

# “FROZEN” Federalism: Territorial Remake and Civil War in Yemen

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**Abstract:** The Republic of Yemen, the current borders of which were carved in 1990, was the embodiment of the aspiration of two formerly existing Yemeni states, the Northern and the Southern, for political unity with the preservation of regional specificity. Nevertheless, the Civil War in 1994, won by the North, did not allow the country to introduce federal approaches. After the overthrow of Ali Abdullah Saleh's regime provoked by the "Arab Spring," the transition to a "fair" territorial and administrative state model came to the foreground. The General Peoples Dialogue which was concluded in 2014, envisaged the transformation of Yemen from a unitary state into a federal one. Moreover, the discussion on this issue revealed a fairly large variety of federal projects that were brought up for discussion by various political actors and also demonstrated the demand of many groups in Yemeni society for various decentralization models.

## **Introduction**

Having agreed at the end of 2014 to the need to move to a federal model for Yemen, participants in the National Dialogue Conference (NDC), however, failed to develop its full design. As expected, the most heated debate was over the territorial borders of future federal regions. This situation was predictable, since in the process of Yemeni federalization, each of its many parties pursued their own goals. For instance, President Mansour Hadi saw federalism as the only tool to take away power from former President Ali Saleh and destroy the patronage system he had built (replacing it with his own patronage system). He also wanted to at least minimally meet the demands of the opposition to the dictatorship which were expressed in 2011. The new political elite around him had a very clear idea of what they wanted to achieve when they decided to introduce federalism, but their aspirations often did not match with the aspirations of the other bidders and sometimes directly contradicted them. This is not surprising; the new central power sought not only to elevate itself through federalization but also to weaken its competitors, both in the South and in the North. Because of this, it was decided to impose new regional borders from above without bringing the plans to the popular discussion and avoiding local disputes. Consequently, the only contribution of the NDC to the solution of the territorial issue was that the delegates, understanding the fragility and instability of any proposed division, declared the need to adopt legislation that would allow both the outer and inner borders of the newly formed federal units to be revised after at least one electoral cycle. This provision was included in the final report of the Constitutional Committee, which was gathered in early 2015, after the NDC ceased its activities.<sup>1</sup>

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### **Weakening the North**

The project of the new territorial division was developed by a special working group created by the president, but the boycott from the representatives of the southern Yemeni Socialist Party and the northern Houthi movement Ansar Allah as well as from a number of other organizations stripped this group of legitimacy. Thus, as Helen Lackner rightly noticed, “it was the decision to create six regions and establish borders between them that caused the Houthis to finally withdraw from the transit process.” After refusing to negotiate and rejecting the federation as such, they soon sent their militias to the South, capturing Sana’a and taking high-ranking state officials hostage.<sup>2</sup> It is well-known that as a result of these events, Yemen was drawn into a new round of civil confrontation, also burdened by external intervention. The president’s initiatives were also negatively perceived by Southern “loyalists” who had their own reasons for discontent.

However, the discontent of key participants in the process of a federal bargain did not stop the authorities from presenting a model that introduces the establishment of six federal units in Yemen, four in the North and two in the South. Although the capital cities of Sana’a and Aden were granted special status, the rest of the country’s two dozen current governorates (regions or provinces) were suggested to be united in six federal units. This number included Azal, Sheba, Aljanad, Tihama, Aden, and Hadramawt, which greatly enlarged and mixed the former division. For a country where tribal borders are often more important than administrative borders, this form of division would be shocking. The experts who immediately concluded that “the federal division appeared more about short-term political expediency than geographic, demographic or socio-economic considerations” were right.<sup>3</sup> A clear confirmation of this was the extremely sharp reaction of two main actors who were making the transitional regime struggle since 2011: Northern Houthi movement Ansar Allah and a whole range of Southern organizations and groups, the most prominent of which was the “Al-Hirak” movement.

