

Female Citizenship and Family Law in Kuwait and Qatar: Globalization and Pressures for Reform in Two Rentier States

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In Kuwait and Qatar, we find tensions between a focus on female education that encourages women to participate in the labor market, alongside policies that support women's role as primary caretakers and homemakers. Lavish, non-taxed rentierist welfare has given rise to a globally unparalleled reliance on domestic workers and the development of a two-tier employment structure where most female citizens work in the public sector, while an overwhelmingly large segment of the noncitizen female labor force is employed as domestic workers. While the two states share cultural and socio-economic characteristics, Kuwait and Qatar differ with regards to how women's issues are organized and addressed politically. The historical experiences of political pluralism shed light on variances in social pressures for expanded female citizenship. In Kuwait, there exist autonomous – though variably weak – pressures that have strengthened female citizenship by buttressing civil and economic rights where women have seen their autonomy expanded. In Qatar, female citizens are part of wider state-building strategies primarily initiated and defined by the ruling al-Thani dynasty. While women's legal autonomy in both states is mediated through the principle of male guardianship, orthodox interpretation of *shari'a* permeate family law and thereby restrain female citizenship to a greater extent in Qatar than Kuwait, where the adjudication of family law tenets is more lenient towards women.

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Keywords:

citizenship, rentier state, family law, political actors, political pluralism

INTRODUCTION¹

Changes at the turn of the millennium confirm an observable trend throughout the Middle East and North Africa (MENA): women's civil rights within the state's family law, nationality law and criminal law were addressed in new ways following the impact of internal and external pressures for reforms to strengthen female citizenship.² For example, economic globalization and international norms of human rights, as embedded in CEDAW,³ influenced, renewed and strengthened demands for reform⁴ in Morocco and Egypt. In the Gulf, Qatar, UAE and Bahrain codified their family laws in 2005, 2006 and 2009 respectively (Welchman 2012). This article seeks to highlight how global economic processes, such as migratory labor force and rentierist politics, impact female citizenship in two Gulf states: Kuwait and Qatar.⁵

1 An earlier draft of this paper was presented at the *Women and Globalization in the GCC: Negotiating States, Agency and Social Change* at the 2012 Gulf Research Meeting, Gulf Research Centre, Cambridge, 11 – 14 July 2012. Internet citations were last accessed on 15 March 2016. I thank Dalia Abdelhady and the anonymous referee for excellent comments. The article is edited in loving memory of a great scholar, professor Mary Ann Tétreault, who passed away in November 2015, and in loving memory of my father, Reza Maktabi, who passed away in April 2016. Baba convinced me that “travelling is always good,” paid for the flight expenses to Kuwait in May 1992, and sent me off to my first fieldwork in the Gulf.

2 ‘Female citizenship’ is here defined as the set of civil, economic and political rights as defined in the Constitution, the state's family law, nationality law, criminal law, social security and labor laws, and which regulate the legal capacity and autonomy of a female citizen in the polity.

3 The United Nations' Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) was enacted in 1979. Kuwait signed CEDAW in September 1994 and Qatar in April 2009. Both states made reservations pertaining to gender equality in nationality laws (article 9), and regulation of marriage and divorce (article 16). Kuwait made reservations concerning arbitration between states in the event of dispute (article 29), while Qatar made reservations to freedom of movement, and of residence and domicile (article 15), and to article 2, which compels states to abolish laws and practices that discriminate against women.

4 ‘Reform’ is a relative term and implies here changes in state laws that reduce inequality in the distribution of civil, political and economic rights between male and female citizens.

5 The findings of this paper are based on a fieldwork in Kuwait and Qatar (11 April – 2 May 2012) where I interviewed academics, representatives of associations, lawyers, and economists. Empirical data on Kuwait is

Rentierism⁶ affects the constitution of the female citizen and noncitizen workforce in both states: Around 90 percent of the female citizen workforce is employed in the public sector, and roughly 60 to 70 percent of female noncitizens are domestic workers.⁷ The abundance of low waged domestic workforce provides, in principle, opportunities for female citizens to engage in educational and professional careers. However, ideals of domesticated womanhood⁸ and a gravely unregulated labor market for domestic workers counterbalance official objectives that encourage female education and the naturalization of the citizen workforce, i.e. the replacement of the noncitizen workforce by citizens.

I compare Kuwait and Qatar because similar conditions, such as socio-economic dependence on rentierist welfare, and fairly conservative interpretations of family law sustain male centered kinship relations that solidify the confines of female citizenship in both states. Family law refers to rules that regulate marriage, divorce, inheritance, custody and maintenance. In states where Islam dominates, such as the case in the Gulf countries, family law is based on Islamic *shari'a* jurisprudence which defines males as the guardians of females. The principle of male guardianship entails that a female adult citizen is not regarded as an autonomous legal subject and, therefore, have unequal rights with male citizens within the state's jurisdiction (Awadi 2006; Breslin 2010).

Historical and political particularities reflect variances that affect the position of women in both states. First, the degree of political pluralism, as reflected in autonomous civil society groups, such as women's groups, has a history that dates back to the 1960s in Kuwait. In Qatar, by contrast, women are engaged in institutions established in the 1990s which, to a large extent, constitute the state's extended social

more comprehensive than data gathered on Qatar, a bias I have tried to compensate by retrieving documents for Qatar on the Internet after my fieldwork. Thanks to Mr. Saad Al-Shammari and Mr. Ahmad al-Saffar at the Kuwaiti National Assembly's Documentation Unit who instructed me on how to use official documents on the website during my fieldwork in Kuwait. At the Kuwaiti daily *al-Qabas* (est. 1972), I read the 346 articles which were digitally available under the entry words ‘family law’ and ‘Kuwait’ from 1997 until April 2012. I thank Mr. Hamza Olayan for generous access to the archives.

6 ‘Rentierism’ denotes the state's structural dependence on a commodity which generates excessive amounts of capital in domestic economies (Beblawi and Luciani 1987; Ross 2012). Henry and Springborg (2010, 212-261) characterize the Gulf states as ‘globalizing monarchies.’

7 See Table Two below for details.

8 ‘Domesticated womanhood’ reflects the idealization of women as wives and mothers (Doumato and Posusney 2003, 8-9).

services apparatus. Second, the role of rentierism and its effect on the citizen-noncitizen divide, particularly with regards to female labor participation, differs slightly in the two states. Although female citizens in both states are predominantly employed in the public sector, women have a different legal position as a result of distinct social, historical and political dynamics. The Kuwaiti family law enacted in 1984, family law decisions in court the past fifteen years, and political pressures in parliament between 2009 – 2011 indicate that a Kuwaiti woman is accorded minimal economic rights on an independent basis in matters related to divorce and custody over children. A Qatari female citizen enjoys similar welfare schemes to Kuwaiti women, such as education, health and financial support for housing. However, her civil and economic rights are, to a larger extent, regulated and implemented by state agencies that define and perceive a Qatari woman's legal status and social position as part of the extended family.

