government. In an unprecedented display of defiance, the leading opposition politician, Musallam al-Barrak, directly addressed the emir, stating ‘we will not allow you, your highness, to take Kuwait to the abyss of autocracy’, with his sentiment echoed by thousands of marchers (Gause 2013: 22). Subsequent political developments witnessed elections held in December 2012 and July 2013, both of which were boycotted by a range of liberal, Islamist and tribal candidates (BBC 2013).

Meanwhile, Kuwait’s rising population increasingly challenges the sustainability of the government’s fiscal model. Warning of the need to take measures to promote sustainable growth, the International Monetary Fund (IMF) has urged the Kuwaiti government to reduce its reliance on revenue from the oil sector and to reform its expenditure structure through shifting the current emphasis on welfare provision to capital expenditure (IMF 2012).

The core point is this: a little over twenty years since the rebuilding of the country, Kuwait is again experiencing a period of profound political instability coupled with burgeoning socio-economic challenges.

3. KUWAIT’S CHALLENGES AND OPPORTUNITIES IN THE AFTERMATH OF WAR

Despite the brevity of the 1990–1 conflict, Kuwait faced a wide array of challenges upon its liberation, with the effects of the war compounded by pre-existing structural issues. In the years prior to the Iraqi invasion, Kuwait had become increasingly unstable politically. In 1986 the emir suspended the National Assembly and cracked down on civil freedoms. The move was justified in language that invoked threats posed to internal security in the context of the Iran–Iraq war and followed a severe intensification of political violence in Kuwait. Three years earlier, the US and French embassies and oil installations had been attacked, and in 1985 the emir survived an assassination attempt (Ulrichsen 2012b). Although the Iran–Iraq war ended in 1988, the government resisted calls for the restoration of parliamentary rule. Throughout 1989 and 1990, political arrests of opposition figures continued (Nafisi 1991) and restrictions were enforced on press freedoms and the right to public assembly (Human Rights Watch 1990). In 1990, the government sought to neutralize mounting pressure for democratic

reform by appointing a National Council (a weaker body than the National Assembly). However, many groups dismissed the move as unconstitutional and boycotted the subsequent elections, held in June 1990.

Ironically, deeper political conflict was avoided only by the Iraqi invasion in August of that year; although the war forced the royal family into exile, in some ways the regime had already been deposed. Still, political tensions were to be exacerbated further by the experiences of the war itself. In particular, the government's failure to defend the population during the war seriously undermined its credibility in the eyes of the wider population (Katzman 2005: 2). As a newspaper reported in 1991, 'those who had survived the Iraqis – and especially those who resisted – had a newfound pride. They hoped that Kuwait would be not just rebuilt but reshaped into a more democratic, self-reliant, purposeful society' (Efron 1991). Opposition leaders articulated the desired reforms in clear terms: the restoration of constitutional and accountable government (legitimized through elections for the National Assembly), respect for human rights and a free press (Gargan 1991).

The intensification of domestic political tensions in the period preceding the Iraq invasion was accompanied by an increasing strain on social cohesion. The security incidents described above led to paranoia amongst the establishment about the loyalty of various communities in Kuwaiti society. In particular, during the 1980s there was a marked increase in concern among the political elite regarding Iranian ideological influence on Kuwait's Shi'a population, estimated to constitute between 15 and 25 per cent of the country's population. Consequently, restrictions were enforced on the activities of Shi'a community leaders and associations, including the dissolution of the board of directors of the Shi'a Social and Cultural Association in 1989 (Human Rights Watch 1990). During this period, domestic security concerns were also focused on Kuwait's 250,000-strong Bidun population,² composed of those who lacked Kuwaiti (or any other country's) citizenship and were therefore stateless. In 1985, the government changed the status of Bidun from legal residents without nationality to that of illegal residents – despite the fact that Bidun comprised the majority of the Kuwaiti army (Human Rights Watch 2011: 14).

The pre-war period was also characterized by sharpened divisions between Kuwaiti citizens and expatriates. As during the 1980s, 'the idea began to percolate among the power elite that expatriates, especially political activists, were threatening Kuwait's culture, societal integrity, and political system' (Pfeifer 2004: 213). Arab expatriate workers were the subject

² As is explained later in the paper, the Bidun population decreased hugely in the period following the war, such that, soon after the war, the 250,000 Bidun present in Kuwait before the war had been reduced to 100,000.

of particular suspicion, leading to the formulation of a nationalistic labour policy in 1983, which aimed to promote the 'Kuwaitization' of employment and decrease the level of expatriate labour, especially Arabs, to the furthest extent possible. Consequently, by the time of the invasion in 1990, there had been a significant shift in the demographic composition of expatriate workers from Arab to Asian (ibid.).