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Even during the discussion of the proposed federation at the meetings of the NDC, the Houthis, whose quota was small and amounted only to 35 mandates out of 565, were worried about this project. However, they did not initially speak either in support or opposition. Their neutrality on this issue turned to strong rejection after the publication of the federalization project of the “interim” president Hadi. Mohammed al-Bukhaiti, then spokesman for the Houthis, said, “we have rejected it because it divides Yemen into poor and wealthy regions.”<sup>4</sup> There were three factors behind this harsh rejection: firstly, the new Azal region, where Houthis permanently live (this is the province of Sa’dah, joined by the provinces of ‘Amran, Sana’a, and Dhamar), was not granted access to the sea; secondly, it was left without oil-rich areas and, therefore, it was eventually doomed to economic backwardness and dependence; thirdly, it also included territories where the population does not support the Houthis and is also hostile to them.

As a result, the rebellious community claimed to have been discriminated against on all principal issues; the Houthis withdrew from the negotiation process and began to fight for favorable rules of the game by other means, constructing a secret and later public alliance with former president Saleh. Despite different attitudes towards federalism, the participants of the alliance agreed that Hadi’s version of a Yemeni federation would offend the rights of Zaidi and their elite.<sup>5</sup> It must be said that at the very early stage of struggle for power, president Hadi made a strategic mistake with regard to the Houthis. On the one hand, he almost immediately began to create a federalist plan that was of no use for them, but, on the other hand, he did not prevent the opponents of his plan from gradually gaining strength, turning into a powerful militarized political group. This paradoxical position can be explained by the fact that the post-revolutionary leader of Yemen was counting on the fact that he could use Ansar Allah to expel the “Al-Islah” party associated with the Hashid Confederation, a natural competitor of the Houthis. In other words, during 2012-2014, Hadi simultaneously promoted and defamed the federal project.

## **Taming the South**

As for the South, the federal reform faced a different kind of objection. Opposing the division of the southern part of the country into two federal parts - Hadramawt and Aden - the local political forces in their dialogue with Sana'a tried to defend the unity of South Yemen as a single unit of the future federation. In particular, the Yemeni socialists, led by the former leader of South Yemen Ali Nasser Mohammed (who still enjoys considerable influence in the region) rejected the official project presented by Hadi's constitutionalists from the very beginning. "What has been announced about the six regions is a coup against what had been agreed at the dialogue," said ex-Minister of Interior Affairs of South Yemen, Mohammed Ali Ahmed in February 2014.<sup>6</sup> In general, as observers noted, the official proposal to split the South into two regions appeared aimed at creating disunity and polarization within the secessionist "Al Hirak" movement.<sup>7</sup>

However, the situation is much more complicated than it seems at first glance. The declared desire for unity shown by influential southern actors is intended to mask an indisputable fact. Despite its old conflict with the North, South Yemen is not - and never has been - a monolithic polity. As a historical confirmation of this, we can refer to the constant friction between the Western and Eastern protectorates under the British, and Hadramawt's problem is the oldest manifestation of it. In Aden, the former capital of the socialist South, there are persistent fears that the possible division of the southern territories into two parts will serve as a trigger for the explosion of separatist sentiment in Hadramawt, which is now represented by the growing Nuhra Hadramiya movement.<sup>8</sup> In turn, the "umbrella" structure founded in the spring of 2017, called the "Hadramawt Inclusive Conference" (which included the former leader of South Yemen Al-Beedh, who in 1990 struck a deal with the North), states that local elites are ready to implement regional autonomy not only under a six member-units federal project or as an autonomous federal unit within South Yemen separated from the Northerners, but also as a completely independent state.<sup>9</sup> The remoteness and desolation of these places formed a special type of Yemeni character; since colonial times, the self-perception of locals was associated not with Aden but with the lands of British south-east Asia, where natives of Hadramawt