In this article, I point out characteristics of globalization and rentierism and indicate their impact on the female labor force structure in Kuwait and Qatar. I then look into differences between the two states with regards to the degree of political pluralism, women's organizations, and governance strategies by rulers. Following the comparative discussion, I conclude that societal pressures for reform from below in Kuwait are exerted by autonomous women's associations and through parliament that provide avenues for articulating women's interests. By contrast, pressures for reforms that affect female citizens in Qatar come predominantly from the ruling al-Thani family and a political will to invest in education. While women's legal autonomy in both states is mediated through the principle of male guardianship, orthodox interpretation of *shari'a* permeate family law and thereby restrain female citizenship to a greater extent in Qatar than Kuwait, where the adjudication of family law tenets is more lenient towards women.

GLOBALIZATION IN THE GULF

The internationalization of the energy sector is the main driver of globalization in the Gulf region. Since the 1940s rentierism has permeated the economic, social and political fabrics of Kuwait and Qatar. Among the most significant consequences of globalization in the Gulf is the influx of large numbers of migrant workers, which leads to a globally unparalleled demographic situation of noncitizen majorities: In Kuwait, citizens comprise around 39 percent of the total population (State of Kuwait 2010), while Qataris comprise around 10 percent of the total population (Qatar Statistics Authority 2010).

LABOR FORCE STRUCTURE IN KUWAIT AND QATAR

The citizen–noncitizen divide in Kuwait and Qatar is particularly pronounced in the labor force structure. The demographic disparity between citizens and noncitizens has, since the late 1970s, formed the basis for two professed policies at the state level: strict regulation of the majority migrant workforce, and the naturalization of the labor force. These pressures provide a backdrop to state policies which aim at supporting female education, as well as encouraging female labor participation, as a means to enlarge the proportion of citizens in the labor force (Shah 2008). Policies aimed at naturalizing the workforce have not yielded the desired effects since the number of noncitizens has risen steadily over the past three decades. However, citizens dominate as workers in the public sector: A majority of 90 – 95 percent of the female citizen labor force have professional, technical and clerical occupations. Noncitizens are primarily employed in the private sector. In Kuwait, for instance, only 1.3 percent of the male citizen workforce and 0.9 percent of the female citizen workforce is employed in the private sector (Shah 2008).

Table One: Labor force by citizenship and gender in Kuwait and Qatar:

Total figures in approximate millions

	Population			Labor force ¹			Female labor force			Male labor force		
	Total	% citizen	% non citizen	Total	% citizen	% non citizen	Total	% citizen	% non citizen	Total	% citizen	% non citizen
Kuwait ²	2.2	39	61	1.1	19	81	0.3	26	74	0.9	17	83
Qatar ³	1.5	10	90	1.3	5.6	94.3	0.13	21	79	1.1	4	96

1 For Kuwait: The figure for total labor force at 1,1 million excludes “out of labor force” which comprises approximately 288,500 citizens. This figure shows that the number of Kuwaiti citizens who are part of the manpower but who are out of the labor force exceeds those that are actually part of the labor force. The latter number approximately 217,000 citizens. For Qatar: Labor Force figures “Economically active population 15+ by nationality and sex” for the year 2009 (Qatar Statistics Authority 2009). For the breakdown on female and male labor, I use figures for the year 2006 (Qatar Statistics Authority 2006).

2 Figures for the year 2005, see State of Kuwait 2010, 97.

3 Census figures, Qatar Statistics Authority, April 2010. Total inhabitant population in Qatar (15+) by age, sex and marital status numbers 1,466,851 (table 4.2). Qatari citizens total 146,262 (table 4.2 Q). Noncitizens total 1,320,589 (table 4.2. NQ).

Seen from a woman-centered perspective, table 1 reveals an interesting gendered discrepancy in the citizen workforce: in both states, a larger proportion of female citizens – 26 percent Kuwaiti women and 21 percent for Qatari women – are engaged in the total female labor force workforce compared to the proportion of employed male citizens. In Kuwait, male citizens comprise 17 percent of the total labor force, while male citizens in Qatar comprise of four percent of the total labor force.

The gendered citizen disparity in labor force participation among the citizen population is, to a large degree, related to the small demographic size of the citizen population compared to the noncitizen population. Also, crude numbers become disproportionately inflated when presented in percentage.

For instance, there are four males for each female inhabitant in Qatar.⁹ However, the gendered dimension is clear: In both states, female citizens constitute a proportionately larger part of the labor force than employed male citizens. Shah (2010) calls this observation as “the femaleness of the labor force,” and points out with respect to Kuwait that “the government’s investment in educating Kuwaiti women has truly paid off in terms of enhancing participation of the nationals in the workforce, and reducing the reliance on foreign workers to some degree.”

CHARACTERISTICS OF THE FEMALE CITIZEN AND NONCITIZEN LABOR FORCE

Shifting attitudes towards nuclear families, together with lavish welfare services that include publicly financed and free of charge higher education, have affected the form of female labor force participation in Kuwait and Qatar.

In both states, female citizens are employed primarily in three main sectors: public administration, education and health, while female noncitizens are employed primarily as domestic workers.

Almost 90 percent of all households in Kuwait employ one or several domestic workers regardless of the work status of women in the household (Shah 2008). In Qatar, estimates for the year 2007 show that each family has an average of 2.3 domestic workers (Shami 2010). Domestic workers prepare food, take care of children, clean and attend to the physical and emotional needs of all members of the household.

⁹ There were approximately 301,000 women and 1,2 million men in Qatar according to figures rendered in 2009, see population (15+) by age, sex and marital status, Census April 2010, table 4.2. (Qatar Statistics Authority 2010).

Table Two: Female employment among the citizen and noncitizen population according to occupation (in percentage, number of persons are rendered in brackets)

	Kuwait ¹		Qatar ²	
	Citizens	Noncitizens	Citizens	Noncitizens
Public administration & social security sector	47% (33,971)	1.6% (3,464)	29% (5,584)	1.4% (818)
Education	35% (25,273)	5.8% (12,281)	48% (9,387)	11% (6,176)
Health and social work	7% (5,191)	5% (10,623)	13% (2,525)	11% (6,109)
Domestic services	0.13% (92)	71% (151,017)	0.06% (12)	57% (32,762)

¹ State of Kuwait 2010, 108. Figures are from 2005.

² Census figures rendered in 2009 based on data from 2006, see table 22 in Qatar Statistics Authority (2009). The total number of employed Qatari women was 19,510 persons.

Domestic workers are also increasingly attending to the physical needs of the elderly at home.

Most international attention has, understandably, been directed towards the gravely unregulated working conditions that surround low-paid migrant domestic work.¹⁰ Labor Law no. 14 of 2004 in Qatar and Law no. 6 of 2010 in Kuwait regulate labor conditions in the private sector, but the laws do not apply to domestic workers whose residency and work contracts are regulated by sponsorship provisions – the *kafala* – discussed below.¹¹ The unregulated working conditions of domestic workers is, to a large extent, an effect of rentierist politics, which impacts the consolidation and perpetuation of a gendered division of labor at the household level.

