

Position Paper

President Hadi's Resignation: Dangers and Alternatives

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Abd Rabbuh Mansur Hadi recently announced his resignation as Yemen's president, plunging the country's political scene into further uncertainty [Reuters Archive]

Abstract

With President Abd Rabbuh Mansur Hadi's resignation, Yemen lost a leader who had the ability to facilitate considerable consensus among diverse political forces involved in fierce conflicts over various issues, including the territorial conflict between north and south; the sectarian conflict between Zaidis and Shafiis; the political conflict between the old guard (represented by deposed president Ali Abdullah Saleh) and the new post-revolution regime headed by Hadi; and the armed conflict between al-Qaeda in the Arabian Peninsula (AQAP) and the Yemeni armed forces. As it stands, it appears that none of these warring forces can single-handedly force their will on the nation. Rather, it is clear they need to somehow work together and attain a degree of regional and international recognition. This also requires that these forces reposition themselves accordingly. This paper addresses the dynamics that drove Yemen to this state of affairs, and discusses probable scenarios for Yemen's future.

Introduction

The sudden, surprising resignations of the Yemeni president, Abd Rabbuh Mansur Hadi, and prime minister, Khaled Bahah, took the country by storm, catching even their fiercest opponents off guard, and plunging the country into a political and constitutional vacuum.

The move came after the Houthis escalated their military activities, taking over the presidential complex and seizing presidential security and missile brigades. They stipulated conditions that enabled them to virtually take over the presidency, pressuring Hadi to make presidential decisions according to their demands. They compelled him to appoint a Houthi as vice president, and to appoint other Houthis to a number of prominent executive positions. They forced amendments to the draft constitution, reformulated the national committee to monitor the outputs of the National Dialogue Conference, which is tasked with approving the draft constitution, and demanded that seventeen of their own be appointed to the committee so as to entrench a blocking minority.

With Hadi's resignation, Yemen lost a leader who had the ability to facilitate considerable consensus among warring political factions fighting over several issues, including the territorial conflict between north and south; sectarian tension between Zaidis and Shafiis; the political struggle between the old guard of the deposed president, Ali Abdullah Saleh, and the new revolutionary order headed by Hadi, and the violent warfare between al-Qaeda in the Arabian Peninsula (AQAP) and the Yemeni armed forces. Yemen now faces the very real threat that these conflicts will spiral out of control, feeding off of each other to trigger a chain reaction that could tear the country to pieces by dismantling institutions, turning the nation into a mosaic of fiefdoms fighting over power and resources, and displacing populations along territorial and sectarian lines.

This paper addresses the dynamics that drove Yemen to this state of affairs, and discusses probable scenarios for Yemen's future.

Varying assessments

Hadi's resignation placed Yemen in a quandary, eliciting largely divergent reactions, and causing severe rifts over next steps. He submitted his resignation to the House of Representatives for the parliament to debate, but many Yemeni groups consider the parliament illegitimate, despite the GCC initiative that breathed new life into it. This initiative included the condition that parliamentary decisions should be approved through political consensus rather than a simple majority vote. Hence, for the parliament to accept Hadi's resignation, it needs to do so unanimously rather than through a majority vote.

On the other hand, there are those who still believe in the House of Representatives' legitimacy as a constitutional institution, arguing that Bahah's government successfully obtained parliamentary confidence and the parliament approved the government's agenda which marginalised the GCC initiative. The fact that Hadi submitted his resignation to the House indicates that he too acknowledges its legitimacy.

The House, then, faces a dilemma in dealing with Hadi's resignation. While rejecting it will not solve the issue's root cause, the fact that the Houthis' grip on the country is sufficiently powerful to instruct the president's actions, accepting it would lead the country into another deadlock. Articles 115 and 116 of the constitution state that acceptance of the president's resignation requires an absolute majority of the vote, and that the vice president would automatically become interim president for no longer than sixty days. If the position of vice president is vacant, as it is currently, the presidency would be assumed by the Presiding Board of the House (currently headed by Major General Yahya al-Raei, who is the speaker of the House, a member of the General People's Assembly, and loyal to former president Saleh) for a period of no longer than sixty days, during which early presidential elections would be held.

