

**The Impact of Frequent Central Policy Changes on the Administrative
Systems in Yemen during the 20th century:**
A historical and analytical study

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Author's Declaration

I declare that the work in this thesis was carried out in accordance with the regulations of the Institute of Gloucestershire and is original except where indicated by specific reference in the text. No part of the thesis has been submitted as part of any other academic award. The thesis has not been presented to any other education Institute in the United Kingdom or overseas.

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Abstract

Over the course of the twentieth century, Yemen experienced major political changes that often-created long term conflicts, which threatened the country's stability. This study investigates the impact of the frequent changes in policies made by different administrative systems in Yemen over the period of instability. The investigation explores the main political governance models over this period and the dynamics behind their emergence and decline in Yemen. The focus of the study is on the historical developments from the administrative perspective and the changes that coincided with the trajectories of various political and administrative regimes that were implemented in Yemeni society.

This study has administrative, political and historic dimensions and, as such, the methodology employed is a broad analytical historic inquiry which guided the collection of the required historical data. The historical sources drawn on in this study contains both primary and secondary data accessed from government archives, administrative system structures and historical books that were written in Yemen in the 20th century. They provide insights into the wider socio-political context as well as the understandings and interpretations of historians in the selected historical period in Yemen.

The research carried out makes an original contribution to literature related to the different administrative systems in Yemen over course of the twentieth century. It has been able to to access a wide range of sources located in different places, and critically analysed and synthesised these to draw out insights into the administrative systems and their impact on the stability and development of Yemen.

The findings of this study reveal that over the course of the 20th century, Yemen lacked stable central administrative systems which impacted negatively on its development. The key reason for the instability in the central government that surface from the study appear to be the internal struggle between "traditional" and "modern" views of governance. Tribal loyalties and traditional values and practices also appeared to have impacted on the instability of Yemen. This conflict has continued to the current time. Yemen

witnessed six different regimes in the last century and these included: the Ottoman Empire, the Mutawakiliyya Kingdom, the Republican system in northern Yemen, the British Empire, the Marxist Republican regime in southern Yemen and finally the state of North-South unity. The study presents a detailed analysis of the administrative systems and the impact of these regimes. The findings indicate that these diverse overarching political regimes, each had their own particular values, priorities and impact on the society and administrative systems of the country. The study also explored the obstacles in the way of modernisation and democratisation of Yemen.

The findings point to the conclusion that for ensuring future central administrative stability: first Yemen must develop and embed democratic processes for ensuring continuity – that is, for transferring power smoothly and peacefully from one regime to another; second develop and implement more equitable methods for the fair distribution of wealth in society; third the central administrative system must work within, promote and implement effective governance system based on good governance principles; and finally implement a system of subsidiarity, that is, political centralisation at the level of central government and decentralisation administration and financial for the local.

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List abbreviations and Acronyms

MK	Mutawakkiliyya Kingdom
YAR	Yemen Arab Republic
PRSY	People's Republic South of Yemen
PDRY	People's Democratic Republic of Yemen
YSP	Yemeni Socialist Party
G PC	General People's Congress
Y I P	Yemeni Islah Party
YC R C	Yemen Center for Research and Studies
YT	Yemen Times
LCCD	Local Council for Cooperative Development
LDA	Local Development Association
YR	The Republic of the Yemen
YCSSL	Yemen Ceng for Strategic Studies
SHD	Sustainable human development
CSOs	Civil-society organizations
NGOs	Nongovernmental organizations
CBOs	Community-based organizations
UNDP	United nations development programme

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Chapter One: Introduction

1.0: Introduction

The overall aim of this study is to critically investigate the impact of the frequent changes that took place within the overall governing structure in Yemen during the 20th century on the country's local administrative systems. It focuses on the historical developments from the administrative perspective and the changes that coincided with the trajectories of various political and administrative regimes that were implemented in Yemeni society. The state of Yemen's future continues to remain extensively debateable. As such during the space of one century Yemen has witnessed major political changes that often has created long term conflicts that have in turn threatened the stability in the country.

Literature providing insights into Yemen's administrative systems and history is limited, especially related to the political, governance and administrative aspects. This is because after the collapse of the Ottoman Empire, a single Yemeni state was not formed until 1990. In fact, much of Yemen's twentieth-century history was taken up constructing such a state, which still remains to this day because of civil wars and administrative and political instability. Literature suggests that there is a relationship between the negative political events and the administrative deterioration.

The emergence of long term political and socio-economic instability in Yemen during the 20th century can be attributed to the larger historical factors, such as the Imamate rule (which was the main reason for the current state of Yemen), the Ottoman rule and the British rule and the later geographical and political division of the country into North and South. The interaction of many factors come into play such as the diverse forms of political systems applied in Yemen during the 20th century, the broad historical context informing establishment of these systems and their decline and replacement with new government models. During the late 16th and early 20th centuries, Yemen was under the Ottoman rule, which was defeated during the First World War, which produced a radical

change in the Islamic world (Abaza, 1975) (Wenner, 1967)¹. As a result, Yemen was divided into two; North and South. The northern Yemen became an independent Kingdom under the al-Mitwakillyya Kingdom, while the southern part of Yemen came under the British rule until the late 1960s.

During the twentieth century Yemen had been racked by political instability and violence and it has witnessed several political, bloody coups and revolutions. For example: the revolution act against the Imamate regime, and the assassination of both imam Yayah and imam Ahmed, and the creation of the Yemen Arab Republic (YAR), the civil war between republicans and royals (Imamate followers) from 1962 until the end of 1968; the ousting President of al-Sallal and al-Iryani from state baskets through a bloodless coup, as well as civil conflict and wars between north and south of Yemen. The new president Al-Hamdi was assassinated followed by the assassination of president Al-Ghashmi. This took place in North Yemen. The situation in People's Democratic Republic of Yemen (PDRY), the southern part of Yemen, was no different in political and bloody coups 'al-Anqlabat', and between the members of the same Marxist party, the blood was shed on streets whereby more severe and more numerous victims from north Yemen.

The Yemeni community is primarily a tribal society and the tribe has a positive and negative tradition. Positive tribal traditions contribute to the stability of the country, such as the central state's support for the extension of security and the prevention of crime, and to help encourage members of society to educate and maintain public services. But there is a negative tradition of the tribe which has recently spread to Yemen. Negative tribal traditions from persons such as the destruction of public services of the state in order to claim rights, abduct foreign tourists, cut off the highway or use weapons against the central state and local. All this contributed to the instability, which led to the lack of development. also The poor education and the spread of illiteracy in the tribal society contributed to the spread of such actions which led to the lack of development and stability.

¹ - Faruq Uthman Abaza "Al-Hukm Al uuthmani fil-Yemen": 1872-1918 (Cairo, 1975) pp. 86 – 70 and Manfred W. Wenner "Modern Yemen 1918-1926". Published 1967 by the Johns Hopkins Press. P17-18

The creation of the Yemen Republic on the twenty-second of May 1990 was believed to be a new history of unity, political pluralism, freedom, democracy and party competition. But unfortunately, it ended with political crisis that led to the civil war which ended in the summer of 1994. The debate about the state of Yemen's future until now exists intensively.

Thus, a critical investigation of the impact of the frequent changes that took place within the overall governing structure in Yemen during the 20th century on the country's local administrative systems would fill an important gap in literature.

Perhaps, to bring stability in Yemen is to introduce and embed a democratic path through local and national elections. Yemenis have to be convinced of the choice of democracy for their country and a strategic decision needs to be made by all Yemenis (state, political parties, tribes and civil societies) through the exercise of popular participation in government. A culture of peaceful change between the governors and governed can evolve from learning the experiences of democratic countries.

This study aims to provide insights into the administrative systems over many decades in order to identify the most appropriate system to be implemented in Yemen. This would be a different and more effective system that enables the wider public participation in the choosing a truly representative leadership for the nation and local communities.

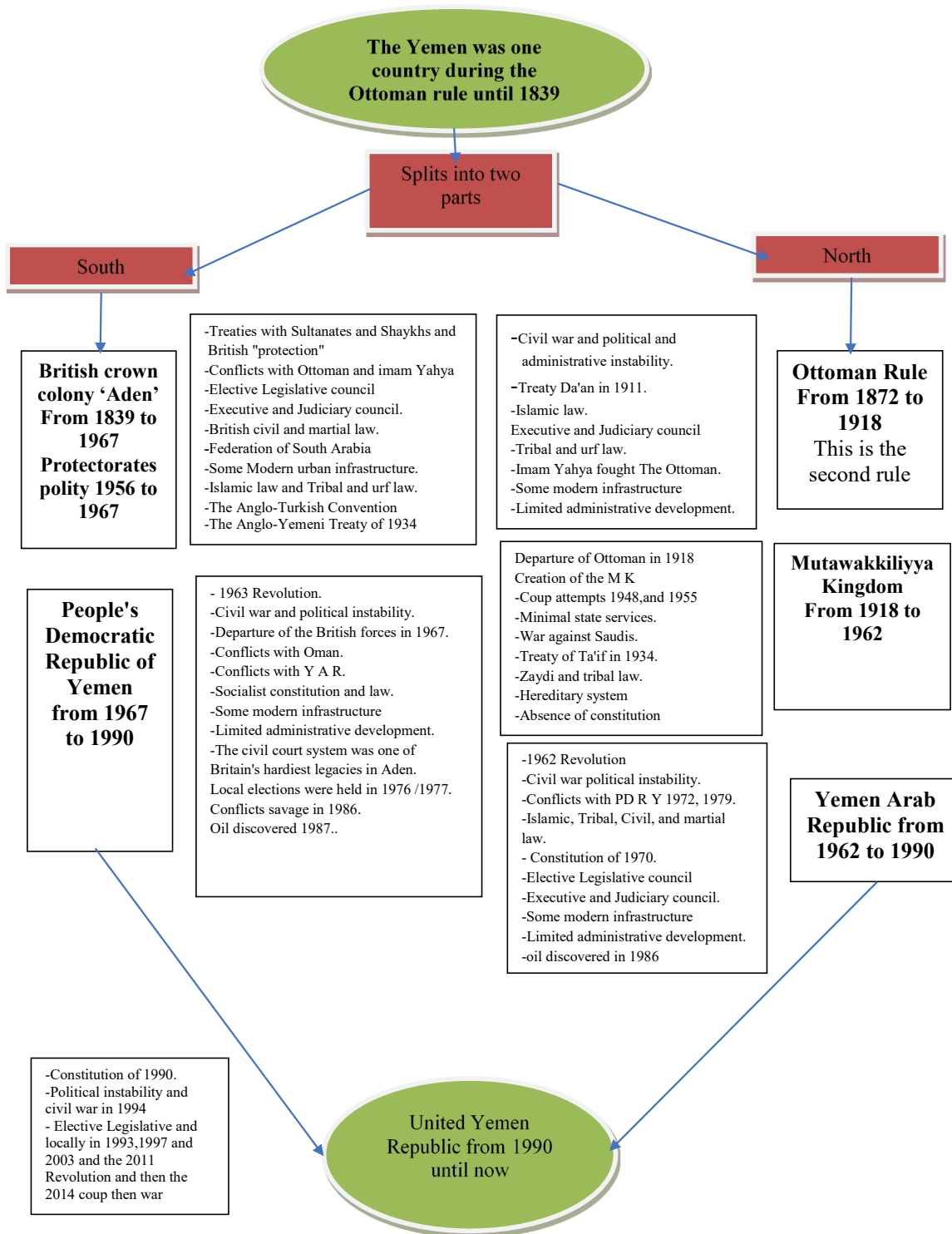
1.1 Research Context

Yemen witnessed major political changes that often have created long term conflicts that resulted in the instability in the country. Yemen suffered a difficult transition and it is the poorest country in the region and has serious socio-economic problems. This reality, in addition to the traditional tribal social structure has made the country a 'hot spot' for the religiously inspired extremist groups who further threaten the stability of the country. It is no surprise that the Yemeni public had rapidly embraced the wider popular Arab protest

movement demanding that real democracy and rule of law should be established in the region. However, the transition to a democratic polity in modern Yemen requires a close analysis of the political changes that have occurred in the country during the last century.

By critically engaging with the implications of the frequent regime changes on the local governance during the last century, the study aims to make an original contribution to this important wider socio-political debate. This research will also investigate the view of the Yemeni opposition movement throughout the 20th century in relation to administrative and constitutional reform.

Figure 1 shows the States which ruled of the Yemen during 20th century



1.2 The Research Problem

The key issue facing Yemen has been the way of governing the country and administering the different districts and regions. Yemen has witnessed many forms of government over the centuries. However, it has not experienced public participation in the electing of a leader for the nation, or in the affairs of local government, in accordance with the contemporary understanding of democracy, until very recently, but only in an incomplete form. Currently, there is widespread and vigorous debate in the midst of the Yemeni population, and political circles as to the way of governing and administering the different districts and regions, and what form their running and administration should take. This study indicates that political stability, economic growth and the foundations of constitutional, legal and administrative accumulation are the cornerstones of the modern state.

This research critically examines the administrative systems in Yemen from a historical perspective, to understand the political and administrative regulations that accompanied the rule in Yemen during the twentieth century, accompanied by attempts at reform of the opposition Movement of the Yemeni. Historically, Yemen in the north and south were not in a good situation from other Arab countries.

1.3 Research Questions

1. What were the main political governance models and the dynamics behind their emergence and decline in Yemen during the 20th century?
2. To what extent did the culturally specific factors of Yemeni society have a direct bearing on the performance of local administrative systems during the 20th century in Yemen?
3. How did the frequent central policy changes impact on the functioning of the local administrative systems during the 20th Century in Yemen?
4. How does the historical analysis of the 20th century Yemeni local governance issues contribute to the current policy efforts to reform the local administrative system in the country?

The above research questions frame this study. They provide direction to the gathering of original historical data necessary to develop new critical understandings of the complex historical change period in recent history of Yemen and its implications for the political stability in the country. It requires an examination of extensive archival research and use of original historical sources to develop insights.

1.4 Research Objectives

1. To explore the main forms of political governance, the dynamics informing their emergence and decline in Yemen during the 20th century.
2. To identify and critically analyse the culture specific factors of Yemeni society that have had a direct bearing on the performance of the local administrative systems during the 20th century in Yemen.
3. To investigate the impact of the frequent central policy changes on the stability and effective functioning of the local administrative systems in Yemen in 20th century.
4. To consider the policy implications of the present study for reforming the current local administrative systems in Yemen.

1.5 The research focus of the study

The main focus of the research is to explore the implications and impact of the frequent fluctuations within the overarching political structures on the stability and effective functioning of central and the local administrative systems in 20th century Yemen. This period is significant because during the twentieth century, Yemen has been racked by political instability and violence and has witnessed several political, bloody coups and revolutions. This study focuses on the dynamics of the changes of public policy, the instability of central government in Yemen which resulted in poor performance, the volatility of the environment of central and local administrative, and a study of the regulations and systems and transition from constitutions and enactment of theory to the implementation stage. It comprises the analytical study of the problems that accompanied the local administration and political modernization in the Yemen. Moreover, the

importance of this study is to focus on the administrative system from a historical perspective, to show the political and administrative regulations that accompanied that ruled Yemen during the twentieth century, accompanied by attempts at reform of the opposition Movement of the Yemeni.