RENTIERISM: A WOMAN CENTERED PERSPECTIVE

The political impact of rent on economy and society in Kuwait and Qatar is both structural and procedural. At the macroeconomic level, rent is structural because it is the primary financial generator in the public and private sectors and constitutes more than 90 percent of budgets.¹² At the micro- and

¹⁰ An alarmingly high number of migrant women who work in the domestic sector are exposed to exploitation and abuse which follow from unregulated working relations coupled with abundant supply of cheap labor (see Human Rights Watch 2010).

¹¹ In 2015, both states introduced new labor laws, but *kafala* regulations remain. In Kuwait, an important first-time law that regulates work and rest hours for domestic workers passed in parliament in June (Human Rights Watch 2015). Qatar announced labor law changes for 2017 in October (International Trade Union Confederation 2015).

¹² Personal communication with Al Shall’s director,

meso- economic levels – i.e. individual and group levels – rent operates in a procedural manner, generating two forms of politicized dependencies. One form of dependency is between rulers and citizens based on a clientelistic contract, where political allegiance is exchanged for nontax-based economic and social welfare.¹³ The other is between citizens and non-citizens where the *kafala*¹⁴ system has emerged as a financially rewarding institution for Kuwaiti citizens who extract rent from noncitizen labor on the basis of owning a citizenship certificate. Thus, citizenship documents (*jinisyya*) generate rent at the individual level in similar ways as oil rent generates wealth at the macro national level.

The femaleness of the citizen labor participation in the public sector, and the noncitizen labor participation in domestic services impacts female citizenship in Kuwait and Qatar in contradictory ways: Female citizens in both states are among those who have attained highest literacy rates in the Arab world (Human Development Report 2015, 219). Also, an affordable armada of domestic workers enables female citizens to participate in the labor market. However, these factors have not provided significant leverage to pressure societies in the Gulf to expand female citizenship, particularly concerning state laws – which remain gendered.¹⁵ In other MENA states, such as Morocco and Egypt, women have higher illiteracy rates and have far lower material opportunities in terms of socio-economic indicators. Yet, their civil rights have been considerably strengthened in the past decade (Maktabi 2013). The absence of large numbers of foreign domestic workers in these two settings, and corresponding reliance on low-paid female citizens

who are domestic workers, could be a contributing factor, but further research is needed to draw such a conclusion.¹⁶

Phillipe Fargues presents one perspective that sheds light on restricted female citizenship in the Gulf. Two decades ago, he argued that wealth in Gulf States represented an ‘oil-revenue-inhibited’ fertility transition. High levels of education among women in the Gulf, compared to other states in MENA, did not yield lower fertility rates – usually seen as a significant indicator for improved opportunities for women – as observed in other regions in the world.¹⁷ He argued that the patriarchal order – i.e. social relations between the sexes and age groups where male and elder rights are privileged – is strong in the rich Gulf states due to pro-natal policies that support households in raising many children and maintain women inside the home (Fargues 1995). Fargues’ observation regarding the social impact of oil revenues on Gulf societies holds true today, but only to a certain extent because the impact of education on fertility rates is clear: Fertility rates in Kuwait and Qatar have dropped from approximately 5.5 in the mid-1990s to 2.3 and 2.2 respectively (World Development Indicators 2012). Fargues’ observations prompt us to conclude that rentierism leads to low levels of female labor force participation and pro-natal state policies that limit female citizenship. The significant impact of rentierism withstanding, there are other factors that shape female citizenship in the region, as I illustrate by my comparison of two rentierist states that have granted their female citizens considerably different access to rights. Other factors that shed light on gendered citizenship and, more importantly, the variances between Kuwait and Qatar in conditions that contain female citizenship, include degree of political pluralism, the institutionalization of women’s organizations, Islamist political leverage and governing strategies among the rulers, as I point out in the following sections.

POLITICAL PLURALISM IN KUWAIT AND QATAR

State formation reflects a process whereby political power is centralized within a particular territorial entity (Tilly, Ardant and Rokkan 1975). Kuwait and Qatar differ when it comes to the governing strategies

economist Jasim al-Saadoun, 19 April 2012. On the impact of rentierism on Kuwait’s five-year plan, see Al Shall Annual Report 2010, 56 - 58.

13 Political clientelism refers to the reciprocal relationship characterized by inequality and power differences between rulers and ruled in rentier states based on the exchange of different types of resources. Rulers supply extensive non-taxed welfare policies, such as public education, employment opportunities in the public sector, housing and health services, in exchange for the acquiescence of the citizenry towards hereditary rule (Maktabi 1992).

14 The *kafala* is an elaborate sponsorship system that regulates the entry and presence of the noncitizen workforce in all Gulf States. Initially an administrative regulatory system whereby citizens guaranteed the presence of migrants and ensured that private companies had 51 percent Kuwaiti ownership, it has become the centerpiece of a multi-billion visa-trading business (Shah 2008). The *kafala* regulates entry and residence of noncitizens on the basis of citizenship documents which citizens own.

15 Qatar, Bahrain and Kuwait figure as the three top range Arab states in the Gender Inequality Index (Human Development Report 2015, 156).

16 One significant study on the correlation between low-income countries and women-friendly legal reforms in 100 states between 1960 and 2010 indicates that, whereas income was not associated with legal reform between 1960 and 1990, only low-income countries show positive correlation with legal reform that expand female legal autonomy within state laws after 1990 (Hallward-Driemeier, Hasan and Rusu 2013, 3).

17 Low fertility corresponds to 3 – 4 children per woman while high fertility corresponds to 6.5 or more children per woman.

adopted by their ruling authorities. Rule in Kuwait developed through bargaining processes between numerous merchants, and the ruling al-Sabbah family through which demands for political representation and participation resulted in the establishment of a parliament. By contrast, merchants in Qatar were few, and Qatari rulers were traders themselves. This resulted in the development of an autocratic political order in Qatar where competition has been internal within the al-Thani family, and successive rulers have sought to maintain control over the state apparatus (Crystal 1995).

Historical trajectories shed light on contemporary differences in the relationship between rulers and ruled in the two states. Other differences include variances in the degree of political pluralism at the societal and political levels as reflected in autonomous social organizations that are relatively independent of the authorities.