Perceived pre-war social fragmentation was exacerbated by the Iraqi occupation, with sharp divisions emerging between those who remained in Kuwait during the war and those who fled to exile. Many of the estimated 150,000 Kuwaitis who remained harboured resentment against the regime and others who fled to Saudi Arabia, the US or elsewhere during the invasion and experienced the war in relative luxury (Gargan 1991). Having suffered greatly during the war and having formed the backbone of the anti-Iraqi resistance, these groups felt they deserved a more substantive role in the country's post-war development (Yetiv 2002: 263).

On the eve of liberation, these social and political divisions were compounded by developmental challenges and vulnerabilities built into Kuwait's pre-war economic system. The economy's reliance on the oil sector had been highlighted during the 1980s fall in oil prices, which saw Kuwait's oil revenues in 1988 ending at 58 per cent of their 1974 value. As a consequence, the years preceding the Iraqi invasion had been characterized by inconsistency in economic growth, most starkly illustrated by a fall of 12.5 per cent in GDP per capita in 1985 (Pfeifer 2004). Economic problems were exacerbated by the lack of expected growth in non-oil production sectors, the result of a combination of Dutch Disease and the debt crisis caused by the Souk al-Manakh stock market crash of 1982. Consequently, there was a marked decrease in non-oil manufacturing and worker productivity between 1976 and 1984. Yet in spite of various strategies to reduce Kuwait's reliance on the oil sector, core issues of lack of investment and productivity growth were unaddressed, with the consequence that the private sector's share of non-oil GDP decreased between 1982 and 1988, from 67 per cent to 55 per cent (ibid.).

Challenges to economic development were intensified by the effects of the Iraqi occupation. During the oil boom period of the 1970s, the Kuwaiti government invested heavily in the infrastructure required to create a modern state and enable rapid economic and social advances (Fennell 1997). Much of this progress was abruptly rolled back due to infrastructural damage resulting from the war (although the damage was less extensive than anticipated) (McDonnell 1999: 71). The oil industry was particularly badly damaged as a result of the retreating Iraqi army's 'scorched earth' campaign, in which more than seven

hundred oil wells were set on fire (Metz 1993). The consequent destruction of domestic oil production capacity meant that oil exports were suspended during the occupation and the following year, seriously impacting government revenue, which fell by 66 per cent in 1990–1 (Fennell 1997). Additionally, serious damage was inflicted on other infrastructure, including power stations, air and sea ports, health and educational facilities, and public and private buildings (Al-Bahar 1991). The country's post-war economic challenges were further exacerbated by a decline in investment income due to the reduction of foreign assets, much of which had been used to finance the reconstruction.

As the above discussion has highlighted, the immediate post-war period found Kuwait facing severe political, social and economic challenges. Yet the rebuilding process also constituted an opportunity to address long-standing deficits. On the political front, the occupation constituted a watershed, offering the possibility of ushering in a new set of consensual and trusting political relations between the regime, elite opposition politicians and resistance leaders. The post-war moment also provided an opportunity to reflect on the country's economic development vulnerabilities. Pfeifer (2004: 204) has asserted that in spite of the suffering that the war caused Kuwait, 'the crisis and subsequent liberation offered its government and people a unique opportunity to reinvigorate their previously stagnant economy'.

However, as described above in section 2, twenty years on from the country's post-war reconstruction, Kuwait is again in the midst of a political crisis not dissimilar from the pre-war state–society impasse. A noteworthy fact, therefore, is how much the structural tension at the core of the country's political and socio-economic systems remained unchanged in the post-war period. In understanding Kuwait's apparent cyclical development trajectory, decisions taken in the immediate post-war period are of particular importance. This is the central topic addressed in the remainder of this paper.

4. POST-WAR RECONSTRUCTION: A CONCEPTUAL FRAMEWORK

The process of rebuilding societies in the aftermath of war is not a new enterprise, having accompanied centuries of war-making. Nevertheless, the twentieth century witnessed post-war reconstruction efforts on unprecedented scales. Arguably the archetypal example of post-war reconstruction was the massive US-led investment in the reconstruction of the defeated powers of Germany and Japan following World War II, organized around the European Recovery Program (Marshall Plan), which sought to ensure regional cooperation around reconstruction and development as the foundation of sustaining peace in Europe. To facilitate

such a complex process of economic and political collaboration among former enemies, the plan involved the establishment of a global economic architecture spearheaded by the International Bank for Reconstruction and Development (later the World Bank), the IMF and the Organisation for European Economic Co-operation (later the Organisation for Economic Co-operation and Development).

Post-war reconstruction generally encompasses three broad aims. First is the humanitarian goal centred on the impulse to save lives, with related projects often spearheaded by UN agencies and a vast array of international non-governmental organizations (INGOs). A second objective of reconstruction concerns security goals. Traditionally, the main actors of reconstruction (leading international states and intergovernmental institutions) have viewed such processes through the lens of their own security interests. Thus, during the Cold War, reconstruction was shaped by the global rivalry between the United States and the USSR. During this time, aid in the form of official development assistance (ODA) was commonly tied to donors' strategic and economic objectives, against a backdrop of proxy wars fought between the two superpowers in many countries, including Chile, Nicaragua, El Salvador, Israel/Palestine, Iran and Somalia. The end of the Cold War diminished the strategic importance that leading states placed on some of these areas, resulting in a decrease in ODA during the 1990s.