1.6 The limitations of the study

The key issue faced during this study was the access to data on the topic. First there was a rarity of prior research studies on the topic of administrative systems from the historical perspective (post the unification of South and North). Second, the period in which the research was undertaken was a period of civil war, this made the access of government documents and visiting the libraries in Sana'a and Aden difficult and risky. Third, Yemen does not have a sophisticated library system, that makes it accessible for researchers to gain information easily.

Hence the key limitation has been the lack of opportunity to analyse much of the data that was not accessible. This would have assisted in gaining further insights and in triangulating the findings with the data that was accessible.

1.7 Significance of the Study

This work makes an important contribution to the extant literature on Yemeni administrative and governance systems. Yemen has witnessed many forms of government over the centuries. However, it has not experienced public participation in the electing of a leader for the nation, or in the affairs of local government, in accordance with the contemporary understanding of democracy, until very recently, but only in an incomplete form. Currently, there is widespread and vigorous debate in the midst of the Yemeni population, and political circles as to the way of governing and administering the different districts and regions, and what form their running and administration should take. This study is significant for several reasons as it examines what is the impact of the changes in the public policy on the administrative environment in Yemen and on the

performance of central government and local authorities. It also examines what are the different forces which affect the power game in Yemen and the role they play in determining the administrative systems and policies in the future. The study seeks to explore the mechanisms, and analyses the major characteristics of the constitutional doctrines which have been used for local administration and structure in the Yemen. Furthermore, I will discuss the views of the Yemeni opposition in how to establish political stability and reform the administrative systems. The originality of this research lies in the fact that it will attempt to systematically analyse the historical dynamics informing the socio economic and security challenges facing the country by examining the impact of weak central political organisation on the formation and stability of the local administrative units that are essential in the creation of an effective and functioning civil society in Yemen.

‘Yemen has recently attracted attention of the world, mainly because of the growing fear within the West that the country is becoming a safe haven for radical Islamists who are posing a threat, not only for the region, but for the wider world. However, a close historical examination will reveal that most of the political and economic challenges facing the country have their roots deep in the political developments of the past century’ (Dresch, 2000)².

1.8 Organisation of the Study

The organisation of this study is as follows. This study consists of eleven chapters that have been dedicated to critically investigate the impact of the frequent changes on the administrative systems that took place in Yemen during the 20th century. Chapter one introduces the overall aim in detail. It first describes the larger historical factors that led to the emergence of long term instability in the country, as well as, provide a breakdown view of the states which ruled Yemen during the time. The chapter then addresses the specific problem for the many forms of government over the century and identifies the research context, questions, objectives, focus, limitations and significance of the study.

²-Paul Dresch ‘A History of modern Yemen’ Cambridge university Press 2000 p7

Chapter two focuses on the methodological concepts and orientations of historical and archival research in the study of the administration systems and includes the research designs of the study. Chapter three maps out the literature review and provides a detailed exploration of previous research that involved studies of the administrative systems in Yemen. It also provides a detailed explanation of the administrative concepts and definitions used. Chapter four explores the mechanisms that have been used for administrative systems in north Yemen, focusing particularly on the effects of the Ottoman and Mutawakkillya rule. Chapter five and Chapters six analyse the changes for administrative regulations and systems in Yemen Arab Republic, as well as, the transition from one constitution to another and the enactment of theory to the implementation stage.

Chapters seven and eight are dedicated to study the rules in southern Yemen during the British colonial system, as well as, the administration system in the People's Democratic Republic of Yemen (Socialist Marxist perspective). Chapter nine will look at the administrative environment of central and local government in the Republic of Yemen, the constitutional legal role of local government and the structure and how it worked. In addition, it will take a glance at the general assessment of the administrative performance. Chapter ten will examine the approach to Good governance & decentralisation system as well as the attributes for the successful of the administrative local government systems, including the development of objectives. Last but not least, Chapter eleven describes the conclusion and recommendations of the study.

Chapter Two: Methodology and Research Design of the Study

2.0 Introduction

As indicated by the title, this chapter includes the research methodology of the PhD. In more detail, it consists of the methodological concepts and orientations of historical and archival research in the study of the administration systems in Yemen, the qualitative methodology, the construction of the research design in the study, the data sources and data collection/ analysis procedures which discusses document analysis and introducing the primary sources. This study has historical, administrative and political dimensions and, as such, the study adopts an interdisciplinary methodological approach to explore its main questions. A broad analytic historical inquiry frame guides the researcher to collect the required historical data. The completed methodology chapter discuss issues related to the research design of the study. The researcher, who is from Yemen, has considerable teaching experience as well as experience in working at different levels in the local governments in Yemen and expects no major issues in accessing the official archive materials. However, considering that most of archives are in Arabic the main challenge for the researcher will be the presentation of such data in English. Official access requests will be submitted to the relevant official bodies explaining the nature of the research and confirming that materials will be only used for research purposes. Safe storage of the data will be ensured. In order to ensure impartiality in the study the researcher will keep a critical distance from the issues covered. A research diary will be kept through the duration of the study which will enable the researcher to perform self-reflexivity.

The study adopted the scientific method which is a systematic way of thinking and is the adopted study of phenomena on the scientific observation, data and facts. It seeks the scientific method to study the phenomena, objective examination free of previous

personal judgement, interests, influences and own trends. In addition, there is no black or white or right or wrong, because all the phenomena or issues are based on research.

2.1 Methodological Concepts and Orientations: historical and archival research in the study of the administration systems

This research deals with a descriptive, relational and causative type of method for historical and archival research in the study of administration systems. The diverse sources for the historical materials are based on discovering the primary and secondary data, government archives, administrative system structures and historical books that were written in Yemen in the 20th century. In addition, an important part of historical inquiry is to continuously verify the factual material by examining the possible inconsistencies and gaps within the sources. Therefore, by exploring specialist historians' interpretations of the issues raised this study gains importance. As mentioned above since the inquiry is into the overall political governance in Yemen during the past century inevitably historians will have particular ideological preferences that the researcher should be aware of. The research will attempt to explore the wider socio-political context of informing the understandings and interpretations of the selected historical period in Yemen by the related historians.

2.2 The Qualitative Methodology

Qualitative data analysis procedures will be mainly adopted to classify and analyse the data. The data will follow a thematic presentation that will reflect the main research questions. The qualitative data generated by the historical inquiry will be processed by translating the original data in Arabic into English. The analysis of the content may involve colour coding each related meaning unit or theme that are relevant to the central research questions

As in my research, the relationship between the negative political events and the administrative deterioration, the basic characteristics of historical research is as follows; “First: The historical research aims at explaining the events that occurred in the past and their relation to the other factors and finding new knowledge and hindering knowledge of the list. Second: difficulty and complexity of information the nature of historical data and

the difficulty of obtaining it with a double effort. Third: This approach is based on the analysis and interpretation of data, information, documents and references that deal with past events in order to reach an in-depth understanding and then to objective conclusions that are far from biased. Fourth: It involves the development of a plan based on the steps of scientific research in dealing with information, which reflects human activities and societies and their achievements. The researcher begins by defining the problem and the validity of hypotheses and setting goals, access to data collection, organization, critique, analysis and reaching conclusions that explain the problem. Fifth: The collection of data concerning events and historical facts is a fundamental step in historical research, which is not a tool in itself, it helps the researcher to interpret, conclusion and prediction. Sixth: Historical approaches are based on an important fact, which is based on the roots and roots of the problem and its historical development. Seventh: rely on more than one reason to interpret historical phenomena and events. Eighth: No less important than the rest of the research methods, especially if they provide two basic conditions:

1. Availability of sources of priority and originality dealing with the subject, in addition to bilateral sources.
2. The researcher's research skill in terms of criticism of documents, references and other sources of information and analysis of information” (al-Hamdani, 2006)³.

“The primary sources are sources and references that have been documented and recorded, directly, accurately and objectively, for the first time by a person or a specific entity, to document and disseminate such information. So, they are sources that are closer to the information of the health, accuracy and realism.

Sources of access to primary sources:

- Results of published scientific researches and studies
- Current official documents
- Historical Documents
- Reports Annual periodicity
- Publications issued by official bodies
- Translation and translation

³ Mowaffaq al - Hamdani and others (2006). Title of the book Scientific Research Methods - Fundamentals of Scientific Research, Amman: Al Warraq Foundation. Pp. 93-105

- Patents whose information is documented and registered with official bodies

Secondary sources:

- the information and data without which people have not experienced or seen past events such as books that chronicle the contract, or sources that include analysis of some priority sources

- and its value is evident in the analysis of events or provide facts about events that came after the phenomenon is purely the subject, yet less accurate than the primary sources” (al-Hamdani, 2006)⁴

The critical review of the relevant literature has helped to show the originality of the proposed research project and how it will contribute to fill the gap that exists within the relevant historical and political studies on the issues covered. As previously discussed the main research topic of the present study has historical, administrative and political dimensions and, as such, the study will adopt an interdisciplinary methodological approach to explore its main research questions.

A broad analytic historical inquiry frame will guide the researcher to collect the required historical data. As Boyd observes (1999) there are diverse sources for the historical materials relevant to the current study. Reporting and record keeping, central methodological features informing the historical inquiry, require more time and persistence from the researcher to develop authentic insights through exploration of the primary and secondary sources.

2.3 Construction of the Research Design in the Study

There are three basic types of methods addressed in research projects.

1 - Descriptive: When the study is designed primarily to describe what is happening

2 - Relational; when the study is designed to examine the relationship between variables or more.

3 - Causation: When the study is designed to determine whether one or more variables has a cause or affect.

⁴ Ibid p98

According to this, the research question combines all three types; descriptive because it describes the systems that governed Yemen, and relational as it presents the relationship between the governor and governed and the relationship between the central and local; and lastly, causation because it discusses the reasons for the political instability which caused the lack of administrative environment and the Yemeni society.

2.4 Data sources and data collection/ analysis procedures:

2.4.1 Document Analysis

Since the inquiry is into the overall political governance in Yemen during the past century, inevitably historians will have particular ideological preferences that the researcher should be aware of. Therefore, this research attempts to explore the wider socio-political context of informing the understandings and interpretations of the selected historical period in Yemen by the related historians. The qualitative data analysis procedures were mainly adopted to classify and analyse the data. The data followed a thematic presentation that reflected the main research questions. Alongside broad qualitative data analysis guidelines recommended by Miles and Huberman (1994) and Auer-Bach and Silverstein (2003) more specific data analysis procedures in history (Clark, 2010); (Kirsche, 2008) was followed. The historical emergence of modern Yemen and the volatile political changes that the country experienced constitute a major and broad theme that has been explored by several studies (Uthman, 2001); (Burrows, 1987). It is important to note that government archives and some books are in Arabic whilst there are also several studies on the recent history of Yemen in English.

The issues and challenges concerning the emergence of civil society in Yemen and the role of local governance within this process have been studied (Philips, 2008); (Carapico, 1998); (Stookey, 1982). These studies especially focus on the South Yemen where the government was temporarily based on the Marxist political and socio-economic ideology. Considering that Yemeni society and culture reflect a very strong traditional

interpretation of Islam, the analysis of this Marxist experiment gains importance. It appears that this brief experiment has not produced a long-lasting impact on the local governance structure that has remained shaped mainly by the tribal social structure (Brehony, 2011). The achievement of the united Yemen in the 1990's did create an overarching central government structure but as recent studies show no proper measures were taken to ensure transition to democracy (Philips, 2008); (Carapico, 1998). It appears that the historical dynamics and issues underpinning the organisation of local administration in Yemen have been left largely unexplored. The study by using and analysing important unstudied archival material will make an original contribution to the growing interdisciplinary social and political history of modern Yemen. The analysis of the content may involve colour coding each related meaning unit or theme that are relevant to the central research questions

2.4.2 Data sources and data collection

The main sources in this study include official documents preserved in the central and local government archives, such as the Ministry of Local Administration, and websites that offer online access to the relevant historical material. In addition, collections held at the specialised libraries at the University of Sanaa will be consulted.

The original sources in this study include official documents preserved in the central and local government archives, such as the Ministry of Local Administration, and several books. The original archival materials are: 1 Central and Local governmental decisions. 2. Constitutional texts. 3. All laws specific to the formation of the administrative system. The constitutional texts are available as scanned copies of these materials and also the original archival materials are catalogued through mentioning the main issuer of the decision after checking the authenticity. The main sources in this study include official documents preserved in the central and local government archives, such as the Ministry of Local Administration, and websites that offer online access to the relevant historical material. In addition, collections held at the specialised libraries at the University of Sanaa will be consulted. I visited The British Library in London three times in order to

maximize the amount of information collected from the primary sources. I researched also all the sources available at the library of the University of Westminster as well as many visits to the Central Library of Birmingham.

Secondary sources: some of the discussions that I undertook with the professors in the University of Sana'a and governmental officials in Yemen were regarding the administration of Yemen, as well as taking advice from other researchers about this thesis. In addition, the secondary sources included websites that offer online access to the relevant historical material, newspapers during that period and some historical books that discuss the general history of Yemen.

The task of collecting the materials for this research took approximately four years. I had to travel to various countries and cities in order to gather enough information from the sources relation to this period. I travelled to Yemen Sana'a many times 'despite the existence of civil war' and consulted the sources at the university of Sana'a and Aden in Yemen. I also made use of various manuscripts that are available only there. I discussed the subject with a number of scholars who are specialist in the period under studies. I came back with a great amount of information. I visited Turkey Istanbul, twice to search for authentic sources.

2.5 Conclusion

This chapter deals with a descriptive, relational and causative type of method for historical and archival research in the study of administration systems. The diverse sources for the historical materials are based on discovering the primary and secondary data, government archives, administrative system structures and historical books that were written in Yemen in the 20th century. In addition, an important part of historical inquiry is to continuously verify the factual material by examining the possible inconsistencies and gaps within the sources. It is important to note that most sources which deal with this period concentrate only on the administrative aspects from a historical perspective. I have attempted to draw a detailed and authenticated picture of the administrative system whether in the central and local government and its affiliated

institutions. This was a hard task which has required a great effort and meticulous research. The starting point was to gather the facts about the subjects from various government documents and books that dealt with situation in Yemen on the Yemeni and relevant laws.

The study adopted the scientific method which is a systematic way of thinking and is the adopted study of phenomena on the scientific observation, data and facts. It seeks the scientific method to study the phenomena, objective examination free of previous personal judgement, interests, influences and own trends. In addition, there is no black or white or right or wrong, because all the phenomena or issues are based on research. Since the inquiry is into the overall political governance in Yemen during the past century, inevitably historians will have particular ideological preferences that the researcher should be aware of. Therefore, this research attempted to explore the wider socio-political context of informing the understandings and interpretations of the selected historical period in Yemen by the related historians. The qualitative data analysis procedures were mainly adopted to classify and analyse the data.

Chapter three: Literature Review

3.1 Introduction

This Chapter maps out the literature review that was used in this study from primary and secondary sources. and provides a detailed exploration of previous research that involved studies of the administrative systems in Yemen. It also provides a detailed explanation of the administrative concepts and definitions used that are often misinterpreted.