KUWAIT

Among the Gulf states, Kuwait has an unparalleled historical record of political participation, and a rich heritage of autonomous and semi-autonomous organizations. The constitution, which was formed in 1962, a year after independence, delineated the powers of the ruling Emir and main merchant families. Elections followed a year later to the 50-seat National Assembly, and have been carried out with interruptions in 1976 and 1986 when the Emir dissolved the parliament. Parliamentary life resumed in 1992, following the Iraqi invasion to Kuwait in 1990. The electorate was limited to around ten percent of the population, before female citizens received the suffrage in 2005. Female candidates failed to obtain sufficient votes to secure parliamentary seats in the first two elections after they got the vote, but in 2009 four female candidates were elected. All four first-time female Kuwaiti MPs – Ma'souma al-Moubarak, Aseel al-Awadhi, Rola Dashti and Salwa al-Jassar – hold PhDs in the fields of education, political science and economics.¹⁸

The upsurge of political Islam after 1980 bolstered the influence of Islamist groups such as Muslim Brotherhood affiliates, tribalist (*qaba'ili*) groups, and puritanical Salafis. The Islamization of the public sphere has been observed since the turn of the millennium (Tétreault 2003). Since 2006, these conglomerate groups of conservatives have supported the idea of domesticated womanhood. In general, they tend to suggest and vote for policies in

18 Elections carried out after the dissolving of parliament in November 2011 saw the loss of seats of the four female MPs. Economist Safa al-Hashem was elected in 2012. She resigned in May 2014. Other women MPs include Rola Dashti and Hind al-Subeih who were appointed as ministers.

parliament that underpin and endorse ideological visions in which Kuwaiti women are seen primarily as homemakers, as will be pointed out below. At the same time, some Islamists – particularly nationalists with tribalist background who share kinship relations with the noncitizen Bidūn¹⁹ population – have raised proposals for strengthening female legal capacity as means to support the legally insecure and socially volatile situation of Bidūn families, particularly male Bidūn married to Kuwaiti women. In short, Islamist groups are not themselves unified in their lack of support for women's citizenship rights (Maktabi 2015).

Kuwait has a history of an organized women's movement with different ideological outlooks, reflecting the country's political pluralism (al-Mughni 1993). Although the 1962 Law of Association requires organizations to register at the Ministry of Social Affairs, many social organizations are active without formal credentials. The *Women's Cultural and Social Society* (WCSS, established 1963) represents a liberal oriented women's group that has pressured for widened female citizenship by demanding equal civil and political rights since the 1970s.

The codification of Kuwaiti family law in 1984 came, partly, as a response to demands presented by the WCSS and a ruler eager to show a commitment towards addressing female issues. Nearly three decades of an institutionalized judicial framework in the form of civil lawyers, courts and judges where family law cases are adjudicated has bolstered the state's legal capacity in regulating the personal affairs of its citizens. Equally important is that these regulations have increased the professional ability of Kuwaitis to address and solve legal matters that, to a large extent, structure their material and immaterial living conditions and life opportunities.

Since 2008 the WCSS has strengthened its focus on family law and collaborated with United Nations organizations, such as the United Nations Development Program (UNDP) and UN Women, in launching legal awareness programs. For instance, the "*Wracati* [my paper] project" aims at raising women's knowledge about their legal rights in marriage, divorce, work conditions, and nationality issues.²⁰

While Qatar lacks autonomous civil organizations, Kuwaitis have a long experience in forming broad-based associations pertaining to interests or professions since the 1960s (al-Hajji 2000). For instance, the Teachers' and Nurses' associations, and

19 Bidūn is Arabic shorthand for *bidūn jinsiyya*, meaning 'without citizenship.' Human Rights Watch (2014) operates with the figure of 105,702 Kuwaiti Bidūn, though the number is probably higher due to the politicization of census figures.

20 Personal communication with lawyer and contributor to the *Wracati* project, Athra' al-Rifa'i, 18 April 2012.

the Kuwaiti Lawyers' Bar Association, have seen a noticeable increase in the membership of Kuwaiti women after the Gulf war (1990-1991) saw the exodus of Palestinians from Kuwait (*al-Mu'allim*, 22 February 2014). In addition to professional association, conservative and Islamist organizations such as *Bayader al-Salam* and the *Islamic Care Society* emerged after 1980, gathering Kuwaiti women for preaching missions (*da'wa*), and doing charity work. Whereas these associations mostly espouse ideals of women as homemakers (al-Mughni 1996), the importance of organization and association should not be underestimated because women's interests become articulated in new ways, even within and among groupings that maintain conservative agendas.²¹ The rise of Islamic feminism since the middle of the 1990s has, for instance, emboldened Islamic women activists: female members of Islamic organizations have occasionally criticized male dominance within Islamic groups (al-Mughni 2010). For instance, women leaders within the Muslim Brotherhood's Kuwaiti branch (Hadas), such as Su'ad al-Jarallah and Khawla al-'Atiqi, participated both at the 1995 Beijing UN Women's conference. They point out that they benefitted from the experience. For instance, they started thinking in strategic terms to push for women's interests as working mothers within the Teachers' association and within the women's branch of the *Islah* association (*jam'iyyat al-islam al-ijtima'i*). Also, both women supported the enfranchisement of Kuwaiti women in 2005, running thus against the official standpoint of Hadas male leaders and MPs who voted against female political rights in parliament in May 2005 (Personal communication, 16 March and 25 March 2015. See also *al-Mujtama'* 2014, 8-13).

The collective of women's organizations has been supported by the insistent voice of Kuwaiti professor in law and practicing lawyer Badria al-Awadhi who has taught generations of law students in Kuwait and has addressed family law issues and women's rights since the 1980s. A prolific participant in seminars and conferences on women's rights, she points out that, although the religious tide has grown stronger in Kuwait in recent years, Kuwaitis do not support fundamental religious leanings, but tend to prefer middle solutions [*wasatiyya*]. With regards to female civil rights, she adds:

Kuwaiti men, in general and particularly those who belong to tribal communities [*qabaliyyin*] do not accept the principle of equality [*mabda' al-musawat*]. But, Kuwaiti women have become more educated. They are able to demand their rights. The Kuwaiti family law is not per-

fect. But judges and the courts attend to women's problems seriously (Personal communication, 22 April 2012).

Al-Awadhi's observation is substantiated by Adel al-Failakawi, judicial advisor at the Court of Cassation, who suggests the establishment of family courts in Kuwait because cases regarding the husband's financial obligations (*nafaqa*) towards ex-wives and children following divorce account for 70 percent of personal status cases (Toumi 2010).

QATAR

Qatar gained independence from British protectorate rule in 1971, and has been undergoing a state-building process with staggering architectural vigor since the late 1990s, paired with the rapid expansion and institutionalization of state bureaucracies. Qatar is a far less politicized society than Kuwait. Political participation exists only at the municipality level, formed in 1998, where female and male citizens compete to the 29-seat Municipal Council (*majlis al-baladi al-markazi*). There are no non-governmental associations whatsoever. Opposition, particularly religiously-based opposition, is harnessed and coopted.²² The media is regulated: all Qatari Arabic and English newspapers, including the network station al-Jazeera, are owned by the state.

By and large, Qatar is a closed and self-protecting society. The population structure is unique and globally unparalleled. More than any other state in the world, it is skewed in favor of noncitizens. This radically unequal situation adds a fundamental security weight to being a member of the state which bolsters further the political clientelistic contract between citizens and rulers.²³ In general, whatever political opinion that might exist is suppressed amidst an unarticulated understanding among citizens that the skewed demographic relationship between a noncitizen majority and a citizen minority requires unity among citizens. Autocratic rule can thus be seen as a guarantor of stability, and insurance for sustaining citizen rule over a nonciti-

²² Yousef al-Qaradawi, spiritual leader of the global Muslim Brotherhood, resides in Qatar where he exerts influence over the conservative religious clergy in the polity with the acquiescence of the Emir.