The fact that the majority party in the House, the General People's Congress, remains loyal to Saleh, would virtually put him in charge of the country if al-Raei assumed the presidency. This is a source of ire for many Yemenis, including most political forces in the south, the February 2011 revolutionaries, and the Houthis. The Houthis want a presidential council that they would lead, or at least be a major part of, a scenario that many national and regional parties vehemently reject because it would enable the Houthis to even further strengthen their hold on the country. There are some who remain hopeful that they can successfully pressure Hadi to withdraw his resignation. In light of such a precariously volatile national situation, it is not entirely improbable that one or more groups could resort to military action, on their own or in alliance with other parties, to capture power.

Although they all agree on the importance of maintaining stability and preventing the collapse of Yemen, foreign parties sponsoring the transitional process seem to be confused, and their actions appear to be severely miscalculated. Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy, expressed the EU's concern over recent developments in Yemen, calling on the Houthis and their allies to assume full responsibility for their actions.

Jennifer Psaki, spokesperson for the State Department, said Washington still considered Hadi the legitimate president of Yemen, even after his resignation, and reaffirmed continued US support for a unified Yemen. However, Washington stopped short of laying blame on the Houthis for recent developments in Yemen. White House press secretary Josh Earnest, in an apparent move by the US to court Iran and the Houthis, said it was "unclear" to the Obama administration whether Iran controlled the Houthi rebels. During a joint press conference with Indian prime minister Narendra Modi in New Delhi, Barack Obama affirmed that the key US objective in Yemen was the protection of US nationals and fighting terrorism. These are interests that the Houthis may concur with and might be willing to help the US achieve.

Even though the Gulf states appear to reject the Houthis' power grab, describing it as a coup against legitimacy in a statement by GCC foreign ministers, and demanding that the Houthis halt the use of force, withdraw their militias and turn over the arms they seized to the armed forces, the GCC still has not translated that position into a working plan for halting Houthi expansion. Questions remain about what the GCC position might be on practical concerns. For instance, would it support the secession of the south, thus allowing it to become a new force that would drain resources from the Houthi-controlled north? Or will the GCC leave Yemen to be torn apart and exhausted by civil war yet again, just to prevent the Houthis from posing a threat to GCC states? Would they help Saleh and his old regime regain power so as to restore order and contain the situation? Or would they go to the other extreme and support his staunchest opponents, at the heart of which are the Yemeni Congregation for Reform and the Islamist forces affiliated with the Muslim Brotherhood?

Thus, generally speaking, the role of foreign parties is sluggish at best. They are seeking more time just to arrive at concrete positions, before they can even begin to talk about action. Such a pace is simply ineffective, given the breakneck pace of events in this beleaguered country that could soon slide into collapse.

The Yemeni crisis' dynamics are determined by how far local and foreign stakeholders are willing to allow the situation to go. While they each have specific goals, they also have finite capabilities, and they run the risk of being excluded from the game should they step too far outside the lines determined by the balance of power in Yemen.

Consensus forces

These stakeholders include Hadi, the Joint Meeting Parties (JMP), influential forces in the south, foreign states, and the UN Security Council represented by Jamal Benomar, special advisor to the UN on Yemen. They all agree on a political transition based on the GCC initiative and the outputs of the National Dialogue, and look forward to a unified Yemen with wide participation from political and revolutionary forces. This would spare the country the threat of disintegration and civil war, and eliminate the problems of social and economic exclusion that continue to nudge Yemenis into joining AQAP in the misguided hope of forcing change.

Hadi's resignation marks a stark failure of these forces, because the Houthis and Saleh are now assured that the balance of forces which led to the GCC initiative and forced them to accept it is in their favour, and that they can pursue the agendas that the initiative had previously excluded them from. However, those that support the GCC initiative may have not yet lost the war as they still have some leverage. These include the widespread support for the initiative both within and outside Yemen; Hadi's

democratic and consensual legitimacy; and the support of the UN Security Council, the GCC, and influential Yemeni forces such as the JMP. Therefore, these forces would do well to persuade Hadi to change his mind. It would come as no surprise if some foreign players quietly convinced the major forces in the parliament to reject the resignation, while wielding the “big stick” of UN sanctions. To convince Hadi to withdraw his resignation, it might help to make him understand that should he insist on resigning and moving to Aden, there would be difficult and risky decisions for him to take. Given the volatile situation in the south and the widespread calls for independence, he could follow the example of former vice president Ali Salem al-Beidh, and announce a unilateral secession, as al-Beidh did in 1994.