Before the content of the literature is discussed it is important to note that there are several contentious theoretical and methodological issues informing these studies that require critical reflection. The concept of the ‘Middle East’, for example, as the geographical depiction of the region mainly by the western scholars is in many ways an arbitrary division that largely ignores complex historical, cultural diversity within the region (Elwell-Sutton & Latham, 1981)⁵. This critique has been more recently voiced by the scholars working within *post-colonial theory* who draw attention to the continuing presence of a colonial mind set discernable within the western study of Middle East and its recent history (Gandhi, 1998)⁶. Most crucially *the politics of representation* should be taken seriously when engaging with a sensitive period in the history of a nation.

The sources of this study were varied, including ancient sources, modern and contemporary, even the published researches published in magazines, seminars and conferences. The historical approach records and describes the events and events that occurred in the past as in the science of history, explains them, analyses them and increases them and leads to explanations and generalizations that help us to explain the past, understand the present and predict the future. It also has goals derived from the science of history and is in the description, interpretation and prediction. The research difficulties I have encountered a number of difficulties in this field, including searching

⁵ - Elwell-Sutton, L.P. and Latham, J.D (1981) *Middle Eastern Studies in British Universities and Work in Progress*, Bulletin (British Society for Middle Eastern Studies), Vol. 8, No. 2. (1981), pp. 132-135.

⁶ - Gandhi, L. (1998) *Postcolonial Theory*, Columbia University Press, London.

for old sources, searching the government archives and also translating from Arabic and English.

The historical emergence of modern Yemen and the volatile political changes that the country experienced constitute a major and broad theme that has been explored by several studies (Uthman, 2001); (Burrows, 1987)⁷. It is important to note that most of these studies are in Arabic whilst there are also several studies on the recent history of Yemen in English. The studies exploring the recent history of Yemen often start by examining the Ottoman rule in Yemen particularly during the 1872-1918 historical period that signifies the decline and the disintegration of the Ottoman Empire (Al-Shamahi, 1984)⁸. This group of studies explores the reasons behind the arrival of the Ottomans in Yemen, the wars that occurred between the Ottomans and Yemenis and how eventually Yemen came to be under Ottoman rule. Whilst mainly describing the historical events, the works occasionally critically explore how the Ottomans treated the Yemeni society by grasping the realities of the tribal structure of the Yemeni society and its implications for effective administration of the local regions. These studies largely explore the central political governance issues and do not adequately address the issues related to local administrative systems. However, there are some exceptional historical studies that addressed some of aspects of the administrative system in Yemen. The study by Al-Shamahi (1984) for example, explores the historical period recognised as the Al-Mitwakilyyia period in Yemen and is particularly relevant to the current research. The central importance of this study lies in the fact that the author has worked through the official documents and archive material relating to the political discussions during the period. The particular issues such as the ideology of the opposition movement within the ‘Imamate regime’ during this historical period have continuing relevance to the contemporary, mainly religiously based, threads pertaining to the unity of the country.

⁷ - Faruq Uthman Abaza (2001) *The Ottoman Rule in the Yemen*, Alexandria, alHadara Pub. Burrows, R. (1987) *The Yemen Arab Republic The Politics of Development, 1962-1986*, Croom Helm Ltd., London.

⁸ - See Abdullah al-Shamahi “ al-Yemen al-Insan wal-Hadarah” Der al-Kalimah, 1984 Sana’a. P3

3.2. Main body

The main body of literature relevant to the current study is historical in nature and has been largely produced within the broad study genres of Middle Eastern Studies, Political Science and Historical Studies. Mainly because the events following the tragic events of 9/11 2001 Yemen like the rest of the region has attracted the plethora of studies exploring the different aspects of the country from the perspectives of international terrorism and religious extremists (Clark, 2010); (Hull, 2011). As will be discussed below while there are many historical studies the recent history of Yemen's local administration, the focus of the current study, has scarcely attracted the attention of researchers. In order to engage critically with the literature, the relevant previous studies will be classified into several interrelated themes.

It is an established fact that little research has been carried out into the administration both local and central in the Yemen. Therefore, the tentative list of the major works to be consulted is as follows, bearing in mind that it will develop as the research progresses.

- ❖ “Al-Hukm Al uuthmani fil-Yemen”: 1872-1918 by Faruq Uthman. This book provides the history of the ottoman empire in Yemen in detail during the date mentioned above.

- ❖ “al-Yemen al-Insan wal-Hadarah” by Abdullah al-Shamahi (Historical study reforms during the Imam dynasty).

This book explores the recent history of Yemen by examining the Ottoman rule in Yemen particularly during the 1872-1918 historical period that signifies the decline and the disintegration of the Ottoman Empire, as well as the period of the rule of the Mutawakkilaya Kingdom in Yemen during 1918-1962 which was done in the name of religion (Imamate).

- ❖ "‘Civil Society in Yemen’, The political economy of activism in modern Arabia" by Sheila Carapico. This book includes the complexities of Yemen's history over the past 50 years and contributes to the political culture in Arabia. It considers the colonial encounter and the years of civil unrest as well as how the country is actively seeking to develop te political, economic and social structures.

- ❖ “The Yemen Arab Republic”; The Politics of Development, 1962-1986”by Robert D. Burrowes. General study on political system implemented in north Yemen. This book examined the political and socioeconomic change in Yemen. It focuses mainly on the period following the overthrow of the imamate in 1962.
- ❖ Modern Yemen – (Manfred W. Wenner, 1918-1966)
Modern Yemen 1918-1966” by Manfred W. Wenner which provides great detail on the rule of the Mutawakkilya Kingdom in Yemen (Imamate) and how it isolated Yemen from the global world
- ❖ 'The PDRY Politics, Economics and Society' 1986, by Tareq Y. Ismael which talks about the social policy in the People’s Democratic Republic of Yemen (PDRY) and how it relates to the state’s objectives to transform society from tribalism feudalism and colonialism to the conditions of socialism and sovereignty through Marxist system
- ❖ Aden Under British Rule. (Gavin R.J, 1839-1967)
British rule of the Aden port and the systems implemented at the time.

Sources in Arabic language

- Government news agency Sabaa
- Abaathah, F (2001) The Ottoman Rule in the Yemen, Alexandria, alHadara Pub.
- Al-Shamahi, Ah (1984) Yemen: people and civilisation, Sana’a, Dar al-Kalimah,.
- Al-Mikhlaafi, D (1998) The Local Administration in Yemen, Cairo, Dar al Sharq.
- Al-Azhazhi, M (2002) Economic and Admisntartive Development in Modern Yemen, Beirut. Dar AlSadr.
- Saalim, S (1989) The Creation of Modern Yemen, Cairo , Dar Al-Sharq.

Sources in English language

- Wenner, M. W. (2003) Modern Yemen 1918-1966, London, Routledge.
- Bidwell, R (1983) The Two Yemens, Longman Group and West View Press. London.

- Carapico, S (1998) Civil Society in Yemen; the political economy of activism in modern Arabia, Cambridge Middle East Studies, Cambridge.
- Burrowes, R. (1987) The Yemen Arab Republic The Politics of Development, 1962-1986, Croom Helm Ltd, London.
- Stookey, R. W. (1982) South Yemen' A Marxist Republic in Arabia; London, Croom Helm Ltd.
- Dresch, P (2000) A History of Modern Yemen, Cambridge University press, Cambridge.
- Philips, S (2008) Yemen's Democracy Experiment in Regional Perspective: Patronage and Pluralized Authoritarianism, London, Palgrave& Macmillan.
- Wavell, A. J. B. (1912) A Modern Pilgrim in Mecca and a Sana'a, London, Cruzon.

3.2. Defining of the terminology

3.2.1 Introduction

The research in this section will focus in detail and explanation on the administrative concepts and definitions used at the current time, such as the concept of local government, local authority, decentralisation, centralisation and local administration. This explanation is important because there is widespread argument and differences of opinion amongst Yemeni and Arab administrative and political theorists and writers surrounding the issue of what is meant exactly by these concepts and definitions, both in theory and in practice. For example, there are three opinions regarding the concept of local government and local administration. Some believe there is a considerable difference between local government and local administration. One opinion considers the latter to be concerned with administrative decentralisation whereas the former concerns political decentralisation, a concept which is widespread in federal and united state systems. Another opinion may be summarised as considering the system of local administration as a first and necessary step towards local government, whereby some countries in their implementation of administrative decentralisation start by delegating some authority from central government to local provinces, and then implementing local administration. Once local administration has succeeded, the central government

implements the system of local government. This is the process that is generally followed in developing countries, such as in the Yemen.

A third opinion, backed by some researchers, call to a non-distinction between the two concepts, and see it as a difference in wording only, and that they point to a single method of administration, and that differences appear in its implementation in different countries, e.g., the French and British systems. In the former, the concept of local administration is used, and in the latter the concept of local government is used – but both use elections for the members of the local councils.

It is therefore imperative to define these different concepts due to the closeness in their different uses and implementation. This section will refer in detail to the views of British thinkers on these concepts, especially the concept of local government and decentralisation, which are central to this study. Additionally, it will point out the features, justification and shortcomings for the existence of local government from a British perspective, because the concept of local government was born and developed in the British administrative environment, and Britain is a country with a long history of experience in this regard.

3.2.2 The Definition of local government.

‘The idea of local government implies some degree of autonomy from the central government (John, 1945)⁹. John sees local government as involving:

- 1-Local public administration
- 2-Local democracy
- 3- Local politics.

"Local Government is an ancient institution with a new concept. It is an integral part of body politic of a country, recognised or created under law for the management of local affairs of a human settlement with geographic boundaries. Conceptually, local government is multidimensional. It is basically an organised social entity with a feeling of oneness. In political terms, it is concerned with the governance of a specific local area,

⁹ - John. K ‘local government and politics in Britan’1945(p3) Oxford Blackwell Publishing

constituting a political sub-division of a nation, state or other major political unit. In the performance of its functions, it acts as the agent of the state (Muitali, 1982)¹⁰.

'In other words, the local government is an integrand of the political mechanism for governance in a country. Then, as body corporate with juristic person, it represents a legal concept.

Muitali suggests six dimensions of local government:

- 1) The Social Dimension
- 2) The Economic Dimension
- 3) The Geographic Dimension
- 4) The Legal Dimension
- 5) The Political Dimension
- 6) The Administrative Dimension' (Muitali, 1982).¹¹

'If local government is to be considered democratic, it cannot be judged without recognising its interdependence with the other institutions of our political system. Local government is part of a larger national political system, not separate from it (Colin, 1991)¹². 'Nevertheless, local government can make distinctive contributions to democratic practice and, for many, these particular political values - greater opportunities for self-government, participation, community action, easy communication between electors and elected - are the primary justification for local government' (Colin, 1991)¹³.

Despite the disagreements that exist about the definition of local government, we may summarise the common understanding of its British meaning. Local government has an independent power albeit carefully circumscribed of raising taxation. These four characteristics enable us to distinguish local government from other agencies that provide public services in localities' (William, 1991)¹⁴.

'the real value of local government derives from three essential attributes:

- (a) Pluralism, through which it contributes to the national political system;

¹⁰ - Muitali M.A. 'theory of local government' 1982 p1 Cambridge, Harvard University press

¹¹ - Muitali M.A. 'theory of local government' 1982 p2

¹² - Colin Mellors and N.C. 'local government in the community' 1987 p1.

¹³ - Colin Mellors and N.C. 'local government in the community' 1987 p1.

¹⁴ - William Hampton 'Local government and Urban politics' 1991 p4

- (b) Participation, through which it contributes to local democracy;
- (c) Responsiveness, through which it contributes to the provision of local needs through the delivery of services' (Mellors, 1987)¹⁵.

3.2.3 The Definition of local administration

- ❖ "Local administration is not necessarily wedded to local government as it is defined here. Presence of these bodies leads some writers to speak of non-elected local government, but there is a profound difference between local government and local administration. The former involves the right of a community to decide things for itself while the latter amounts to rule by bureaucrats. This leads to a second key concept; local democracy" (John, 1945)¹⁶.

John mentioned the difference between local government and local administration.

'Local administration is not necessarily wedded to local government as it is defined here. Presence of these bodies leads some writers to speak of non-elected local government, but there is a profound difference between local government and local administration.

3.2.4 The Definition of local authority.

'Local authorities are elected bodies and are expected to develop policies appropriate to their localities within the framework of national legislation. Local authorities have been shown to be administrative agencies, one kind among the whole administrative complex of departments and extra-departmental agencies which face the citizen. The functions they operate and the degree of autonomy which is permitted in their operations have to be justified in terms of their efficiency and desirability for the task in hand rather than in terms of principles of self-government or ancient rights. To say this is not to dispute that local authorities do possess, by virtue of local elections, a degree of direct public accountability which gives them a head start over most alternative administrative agencies' (John, 1945)¹⁷.

¹⁵ - the Widdicombe Report, Colin Mellors and N.C. 'local government in the community' 1987 p1.

¹⁶ - John. K 'local government and politics in Britain' 1945(p4)

¹⁷ - John. K 'local government and politics in Britain' 1945(p3)

‘Local authorities are multi-purpose bodies means that they can respond to those needs in a variety of ways and do so in a manner that tackles in a consistent way several aspects of the problem simultaneously. Even where the authority itself does not have formal powers, it is able to orchestrate other bodies with which it has links, for example voluntary agencies, towards the same objective. The qualities of pluralism, participation and responsiveness are therefore the essence of local government and the justification for its existence and our interest in its health. Without these qualities the provision of services at the local level would be an administrative activity rather than a political one - local administration rather than local government’ (Colin, 1991)¹⁸.

3.2.5 The Definition of centralisations and decentralisation

‘The word decentralisation is one which seems to occur with increasing frequency in discussions of systems of government. It is rarely defined with any precision, but usually produces favourable reactions. Centralisation is associated with delay, red tape, and the erosion of local 'liberties', decentralisation with speed, initiative and grass-roots participation in the decision-making process.

‘Decentralisation of government means the sharing of powers and responsibility of governing; it means that leaders at the provincial level, and later at the community level, will make many decisions affecting them and their people’ (Hanson, 1964)¹⁹.

‘There are two main reasons for the decentralisation of government. One is a political reason and the other is an administrative reason. The political reason is that decentralisation allows more people to participate in decision -making and the development of the country. In a centralised system of government, all decisions are made by a few national politicians. All the other people in the country have some way in choosing the national politicians but they have no direct involvement in government and decision-making’ (Hanson, 1964).²⁰

¹⁸ - Colin Mellors ‘local government in the community’ (p3).

¹⁹ - A.H. Hanson ‘decentralisation’ 1964 p1

²⁰ - A.H. Hanson ‘decentralisation’ 1964 p1

‘The administrative reason is that decentralisation should improve the way decisions are implemented in the provinces and districts. It will do this by coordinating the public service and making it more responsive to local needs.

This is less important than increasing participation in decision-making; but it is still very important, because there is no point in giving local politicians the power to make decisions if they have no way of implementing them’ (Hanson, 1964)²¹.

The definition of centralisation;

‘Perhaps the most basic centralising force is the need for co-ordination, in terms of both policy-making and its implementation. Like any large organisation, governments want to ensure that policies are compatible and do not conflict with each other. Centralisation is the desire for uniform provision of many services. Excessive centralisation, however, brings its own problems. From an administrative perspective, the machinery of central government becomes unwieldy and difficult to co-ordinate’ (Colin, 1991)²².