²³ The constitution of the citizenry in Gulf States is particularly skewed with reference to citizens, migrant workers and stateless long-term Bidun inhabitants who do not belong to any state. Similar citizenry constellations that rest on political and patriarchal clientelistic contracts between rulers and ruled are also found in Jordan and Lebanon. This argument is part of larger theoretical discussion on who and how the citizenry of the state – its *demos* – is constituted in the Middle East (Maktabi 2012).

²¹ For an excellent theoretical discussion on the issue of 'women's interests' and collective political activism, see Vickers 2006.

zen majority in the polity. As such, Qatar resembles Kuwait and other small states with large noncitizen populations where the clientelistic contract between rulers and ruled underpins the politicization of the demographic constituency of the polity and bolsters autocratic rule. (Maktabi 1992; Maktabi 2012, 30-61).

Institutions that attend to the concerns of women, children and the noncitizen workforce are relief and charity oriented state organizations that implement governmental policies. These associations complement to a large extent the work carried out by the Ministry of Social Affairs (al-Hajji 2000).

The Qatari family law, which regulates female civil rights, was codified in 2006. Codification of the family law evolved mainly as a top down process initiated by the ruler. Discussions regarding the codification of family law had been taking place for years before a drafting committee was constituted of only male judges. Criticism against the male dominated committee was raised following the circulation of the draft law. This eventually saw the re-constitution of the committee to include women and the active involvement of members in the governmental Woman's Committee who commented on the draft and suggested changes.²⁴ The Qatari family law contains fairly conservative interpretations of Islamic jurisprudence compared to other family laws in the Gulf region with regards to maintaining male prerogatives within marriage, divorce, financial custody over children, polygyny, and women's employment (Welchman 2007; 2010). Also, unlike Kuwait where customary law (*'urf*) is confined to uncodified rulings that regulate the family law of the *Shi'a* community (around a third of the Kuwaiti citizenry), the Qatari family law has customary law as a major source of jurisprudence in articles 8, 43, 45 and 47 that regulate marital engagement (*khutba*) and conflict pertaining to gifts and dowry (*mahr*) (Qitan 2012).

A particular trait of the Qatari legal system is its court system. Until their merger in 2003, Qatar had a dual court system: religious (*shari'a*) courts that handled family law and some criminal law matters on the one hand, and civil (*'adli*) courts that adjudicated in civil law on the other (Hamzeh 1994). The merging of the court system can be seen as an attempt by the ruling regime to strengthen and centralize the hold of the state over judicial review. However, the prerogatives of religious clerics in defining and interpreting religious law have been maintained. The Dean of the College of Law at Qatar University, Dr. Hassan Okour, expresses some

concern as to difficulties that arise in that judges who rule in family law in Qatari courts can be either religious scholars or civil judges:

Now our law program covers both *shar'ia* law and civil law which are taught in two separate colleges: One College of Law (*kulliyat al-huquq*) and one College of *Shari'a* (*kulliyat ash-shari'a*). However, there is only one law in Qatar, and that is the Islamic *shari'a* law. Family law (*qanun al-usra*) is placed under the College of *Shari'a* at Qatar University where it is studied from a jurisprudential perspective (*dimn fikr fiqhi*) (Personal communication, 1 May 2012).

In other words, orthodox jurisprudential interpretations of family law have been retained in Qatar, despite the merging of the two court systems because religious clerics, rather than lawyers mainly trained in civil law, have maintained prerogatives in regulating the implementation of the Qatari family law.

Among the largest and most active organizations that monitor human rights issues in Qatar is The National Human Rights Committee (NHRC), established in 2002. The informative yearly reports reflect the wide range of issues the organization addresses: the rights of workers, women, children, and the disabled. Symptomatically, it is not the Women's Convention CEDAW enacted in 1979 which is profiled, but the less comprehensive Convention on the political rights of women enacted in 1952. A closer scrutiny of some of the daily work which the legal advisors at the NHRC deal with indicates that their work relates primarily to cases of migrant workers. Qatari citizens constitute, however, a majority of those who present complaints (*shakawa*): 47 percent of all complaints handled by the NHRC in 2010 were presented by Qatari citizens.²⁵ One reading of the role which the NHRC plays is that it is a *de facto* governmental office that regulates and safeguards labor policies in the absence of labor unions.

To sum up, the degree of political pluralism is considerably higher in Kuwait compared to Qatar. A fairly rich and autonomous pool of civil society organizations, along with an unrestrained press and outspoken intellectuals, strengthen arenas as well as demands regarding the strengthening of women's civil rights. Qatar lacks autonomous social and political institutions that operate without state intrusion. Islamic jurisprudence permeates the tenets of family law in both states and conditions, to a

24 The Woman's Committee succeeded in amending an article in the original draft of the Qatari family law which would otherwise not refer to financial circumstances on the part of a wife in the case her husband initiates polygyny (Welchman 2007).

25 Qataris were behind 379 of the total number of 791 complaints. Transfer of *kafala*-documents and renewal of residency permits constituted near 28 percent, application for a job 16 percent, and requests for housing benefits constituted near 11 percent of complaints. (NHRC 2010, 23 - 24).

large extent, the civil rights of women. However, the clerical hold on the regulation of family law in Qatar is stronger than in Kuwait, and codified orthodox texts are more prevalent there, partly because religious scholars maintain prerogatives in interpreting family law.

POLITICAL PRESSURES FOR CHANGE IN FEMALE CITIZENSHIP

In this section, I overview political pressures to enhance rights for women in the two Gulf states. With a codified family law in place already in 1984, Kuwaiti women's groups and female MPs have been able to extract widened and unparalleled civil and individually-based economic rights compared to other Gulf States. These rights should, nevertheless, be seen as part and parcel of a larger accommodating framework made possible by the heavy economic weight of rentierism on Kuwaiti economy. In Qatar, the political leadership maintains strictly conservative interpretations of religious law and addresses women's rights mainly through 'familiarizing' the woman's role as part of the larger extended family. There is a marked inexistence of a consorted effort at the institutional level in perceiving an adult female citizen as having an independent legal entity which separates her legal capacity from that of the family she belongs to. In the following, I point out pressures for enhancing female citizenship in the Kuwaiti parliament, and the evolvement of what I term as 'state familiarism' in Qatar.