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from the XIX century made significant fortunes.<sup>10</sup> A century later, after the founding of the Kingdom of Saudi Arabia, the poor people from the area began to massively move to Saudi Arabia and some of them were lucky again. It was immigrants from this part of Yemen who started the richest Saudi families - such as Bin Laden, Bin Mahfouz, or Al-Amoudi. As a result, Hadramawt which had access to its migrants' financial resources for investment became the only Southern area which could be a viable political and economic entity. It is not surprising that the politically self-confident and economically rich Hadramawt makes its regional neighbors (who want to go their own way) worry: the easternmost Yemeni province of Al-Mahra, once an independent Sultanate now sandwiched between Hadramawt and Oman, has repeatedly stated that it does not want to merge with its Western neighbor but to expand its own autonomy. According to Helen Lackner, "people in Al-Mahra Governorate are torn between wanting to join Hadramawt and hopes of becoming part of Oman, while the more unrealistic among them dream of an independent Al-Mahra."<sup>11</sup>

Another notable but less significant issue was the proposed unity of the province of Al-Dhale with the provinces of Lahj and Abyan which neighbor the capital of South Yemen. Southerners' concern about this initiative, which would have resulted in the federal formation of Aden on the map, was caused by the fact that Yemen is accustomed to elite competition between people from these lands. The natives of Abyan were not only representatives of the leadership of the former socialist Yemen, including Ali Nasser Mohammed himself, Prime Minister and Chairman of the Supreme Council of South Yemen in 1971-1986, but also Mansour Hadi, who succeeded Ali Saleh as president in 2012. And if the Southern "loyalists," who are following Sana'a, are not satisfied with the potential dominance of the Hadi clan in the administrative apparatus of the united Yemen and in the top of the future federal territory, the Southern "dissidents" from the "Al-Hirak" movement will become concerned that the intra-elite feud provoked by the unification would weaken the ranks of the fighters for the South's independence.

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At the same time, the federalization proposed by the Yemeni leadership has its supporters. And while experts warn that “the proposed regional divisions meant that there would be deep asymmetries in terms of wealth, education, and most likely political power, if federalism were implemented, leading to a rapid rise in inter-regional tensions,”<sup>12</sup> this is what elites in some Yemeni regions find attractive. In addition to the oil-rich Hadramawt, Hadi’s federal project did not cause rejection in other resource-rich regions in the current Northern provinces of Mareb and Al Jawf, which will form the backbone of the Sheba Federal region. Here, an “engine” of the federalist idea is an elementary and understandable reluctance to share with neighbors. The socio-political selfishness of local elites is greatly facilitated by the fact that after 2015, a much larger part of oil rents began to remain in the Yemeni regions. Refusing to undermine their newfound prosperity, the elites of these provinces, which in the recent past fit perfectly into the unitary patronage model of Ali Saleh, suddenly became pious federalists. This is not strange: sometimes federalism is very pleasant in both political and economic terms.

### **External Supporters**

Obviously, the “six units” scheme best serves the interests of the Central government, allowing it to play on the contradictions between the newly formed regions that become dependent on the federal authorities. Federalism here is not an aim designed to harmonize national development but a means to tame political competitors. However, now at the end of 2020, the future of this project in the conditions of a disintegrating state seems more than vague. Moreover, it is not just because the Houthis, who strongly rejected it, hold a third of the country’s territory and half of its population under their control. Equally important, in addition to the internal contradictions described above, the support provided by Saudi Arabia has become a serious compromise for Hadi’s project. The Saudis consider the federalization of Yemen as equivalent to Yemen’s incapacitation, and this fits into the policy of “containing” the neighbor being conducted by Riyadh for decades. The collapse of the monarchy and the establishment of the republic in 1962 was where the Saudi regime saw a fundamental threat to itself; it was even less enthusiastic about the 1990 Yemeni unification. Not being able to

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directly interfere with the unification, the Saudis sought various ways to destabilize a unified Yemen. So, subsidizing some Northern tribes as their clientele in the 2000s<sup>13</sup> and providing financial support to the “Al-Islah” party, Saudis largely contributed to the maintenance of contradictions between Yemeni tribes (mostly between Houthis rebels and the top of the Hashed tribal confederation, led by Al-Ahmars). At the same time in 1994<sup>14</sup> Saudi diplomacy supported the attempt of secession in South Yemen, defending the separatists in the UN and on other international platforms.<sup>15</sup> The appearance of the Houthi rebels on the borders of Saudi Arabia in the mid-2000s further displeased Riyadh; naturally, Hadi’s federalist project, which, if implemented, would weaken the Houthis, met significant support from Saudis.