3.2.6 The Definition of decentralisation

‘Decentralisation is a word that has been used by different people to mean a good many different things. Most of us-and most governments-like the idea of decentralization. It suggests the hope of cracking open the blockages of an inert central bureaucracy, curing managerial constipation, giving more direct access for the people to the government and the government to the people, stimulating the whole nation to participate in national development plans’ (Philip, 1983).²³

The three main forms of decentralised government are: deconcentration, devolution (executive or legislative) and federalism.

‘The most moderate form is deconcentration. This simply means the delegation of administrative authority by central government to public servants who work locally. In strict terms, it involves no transfer of political power and therefore responsibilities for decision-making remain with the central authorities.

²¹ - A.H. Hanson 'decentralisation' 1964 p1

²² - Colin Mellors and N. C 'local government in the community' (p3).

²³ - Philip Mawhood 'local government in the third World' 1983 (p1/2)

Two specific types of devolution -executive and legislative - may be distinguished. Executive devolution is where the central government defines the broad framework of policies and sets national standards, but allows the lower tier to implement these policies and exercise a degree of local discretion in 'fleshing out' skeleton schemes. Federalism is an even more powerful form of decentralisation. It shares some characteristics of legislative devolution, notably in making a distinction between upper- and lower-tier responsibilities, although the latter tend to be more extensive than under legislative devolution' (Colin, 1991).²⁴

²⁴ - Colin Mellors and N.C'local government in the community' (p3).

3.3. Conclusion

This chapter explained the literature review which was descriptive. The study used primary and secondary sources and provided a detailed exploration of previous research that involved studies of the administrative systems in Yemen. It also provided a detailed explanation of the administrative concepts and definitions used that are often misinterpreted. The critical review of the relevant literature has helped to show the originality of the proposed research project and how it will contribute to fill the gap that exists within the relevant historical and political studies on the issues covered. As previously discussed the main research topic of the present study has historical, administrative and political dimensions.

It is clear that many sources were needed to be considered in order to enhance links between the research aim and the historical events that took place in 20th Century Yemen. Many studies largely explored the central political governance issues and did not adequately address the issues related to local administrative systems in Yemen. It appears that the historical dynamics and issues underpinning the organisation of local administration in Yemen have been left largely unexplored. However, there were some exceptional historical studies that addressed some of aspects of the administrative system in Yemen.

Chapter four: the administrative systems in North Yemen

4.0 Background

Yemen is a land of many civilizations and many states which practised numerous forms of administration. Some used a centralized system and others a decentralized system and at many historical junctures, Yemen has played an important role in international commerce. Historically, Yemen has experienced a unique combination of isolation and interaction of peripheralism and strategic centrality. South Yemen's major city-the port of Aden- occupies an important commercial and strategic position and, as a result, has suffered some times from foreign occupation. In 1538 the Ottoman admiral Süleyman Pasha formally expanded what had been up to then an informal presence and supervision to full Ottoman control over sections of Yemen, particularly the coast and the port city of Aden, but also parts of the northern highlands that were inhabited principally by Zaydi Shi'is.

The Ottomans from 1516 to 1918 played a key role in coastal regions, especially in the Muslim holy cities of Mecca, Medina and also Yemen. Religion played a significant role in determining the nature of Ottoman control, helping to legitimize the state among its subjects. I agree with William Ochsenwald when he mentioned in his book, that the Ottoman Empire in Arabia succeeded in notably slowing the encroachment of European imperialism into the heart of Islam (Ochsenwald, 2016). The Ottoman period in Yemen can be divided into two periods of time: the first was from 1516 to the 1630s and the second was from about 1850 to the end of World War I in 1918. In any event, of the 400 years between 1516 and 1918, Ottoman control in Yemen lasted about 200 years.

4.1 Introduction

The purpose and objective of this chapter is to explore the mechanisms that have been used for administrative systems in the Yemen. In addition, it will focus on historical developments from the administrative perspective and the changes that coincided with the trajectories of various political and administrative regimes that were implemented in North Yemeni society. The broader purpose of this chapter is, therefore, to study Ottoman rule and Mutawakkillya in Yemen within the context of end 19th- and 20th-century imperial Ottoman expansion. 'The Yemen is a land of many civilizations and many states which practiced numerous forms of administrative systems. Some used a centralized system and others a decentralized system, as a manner of administrative government. The Yemen continued to witness many forms of government throughout the twentieth century' (Al-Shamahi, 1984).²⁵ Consequently many forms of administrative systems practised have evolved in the Yemen over the past 100 years. It has been a century racked by political, administrative instability and violence. Also in this chapter is a study of administrative constitutional legal changes and their role in development of local administration and the governments which contributed in development of administration under some political and economic circumstances in the field of administration and that withered under other circumstances.

This chapter will also focus of two administrative systems in North Yemen (the Ottoman and Mutawakkillya), historic periods of heightened activism sometimes in the administrative sphere, and the gradual but uneven development of the states that ruled the Yemen, in addition to the political vicissitudes which influenced the local administrative systems negatively or positively as well as the influences upon constitutional rules and principles.

²⁵ See Abdullah al-Shamahi " al-Yemen al-Insan wal-Hadarah" Der al-Kalimah, 1984 Sana'a. P5

Table 1. The main constitutional, political and administrative the situation in North Yemen from 1872 to1962.

The Ottoman Empire 1872 to 1918	The Mutawakkiliyya Kingdom 1918 to 1962
-The Ottoman government control -administrative development territory -Civil and political war -administrative instability in end Ottoman regime. -Treaty Da'an in 1911 -Islamic law. -Tribal and <i>urf</i> (or customary) law. -Imam Yahya fought The Ottomans. -Some modern infrastructure -In 1918, Ottomans left Yemen	-Imam Yahya government control -opposition reform attempts against the Imamate system) ; -Islamic law. -Tribal and <i>urf</i> (or customary) law. -Treaty of Ta'if in 1934 -The constitution al-Muthaq al- Watani al-Muqads in1948 - Public demands issued in 20.2 1956 -Increase of division of the administrative units from 4 to 6. -Imam Yahya fought The Ottoman.

The Yemen witnessed many events during the twentieth century by virtue of its Strategic position on the Red Sea. In the mid-nineteenth century with the second Ottoman seizure and control upon North Yemen and the British occupation and control on the port of Aden in South. The Yemen historically is a country whose population and terrain has defied numerous countries and systems that have attempted to occupy it. ‘Historically Yemen has only rarely constituted a single political unit. A sense of Yemeni unity nevertheless has developed within the general context of Arab Nationalism and Islamism by which amalgamation of the two Yemenis has been seen as a necessary and desirable step towards unification of the entire Arab nation. As a result, the concept is enshrined as a major goal in the constitutions of both countries’ (Stookey, 1982).²⁶ “The state of affairs has been always rather dynamic, four generations of state have ruled different parts of Yemen during the 20th century; a mixture of Ottoman and Imamate in North Yemen, British colonial systems in South Yemen followed by the 1962 [sic!] threshold by the two republics (YAR) and (PDRY), the two countries were also associated with opposing sides during the cold war throughout the 1970s and 1980s” (Carapico, 1998).²⁷

²⁶ - Robert W. Stookey, “South Yemen’ A Marxist Republic in Arabia”; Published in 1982, in the Great Britain by Croon Helm Ltd U K,...p29

²⁷ - Sheila Carapico “Civil Society in Yemen’, The political economy of activism in modern Arabia” Cambridge Middle East Studies U K, p19

But in this chapter, the study will cover only the Ottoman rule and the Mutawakkiliyya Kingdom.

The Map for Yemen under Ottaman Rule



4.1.1 The Ottoman Empire and its effect on the administrative system in Yemen

Throughout my readings and research, there are number of books that state that the Ottoman Empire lasted about 622 years from 1300 to 1922. It ruled many countries including; Yemen, Egypt, northern Libya, Tunisia, and northern Algeria, Iraq, Kuwait, Cyprus, Syria, Lebanon, Palestine, Jordan, Saudi Arabia, Oman, Bahrain, Hungary, Yugoslavia, Croatia, Bosnia, Albania, Macedonia, Greece, Romania, Moldova, Bulgaria,

southern Ukraine, Turkey, Georgia, and Armenia. Nevertheless, the Yemen was under the control of the Ottoman Empire from 1538 to 1635 [known as the Ottoman period, the first in Yemen and then the second period from 1872 to 1918.

The arrival of the Ottomans (the period of Suleiman al-Qanoni regime) to Yemen was in response to demands from various political and social forces in society Yemen, after threatening of Yemen by the Portuguese and Spanish to occupy Aden, therefore the Ottomans responded and sent it the first Ottoman army to Yemen in 1538 and was able to repel the aggression of the Crusaders, the Ottomans continued in Yemen until 1638. Ottomans once again returned to Yemen in 1857 after the British colonial occupied Aden in 1839 and they were able to repel the aggression and prevented British expansion in the occupation of the land of Yemen until 1918.

The second Ottoman rule of Yemen, and the number of Ottoman governors of 15 ruler from 1872 to 1918. The role of the Ottoman empire in Yemen was to repel and protect Yemen, and Islamic holy places in the Hijaz from the colonial occupation, and also British expansion to the north of Yemen at the time.

The Ottomans removed the feudal tribal system in Yemen at the time, and united the majority of the territory of Yemen politically and administratively and militarily in a single (Wilaayah), governed by the Ottoman and to collect in his hands all this power, which is known as the central system of government worked until the first Ottoman evacuation from Yemen in 1635, and exit the second in 1918.

The Yemeni Historical and Future Strategies Centre (Manarat) (Jar-Aallah, 2009)²⁸ held a cultural symposium in 2009 Tuesday, April 28 to discuss “changes that Yemen faced during the Ottoman rule,” when the Empire ruled Yemen during two periods of time: the first during 1538 - 1635 and the second during 1872 - 1918. Yemeni researcher ‘Ali Jar-Aallah al-Theeb’ (Jar-Aallah, 2009)²⁹ was present as a participant. He mentioned that that period witnessed the establishment of many factories for iron and steel, military, spare parts, spinning, weaving, glass, and marble. He stressed that the effects of some of those

²⁸ - The Yemeni Historical and Future Strategies Centre (www.Manarat-yemen.com). Sana’a 28/4/2009

²⁹ - Ali Jar-Aallah al-Theeb Researcher historical ,and adviser of the Ministry of Culture. Sana’a in 28/4/2009.

factories still exist today in their previous positions, while others were transferred to the Military Museum in Sana'a in 2007.

He pointed out that the first train in Yemen was built in 1911, when the Ottoman Sultan Abdul Hamid II was concerned with establishing a railway passing through Turkey, Syria, Hijaz, and Yemen, in addition to establishing the unfinished railway linking Sana'a with Al-Hodaidah because of the First World War in 1914. He referred to Yemen's renaissance, during which there was construction of important roads such as the famous suspended bridge in Shahar'h. In addition to this development, Yemen also witnessed growth in the area of education, where there were secondary, technical, health, industrial, and military schools as well as university education, which included five colleges in different disciplines. The researcher presented photographs and documents to prove the validity of his information.

'During the Ottoman rule in Yemen, the Ottomans established an integrated system in the legal, administrative and financial field in the majority of major cities in Yemen, they also established a network of telecommunications in the capital city Sana'a which linked the major cities by it. Ottomans established post offices in many cities of Yemen. They also set up a small number of public schools and hospitals, and brought doctors and pharmacists. In addition, they established two schools in Sana'a, school of military and school of crafts, and a school of industry in city Hodeidah' (Jar-Aallah, 2009).³⁰ 'By 1872, Ottoman administrators had taken large steps to organizing these territories as the new Province of Yemen as it is called (Yemen *wilaayah*), thereby continuing efforts of the central government to extend its control over the empire's Arab borderlands to the Shatt al-'Arab. The Ottoman Empire established the first administrative division of Yemen between 1872 and 1890' (Saalim, 1984).³¹

'The division considered the Yemen as a single territory (*wilaayah*) divided further into four counties or four administrative units (*sanjaqs*) or (*liwaa's*): *Liwaa'* of Sana'a, *Liwaa'* of Tiaz, *Liwaa'* of Hudadah and *Liwaa'* of 'Aseer. Each *liwaa'* was in turn divided

³⁰ - Ali Jar-Aallah. al-Theeb Researcher historical ,and adviser of the Ministry of Culture ,Member of the Board of Trustees (Manarat) Lecture organized by 'Manarat' the Center for Historical Studies and future strategies in Yemen in 4/2008

³¹ - Dr Sayyid Mustafa Saalim takwen al-Yemen al-hadied *The Creation of Modern Yemen*1984 cairo al-madboili press p.37 and Dr Daail M. Al-Mikhlaafi ' al-adara al-mahliah1994 p.96

into many '*Qadhaa's*'. This division was applicable to the northern part of the Yemen. "At that period, South Yemen was under British Rule' (Saalim, 1984).³²

The method used by the Ottomans in the rule of Yemen is the combination of centralized political and administrative decentralization. The governor of the Yemeni territory (wilaayah) was chosen by the Ottoman sultan, this governor is the one that implements the Ottoman politics and administrates that territory. This is called the central political. Also, the governor of the territory has given many provisions for local citizens to administrate specifically in their issues. As a result, the role was given to the public to participate from religious leaders and local tribal. This, however, is called the administrative decentralization. The study will give an explanation later in this chapter. This method of ruling resulted of the Ottomans controlling Yemen a longer period and many other countries, caused by their usage the central of political and administrative decentralisation. The Ottomans divided the Yemeni territory in the four counties which is under administrative units The Ottomans took steps to reform the administrative system which had a positive outcome in Yemen and thus benefiting and affecting governments which followed the Ottoman Empire to this day (both Imamate and Republic). "They established a complete administrative and financial system, and they also established a "Public Council" which they called the General Council in the state of Yemen" (Al-Mikhlaafi, 1994).³³ This council was based in the capital city (Sana'a), the president of the Council was the Ottoman Governor, and he chose his deputy from the local nationals.