KUWAIT: DEBATING FEMALE CITIZENSHIP IN PARLIAMENT

The Kuwaiti Emir has been an explicit supporter of female suffrage since 1999. The Sabbah regime clearly views mobilized female citizens and liberal human rights groups as ideological allies that counterbalance the potency of Islamist groups. The enfranchisement initiative came through pressures from above, first in 1999 by the Emir whose decree was deemed unconstitutional, and once again in 2005 through a new initiative by the Prime Minister (Tétreault 2011, 77-79). The parliamentary session in which women received the vote made two amendments to Article 1 of the Election Law 35 from 1962: the word "male" was deleted,²⁶ and a sentence added that states a woman is obliged to adapt to rules and norms based on the *Shari'a*, in order to

26 Law 17 of June 4, 2005 reads "every Kuwaiti [...] has the right to vote" (*likull kuwaiti [...] haqq al-intikhab*); previously the Election law had stated that "every Kuwaiti male [...] has the right to vote" (*likull kuwaiti minal-thukur [...] haqq al-intikhab*), *Official Gazette*, June 5, 2005 (<http://www.kna.kw>).

placate conservative MPs.²⁷ In total 59 votes were cast: 35 were for (21 votes by elected MPs and 14 votes by appointed ministers), and 23 against (all votes by elected MPs). One MP abstained while five MPs were not present.²⁸ If we include the abstention and those not present, elected MPs who opposed women's enfranchisement numbered 29.²⁹ The six pro-women votes that secured the franchise reflect thus a fairly conservative societal atmosphere that is, by and large, not attuned to granting Kuwaiti women political rights. Nevertheless, the regime had important allies in the small but historically significant women's movement that had been pressuring for political rights since 1963 (al Mughni 2001; Tétreault 2004). In parliament, the schism between liberals and Islamists who represent opposing poles was present before the entry of the four female MPs, but it gained a significant edge with the presence of four women MPs – Aseel al-Awadhi, Rola Dashti, Salwa al-Jassar and Ma'souma al-Moubarak – after they were elected to parliament between 2009 – 2011.

Among the first steps the four female MPs took when they entered parliament was to establish a 'Family and Woman Committee' (*lajnat al-usra wal-mar'a*). A review of cases discussed in that committee, and suggestions presented by MP Ma'souma al-Moubarak between 17 June 2009 and 24 May 2011, indicate a more explicit focus on female issues compared to earlier parliamentary sessions.³⁰

27 The amendment reads "*yashtarit lil-mar'a fil-tarshih wa-l-intikhab al-iltizam bi-l-qawa'id wa-l-ahkam al-mu'tamida fi-l-shari'a al-islamiyya*," *Official Gazette*, June, 5 2005 (<http://www.kna.kw>).

28 In Kuwait, ministers also vote in parliament, which explains why 59 votes were cast, and not just those of the 50 elected MPs. All the information on the political affiliation and voting patterns of Kuwaiti MPs, as well as the voting results used here, are drawn from Michael Herb's superb Kuwait Politics Database found at <http://www.kuwaitpolitics.org/>

29 The single abstention was by President of the National Assembly and former Finance Minister Jasem al-Khorafi (3rd circle). The five absent MPs included the Salafi leader Ahmad Baqer (5th circle), Basil al-Rashed (10th circle), Abdullah al-Rumi (4th circle), Ali Khaled al-Sa'id (11th circle), and Walid al-Osaimi (14th circle). They are here counted as against granting women political rights because their opposition was articulated in public prior to the voting session. Before the 2008 elections, there existed 25 electoral circles, with 1st – 5th circles lying closest to Kuwait City's center.

30 I have analyzed the 32 suggestions (*watha'iq*) presented by MP al-Moubarak who is currently professor of political science at Kuwait University. Al-Moubarak served as the first ever female minister in 2005 when the Emir appointed her Minister of Planning. She has also been Minister of State for Administrative Development

Until 2005, at which point women got the vote, discussions mainly circled around female suffrage (al-Kandary 2008). Types of female related issues raised by Islamist MPs and MP al-Moubarak in alliance with women MPs:

1) A social insurance law (*qanun ta'minat*) suggested in case the male head of household dies, and the eldest son was unable to take care of the mother or daughter who thereby might be able to receive the dead man's salary (parliament voted against);

2) Article 15 of the Kuwaiti passport law was changed after a suggestion raised in July 2009 enabling adult Kuwaiti women to issue their own passports and freedom to travel independently of male guardians, thereby securing freedom of travel for all Kuwaiti women;

3) A law of housing security (*qanun al-ri'aya al-sakaniyya*) was suggested in April 2010 and agreed upon later in parliament granting divorced Kuwaiti mothers (but not single Kuwaiti female citizens) once again the right to housing;³¹

4) A suggestion raised on 15 April 2009, later agreed upon in parliament, gave children of Kuwaiti female citizens married to a noncitizen the right to public education and health services;³²

5) A suggestion presented by the four female MPs to establish public nurseries for children aged 1 – 5 in public institutions where more than 25 females were employed was turned down; and

6) A suggestion put forth by conservatives and Islamists to establish a monthly direct financial transfer to Kuwaiti women who are not employed.³³

The last two suggestions illustrate differences in policies that; on the one hand target Kuwaiti women as individual citizens and, on the other hand perceive women primarily as mothers and thereby part of a family. The proposition regarding nurseries, for instance, represents a policy orientation which supports the financial position of working Kuwaiti

and Minister of Health before being elected as MP in 2009.

31 Kuwaiti women had the right to housing benefits on an independent basis until 1979 when it was pulled back.

32 The decision was made by the Ministry of Education in order to alleviate the societal position of noncitizen children of Kuwaiti female citizens. According to former MP Dr. Ma'souma al-Moubarak, the decision did not become a law, and did not involve the Ministry of Justice, weakening thereby the decision's long-term power because it remains subject to withdrawal (Personal communication, 21 April 2012).

33 Examples of law proposals that targeted women mentioned by al-Moubarak, personal communication, 21 April 2012.

mothers as autonomous subjects. This suggestion was supported by liberal male MPs and included three of four female MPs who sought to endorse widened opportunities for working mothers. By contrast, the proposition suggested by conservative candidates such as Islamists, Muslim Brotherhood and Salafis regarding direct financial transfers to women in the household reflects a policy that supports domesticated womanhood. Islamist politicians are eager to present populist proposition of direct cash handouts which appeals to non-working mothers. The two propositions clearly reflect alternative ideological visions pertaining to the economic citizenship of Kuwaiti women.³⁴ Importantly, the total of 15 parliamentary proposals that were raised between 2006 and 2011 regarding direct cash transfers to non-working mothers were eventually settled through a decision issued by the Ministry of Labor and Social Affairs that gave women over 55 years a 550 KD (about 1800 USD) monthly grant. The policy regarding monthly grants for unemployed women was strongly opposed by MPs with liberal views, including the female MPs, who saw it as a 'pull-factor' that did not encourage female citizens to seek work outside the home.³⁵ The Ministerial decision conditioning that women be 55 years can be read as a way of placating cases related to poverty alleviation among older women, including those

34 The political divide and tension between the state's financial support of working mothers or non-working mothers is not unique to Kuwait or other states in MENA. It is a major political cleavage found within social policies in welfare regimes in Western liberal democracies. There, conservative Christian democratic groups are usually in favor of 'familial policies', i.e. welfare policies which view women as primarily mothers who partake in the reproduction of care as unpaid labor at the domestic level. Familial policies tend to foster and bolster the position of women as homemakers. Familial policies support interdependent relations within the family where the male head of household remains the primary financial guardian. At the other end of the political spectrum, we find support for 'individualistic welfare model' by center and left-wing social democratic or socialist parties who perceive women as autonomous economic individuals. The latter type of policy bolsters the position of a woman as potential participant in the labor market, and ensures wider avenues for financial autonomy (Korpi 2000).