Nevertheless, the unprecedented increase in post-war situations and humanitarian need that emerged in the early 1990s meant that a range of post-war reconstruction projects were undertaken during the years on either side of the turn of the century in war-torn societies as diverse as Bosnia, Sierra Leone, East Timor, Iraq and Afghanistan. The perception that many such contexts represented 'new wars' (Kaldor 2006), characterized by unprecedented involvement of civilians as both victims and perpetrators, as well as by the intersection of political and criminal violence, led scholarly and practical attention to focus on internal security challenges, including weapons reduction; disarmament, demobilization and reintegration (DDR) of former combatants; and security sector reform (Muggah 2005). The focus on internal security has been further bolstered post-9/11, with the growing perception that so-called weak, fragile or failed states constitute the major security threats to western states. A consequence has been large-scale reconstruction efforts in Afghanistan, Iraq and elsewhere, where such efforts have assumed strong stabilization and institution-building characteristics, under the broader framework of state-building. In a number of locations, such as Sri Lanka, reconstruction has assumed an 'illiberal' form, where post-war activities have been shaped by the interests of authoritarian regimes (Hoglund and Orjuela 2012).

In addition to humanitarian and security objectives, the third and arguably most fundamental aspect of reconstruction concerns development objectives. While development challenges are often accompanied by humanitarian and military security concerns, it has nevertheless been argued that such challenges are usually temporary and do not alter the fundamentally developmental nature of the rebuilding challenge (Stiefel 1998: 16). Development objectives are directly related to humanitarian and security goals; for example, security, participatory governance and justice are required to enable economic and social development. At the same time, the ‘peace dividends’ brought about by development – if such benefits are evenly experienced – can address drivers of conflict and enhance political and social reconciliation.

In the post-Cold War period, there has also been a shift in approaches to reconstruction. Instead of the traditionalist approach led by the World Bank and IMF, which viewed development as something that occurred ‘after’ conflict, there is a growing consensus around a humanitarian approach to reconstruction, which views reconstruction in terms of a ‘relief-to-development’ continuum. In this formulation, development is seen as the long-term solution to humanitarian crises, rather than as an activity to be initiated only after a crisis has subsided. In summary, therefore, development is viewed both as an end in itself and as a means to address security and humanitarian concerns.

In broad terms, two specific dimensions of the post-war developmental challenge are identifiable in official definitions of post-war reconstruction. The World Bank, for example, maintains that reconstruction ‘has two overall objectives: to facilitate the transition to sustainable peace after hostilities have ceased, and to support economic and social development’ (World Bank 1998: 4). The first development challenge relates to political development and concerns building trusting relations between people as well as between people and institutions. Indeed, the UNRISD War-torn States Project has argued that the most serious challenge facing post-war societies is the ‘destruction of relationships and the loss of trust, of confidence, of dignity and of faith’, which has the ‘potential to undermine the solutions to all the other problems, be they economic technical, institutional political, humanitarian or security-related’. ‘If people do not trust each other and lack trust and confidence in government and in the rebuilding process in general, then the best rebuilding strategies are likely to fail’ (Stiefel 1998: 13). Amongst the key activities involved in political reconstruction are constitutional issues, state institution-building, civil society strengthening and transitional justice initiatives.

The second development challenge concerns economic development and is about growth, inclusiveness, livelihoods and access to services. Much assistance to developing countries from international financial institutions has traditionally been governed by the assumption that market-oriented economies and liberal democratic polities constitute the firmest basis for peace within and between states (Paris 2004). Through the use of ‘structural adjustment loans’, this economic approach became particularly influential during the late 1980s and was characterized by efforts to privatize the public sector, deregulate markets and bypass rather than strengthen the state in development contexts. Although the global financial crisis since 2008 has reduced confidence in the ability of free markets to deliver social goods, particularly in contexts where markets are weak, international development assistance continues to be informed by neoliberal theory.

On the basis of the historical record, Barakat (2010: 249–70) has proposed that post-war reconstruction must contain several specific elements if it is effectively to address both the political and economic challenges described above. First, effective post-war reconstruction requires the establishment of a clear recovery *vision* which is representative of the population and which reflects a long-term political commitment to the process encompassed in a national policy framework. Second, the establishment of such a national vision requires that mechanisms are created for citizen *participation* in governance processes and structures such as national dialogue, drafting or reforming the constitution, elections, the organizing of political parties, civil society activities and a free media. From a critical perspective, it has been noted that despite the near universal consensus on the need for participatory development, the results of such efforts are often disappointing in practice (Cooke and Kothari 2001). Third, the process of trust-building often requires that post-war reconstruction takes place within a conflict transformation framework, guided by the principles of *reconciliation* (Bloomfield, Barnes and Huysse 2003). Fourth, *physical and economic reconstruction and development* are crucial in order to generate prosperity and, in turn, generate further recovery initiatives. Fifth, benefits from reconstruction and development must be *equitable* and widely shared, given the fact that ‘the origin of many conflicts lies in the perception that certain groups do not have the treatment in society that they are entitled to’ (Barakat 2010: 256).