Apparently, the desire of local politicians to keep Yemen within its current borders will soon reanimate the idea of a federation consisting of not six but two units with wide powers for the South. This scenario is likely not only because the Northern elite is now more mild than it was two or three years ago but also because part of the Southern establishment, including a number of factions of the “Al-Hirak” movement and the Yemeni Socialist Party, still supports autonomy. Back in late 2011, they developed the “Cairo Principles” according to which the beginning of negotiations on the federalization of the country should be preceded by recognition of the South’s sovereignty, which was lost in 1990. Six years ago, Sana’a and the Gulf States, under patronage of whom the National Dialogue Conference was held, refused to make concessions to the Southerners. By now the situation has markedly changed; for both Saudi Arabia and the North (which is mainly under the control of the Houthis and the Ali Saleh clan cooperating with them) consider that federalizing the country on the “North – South” principle would now be the best solution. Saudi Arabia could be satisfied with a two-member federation that helps weaken the Houthis and allows the Kingdom to at least partially restore channels of influence on political processes in Yemen. For the Northerners, a dualistic federation would provide an opportunity not only to get out of the war but also to get rid of the Saudi blockade.

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However, outside observers remain doubtful. The main complaint about the impending changes is that the loose federation, which allows its constituent parts to have their own armed formations as well as their own administrative and political infrastructure, creates obvious prerequisites for internal conflicts. Yemen has already taken a similar path. As Alexandra Lewis has repeatedly emphasized, the civil war in 1994 was facilitated by the fact that the bureaucratic and military systems of the two parts of Yemen avoided merging after unification in 1990.<sup>16</sup> Comparative studies of world federations also confirm the assumption of innate instability of unions in which the number of constituent units is minimal. In fact, the fewer the subjects, the higher the risk that federal bargaining will fail. According to the classic authority of federalist studies, Ronald Watts states, “the problem within two-unit federations generally has been that insistence upon parity in all matters between the two units has usually tended to produce impasses and deadlocks.”<sup>17</sup> Therefore, the result of the introduction of federalism in radically divided societies may not be a unification, but a division, “sectarian” federalism.<sup>18</sup> And in this regard, it is appropriate to quote the conclusion of a British researcher Peter Salisbury, relevant not only to Yemen but also to other Arab States: “there is no promise that regional leaders in a federal system will act any more responsibly than their national counterparts in a centralized system.”<sup>19</sup>

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## Endnotes

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- 4- Quoted in Helen Lackner, *Op. cit.* p. 43.
- 5- See, e.g. L. Issaev and A. Korotayev, “Yemen: Unknown Revolution and International Conflict,” *MEMO Journal*, (8)2015, p. 71-81. [In Russian]
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- 8- See, e.g. Issaev L. Yemen: Unfinished Revolution. Alsharq Forum Papers. Istanbul, October 2018.
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- 10- “For well over a century the area of reference for Hadramis in particular had been south-east Asia and India, and the overall self-perception of the people in the Eastern Protectorate was focused elsewhere than Aden” (Helen Lackner, *Op. cit.* p. 98).
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- 17- Ronald Watts, *Comparing Federal Systems*, 2<sup>nd</sup> edition, (Montreal & Kingston: McGill-Queen’s University Press, 1999) p. 113.
- 18- Peter Salisbury, *Op. cit.* p. 7.
- 19- Ibidem.

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