35 Although this policy can be seen as 'Islamist', similar policies that aim at safeguarding a financial basis for homeworkers are well-established tax-based 'familial policies' in Western welfare states. Conservative Christian democrats in Germany, the Netherlands and Belgium for instance, tend to support policies that safeguard the interests of women as homemakers and that husbands are primal financial guardians of the family's financial welfare through employment in the labor market (Korpi 2000; Revillard 2007).

who are forced to retire at the age of 45, avoiding thus the more politicized side-effects of a grant that supports non-working younger women (Maktabi 2016).

QATAR: THE RISE OF 'STATE FAMILIARISM'³⁶

The non-existence of political adversaries and lack of avenues for political representation in Qatar is, to a large extent, constrained due to centralized political power at the hands of the Emir who exercises power with few formal and informal restraints. There is, for instance, no constitutional review in the state, and judges who issue unpopular rulings have at times not been able to renew their visas or work contracts (Crystal 2004). Nevertheless, Crystal (2011, 119) points out that "Qatar has never been a repressive state" because rulers have not imposed their will beyond the palace.

With the ascendance of Emir Hamad al-Thani in 1995, his charismatic consort, Sheikha Moza, established and headed the *Supreme Council for Family Affairs* (SCFA, popularly called *majlis al-usra*) in 1998. The 'Woman's Committee' (*lajnat al-mar'a*), which was central in proposing amendments to the draft family law, was at the time of the SCFA's inception a vibrant unit that addressed women's issues (Welchman 2012). However, after 2005, the Woman's Committee was no longer a vehicle in advocating for women's rights in Qatar. Dr. Kaltham al-Ghanem, professor in sociology at Qatar University, pointed out that the Woman's Committee was not dissolved, but it lost its importance as an executive body – a *lajna* – where views and strategies on how to strengthen the civil rights of Qatari women as individuals were discussed. After 2005 it has become a bureaucratic body – an *idara* – which addresses day-to-day administrative matters (Personal communication, 25 April 2012). For instance, discussions and negotiations pertaining to the future position of women *qua* women in Qatari society, and not necessarily as members of extended families, became to a lesser degree articulated after 2005.

One way of understanding the changed nature of the Woman's Committee is to see its eclipse in light of the establishment of The Doha International Institute for Family Studies and Development (DIIFSD) in 2004, which later on changed its name to Doha International Family Institute (DIFI). The Institute was formed to mark the 10th anniversary of the

36 Building on Korpi (2000) who differentiates between social welfare policies that target a household unit according to whether they support one or two-breadwinners, 'state familiarism' refers to welfare policies that target households where males are perceived and administratively defined through state measures as head of households. Women are thereby defined primarily as caretakers and homemakers.

UN International Year of the Family in December 2004.³⁷ A profiled Qatari on women's rights issues, Noor al-Malki, who worked at the SCFA since its establishment, is now executive director of the DIFI. In April – May 2013, DIFI organized a conference co-sponsored by the Marriage and Family Law Research Project and the International Academy for the Study of Jurisprudence in the Family at Brigham Young University Law School, a well-reputed Mormon affiliated university in the US.³⁸ DIFI's research profile overlaps with these American well-renowned pro-family oriented research and higher education institutions.

My political reading of the eclipse of the SCFA's Woman's Committee and the establishment of DIFI is that this organizational change reflects a redirection of focus at the state level. Institutional reorganization indicates a shift of official policy from a more pronounced focus on women's issues before 2004 towards an emphasis on family issues after the establishment of the DIFI. Since 2005, Qatar addresses women's rights through a "familiarization policy" which does not approach women as individuals. Political and institutional focus is clearly on family-oriented policies where women are seen as part of the family and not as independent legal subjects. For instance, research on women is undertaken through the prism of "Putting the family first,"³⁹ and a conference marking the 1995 Beijing UN women's conference in March 2015 is entitled "The family as the agent of gender equality and human rights;" the focus is primarily on women's role in the family.⁴⁰ The alliance at the institutional

37 The preamble of The Doha Declaration, which supports the marking of the UN International Year of the Family, is to reaffirm art. 16 (3) of the UN Declaration of Human Rights which states that "the family is the natural and fundamental group unit of society and is entitled to the widest possible protection and assistance by society and the State". <http://www.difi.org.qa/about-difi/doha-declaration>.

38 "The Jurisprudence of Extended Families and Intergenerational Solidarity", [*fiqh al-usra: al-usra al-mumtadda wal-tadamun baynal-ajjal*], Doha, 30 April – 1 May 2012. For a glance at presenters and abstracts, see http://www.law2.byu.edu/page/categories/marriage_family/past_conferences/apr2012/ABC-Doha%20120229.pdf. I attended the conference, conversed with several of the presenters and interviewed some of them later.

39 As of December 2013, Professor of social anthropology Suad Joseph at the University of California Davis heads a research program which will "offer reviews of key topics such as marriage and family structure; women's issues; demography and fertility; child and family safety; parenting; transnational families; family and work; family and state; family law; war, violence and families" (Osra 2013).

40 DFI co-sponsored and participated in a side-event or

level between DIFI and ideologically conservative research institutions such as Brigham Young University, alongside emphasis on jurisprudence of the family, fits to a large extent with the profile of strict readings in Islamic jurisprudence embedded in the Qatari family law.

Qatar gives substantial support to the field of education and encourages women to work. There is an impression in the media that a Qatari woman has the opportunity to achieve whatever educational or professional targets she may set. However, despite official calls for the strengthening the position of women, social structures, such as gender segregation in public universities and the codification of orthodox interpretations of *shari'a* jurisprudence in the state's family law where normative ideals of women as primarily mothers are embedded, exert an adverse impact on female citizenship.

One way of understanding the inherent dilemmas pertaining to women in Qatar is that the opportunities offered with regards to education and work target mainly young age cohorts, i.e. women in their twenties. It is, however, married women, mothers and divorcees who, to a larger extent than younger women, experience material or legal obstacles in safeguarding their civil rights – particularly within family law. Given that around 80 percent of female citizens are outside the waged labor force, the majority of Qatari women, particularly those over the age of 30, cope in practice with constrained civil rights embedded in fairly conservative interpretations of family law that support and sustain male dominance within the family.

A phenomenon that provides a potential driving force for a change in the position of female citizenship is the “astonishing rate” at which female students have entered the field of law in Qatar in the past five years, according to Dean of College of Law Dr. Hassan Okour; in 2012 there were 575 students enrolled as law students of which 75 percent were female students.⁴¹ Okour explains:

In Qatar males have a lot of opportunities. They can travel outside and get an education. Most female students, perhaps 95 percent, are not allowed to travel and live outside their homes.

ganized by the Family Watch International, http://www.difi.org.qa/media-room/news/the_family_as_the_agent_of_gender_equality_and_human_rights?backArt=724.

41 In Kuwait, the same phenomenon is observed. For instance, there were 120 female and 60 male students registered at the Faculty of Law at Kuwait University, according to lawyer Sheikha al-Julaibi, personal communication, 15 April 2012. Data for the academic year 2011/2012 indicates that 60 percent of registered law students at Kuwait University are women: out of 2,520 students, 1,520 were female and 990 were male (State of Kuwait 2012).