This council was considered a small parliament the aim of the parliament was to legislate for public affairs and to participate in governing the country through the mandates assigned to the parliament. For example, financial affairs such as taxation and projects such as road building, bridges, dams, hospitals, schools and the provision of different services. In addition to the Public Council which was based in the capital city, they set up local councils in each of the four county capitals and towns '*qadhaa's*', and these were called Administrative Councils. These councils were made-up of appointed

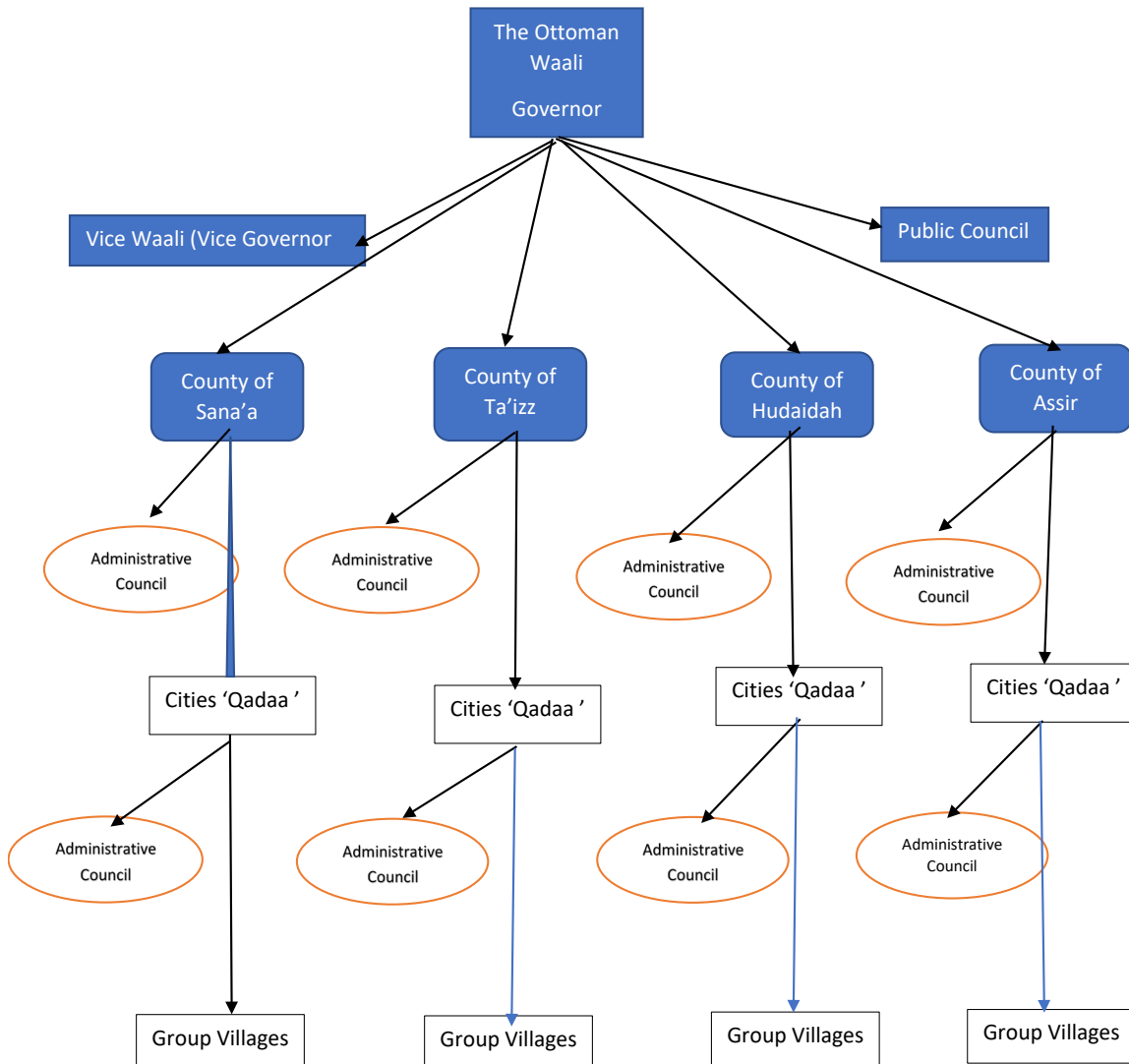
³² - Dr Sayyid Mustafa Saalim *The Creation of Modern Yemen* p.50

³³ - Dr Daail M. Al-Mikhlaafi 'the local administration'p.98

religious leaders, experienced people and tribal leaders to participate in the local administration.

‘The Yemen had representatives in the Ottoman Parliament in Istanbul which was called “the Council of Envoys” (Abaza, 1975).³⁴

Figure 2. Division of the administrative units in the North Yemen of the Ottoman regime



As shown in this figure, the Ottoman administrated the Yemeni territory by an Ottoman Waali governor, and Vice governor ‘Waali’ and this territory had a public council ‘but it

³⁴ - Dr Farooq Uthman Abaza ‘The Ottoman Rule in the Ymen’ p.431

was a chosen place not democratic'. The public council the representative members were local from the Yemeni leaders.

This territory divided further into a four counties or four administrative units and they are called (*sanjaqs*) or (*liwaa's*): 1) *Liwaa'* of Sana'a, 2) *Liwaa'* of Tiaz, 3) *Liwaa'* of Hudadah and 4) *Liwaa'* of 'Aseer. Each (*liwaa'*) county established an administrative council which consists of local tribal and religious leaders. Then each county was in turn divided into many cities (*'Qadhaa's'*) according to population and the nature of the area. Each city (*'Qadhaa's'*) established an administrative council. Here, the council consists or based on active public and leaders of its locality. Finally, the cities (*'Qadhaa's'*) were divided into many villages.

The administrative apparatus of the executive unit consists of the following:

- 1) *Liwaa* (County): the governor of *liwaa*), Justice of *liwaa*), (Finance administrator of *liwaa*), Mudeer Al marif (Education), (Security of *liwaa*), and Mamoor Albareed (Post).
- 2) *Al Qadhaa* (City): This has the same system as *Liwaa* but lower representative.

The Ottoman politics sought to achieve control over the Yemeni population and, hence, to maintain Ottoman rule by organizing key dimensions of governance such as the creation of administrative divisions, tax collection, forms of conflict resolution, creation of courts in central cities and the recruitment of administrative and military personnel according to knowledge about local culture. Furthermore, the Ottomans worked to promote the participating of tribal people and religious leaders in local councils to administrate the country's issues. As a result, the Ottoman rule stayed long period in Yemen.

4.1.2 General assessment of the administrative performance.

The most important work and the reforms of the Ottoman Caliphate in Yemen can be summarized according to the following (Jar-Aallah, 2009):³⁵

Firstly: the response of aggression and greed for Yemen: That the Ottoman Empire had come to the rescue of Yemen and the protection of the Islamic holy sites from the exposure of the foreign invasion of the crusaders in the hands of Portuguese or English in the sixteenth century or others.

Secondly: to fortify the cities and the Yemeni islands: the Ottoman Empire established the protection of Yemen gaps and fortify coastal and inland cities as well as immunization and protection of the Yemeni islands and established various military installations and large visitor contemplates the residual effects of that today attest to the greatness and the strength and sincerity of Ottomans for the Yemen.

Thirdly: the unification of Yemen in full under a unified command:

Of the things that carried out by the Ottoman Caliphate is the unification of Yemen and included parts that were scattered and fragmented between the Imams and the various chiefdoms, which made him weak entities factions.

Fourthly: The Renaissance in the legislative and electoral systems:

The Yemen known the democracy life and the system of elections and parliaments and legislatures, since early time in Yemen has been a number of elected councils, such as:

1. Municipal councils to manage the affairs of cities.
2. Governing bodies in the provinces: and specializes in the management of the province.
3. The Public Council for 'Wilaayah' Yemen.

³⁵ - Researcher historical ,and adviser of the Ministry of Culture ,Member of the Board of Trustees (Manarat) Ali Jar-Aallah al-Theeb Lecture organized by 'Manarat' the Center for Historical Studies and future strategies in Yemen in 28/4/2008

This council is called the public council, based in the capital Sana'a, this council has the power as large as Parliament. Members are elected every four years.

Fifthly: Renaissance in the industrial field:

Yemen witnessed in the era of the Ottoman caliphate revival in all major industrial areas and found many of the factories that were powered electric (coal-fired).

It is regrettable that the Renaissance, of the industrial, administrative and constitutional stopped full in the twenties of the twentieth century in the beginning of the reign of Imam Yahya in 1918. The Ottomans were able to the unification of Yemen, politically and administratively and militarily in the state and one under the rule of the Ottoman Sultan.

They left behind many administrative systems, service and military institutions, as well as political and administrative organisations in Yemen. The remaining Turks performed administrative duties. However, the *Mutawakkiliyya* state destroyed the infrastructure in order to control and keep the Yemeni people in a state of complete ignorance.

The Ottoman division considered the Yemen as a single territory (wilaayah) divided further into four counties or four administrative units called (sanjaqs) or (liwaa's): Liwaa' of Sana'a, Liwaa' of Tiaz, Liwaa' of Hudadah and Liwaa' of 'Aseer. Each liwaa' was in turn divided into many 'Qadhaa's', and each Qadhaa in turn divided into many villages.

In regime of the sultan Abdual Hamid ruled about 30 years from 1876 to 1909, the reform process of Tanzimat continued well in his time. The main reforms were in education, and professional schools were established in addition to a network of secondary, primary and military schools. He also put much focus on pan-Islamism. The pan-Islamic ideas were spread with emissaries to distant countries preaching the caliph's supremacy; the sultan also held the honour of being caliph. Plans for a new railway to the holy cities of Mecca and Madina were given highest priority.

The Ottomans took steps to reform the administrative system which had a positive outcome in Yemen and thus benefiting and affecting governments which followed the Ottoman Empire to this day (both Imamate and Republic).

In the period of Ottoman rule, there was cultural and intellectual amalgamation between the Ottomans and the Yemenis. This amalgamation caused the Ottoman administrative system to have a direct impact on the administrative environment in the Yemen.

The Yemenis adopted a lot of the Ottoman values because of the common Islamic roots. Based on this, the Ottomans were therefore able to implement administrative models which correspond of with the nature of the Yemeni society.

In the era of The Ottoman Empire there were some descriptions of good governance as shown in the following. Description of a Good Governance:

1. The State of law and institutions.
2. The existence of a clear strategy and flexible development plans.
3. Provide participation component.
4. Sovereignty and the rule of law.
5. Provide transparency component.
6. Provide accountability component
7. The Justice and providing the needs of the citizen.
8. Equality and equal opportunities
9. Reward and punishment law.
10. The Decentralisation

4.2 The administration under the Mutawakkiliyya Kingdom in north Yemen

Imam Yhaya ruled the whole of north Yemen from 1918 to 1948, to be succeeded by his son Sayf al-Islam Ahmad who reigned from 1948 to 1962. “Along with the sovereignty over Yemen which Imam Yahya received through default in 1918 came problems which he had never encountered during the period of Ottoman control” (Wenner, 1967).³⁶ With the departure of the Ottomans in 1918, Imam Yahya was forced to set about creating a military system in order to maintain internal security, prevent rebellious tribes from interfering with commerce and protect the frontiers of the new state. ‘ The administration of the Yemen was centred in the hand of the Imam, who was both, theocratic and temporal head of the state’ (Burrows, 1987).³⁷ The post of imamate combined legislative, executive as well as adjudicate authorities. All of them were used in those areas where the Imam could enforce judgment under the pretext of Islamic law in order to achieve his own objectives. The

³⁶ - Manfred W. Wenner “Modern Yemen 1918-1966”. P8

³⁷ - Robert D. Burrows “The Yemen Arab Republic”; The Politics of Development, 1962-1986”. Published in 1987 in the Great Britain by Croom Helm Ltd....p17S.

Imam assumed unlimited authority which resulted in depriving the Yemeni people not only from their basic rights but also from basic needs such as education, health services and public transport. ‘Modern state building, political construction, and socioeconomic development came late to North Yemen and were severely constrained by events and conditions after their coming. North Yemen in the late 1950s, at the dawn of the Space Age, remained one of the world’s last extant examples of a relatively complex, large-scale traditional social system’ (Wavell, 1912).³⁸ We may say that civilization came to a halt for Yemen during the reign of Imam Yahya and his son Imam Ahmad because they did not utilise modern technology. In fact they opposed the use of such technology. During the Imamate period, the Yemen lived largely ignorant of the industrial revolution, modern technology, political and administrative knowledge and the economic theories and practices of the Western world. Yemenis lived as they had for centuries, cognizant only of their own immediate surroundings and indifferent to all but their closest neighbours, until the revolt (or revolution) of 1962 took place. The Imams were responsible for every item of government; business, finances, army, education, health, transportation and justice.

4.2.1 The absence of the legal constitutional administrative system in *Mutawakkiliyya* Kingdom

The government of Imam Yahya and Imam Ahmad in the Yemen was not based upon a constitutional system that aimed to realise the wishes and aspirations of the Yemeni society (i.e. constitution which is based upon the Islamic Law or Shari’a*).

The Imamate of Yemen was the political expression of *Hadwi Zaydism*, the branch of Shi’a Islam. “The Imam mounts on the throne and says to the people that God appoints him, and that God commands the people to obey, and to serve him, to sanctify him, and to die for him, and for the sake of supporting him. He also used to say that his rule is a derive choice

³⁸- A. J. B. Wavell, “A Modern Pilgrim in Mecca and a Sana’a (London 1912). P180.

from heaven. He claimed always to be the shade of God, his deputy, and his vicegerent.....with this dupe mentality the Imam runs the responsibilities of the post' (Burrows, 1987).³⁹

Thus, such a pseudo religious belief was the reason behind the absence of the constitution that normally lays down the rules and principles of peaceful transmission of power and determines the form of state's political and administrative system. The Imams possessed legislative, executive and judiciary authority. In brief, the Imam has become the main reference for all state matters, minor or major. Under both Yahya and Ahmad, the Imamate was truly the Imam's government, one over which he exercised direct personal control. North Yemen remained without any clear constitutional principles until the birth of Y A R.

Hugh Scott, the author whose knowledge of the Yemen was good, had audiences with Imam Yahya during a stay of some months in late 1930s, described him "As absolute a monarch as any left in the world. No ruler can in greater measure attend personally, to every detail of his administration as we had opportunity to see with our own eyes...if anyone on earth can say, 'I am the State', it is the Imam of the Yemen" (Scott, 1942).⁴⁰

4.2.2 Administrative structure under the Imamate and how it worked

On the threshold of the twentieth century Imam Yahya dominated the political situation in the north of Yemen after the Ottoman military departure. There were natural differences between the administrative practice in the Ottoman state and the administrative practice in the *Mutawakkiliyya* state.

Nevertheless, the administrative structure during the Imam Yahya government was mainly inherited from the Ottoman administrative system. Imam Yahya, however, seemed unable or unwilling to develop the system.

The political system and the administrative systems in the Yemen were gathered in the hands of the Imam, who combined both religious and temporal authorities. According to

³⁹ - Robert D. Burrows "The Yemen Arab Republic The Politics of Development, 1962-1986" Published in 1987...p18

****After becoming a part of the Islamic state the Yemenis were regulated according to one or more of the following: (1) The Shari'a (the path) commonly translated by Western scholars as Islamic law, yet its meaning is more comprehensive and could be referred to as, "the Islamic approach to life according to the tenets of Islam.", (2) 'Urf (customary law) and (3) Tribal law (also often called hukm al-qabila).**

⁴⁰ - Hugh Scott, In the High Yemen (London: John Murray, 1942), p.171. And see R. D. Burrows the Y A R, p18

Harry Hoogstraal ‘You could say that Imam Ahmad deals with manifold details which include everything from the requirements of cleaning rugs and light bulbs, to international affairs, road building, erection of buildings, and the planting of trees along road ways (Hoogstraal, 1952).⁴¹

Imam Yahya employed some experienced Ottoman officers and administrators who stayed in the Yemen after the Ottoman exited in 1918.

‘The Imam also established a school called *Al-Madrasah al-‘Ilmiyya*, the graduates of which were designated to work in the administrative system for the state.