It is worth noting that despite the immense challenges involved in post-war reconstruction, the post-war period is regarded as a unique opportunity to lay the foundations for sustainable peace: ‘the immediate post-conflict period offers a window of opportunity to provide basic security, deliver peace dividends, shore up and build confidence in the political process, and strengthen core national capacity to lead peace-building efforts. If countries

succeed in these core areas early on, it substantially increases the chances for sustainable peace – and reduces the risk of relapse into conflict’ (United Nations 2009).

5. RECONSTRUCTION PLANNING AND IMPLEMENTATION

5.1. Reconstruction planning during the war

It has been noted that ‘there is a general consensus that the best time to plan for reconstruction is while the war is on-going, in order that the nation is well-placed for a more rapid reconstruction process once the conflict is over’ (Barakat 2010: 252). Even before the Iraqi occupiers had been defeated and while US and allied forces were being assembled in the Gulf at the end of 1990 in preparation for the launch of ‘Operation Desert Storm’, exiled leaders were discussing an array of reconstruction issues, ranging from the rehabilitation of infrastructure to the post-war political vision of the country.

With regard to planning for physical reconstruction, extensive technical assistance was provided by the US government in response to a formal request from the Kuwaiti government. For their part, the US was motivated by the desire to minimize post-war hardship that could give rise to post-war instability (McDonnell 1999: 10). A committee was set up in Washington in December 1990, named the Kuwait Emergency Recovery Program (KERP), comprised of Kuwaiti officials, and advised by a US–Kuwait Task Force comprised of civil affairs military personnel (Barlow 2010). The committee was divided into ten working groups covering a range of physical, economic, social and political issues.

In parallel with planning for physical recovery, the political future of Kuwait was being discussed by exiled members of the government and opposition. During this period, the government was under significant domestic pressure to move towards democratic reform from exiled opposition groups such as the Constitutional Movement, which included former members of the National Assembly, as well as from the Committee of Forty-Five, a group of Kuwaiti business and intellectual elites. Illustrative of widespread sentiment at the time regarding the necessity of political change, one exiled member of the National Assembly asserted that there was ‘near unanimity that we can’t go back to autocratic rule’ (Bloomberg Businessweek 1991). The government also experienced international pressure to endorse a more inclusive form of governance in the post-war period (Yetiv 2002: 259), with democratic reforms presented as a precondition for the US Congress’s authorization of the forceful removal of Iraqi forces from the country.

In this context of political weakness, the exiled Kuwaiti government organized a conference held in Jeddah, Saudi Arabia, in October 1990, attended by 1,200 Kuwaitis from a wide spectrum of backgrounds. Held in the unique circumstances of exile at the hands of an existential and external threat to the country, the conference appeared to offer the opportunity for the government and opposition groups to renegotiate basic governance arrangements in a rare, relatively neutral setting. Discussions were reportedly frank and in depth. In closed sessions, the opposition directly expressed dissatisfaction with the Al Sabah's monopoly on power, lack of accountability and inadequate information policy, while the government responded by promising greater consultation (Human Rights Watch 1990).

At the conference, the government committed to political reform, including a return to constitutional rule and a degree of political liberalization in the post-war period. The crown prince addressed the conference, promising that, upon the liberation of the country, 'guided by the Constitution of 1962, Kuwait will take the necessary measures to consolidate democracy and allow for more extensive participation on the part of the masses' (ibid.: 488). To be sure, the government's insistence that political reform be delayed until after the war was rejected by some elements of the opposition, who instead argued for the immediate reinstatement of the constitution and the National Assembly along with the formation of a national unity government (ibid.). Nevertheless, the conference may be judged to have met with partial success in establishing a degree of consensus among elites on the basic governance goals – if not the detail – to which the country should aspire once liberation had been secured.

5.2. Reconstruction implementation

In contrast to post-war reconstruction efforts that take place in many developing contexts, the national recovery operation was not financed by international donors but was rather self-financed by the Kuwaiti government, through a combination of the country's US\$113 billion sovereign wealth funds and its ability to borrow on international markets. Consequently, it was the Kuwaitis themselves who established reconstruction priorities (McDonnell 1999: 11). The rehabilitation of basic services was a top priority for the returning government, which viewed this as a crucial area through which it could bolster public confidence in its ability to administer. In addition, as the largest source of revenue for government spending, the oil sector was awarded particular attention in the rehabilitation process (Metz 1993).