On the other hand, should Hadi withdraw his resignation, even that will not solve the core issue that sparked the crisis: the escalating military actions of the Houthis. A deal with the Houthis is not impossible, but it certainly will not be easy. The Houthis see Hadi as an obstacle in their path towards extending their control of the state. At the same time, they need Hadi to legitimise their exploits. Completely excluding him would jeopardise everything they have achieved thus far. They know that early presidential and parliamentary elections will obliterate everything they had achieved by force, because their popularity across the country is limited, and elections will wipe out what little legitimacy they have.

Similarly, should the Houthis continue to force their way through the country, they also run huge risks, such as the possibility of being labelled terrorists by the UN. Moreover, Yemeni tribes might strike an alliance with AQAP to fight the Houthis, just as the southerners might put together an armed militia against them. The Houthis cannot afford to engage in lengthy, costly wars of attrition that can only prolong, if not perpetuate, unrest in Yemen, wipe out what little is left of the country's national institutions, and divide the armed forces along territorial, sectarian and tribal lines.

Armed forces

In addition to the Houthis and Saleh, another force of instability is AQAP. However, its activities are in an entirely different context that has nothing to do with post-GCC initiative politics. As mentioned earlier, the Houthis and Saleh believe that the GCC initiative had earned them some gains in exchange for a few compromises they were forced to make by the then-prevailing balance of powers, but they can now achieve their goals forcibly because the pendulum of power has swung their way. The Houthis were after two things. The first was to get rid of the Islamist al-Islah (the Yemeni Congregation for Reform) Party, which they regard as the biggest beneficiary of the GCC initiative, and which – they believe – stands in the way of their complete takeover of the state. The second is to get rid of the six-region federation that resulted from the

Dialogue, and which had been earmarked to be included in the draft constitution and subjected to a popular referendum. Saleh wants to remain in control of security institutions and to get his people into the upper echelons of power.

Both Saleh and the Houthis believe that Hadi stands in the way of their ambitions. Hadi purged Saleh's relatives from security institutions and the military and, according to the Houthis, struck an alliance with al-Islah, the party that blocked their path to power, passed the amended constitution that rearranged Yemen into a federation of six regions, and made sure that the federation project was put to a popular referendum. Furthermore, both of them believe that Hadi got the UN Security Council to impose sanctions on Saleh and Houthi leaders. Hence, they both agreed that they should either force Hadi to change his policies in exchange for keeping him as president, or to get rid of him altogether if he refused to yield to their dictates. But forcing Hadi out of office puts both Saleh and the Houthis at considerable risk, and their other options lack any potential for success. These two questions then remain: do the two groups have a post-Hadi plan? What are their options in order to achieve their goals?

The Houthis and Saleh disagree on what to do after Hadi is gone. Through his political party, Saleh made it known that he wanted early elections, which is the last thing the Houthis prefer, given the fact that they do not have sufficient popularity to consolidate their forcibly-acquired gains, and knowing full well that elections would remove the advantages they have seized militarily.

Their fallback plan – to find a political alternative to Hadi – lacks favour among other political players, would give credence to southern secession, and might even push the country into forceful displacement along territorial and sectarian lines, eventually plunging Yemen into civil war, which in turn would render it a failed state that would inevitably become a haven for jihadi groups.

The available options lack the potential for success. Saleh, who has the most to gain from Hadi's exit from politics, will probably seize the opportunity presented by the president's resignation to kick the ball into the parliament's field. He could give his majority party the nod to accept Hadi's resignation, a move that would make his associate, the current house speaker, interim president. Going down that route, however, would necessitate the acceptance and support of the regional and international sponsors of the transitional process – something Saleh cannot possibly achieve now that the Security Council has placed sanctions on him, and certainly not after he virtually burned his bridges with Saudi Arabia by siding with the Houthis.