(It is worth mentioning here that a condition for students to be accepted at this school was the belief in the *Hadawi Zaydi* doctrine) (Nu'man, 1970)’.⁴²

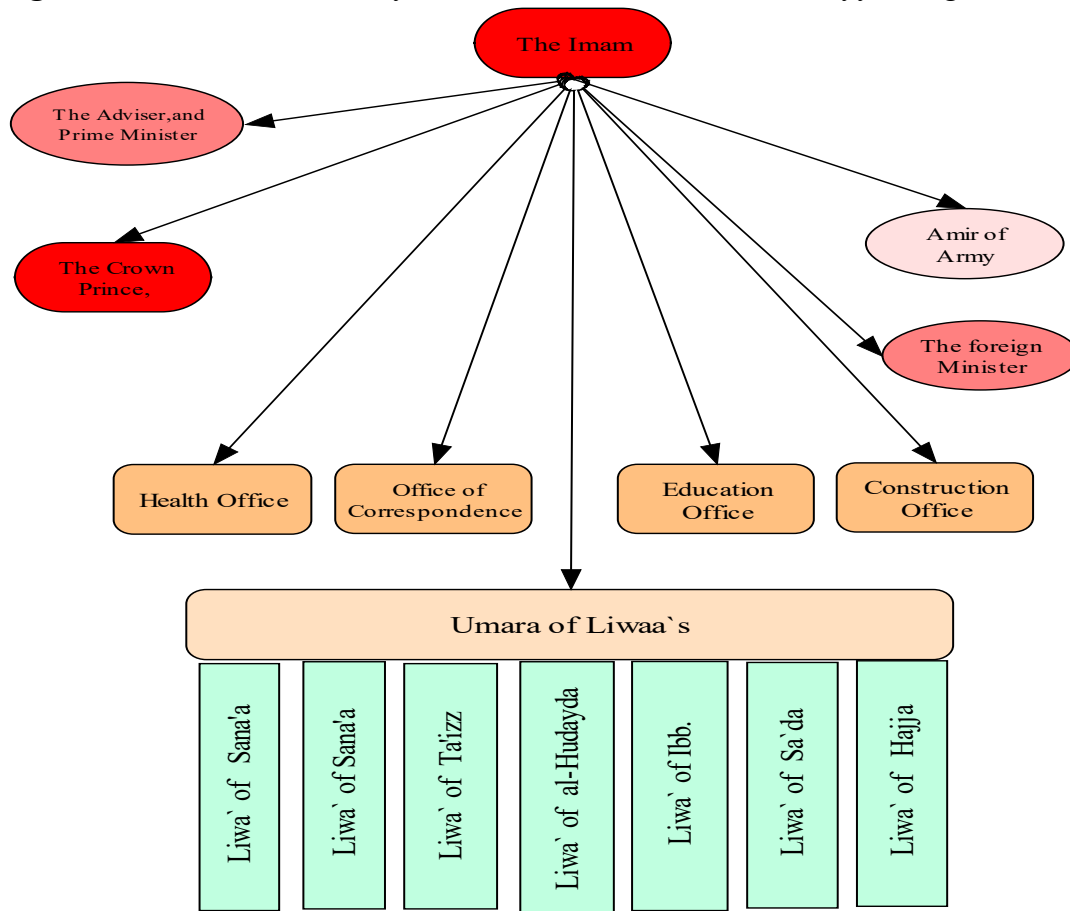
Both Imam Yahya and Imam Ahmad were not convinced by the need for development of a modern state. Hence, they did not accept or desire the establishment of political and administrative institutions nor did they favor any measure that might contribute to the socioeconomic development of a modern state. But the late 1940s Imam Ahmad and his rulers did establish a few ministries and departments for education, health, or public works. With all power accumulated in their hands there was no real need for laws and administrative regulations. Therefore, the system of government of the two Imams was absolute and tyrannical. ‘The Imams were responsible for every item of government business: finances, the army, education, health, transportation, and justice (Wenner, 1967)’.⁴³ The continuity of the Ottoman structure lasted for almost three decades then certain designations of its subdivisions were altered in order to conform with the Yemeni administrative terminology.

⁴¹ - Harry Hoogstraal, “Yemen Opens the Door to Progress” the National Geographic Magazine 101 (February 1952), p.220

⁴² - Muhammad Ahmad Nu'man “al-Atraf al-Manyha in the Yemen”. P50 and see Mummad al-Azhazhi “al-Tnmyh al-Qts' dyh and al-Adaryh in al-dol al-Namyh”. P174

⁴³ - Manfred W. Wenner, “Modern Yemen 1918-1966”. P.60

Figure 3. The administrative system structure under Mutawakkiliyya Kingdom



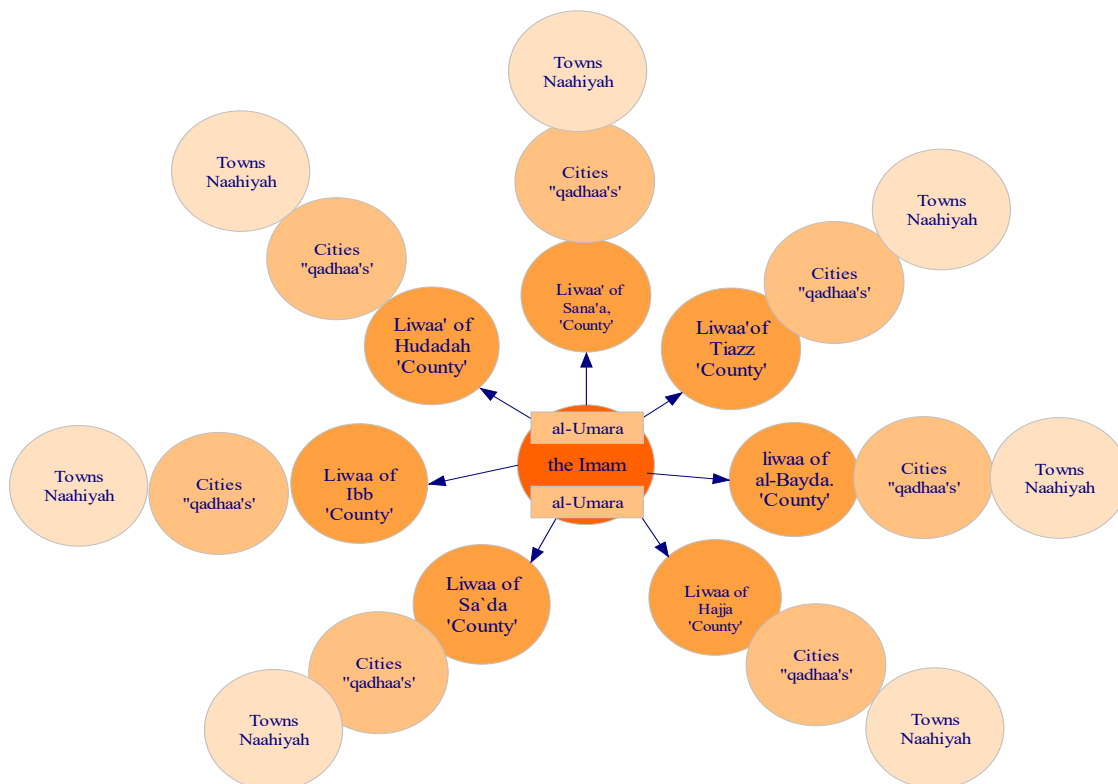
From the above diagram, we may conclude the following: The Imam had exclusive executive, judicial and legislative authority. The minister had little authority and was merely a puppet in the hands of the Imam. The second most important person after the Imam was the crown prince, his son Ahmad.

The Imam's exclusive concern was the army and financial matters, in addition to the following offices: clerk's (office that was responsible all for official correspondence both locally and internationally), Health office (which was in charge of three hospitals, Sana'a, Ta'izz and al-Hudayda), Education office (that ran the few schools existing at that time), Construction office (which built various state buildings and was responsible for running them). 'Foreigners sometimes described the Qadi Abdullah al-Amri as the most important of Yahya's advisers, as prime Minister, just as they regarded Muhammad Raghib as the

foreign minister, but neither was. A council, consisting mostly of Sayyids, who bore the title of ministers but as there was no corps of trained bureaucrats, their departments exerted little influence over the everyday life of the citizen. All power was centralised in the hands of the Imam' (Bidwell, 1983).⁴⁴

The first apparent change was the renaming of the *sanjaqs*, to *liwa's* or provinces. During the government of Imam Yahya there was hardly any development or reformation, in the administrative systems. The first change happened in 1944, but was of a little substance. Northern Yemen, was divided into four *liwa's*: Sana'a, Ta'izz, al-Hudayda and Ibb. A *liwa'* is the Arabic equivalent to the Turkish *sanjaq*. In 1944 Imam Yahya redidved the country into six *liwa's*: Sana'a, Ta'izz, al-Hudayda, Ibb, and adding Sa'da and Hajja. as well as in 1948 Imam Ahmad also redidved the country and added the liwa of al-Bayda also the etch liwa divided into two levels. Accordingly, as shown in figure 3 an illustration for the *Mutawakkiliyya* administrative structure of local.

Figure 4. The administrative units structure under Mutawakkiliyya Kingdom



⁴⁴- Robin Bidwell 'the two Yemens' Westview Press (May 4, 1983). P110/112

This diagram shows the divisions of Administrative units in the North Yemen in al-Mutawakkiliyya kingdom era. On elaboration, the Imam was the controller of the following levels; counties, cities, towns and villages. Imams Yayha & Ahmed used the administrative system that the Turks have left and there was no particular change mentioned, instead they weakened some of it. In their era they repeated the division of the administrative units to six counties (Liwa),; each liwa has a number of Qadhawat, and each Qadhaa consists of many nawahi.

The administrative apparatus of the executive unit consists of the following: (Anaan & al-Kibsy, 1983)⁴⁵

- 1) Liwa (County): ameer aliwa (the governor), Hakim aliwa (Justice), Mudeer bayt Almaal (Finance administrator), Mudeer Al marif (Education), Mudeer Alamn (Security), and Mamoor Albareed (Post)
- 2) Al Qadhaa (City): This has the same system as Liwa but lower representative. Hakim aliwa (Justice), Mudeer bayt Almaal (Finance administrator), Mudeer Al marif (Education), Mudeer Alamn (Security), and Mamoor Albareed (Post)
- 3) Al Nahiya (town): This has the same system as Liwa but lower representative. (Saalim, 1984)⁴⁶

It also explains that the counties are divided into cities, towns and group villages. The basis of the levels is based on the village.

It is apparent from this administrative structure, that the Mutawakkiliyya government was based upon an excessive centralist administration as a system of rule.

Robin Bidwell, mentions in his book that ‘there can be no doubt that Yahya felt deeply responsible before God for the welfare of every one of his people, and that this responsibility could not be delegated. This made him extremely accessible to his subjects: he spent two hours a day sitting under an umbrella speaking with anyone who wished to approach him and receiving written petitions as he walked around the city.

European visitors have described him at work, squatting on the floor as endless streams of often grubby little pieces of paper, rolled up like cigarettes, were brought in. These might be a request for admittance to hospital or for permission for a school to buy chalk

⁴⁵ - Abyd M Ana'n and Mta'hr M al-Ki'bsy, "Mab'dy al-Adarh al-A'mh wi Adart al-Tnmyh" 1983 cairo madbouli press p. 49

⁴⁶- Dr.Sayid Mustafa Salim, Takween al-Yemen alhadeeth, p 488, and Abyd M Ana'n and Mta'hr M al-Ki'bsy, "Mab'dy al-Adarh al-A'mh wi Adart al-Tnmyh" p.p. 46

or from one of his sons to borrow a motor car or to discharge a dead soldier from the army, as well as more weighty matters' (Bidwell, 1983).⁴⁷

At times a slave would enter with a pile of silver dollars which had, been collected in tax, and the Imam himself would count them and make payments.

4.2.3 General Assessment of the Administrative Performance 1918-1962

Through the earlier review of the administrative situation the following features of the *Mutawakkiliyya* system become apparent.

- 1- The absence of a constitutional system, i.e. of constitutional rules, principles and administrative regulations.
- 2- The administration was far from efficient and it could be described as theocratic and primitive.
- 3- The Imam controlled all the legislative, executive and judiciary authorities, in addition of being him-self the main reference for all state matters, minor or major.
- 4- 'Occasionally Yahya broke the *Zaydi* custom. The most important instance of this was his attempt to secure the succession for his son Ahmad instead of leaving it to the choice of the *'ulama*. From 1927 onwards he used bribery and threats to prevail upon leading figures, and particularly upon potential candidates, to swear an oath of loyalty to Ahmad an innovation that was greatly resented' (Anaan & al-Kibsy, 1983).⁴⁸ A tyrannical hereditary system that was opposed by an increasingly growing sector of Yemeni society.
- 5- The absence of modern administrative systems in the *Mutawakkiliyya* was coupled with the absence of both modern administrative mechanisms and administrative standards.
- 6- Both Imam Yahya and Imam Ahmad provided minimal state services and imposed at the same time excessive taxation on the people.

⁴⁷ - Robin Bidwell 'the Two Yemens' Longman Group and Westview Press. 1983) p109

⁴⁸ - Abyd M Ana'n and Mta'hr M al-Ki'bsy, "Mab'dy al-Adarh al-A'mh wi Adart al-Tnmyh" p.p.46-47

- 7- The administrative system was used as a means of the deprivation and exploitation of the Yemeni people, and the prevention of Arabic newspapers entering the country.
- 8- Limited administrative development, with regard to Liwa's (provinces) from four to six.
- 9- The two Imams pursued a policy of isolating Yemen from the modern world, and the prohibition of all modern conveniences, political, administrative, economic, and technological. However, Imam Ahmad was more open to the world than Imam Yahya.
- 10- Anyone who expressed an opinion for betterment, or demanded the development of administrative performance was accused of treason, perfidy and considered a traitor. Expression of views was unacceptable and did not exist. The Imam used Islam as a pretext to strike against his opponents. Such forms of oppression gave the justification for the revolutionists to rebel against the Imamate.
- 11- Law and order was well organised and controlled over the tribes through the Imam's appointees such as the judges and unselected mayors. They were loyal to the regime. To the credit of the Imam all appointees were very learned scholars of shari'a. The mayor was highhanded and knew how to control the tribes through threats, such as taking tribal leaders' sons as hostages (*rahina*).
- 12- The Ottomans left behind many administrative, service and military institutions, as well as political and administrative organisations in Yemen. The remaining Turks performed administrative duties. However, the *Mutawakkiliyya* state destroyed the infrastructure in order to control and keep the Yemeni people in a state of complete ignorance.
- 13- The main disadvantage of the *Mutawakkiliyya* regime was the division of the Yemeni society into different classes. The ruling class, which was made of the Sayyids (i.e. descendants of the Prophet). Next to them came the judges who had a class of their own. They were followed by a class of tribes' *shaykhs*. Then there was a long series of other classes ranked in a ladder according to the profession of

their members. For example, the butchers and barbers in one class, the servants in a further lower class etc (Al-Shamahi, 1984).⁴⁹

14- The *Mutawakkiliyya* regime did not place high priority on administrative construction. But in the late 1940s Imam Ahmad established few ministries or departments for education, health, or public works.