Nevertheless, despite reconstruction being shaped by national aspirations, the Kuwaitis relied extensively on foreign actors for actual project implementation. In the immediate period following liberation, assistance on the ground was provided by civil US army personnel in the

largest US civil military operation since World War II (Kifner 1991). Following the defeat of the Iraqis, US military troops attached to Task Force Freedom withdrew, paving the way for civilian reconstruction led by the US Army Corps of Engineers (USACE). The latter were located within the Kuwait Emergency Recovery Office (KERO), under the overall control of the US Department of Defense. The KERO was awarded a US\$45 million contract to manage the initial ninety-day recovery period, and undertook a range of services in emergency operations and engineering services such as repair of roads, hospitals, power supplies, sewage treatment, and air and sea ports. The KERO also undertook initial project management responsibilities including the contracting of western construction and engineering companies such as Bechtel Group, Caterpillar, Inc., Motorola and General Motors Company, for which the reconstruction was welcome as a lucrative bonanza (Furlong 1992).

In the political sphere, those who anticipated that the government would move towards political liberalization immediately following liberation were disappointed. Instead, the government sought to regain control swiftly by pursuing a strategy of reinvigorated authoritarianism. Immediately after the defeat of the Iraqis in February 1991, the government declared martial law, thus granting the Al Sabah family nearly unlimited power in the running of the country. Authoritarian measures were justified by the government on the grounds that the establishment of order was required before any liberalization could take place, with the crown prince stating in 1991 that future parliamentary elections were dependent on the establishment of law and order. In spite of widespread domestic and international criticism (Cushman 1991a), martial law remained in force until the following June (Human Rights Watch 1992).

Post-war authoritarianism was coupled with a re-energized policy of exclusionary nationalism, with the war being viewed by political elites as an opportunity to address the demographic make-up of Kuwaiti society and thereby satisfy paranoia about the country's large expatriate population. The majority of the 400,000 non-Kuwaiti residents who had fled during the war were not permitted to return, while others were forcibly deported (Metz 1993). Numerically, Palestinian and Jordanian residents, whose political leadership had supported Saddam Hussein during the war, were most affected by this policy. Prior to the war, Palestinians had constituted Kuwait's largest foreign population, with an estimated number of 400,000; by 1992, fewer than 30,000 remained (Metz 1993). On the eve of the Iraqi invasion in 1990, the population had stood at 2,200,000, of which non-Kuwaitis accounted for 73 per cent. By 1993, the population had decreased to 1,600,000, and the share of non-Kuwaitis had fallen to 60 per cent (Gulf Labour Markets and Migration).

Meanwhile, foreign residents and Bidun who had remained in Kuwait were targeted in a large-scale campaign of retribution, amid accusations that such groups had collaborated with the Iraqi occupiers. Those accused were tried in a series of military ‘collaboration’ trials, in spite of international criticism relating to both the suspension of due judicial process (including the use of torture to procure evidence) and the perceived harshness of judgements (Cushman 1991a). During this period, non-Kuwaitis in particular suffered summary executions and beatings, many of which were reported to have occurred at the hands of official security forces as well as those of vigilante or irregular armed groups allied to the state (Human Rights Watch 1992). In total, during the period of martial law twenty-nine people were reportedly given death sentences (although under international pressure these were later commuted to life sentences) (Cushman 1991a).

6. EVALUATING KUWAIT’S POST-WAR RECONSTRUCTION

This section assesses the extent to which the key elements of post-war reconstruction, as described in section 4, were achieved in the case of Kuwait’s reconstruction.

6.1. Vision and participation

The task of assessing the extent to which a coherent vision of reconstruction existed is complicated by the relatively opaque and closed nature of post-war debates, decision-making and policy formation. Nevertheless, two themes were more explicitly reflected in post-war policies than others. The first related to internal regime stability and, as described above, involved post-war authoritarian measures (notably martial law) designed to protect the regime, as well as a revised and reduced vision concerning the role of non-Kuwaitis. In addition, especially in the longer term, regime stability required the continuation of the pre-war social contract whereby citizens ceded the right to political participation in return for comprehensive welfare provision. In turn this required the state to continue to be economically independent from its citizenry.

The second theme of the post-war vision related to external security. In this regard, the key lessons learned by the Kuwaiti government from the Iraqi invasion were the inadequacies of its defences and the need to secure from its US patron greater protection. This is evidenced by the signing of a ten-year, bilateral defence pact between the two countries in 1991 (and renewed in 2001), as well as extensive post-war arms purchases by Kuwait from the US. These included a 1992 order of five Patriot anti-missile units and forty combat aircraft, and a US\$1.9 billion order of 218 tanks in 1993 (Katzman 2005: 5).