They find studying at the College of Law an attractive opportunity. Admission to the College of Law is difficult and very competitive. Many male students do not meet our standards, but they are able to travel to Jordan and Egypt to pursue undergraduate studies. Because they are able to travel, male Qataris go abroad instead of trying to qualify for the entry exams at Qatar University. Female students have no other options than trying to get admitted at Qatar University if they want to study law. We have students who have tried to enroll three and four times. Each time they fail, they learn more of what is required here. When they finally get in, they are very motivated to study. Female students are more motivated because they have fewer opportunities than male students (Personal communication, 1 May 2012).

Seen from the perspective of pressures to strengthen female civil rights in Qatar, the rise of Qatari females in the field of law is potentially promising with regards to addressing more women-friendly interpretations of state laws.

THE POLITICS OF FEMALE CITIZENSHIP IN KUWAIT AND QATAR

Kuwait and Qatar support the education of women, and encourage their participation in the labor force. However, these policies are incomplete as long as they are not supported by other kinds of state policies that ensure that women have access to paid leave policies, flexible working hours and day cares. Gender-conservative welfare models found in Germany and the Netherlands implicitly build on the idea of one breadwinner – most often a male (Korpi 2000). Not unlike such welfare models, Kuwait and Qatar's welfare regimes are conservative in the sense that they equip women with certain resources and advantages – access to education and the labor market – but leave it up to the individual woman to cope with traditional views on the women's position within the family and within society at large. Notwithstanding the point that Gulf states are more conservative than Western European states in terms of sexual norms and liberal ideals, the ideological underpinnings of familial policies in both settings are fairly similar: women – implicitly induced or explicitly stated – are primal caretakers within the household.

Mary Ann Tétreault pointed out a decade ago that working women in Kuwait feel the power of parliamentary Islamists through subtle proposals such as modified gender-segregation at public universities and social pressures on women to leave the workforce after 15 years (Tétreault 2003). Parliamentary propositions put forward by female MPs in Kuwait between 2009 and 2011 point to tensions between suggestions that seek to strengthen female

civil rights within existing laws, and suggestions proposed by Islamists that seek to maintain the position of women as mainly homemakers. The resulting confrontations between the female MPs and Islamists became more overt and complex, particularly during the two-year period while women were present in parliament. Whereas numerous proposals raised by Islamist MPs supported a monthly wage for non-working mothers, these were accompanied by proposals for strengthening female legal capacity, albeit as medium for ensuring residence and welfare rights for the families of Kuwaiti women married to noncitizens, including Bidūn males.

Qatar has succeeded remarkably in supporting female education to the point that young Qatari women constitute a majority of students at Qatar University, and outnumber male Qataris in some disciplines. However, the state has incorporated fairly orthodox interpretations of family law provisions which emphasize males as guardians of females. The eclipse of a focus on women as individuals after 2005 with the establishment of the Doha International Family Institute contributes to state familism, buttressing the role of women primarily as mothers and caretakers. Moreover, religious clerics maintain prerogatives in adjudicating family law cases, a step that sustains religious orthodoxy and supports familial policies.

CONCLUSION

Rentierism and clientelism are cornerstones in contemporary Kuwaiti and Qatari political and economic orders. Citizens legitimize the supremacy of hereditary autocratic rule in exchange for welfare benefits, while noncitizens accept different degrees of acquiescence and servitude for residence and work opportunities. Moreover, rentierism and clientelism have a clear gendered dimension: Almost all female citizens in both states work in the public sector, and between sixty to seventy percent of female noncitizens are employed as domestic workers.

The rise of a two-tiered structure for female employment – one for citizens and the other for noncitizens – is part of the rentierist framework in both states. Noncitizen female domestic workers do not significantly impact female citizens' participation in the labor market, however. Rather, the presence of the sizeable domestic workforce strengthens to a certain degree cultural norms that see female citizens' primary responsibilities in the family. It also weakens the potential for pressure on governments to support working mothers and women in general.

The large female domestic workforce in both Kuwait and Qatar can be seen as an outcome of rentierist political economic settings at the individual level. Reliance on domestic workers has come by way of excessive surplus of capital and reflects low labor law standards that pressurize wages to a

minimum, rather than as a result of an interest in or a need to support female citizens' participation in the labor market.

The historical trajectory of each state, particularly with reference to political pluralism, sheds light on some main differences with reference to pressures for strengthened female citizenship. In Kuwait, political claims and deliberations are made within a framework where a multifaceted women's movement, an elected parliament, and an assertive Islamic opposition of various ideological shades make their mark on the type of claims concerning the equalization of rights between male and female citizens. The election of four female MPs in Kuwait in 2009 impacted the profiling of issues that target primarily women's economy. Economic rights, such as a Kuwaiti woman's capacity to obtain housing in cases of divorce, and strengthened female civil rights, such as the ability to obtain a passport for a Kuwaiti woman independently of a male guardian, were adopted by parliament following suggestions presented by the female MPs. In Qatar, the eclipse of the Woman's Committee which addressed women's issues since 1998 occurred after the codification of family law in 2006. Efforts at profiling women's issues in the late 1990s have given way to policies that put stronger emphasis on the role of women within the family as reflected in the establishment of the Doha International Family Institute.

Reform in female citizenship and strengthened civil rights within family law in the past decade have not been primarily based in feminist interpretations of religious text. In Kuwait and Qatar emphasis on female citizenship in general, and family law in particular, has come by way of decisions and policies initiated mainly, but not primarily, by the government in the name of the state. Further research on the potential impact of the rise of females in the field of law may reveal interesting outcomes given that women in the Gulf may become enabled to pressurize for more women-friendly interpretations in state laws.

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- Badria al-Awadhi, Practicing Lawyer and Professor in Law at Kuwait International Law School (KILAW), 22 April 2012.
- Hassan Okour, Dean of the College of Law at Qatar University, 1 May 2012.
- Imad Qitan, Professor of Law, Teaches Family Law at Qatar University, 30 April 2012, Participator at the Conference "The Jurisprudence of Extended Families and Intergenerational Solidarity" [fiqh al-usra: al-usra al-mumtadda wal-tadamun baynal-ajyal], Doha, 30 April – 1 May 2012.
- Jasim al-Saadoun, Economist, Leader of the Al-Shall Consultancy Company in Kuwait, 19 April 2012.
- Kaltham al-Ghanim, Professor of Sociology at Qatar University, 25 April 2012.
- Ma'souma al-Moubarak, Professor of Political Science at Kuwait University, First-time Appointed Female Minister of Planning (2005), and One of the Four First-time Elected Women to the Kuwaiti Parliament (2009-2011), 21 April 2012.
- Shaikha al-Julaibi, Kuwaiti Lawyer and Consultant to the United Nations Development Program and the Women's Cultural and Social Society, 15 April 2012.
- Su'ad al-Jarallah, Leader of the Woman's Association at the Jam'iyyat al-Islah al-Ijtima'i in Kuwait (*lajnat al-mar'a fi jam'iyyat al-islah*), 16 March 2015.
- Khawla al-'Atiqi, Member of the Executive Committee of Hadas, the Kuwaiti Branch of the Muslim Brotherhood, 25 March 2015.