15- In the era of the *Mutawakkiliyya* kingdom many of the descriptions of good governance were not present as shown in the following. Description of a Good Governance: 1. The State of law and institutions. 2. The existence of a clear strategy and flexible development plans. 3. Provide participation component. 4. Sovereignty and the rule of law. 5. Provide transparency component. 6. Provide accountability component. 7. The Justice and providing the needs of the citizen. 8. Equality and equal opportunities. 9. Reward and punishment law. 10. The Decentralisation

4.3. Attempts at reform of the opposition Movement of the Yemeni opposition movement during al- *Mutawakkiliyya* Kingdom period

The purpose of this section is to focus on the role of the Yemeni opposition movement, towards the establishment of a modern Yemen society, to explore their performance, and understand the mechanisms they adopted for change, their struggle and their views for political and administrative dimensions.

The Yemeni opposition movement started in the middle of the nineteen-thirties after the defeat of the *Mutawakkiliyya* state by the Saudi army in 1934, and the signing of the treaty of Ta'if. These groups had a great influence on Yemeni society. An example of these groups was the '*Hay'at al-Nidal*' established in Sana'a by Ahmad al-Mut'a'. The group published a magazine called '*al-Hikmah Yamaniyyah*' which had a powerful influence on scholars, intellectuals and the masses. In the city of Ibb, a third group (*Jam'iyyat al-Islah*) was established by Abd al-Rhman al-Iriany and Muhammad Ali al-Akwa'.

⁴⁹ - Abdullah al-Shamahi "al-Yemen al-Insan wal-Hadarah" Der al-Kalimah, 1984 Sana'a. p180.

"During the nineteen-thirties and forties," according to M.W. Wenner, "many Yemenis who had been exposed to modern ideas and techniques which Yahya feared began to agitate for reforms within the country" (Wenner, 1967).⁵⁰

In 1944, in Aden, an organised political movement was established, "the Free Yemen Party" (*al-Ahrar al-Yamaniyy'un*), then *al-Jam'iyya al-Yamaniyya al-Kubra* in 1945, under the leadership of Muhmmad Muhammed al-Zubayri and

Muhmmad Ahmad Nu'man, who had begun their movement openly and overtly to the local community and the Arab World. The group highlighted the plight of Yemen and its own opposition to Imam Yahya and published its news, activities and viewpoints in Arab newspapers. In addition, it exposed the state of the Yemeni society, which suffered from backwardness, ignorance, deprivation the cause of which was the tyrannous regime under Imamate rule.

Al-Ahra'r Movement believes that decentralisation system is the most suitable administrative organisation for Yemen. Furthermore, the problem of the governance and management in the Mutwakkilyaa Kingdom is that the authorities are grouped in the hands of one individual, the Imam, who is the top head of the state. The Ahra'r movement requires the distribution of competences between the central government and local bodies through the application of decentralisation system. Many Western scholars wrote about the leaders of the Free Yemen Party (*Al Ahrar al- Yamaniyy'un*). (Wenner, 1967)⁵¹

M. W. Wenner stated "These two personalities, who occupied an important position in all exile political movements until the revolution of September, 1962. Actually in my view *Hizb al-Ahrar al-Yamani* realized and understood the problem of the Yemen. The group gained popularity among judges, shaykhs, scholars, (both Shafi'is and Zaydis), merchants, intellectuals, some army officers, and students soldiers; in addition the son of the Imam, students, some officers, and members of the army, some students both inside

⁵⁰ - M. W. Wenner, "Modern Yemen 1918-1966" U.K.1967 by the Johns Hopkins Press, Baltimore P82 and mentioned al-Qadi Abdullah al-Shamahi "al-Yemen al-Insan wal-Hadarah" Der al-Kalimah, 1984 Sana'a. Pp189.

⁵¹ - M. W. Wenner, "Modern Yemen 1918-1966" U. K.1967...pp94, 95 .

and abroad and above all of these one of the Imam's sons. That was what made it the major element in the opposition movement.

Aden has become for several years the center of the Free Yemeni movement. The focal point for opposition in general and the natural start- point for opposition to the Imams because of the proximity of the colony combined with its all-important political freedom. This movement was the nucleus of the 1948 constitutional movement, and the ill-fated coup of 1955, in addition to the revolution of 1962.

The group newspaper, (*Sawt al-Yemen*), was the voice of the movement. It had a very effective role, particularly among the middle class and the new generation of the educated elite. It also contributed to the struggle with vigour and enthusiasm against the Imamate's remaining supporters. The most important of its roles was the mobilisation of public opinion. The opposition movement wished to see substantial changes in the state trajectories and improvements in the life of Yemenis. It demanded the reform of different aspects: political, administrative, economic, social, canonical, and constitutional and the introduction of necessary changes in both the external and internal policies, as well as guarantying, rights of equality between all Yemenis, rights of dissent, and dissimilarity of opinions.

4.3.1 The constitutional movement, and state of institutions and administrative reform

The main objectives for Yemeni opposition were the establishment of the state upon constitutional rules and principles, and the reconstruction of political and administrative reform from new. 'For the record (both Hizb al-Ahrar al-Yameni and the Muslim activist al-Fudayl al-Wartailani, were a prominent and major element in the constitutional movement,). In addition, "*al-Ikhwan al-Muslimun*" in Egypt, under the leadership of Hassan al-Banna was a salient force behind the constitutional movement in Yemen. *Al-Ikhwan al-Muslimun* played a prominent and obvious role in supporting the constitutional movement when they began a press campaign for political and administrative reform in the Yemen, aiming to create a public awakening in the Arab World on the Yemeni issue. They had great hopes of achieving political, administrative and social development in Yemen. In addition, the leaders in the constitutional movement had high hopes of

achieving substantial changes in the trajectories of the state and the lives of the Yemenis' (Serjeant, 1996).⁵²

The change was for the better in a number of different fields constitutional, legal, political, administrative, economic and social, through their vision of the Sacred National Charter (*al-Mithaq al-Watani al-Muqaddas*-"al-Mithaq"). The following section will briefly review the most important aspects of The Sacred National Charter with regard to administrative regulations and system.

The imamate as an institution would not be abolished. '(This is clearly asserted in article (1) of "al-Mithaq" (Al-Shamahi, 1984) (Wenner, 1967).⁵³

1. Abolition of the hereditary system, as stipulated in article, (1&3) of "*al-Mithaq*"
2. Article (3) defines the features of the ruling system, as follows; "The ruling system will be 'Shura' and constitutional, without conflicting with Islamic Law; (as derived from the Book of Allah and the Sunna of His Messenger)".
3. Calling for the establishment of a state based upon constitutional rules and principles, according to the substantive laws of Islam. Article (4&5) stipulates that: "There must be a committee appointed by 'Majlis al-Shura', the members of which must be competent and experienced. The members will include jurists, '*ulama*', high ranking officials, and prominent personalities for the purpose of writing the constitution", with the help of the Leaguer of Arab States'.
4. Calling for a separation of authorities through the establishment of independent executive and legislative authorities: (I) Majlis al-Shura (the parliamentary council), consisting of 70 members with representatives from cities, scholars, tribal leaders, judges, intellectuals, and Yemenis living abroad, (b) the establishment of the government is done by a council of Ministers, (see articles 6 to 16).
5. For the establishment of an infrastructure for a modern administrative system as mentioned in *al-Mithaq* in article (19) section (b) Require Arab states to

⁵² - R. B. Serjeant "Society and Trade in South Arabia"1996 U. K. ...p87

⁵³ - M. W. Wenner, "Modern Yemen" ...p95

- immediately send experts in order to assist in the organization and restructure of all government departments.
6. The creation of a financial committee in order to control public funds, (article 20).
 7. Article (27) stipulates that: There must be an immediate removal of oppression and tyranny.
 8. Ensuring equal rights for all Yemenis, furthermore, providing guarantees of the rights of dissent and dissimilarity of opinions, and the right of election and consultation by the government of the Yemeni people, and the guarantee of freedom of opinion, spoken and written (particularly when advising the rulers). The right to hold meetings is also guaranteed as mentioned in article (29&30).
 9. According to article 31, there must be an establishment of councils for provinces and municipalities.
 10. Article 32 states, Continuous efforts should be exerted in order to combat ignorance, poverty and diseases ... and work should be done as quickly as possible in order to provide means of transport and revitalize agriculture which is the foundation of the Yemeni economy.
 11. 'In order to remove the isolation which Yemen had found itself in, Article 33 stipulates that contacts with the civilized world through diplomatic channels should be maintained. (Al-Shamahi, 1984)" ⁵⁴

Al-Mithaq al-Watani al-Muqaddas, The Sacred National Charter was never implemented in reality because the revolution of 1948 was aborted. Therefore we cannot assess the charter's modern ideas and principles as far as their implementation is concerned. The abortion of the 1948 revolution doesn't necessarily mean its ultimate failure nor the failure of its intellectual project. 1948 revolution sewed the seeds for all consequent reforms in the Yemen starting from 1955 and 1962 onwards.

⁵⁴ - al-Qade Abdullah al-Shamahi "al-Yemen al-Insan wal Hadarah"217/218

4.3.2 Conclusion

We explained in this chapter the two stages that had a direct impact on the administrative environment in the Yemen, particularly in the north, whether positive or negative. The first stage was the period of Ottoman rule, the early 20th century. The second stage was the period of the Mutawakkiliyya kingdom from the start of the twentieth century. In the first stage, in the period of Ottoman rule, there was cultural and intellectual amalgamation between the Ottomans and the Yemenis.

The summary of this chapter shows from a historical perspective as is known there is a relationship between the negative political events and the administrative deterioration. In fact, much of Yemen's twentieth-century history was taken up constructing such a state, which still means to this day because of civil wars and administrative and political instability.

Through my work in the government about thirty years and through my research and my readings in the history of administration in Yemen, I found that there is a correlation between the history of the administrative system in the Yemen with its general political history. This amalgamation caused the Ottoman administrative system to have a direct impact on the administrative environment in the Yemen. The Yemenis adopted a lot of the Ottoman values because of the common Islamic roots. Based on this, the Ottomans were therefore able to implement administrative models which correspond with the nature of the Yemeni society. The structure of administrative units laid down by the Ottomans is still present in its general outline even today, and based on this we can say that the Ottomans had a considerable influence on the administrative divisional structure in the North Yemen.

This influence also had an impact on the following:

- The bestowing of political posts without any actual duties or commitments – causing a divide between the administrative grade and the actual amount of work or effort involved
- The tax system (*al-waajibaat*) created by the Ottomans is still present today with only minor changes.

- The structure of the administrative units is still present today, with some modification.

With respect to the second stage, the period of the Mutawakkiliyah kingdom, this had minimal influence in terms of the area of influence and its primitive methods. There was no administrative law or legislations distributing the various administrative responsibilities. During this period, the main purpose of the state was to collect taxes (and *zakah*), and keeping law and order. Thus, the administrative system laid down by the Ottomans was discarded, and the caste system entrenched.

“For example, Imam Yahya founded two schools. One of which was named ‘The School for Orphans’ which was intended for the general public in order to prepare them to take menial jobs such as cleaners, junior clerks etc. Another was called The Science School, and this was intended exclusively for the upper classes, preparing them for high level posts, eg, judges, lawyers, governors etc’ (Nu'man, 1970).⁵⁵

⁵⁵-M. A. Nu'man *Al-Adraaf al-Ma'niyyah fil Yaman*, Beirut '1970 p.50

Chapter Five: The administration under the Yemen Arab Republic from 1962 until 1990

5.1. Introduction

This, the full study of public policy and the administrative systems and their influence's in local government and society in the Yemen Arab Republic (YAR), from 1962 until 1990.

This chapter focuses on the dynamics of the changes for administrative regulations and systems and transition from constitutions and enactment of theory to the implementation stage. It comprises as well the analytical study of the problems that accompanied the local administration and political modernization in the Yemen Arab Republic, during the 40 years, and after creation of the establishment of Yemen Arab Republic. Yemen has been racked by political instability and violence and it has witnessed several political, bloody coups. For example: the civil war between republicans and royals (Imamate followers) from 1962 until 1968, the ousting President of al-Sallal and al-Iryani from state baskets through a bloodless coup as well as civil conflict and wars between north and south of Yemen. However, the new president Al-Hamdi was assassinated followed by the assassination of president Al-Ghashmi. In addition, the present chapter tries to explore the mechanisms, and analysis for the major characteristics of the constitutional doctrines, which have been used for local administration and structure in the Yemen from 1962 to 1990. Change is an inherent nature to all laws, constitutions, structure and local administrative and political systems, as it is the case in life, the cosmos and people. In north Yemen, after the revolution, the founders and the architects of the YAR deemed it essential to produce a constitution, a written document that would spell out the rules and principles and the major characteristics of the new system, its institutions, and processes and its trajectories of state. "Such constitutions are efforts to evoke or provide a patina of more legitimacy. Accordingly, the new government proclaimed a provisional constitution a little more than a month after the overthrow of the Imam in October 1962. It was not however a terribly sophisticated document and it rather clearly rationalized the

preeminent role of the revolutionary command council, in whose name the revolution had taken place” (Wenner, 1991).⁵⁶

The new state therefore worked towards building these constitutional institutions that organise the different facets of living in the country and establish the rights and responsibilities. Due to this attempt, three temporary constitutions appeared.

The first was that issued in 1964 – the second in 1965 – and the third in 1967 – and much of these three were copies of the Egyptian constitution. The final constitution appeared. December 1970 and was the first to make progress towards meeting the aspirations of The Yemeni people and was an extension of the constitution of 1948, and was the main permanent constitution until the Unification in 1990.

The research will take a look at each of these constitutions in turn and analyse each one in relation to its connection and references to local administration. The Yemen was interested in the issues of local administration after the Yemeni revolution and was the start of organised local admin in the YAR in 1964. That was due to a directive from the President of the Republic, no 8 1964, and which upon was initiated the first ministry of local administration. The second directive (Qaraar) was no 7 1965, which okayed the first foundations for local administration in the YAR, similar again to the Egyptian experience. This legislation, with some amendments and changes, was used until the issuing of the subsequent legislation of no 64 1967. The legislation no 35 1980 appeared which w will again study and analyse, in addition to the legislations of the civil cooperation councils of no 35 1975, in the reign of President al-Hamdi and the Municipal councils (N0 52 1982) in the reign of President Ali Salih, and finally the legislation no 27 1985 for Local councils. All of these legislations were in the North of the Yemen. There no doubt that this study represents an important and necessary into in order to know the nature of the road that local administration has taken during this period, and then what has become of these since the unification.

In establishment of the new, states must reinforce more effectively the interrelationship between legal institutions, local administration system regulations and civil institutions and popular participation. Mr. Lucian. W. Pye argues; “we have been observing that the

⁵⁶ - Manfred W. Wenner “the Yemen Arab Republic Development and Change in an Ancient Land”. Published in 1991 in the United States of America by Westview Press, Inc. P147.

heart of the problem of change and stability in political societies is the interrelationship between law, administration and popular participation’ (Pye, 1996)⁵⁷

5.1.1 The creation of the Yemen Arab Republic

On 26 September 1962, the revolutionary army officers under the leadership of Colonel Abdullah al-Sallal, announced the establishment of the Yemen Arab Republic, based upon a republican constitutional and legal system, to replace the Imamate.

The September revolution successfully abolished the Imamate and terminated the reign of the Hamid al-Din dynasty, which had lasted approximately 70 years.