The major criticism of this vision of Kuwait's post-war development was that it reflected the interests of the ruling elite rather than those of Kuwaitis more broadly. While some opposition figures accepted the basic premise of the need to restore order before liberalization in the immediate post-war period, they argued for a government of national unity to oversee the transitional period (Nafisi 1991). Thus, the lack of a widely agreed post-war vision was a symptom of a lack of popular participation in post-war decision-making, which in turn was an issue of political dissatisfaction amongst many groups. Both those who remained in Kuwait during the occupation and those who led the resistance against the Iraqis felt unjustly excluded from the post-war political process and particularly felt resentment. This point was articulated by a leading member of the opposition movement, the National Constitutional Front, just days after the expulsion of Iraqi forces:

It would be especially unconscionable to exclude those who stayed in Kuwait during the last several months. In the face of torture and execution, the whole organized society of Kuwait – from the mosques to students, professional associations and trade unions to the actual military resistance – literally ran Kuwait from the underground during the Iraqi occupation. Why shouldn't their participation be continued now that the tribal lords have returned from their luxury hotels in Taif? (ibid.)

Under pressure for reform, in April 1991 the government reshuffled the Cabinet. However, the move was heavily criticized by opposition politicians for rewarding the same elites who were seen to have brought national disaster. The leader of the liberal Democratic Forum group responded negatively to the reshuffle by stating: 'we have no democracy in Kuwait. It's very clear. We are asking for democracy, the implementation of the suspended Constitution, forming a real democratic government and to have human rights – individual rights to speak, to read, to write, to have a small conference, which is forbidden' (Gargan 1991).

The government's post-war vision was similarly divisive with respect to policies aimed at guaranteeing Kuwait's international security. While the government's response to its newly perceived vulnerability was to deepen its strategic alliance with the US, many Kuwaitis believed that the reason for the feebleness of Kuwait's defence in the face of Iraqi invasion also lay in internal arrangements, particularly incompetence within the government and armed forces. As Yetiv (2002: 262) has written, 'the sheer shock of the crisis also raised questions about the efficacy of the ruling family, and its inability to prevent the invasion or prepare the nation for it'. Consequently, the aftermath of the war was characterized by calls from opposition figures for official inquiries into what was perceived as the government's failure to

pre-empt and prepare for the war, including allegations that the armed forces were grossly unprepared, in spite of repeated threats from Saddam (Nafisi 1991). However, such requests went unfulfilled, while many were also left dismayed by the re-imposition of the same censorship arrangements on the press, which had come under criticism for not adequately recognizing and communicating the threat of invasion (Efron 1991).

The failure to integrate widespread demands for greater governance accountability and popular participation into the post-war recovery framework served to undermine the government's legitimacy amongst a population which not only disagreed with its political aims but believed it to lack competence in the core tasks of governing. This sentiment was encapsulated by the chairman of the board of directors of Gulf Bank, who stated that 'people fear that a government of defeat cannot really be a government of reconstruction' (Efron 1991). The perception of an out-of-touch leadership bent on reproducing the pre-war governance arrangements was only heightened by the delaying of elections. After mounting pressure, in June 1991 the emir declared that elections would be held in October 1992 and that the National Council would resume meetings in the meantime. Had the government acted more swiftly in responding to popular demands for governance reform, opposition figures might have been persuaded to grant it the benefit of the doubt.

As it was, the government failed to capitalize on the window of opportunity represented by the brief moment of post-liberation national unity. For many, delaying elections until twenty months after liberation represented simply too long a timetable, and it led some opposition leaders to argue that the government planned to use the National Council (regarded as unconstitutional) as a delaying tactic to obstruct democratic progress and to perpetuate authoritarian rule (Nafisi 1991). Others claimed that the government intended to use the period of time prior to the election to amend election laws and gerrymander electoral districts. In addition, when elections were held in 1992, women continued to be denied the right to vote and to stand in elections, the government thus failing to engage half the population in the immediate post-war period (CNN 2005).

6.2. Reconstruction and development

As noted above, an integral part of the government's post-war vision was the achievement of regime stability through the restoration of the pre-war social contract whereby the state provided for the welfare of its citizenry. Consequently, the restoration of the oil sector as the major driver of that economic system was a key post-war priority.

This aspect of the recovery can be considered a strong success, because the speed with which the recovery of the oil sector was achieved stunned observers. By early 1993, crude oil production had returned to pre-invasion levels, and refinery capacity was fully restored by 1994. Rehabilitation of the oil sector drove rapid recovery-based GDP growth in the two years following the war, increasing by 75 per cent and 24.2 per cent in 1993 and 1994, respectively, after which it followed pre-war patterns (Pfeifer 2004). In this respect, oil-fuelled economic recovery was achieved at a remarkable pace.