In any case, a new president will probably lack legitimacy, or, at best, will not be accepted by some local parties who do not acknowledge the legitimacy of the parliament nor by those who oppose any manner of political return by Saleh. The Houthis, being the strongest on the ground, have the power to thwart that possibility and to block a new president from exercising presidential authority. They already broke into parliament once, and they are capable of blocking House sessions that they do not like, unless they have some sort of prior arrangement with Saleh.

The current situation is not conducive to holding presidential elections within sixty days. Challenges include the lack of a current voter registry, as well as the hurdle of getting the south to vote, unless a presidential hopeful enjoys the support and acceptance of the southerners. Any attempt to hold presidential and parliamentary elections without the approval of the south would entrench division and the secession of the south.

The military-presidential council alternative, which some Houthi leaders have hinted at, and comprising of Houthis, senior military officers and other political parties, would make the Houthis major partners in governing the country, thus enabling them to embed themselves even more deeply into the structure of the state and what is left of its institutions, but without being the ones solely responsible for any one sector. Such a council would therefore be made up of Houthis, figures from the previous regime, and southern partners. The main obstacle for this council is that for it to succeed and move forward, it will need the support of regional and international sponsors of the transitional process. It is unlikely that such support will be forthcoming, especially for those sponsors who do not want to let the Houthi movement gain more control and solidify Iran's influence in the country. It is also clear that the southerners have their own plans for an independent south, and will not participate in such a council without foreign pressure, the chances of which are slim.

There are obvious fears that the military-presidential council option might move matters in the direction of establishing military councils to control the south and other regions. The new authority would find itself forced to impose its authority on other provinces by military force, just to keep the country in one piece.

Another proposal is that a transitional or provisional council be formed to govern the country in the interim, including fifty per cent from the north and fifty per cent from south, headed by an agreed-upon southerner. The problem with this option, however, is the difficulty of reaching consensus on who would represent either side, especially given that the conflict, at its core, is northerners fighting over power, and it would therefore be very difficult to get them to agree on who will represent them in such a council.

Secession forces

Certain southern forces have been actively attempting trying to get the south to break away for some time now. But that option is fraught with problems and will not work. Like the north, the south suffers from fragmentation of power, and ending the struggle over power would be the toughest feat of all. Contenders may well resort to force to impose their control, and secession might lead to forced displacement along territorial lines, thus converting it to a serious social conflict. Moreover, the new state will have to grapple with the issue of legitimacy and gaining regional and international recognition. Hadi resigned voluntarily and legally, and, in the eyes of the international community, the south is still part of a unified state, even if the southerners boycotted parliamentary sessions.

Furthermore, secession by military force is a risky endeavour, unless the new state manages to find sufficiently strong support from influential regional and global players. That said, sudden and immediate secession would create a very complex, unmanageable situation between the two Yemens. Twenty-one years of unity was enough time for many economic, social and security ties to firmly establish themselves, all of which cannot simply be obliterated with a signature on a piece of paper, without prior gradual preparation and understandings on countless issues that would be potential grounds for further conflicts between the north and south. Military intervention by the north to maintain unity remains a possibility, unless the Houthis block such a move, or the north falls into a big enough internal conflict that would distract it from events in the south.

Delicate balance

By any estimation, none of the warring parties in Yemen are capable of imposing their will by force. As it stands, they must work together and win regional and international recognition, and they will eventually need to come around to repositioning themselves according to these considerations. The Houthis need Hadi to give credence to their hostile takeover. Saleh needs the cooperation of regional and global players which stipulate that Hadi remains president. The southerners still insist on Hadi's legitimacy, because they see in him an opportunity to strengthen their position within the state without the high risk and unfathomable cost of secession. Given all this, it seems that Hadi is the safety pin that holds the trigger of the Yemeni time bomb, and the branch on which all those involved in the conflict balance themselves. If common sense prevails, they will elect to bring him back into the presidency and continue on the path of consensual transition, unless something unexpected comes along and blows the current scale to smithereens, triggering a new dynamic that no one can possibly control.

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