

THE EVOLUTION OF THE LEGAL SYSTEM IN KUWAIT

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of the **Legal System**
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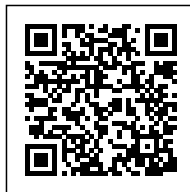


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With Suzan Taha

Kuwait has a rich legal history that dates back centuries. The modern legal system in Kuwait, however, has its roots in the early 20th century. The country's legal system has undergone significant changes over the years, with various factors shaping its development.

The foundation of Kuwait's legal system dates back to the early 1900s. At that time, Islamic law was the main source of legal guidance. In the 1920s, a more formal legal system was introduced that was based on Ottoman and Egyptian law. This system included courts that were organized into four tiers: courts of first instance, courts of appeal, courts of cassation, and a supreme court.

In the years that followed, Kuwait's legal system continued to evolve. The country's first constitution was drafted in 1962, which guaranteed citizens the right to a fair trial, among other things. The constitution also established the Constitutional Court, which is responsible for interpreting the constitution and deciding on the constitutionality of laws.

In 1980, Kuwait enacted its Commercial Code, which regulates commercial transactions and is largely based on French commercial law. In the same year, the country also established the Public Prosecution, which is responsible for investigating and prosecuting criminal cases.

One of the most significant events that impacted Kuwait's legal system was the Iraqi invasion of 1990. During the occupation, the Iraqi government abolished Kuwait's legal system and implemented its own laws. After Kuwait was liberated in 1991, the country had to rebuild its legal system from scratch. This led to the establishment of the Kuwaiti Code of Civil and Commercial Procedures in 1992, which replaced the old court system with a new one.

Another significant event that impacted Kuwait's legal system was the Arab Spring of 2011. This led to the introduction of several constitutional amendments that expanded the powers of the National Assembly and enhanced the rights of Kuwaiti citizens.

Today, Kuwait's legal system is a mixture of civil law, Islamic law, and customary law. It consists of several courts, including courts of first instance, courts of appeal, and a supreme court. The country also has specialized courts, such as the commercial court, labor court, and family court.

In conclusion, Kuwait's legal system has come a long way since its early days. The country has undergone significant changes over the years, with various events impacting its development. Despite these challenges, Kuwait has managed to establish a legal system that is designed to protect the rights of its citizens and promote justice.

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