Importantly, the post-war economic recovery, driven by the oil sector, enabled the government to overcome post-liberation instability by effectively buying off the political aspirations of Kuwaiti citizens through a re-establishment of the pre-conflict power-for-welfare trade-off (*ibid.*). Thus, in the face of deep hostility after liberation, the government sought to quell dissent by further ramping up pre-war welfare payments. In 1991 the government cancelled consumer loans outstanding at the time of the Iraqi invasion, while in 1992 it increased Kuwaiti citizens' salaries by 25 per cent and significantly increased domestic subsidies and transfers (including subsidization of utilities and access to free healthcare and education) (Fennell 1997).

Despite the impressiveness of the speed with which macro-economic recovery and a return to growth were achieved, the major criticism of this recreated rentier system was that it represented a short-term 'sticking plaster' on Kuwait's political and economic challenges rather than a durable solution. First, the reliance on oil revenue for the post-war economy served to increase Kuwait's vulnerability to the eventuality of international oil price decline or stagnation, and therefore made the pre-war social contract untenable. By 1994, oil revenue accounted for 50 per cent of GDP and 75 per cent of government revenues (Pfeifer 2004), and it has retained a similar position in the economy since.

Second, the steady increase in Kuwait's population in the two decades since the liberation has highlighted the unsustainability of the guarantee of employment in the public sector for Kuwaiti citizens (*ibid.*). Yet, in spite of the urgent need to increase the economic activeness of Kuwaiti citizens, especially in the private sector, few options exist in this regard due to the low quality of Kuwaiti human resources. Approximately 26 per cent of Kuwaitis have completed secondary education and 8 per cent have undertaken higher education, while no vocational education system has been developed (Baldwin-Edwards 2011). Such human resource levels in contemporary Kuwait reflect a post-war development strategy that prioritized current spending (primarily in salaries, subsidies and transfers) rather than capital spending. Whereas current expenditure more than doubled as a percentage of GDP between

1980 and 1995, from 23 to 51 per cent, capital spending remained steady at approximately 7 per cent of GDP during this period. Investment levels in education are indicative of this overall pattern: although spiking in 1992, they only marginally increased between 1986 and 1996, from 5.4 per cent to 5.9 per cent of GDP, and by 2006 had fallen to 3.8 per cent (United Nations Data n.d.). The failure to invest in a sustainable economic future reflects the post-war vision of ensuring stability through reconstructing the pre-war model of a state financially and politically independent of its citizenry.

6.3. Equity and reconciliation

An important dimension of the government's post-war strategy for ensuring regime stability concerned its vision for the role of non-Kuwaiti citizens in the post-war era. As described above, the war was viewed by the Al Sabah elite as an opportunity to limit the number of non-Kuwaitis and the economic and political role of those who remained. This strategy served the overall goal of regime stability in both political and economic terms. Politically, exclusionary nationalistic policies satisfied the political elite's paranoia regarding the threat posed to Kuwait's cultural integrity by the majority non-Kuwaiti population. Economically, strictly limiting citizenship served the government's interests as it minimized the size of the population eligible for welfare benefits. The government's post-war demographic policies had important impacts on social and economic aspects of reconstruction.

First, the government's post-war narrative of collaboration and betrayal, principally targeted at non-Kuwaitis, undermined the prospects for reconciliation. Such a narrative generated an unprecedented culture of mistrust among Kuwaiti society, particularly against the stateless Bidun and the remaining Palestinians. As a newspaper report from 1992 stated, 'in the eyes of most Kuwaitis, the tens of thousands of Bidun were collaborators with Iraqi President Saddam Hussein's brutal occupation army' (Fineman 1992). According to one Bidun interviewed by the organization Human Rights Watch: 'when the [1990 Iraqi] invasion happened, that's when everything changed for the Bidun. People started looking at the Bidun suspiciously. There are families back in the day who were friends, then suddenly ... there was this lack of trust and ... overall xenophobia' (Human Rights Watch 2011).

Second, post-war policies aimed at limiting the social and economic role of non-Kuwaiti citizens, including long-term residents, perpetuated a deeply unequal system that destroyed social cohesion between those who had experienced the occupation. Some commentators have argued that the war served to create a greater sense of collective interests and cooperation (Yetiv 2002). However, the opportunity to capitalize on this momentary

cohesion was undermined by the conscious reproduction of a society segregated between citizens and non-citizens. The government's determination to resist the adoption of a broader notion of citizenship in the post-war period resulted in the failure to address the socio-economic exclusion experienced by the 106,000 post-war Bidun population, with a web of legal and bureaucratic obstacles to Bidun naturalization arising in the years following the war. Consequently, a sizeable minority of Kuwait's long-term resident population continues to be excluded from the country's extensive welfare system and experiences restricted access to healthcare, education and employment (Human Rights Watch 2011).

Third, the forced exodus of much of the non-Kuwaiti workforce in the aftermath of war exacerbated challenges to reconstruction and development in key sectors, largely due to lack of qualified personnel among the Kuwaiti citizenry (Metz 1993). Prior to the war, foreigners had dominated the professional middle class and had therefore comprised the backbone of the civil service, banking, education and health sectors. As Pfeifer has noted, 'virtually every dimension of the modern Kuwaiti economy, from its financial institutions to its custodial services, was built and catered by expatriates' (Pfeifer 2004: 213). Palestinians were particularly vital, constituting the most economically and socially integrated communities in Kuwait, and providing much of the country's skilled workforce. Nearly two years after the liberation, one newspaper reported the catastrophic development results of the government's post-war demographic policy: 'it has left behind empty schools, half-full hospitals, empty low-rent apartment blocks and an emerging private-sector economy critically short on efficient, skilled labour' (Fineman 1992). The quality of education and healthcare was perceived by many to have suffered, thus further undermining public confidence in the government's ability to manage the reconstruction effectively. The lack of skilled human resources in post-war contexts has been noted as a key challenge to the delivery of post-war reconstruction goals. In the case of Kuwait, this lack of post-war capacity was exacerbated by the government's post-war strategy of 'depoliticizing' the labour force.

7. CONCLUSION

Kuwait's reconstruction after its liberation from Iraq in 1991 constitutes an interesting case study of the peace-building and development challenges and opportunities that confront societies rebuilding after war. The process was underpinned by a post-war vision centred on the notion of regime security and which can broadly be characterized as the business-as-usual restoration of the pre-war autocratic governance model. On the one hand, this vision entailed the rapid recovery of oil-driven reconstruction and growth, which was achieved at an

impressive speed. However, the government's vision of post-war authoritarianism conflicted with re-energized demands for greater political participation and accountable governance. In addition, the vision was inherently both unsustainable, underpinned as it was by oil-led growth, and unequal, with the government capitalizing on the war to restrict the societal role of non-Kuwaiti citizens. The Kuwait experience offers several additional insights relevant to the broader field of post-war reconstruction.

First, the Kuwait reconstruction illustrates a common dilemma facing governments in the aftermath of war which may be termed 'effectiveness versus legitimacy'. Facing an emergency situation characterized by the urgent need to provide for basic human needs and services, as well as a lack of order and domestic political instability, the returning Al Sabah government sought to re-establish strong central state authority by adopting martial law and other strongly authoritarian post-war tactics. Authoritarianism had the advantage of enabling the government to establish order and authority relatively quickly, in turn allowing it to coordinate the relief and recovery efforts, including the restoration of basic infrastructure and the oil sector. However, these achievements, and the consequent exclusion of popular participation in determining the post-war vision, came at the cost of failing to rebuild popular trust and confidence in the government. The government's refusal to accept responsibility for the war, instead exacting retribution from non-nationals, meant that grudges and resentment between social groups were not dealt with, with costs to social cohesion and lingering grievances over perceived injustices.

Second, the Kuwait case illustrates the heavily politicized atmosphere in which post-war recovery often takes place and the consequences this has for post-war development. Despite the urgency of development needs in 1991, the government's decision to exact retribution from and to expel thousands of Palestinians and other non-Kuwaitis, dictated by the government's nationalistic policy framework, was a profoundly anti-developmental action. As a consequence, many aspects of the economy, public administration and services deteriorated in the post-war period, undermining public confidence in the reconstruction effort. In addition, the government's post-war rejection of political reform obstructed economic reform and renegotiation of the social contract, including reduced welfare spending.

Third, the Kuwait experience highlights the fact that any post-war window of opportunity for greater reconciliation is small. The war provided an opportunity for the government and opposition to engage in constructive dialogue and establish basic consensus on post-war governance agreements. In the immediate post-war period, the government had the chance to demonstrate that it understood demands for popular political participation and

that it was sincere in its pledges to enact political reform. Yet the government's delay in honouring such commitments proved costly and, when the Al Sabah finally declared elections more than a year after liberation, they found that they had already lost the confidence and trust of many.

Finally, Kuwait's reconstruction demonstrates the long-term impact of policy decisions taken in the post-war period. The outbreak of protests in Kuwait during and following the Arab Spring reflects popular rejection of a political system recreated autocratically in the period following the war. Ironically, in many respects reconstruction reinforced the same structural vulnerabilities that had existed prior to the war and which had brought Kuwait to the precipice of internal catastrophe prior to the 1990 Iraqi invasion.

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Sultan Barakat is Senior Fellow at the Centre for Middle East Policy, Brookings Institution and Director of Research at the Brookings Doha Centre. He is a Professor and Chairman of the Post-war Reconstruction and Development Unit, University of York. He has written extensively on the issue of state fragility and post-war reconstruction. His most recent co-authored book is entitled *Understanding Influence: The Use of Statebuilding Research in British Policy*, published by Ashgate in 2014.



John Skelton is Results, Learning and Research Manager with Mercy Corps Liberia. His research interests include post-war reconstruction, development and employment issues in the Middle East and West Africa. He holds a masters degree in Post-war Recovery Studies from the University of York.