The revolution has ended the isolationism era that separated the Yemenis during the Imamate regime from the modern World. The revolutionaries and their new state had before them a complicated legacy of an exceptionally primitive nature in all its aspects, administrative, economic, and political. The suffering continued under the new regime due to civil war between the republicans supported by Abdul Nasir (the Egyptian ruler) and the royalists who were supported by the Saudi state, with a heavy impact on the political, administrative, economic and social stability of the Yemen. This war lasted from 1962 until 1968. Many Egyptians thinkers mentioned that the Egyptian intervention in the Yemeni conflict was a military and political disaster for Egypt and President Nasir as well as a mixed blessing for the fledgling YAR.

Table 2. Regime changes in the YAR from 1962 until 1990.

Date	Event	Deposed	Inaugurated
26 September 1962	Revolution, YAR declared	Imam Ahmad	Abdullah al-Sallal
05 November 1968	Compromise ends civil war.	Abdullah al-Sallal	Abd al-Rahman al-Iryani
13 June 1974	Corrective coup	Abd al-Rahman al-Iryani	Ibrahim al-Hamdi
11 October 1977	mysterious assassination	Ibrahim al-Hamdi	Ahmad al-Ghashmi
24 June 1978	briefcase of PDRY emissary explodes.	Ahmad al-Ghashmi	Ali Abdullah Salih

⁵⁷ - Lucian W. Pye “Aspects of Political Development” Copyright@ 1966’ Little, Brown and Company Published simultaneously in Canada.p125

The above table represents the regime changes in the YAR from 1962 until 1990. on elaboration, the figures mentioned on 'Inaugurated' have took over the figures mentioned on 'Deposed' with relation to the events stated.

5.2 The administration under Abdullah al-Sallal from, 1962 to 1967

Al-Sallal led revolutionary forces that deposed Muhammad al-Badr and forced the Mutawakkalite Kingdom of Yemen into exile. (Muhammad al-Badr was the last king of the Mutawakkilite Kingdom of Yemen (North Yemen), and leader of the monarchist regions during the North Yemen Civil War (1962-1970).

Al-Sallal presided over the newly founded Republic, with close ties to Egypt as the YAR's strongest ally in the war against the Mutawakkalite royalists that lasted into 1968. Yemen's President Abdullah al-Sallal negotiated with tribal leaders.

In order to face the challenge, the revolutionaries had to introduce a more advanced system. They relied heavily on the Egyptian system, since Egypt had dominated the Yemeni political scene due to its military interference in Yemen immediately after creation the establishment of the Yemen Arab Republic. The first change was the formation of the revolutionary command council (Maglas Qiyadat al-Thawra), headed by Abdullah al-Sallal himself. A new constitution for the Yemen Arab Republic was promulgated in 1963. This constitution was based on the Egyptian model. The 1963 laws legalized existing project activity and associations on the condition of an organizational structure to which few conformed.

Egyptian advisers supervised and put the rules and principles, and infrastructure for ministries and institutions in place. 'The Egyptians in Yemen, at one time numbering at least 60,000 soldiers and thousands of civil servants, teachers, and doctors, introduced many Yemenis to new ideas and ways of doing things, to a different, more modern way of life; indeed, they changed the face of-redesigned large parts of-Sanaa, Taiz, and al-Hudayda' (Nu'man, 1970) (Burrows, 1987).⁵⁸

The new state interested in the issues of local administration after the Yemeni revolution and was the start of organised local admin in the YAR in 1964. That was due to a

⁵⁸ -Al-Qadi al- Nu'man bin Muhammad, *Risalat Iftitah al-Da'wa* (Beirut: Dar al-Thaqafa, 1970) pp41.42. and mentioned Robert D. Burrows. *The Yemen Arab Republic, the Politics of Development*.p20

directive from the President of the Republic, no 8 1964, and which upon was initiated the first ministry of local administration.

The second directive (Qaraar) was no 7 1965, which okayed the first foundations for local admin in the YAR, similar again to the Egyptian experience. This legislation, with some amendments and changes, was used until the issuing of the subsequent legislation of no 64 1967.

A few of the achievements revolution council 'the maglas al-Qiyada', was adopted for the first time in 1964, paper currency contributing further to the growth of a market economy and a system of cash exchange. Also, the new republican regime in Sana'a, founded the first banking institution, the Yemen Bank for Reconstruction and Development (YBRD).

One of the crises that Faced system administrative in regime of al-sallal, in end 1964, resignation of Shaykh Ahmad M Nu'man, chairman of the consultative council and two deputy premiers, Muhammad M. al- Zubayri and Abd al-Rahman al-Iryani, resigned too as a protest against corrupt, impotent and bankrupt government and called for a new constitution.

In February 1965, Zubayri announced the formation of 'GOD's party' to advocate consultative republic rather than a military dictatorship. (There is a supplement by the Arabic language, in appendix on the reasons of the resignation).

In 20 April 1965, Shaykh Ahmad M. Nu'man, became Prime Minister and formed a civilian Cabinet and announced a new constitution which would be a parliamentary democracy with an independent judiciary.

'Under Egyptian guidance, at a time when the Egyptians had the dominant role in the republic and institutions, another constitution was announced on 28 April 1964. Because of this document's very obvious copying of Egyptian models, it was perceived as simply an Egyptian instrument and therefore met with considerable resistance among the more nationalistic republican elements... In fact, while the Egyptians bore the major responsibility for the republic (from 1962 to 1968), all the functions of a modern state bureaucracy and administration were carried out essentially by (and even for) the Egyptians" (Wenner, 1991).⁵⁹

⁵⁹ - Manfred W. Wenner . "the Yemen Arab Republic Development and Change in an Ancient Land". Published in 1991 in the United States of America by Westview Press p25

The founders of the new republic faced a number of problems in attempting to bring about the changes envisaged as either necessary first in the political and administrative systems then in the economic and social. In addition, they were without previous experience in the intricacies of governmental administration.

On 18 June 1966, and also 12 October 1967, in defiance of the constitution, al-Sallal appointed himself Prime Minister as well as president of the republic, although the administration was now completely controlled by Egyptian advisers.

After the revolution of 26-09-1962, the establishment of the Yemen Arab Republic, which was the first government formed was on 27-09-1962, in the virtue of the prescribe (Maglas Qiyadat al-Thowra) headed by Abdullah-al-Sallal. During the period of the regime Abdullah-al-Sallal formed 11 governments in 5 years. These are shown in the following table.

Figure 5. The period of the era of Abd Allah al-Sallal from 1962 – 1967

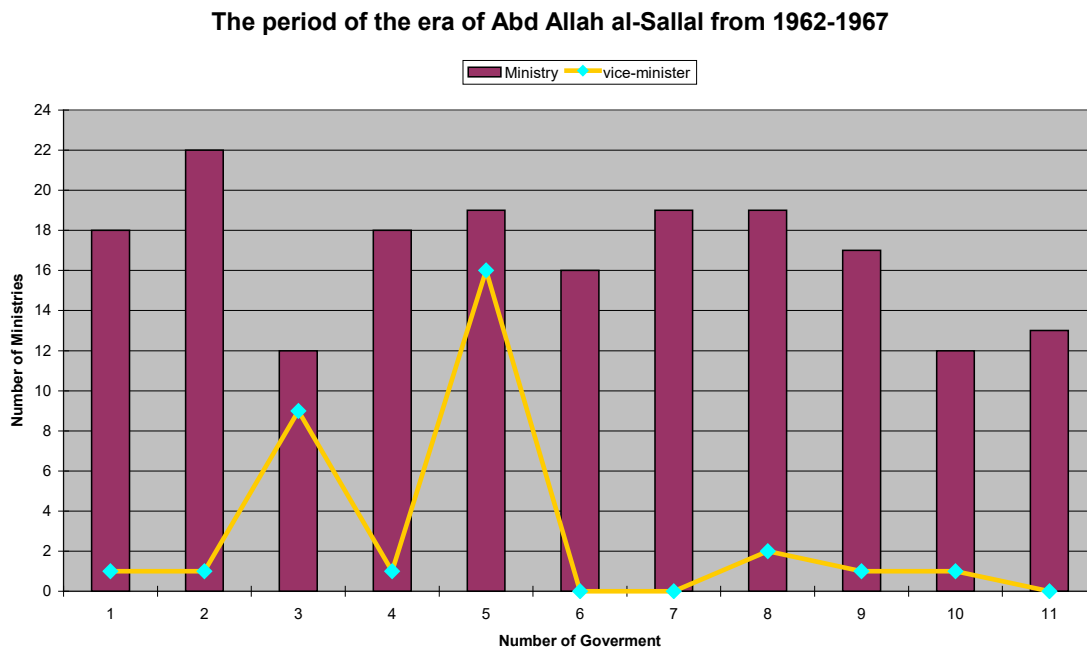


Figure 5 shows that during the period of Abdullah-al-Sallal regime, 11 governments formed in 5 years, the highest number of ministers were in the second government which consisted of 22 ministers, whereas the lowest number was in the third and the governments in which only 12 ministers were present. Additionally, the highest number

of vice-ministers was 16 in the fifth government in comparison to government 1, 2 and 4 which comprised of 1 vice-minister. Concerning governments 6, 7 and 11 there was no vice-ministers at all.

5.2.1 The structure of the central government how it worked

Yemen Constitution limits the period of the government for 5 years of rule at one particular time. However, al-Sallal period formed, 11 governments during 5 years. There are several reasons behind this formation and instability;

1. Continuing civil war between the royalists and the republicans from 1962 to 1968.
2. No previous experience in the intricacies of governmental administration.
3. Political, administrative and economic Instability.
4. 'Initial effort at building a modern state was largely ill conceived and hastily executed, and the changes were often more formal than substantive. Egypt had tried to make the YAR over to its own image, and most of the new institutions were pale carbon copies.... some remained inoperative paper organizational-ghosts, as some Yemenis have called them, and others were hastily staffed by a few holdovers from the Imamate who knew nothing about modern government and by young republicans who lacked prior experience with any form of government. Most of these institutions were closely controlled by Egypt, either directly through its own advisers or indirectly through Yemenis beholden to the Egyptians' (Wenner, 1991).⁶⁰
5. Individualism and lack of seriousness in establishing State of institutes.
6. Yemen's rugged terrain and the prevalence of illiteracy and ignorance among the tribes, was one of the causes of retardation and lack of administrative sophistication.
7. The modernization and development at period of al-Sallal was languid and tardy, inside the central and local the administrative. Believed their efforts to develop

⁶⁰ - Ibid p23

the YAR were being obstructed and put into jeopardy by the corruption, favouritism, cynical bargaining, and petty bickering.

During the period of the regime Abdullah-al-Sallal formed 11 governments' in 5 years.

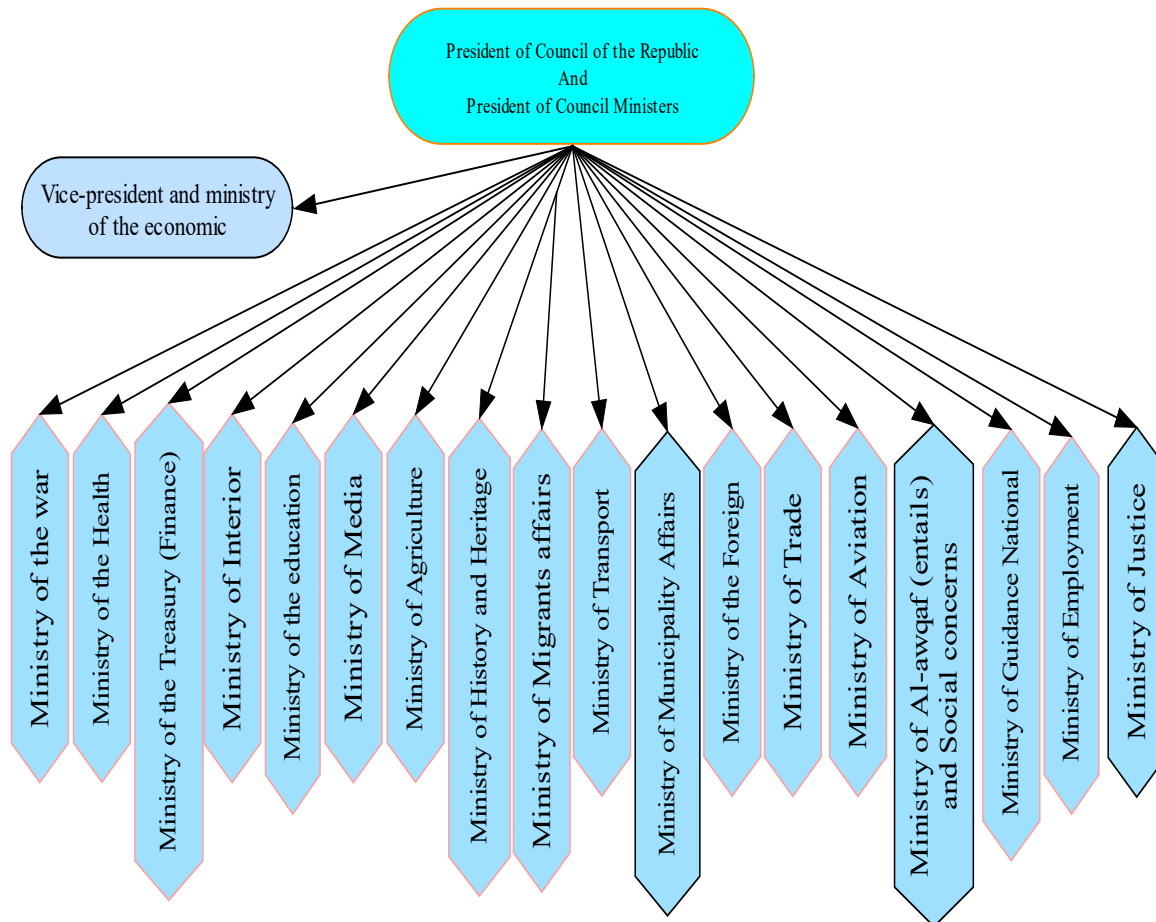
This study will take up four of the 11 models.

The first the model; the government formed after the September 26 revolution, the second model; (**The third** government formed by virtue of decision of the president of Republican N (3) on 25/4/1963, and it lasted about ten months from 25/4/1963 until 9/2/1964. It consisted of 12 ministries and 9, vice-ministry as the following figure shows: 'President of council of ministers beaded by Abd al-Rahman al-Iryani'), the third model; (**The fifth** government formed by virtue of president of republican N (13) on 3/5/1964; and it lasted about 8 months from 3/5/1964 until 5/1/1965. It consisted of 6 vice-presidents of council of ministers and 19 ministers and 16 vice-ministers, as the following figure shows 'President of council of ministers, headed by Hamood al-Jaeefi'), the fourth model; **the last** government in era al-Sallal, in 1967.

This study will represent five examples for governments that show the establishment of al-Sallal period. (government five examples: first, third, fifth, tenth and eleventh).

The first government formed on 27-09-1962 lasted 33 days from 27-09-1962, until 30-10-1962, and its structure consisted of 19 ministers as may be seen in the following: illustration ‘President of Council of Ministers headed by Abdullah al-Sallal. (The Legal Documents of YAR, 1982)⁶¹

Figure 6 The Structure of the First Government in the period of al-Sallal regime

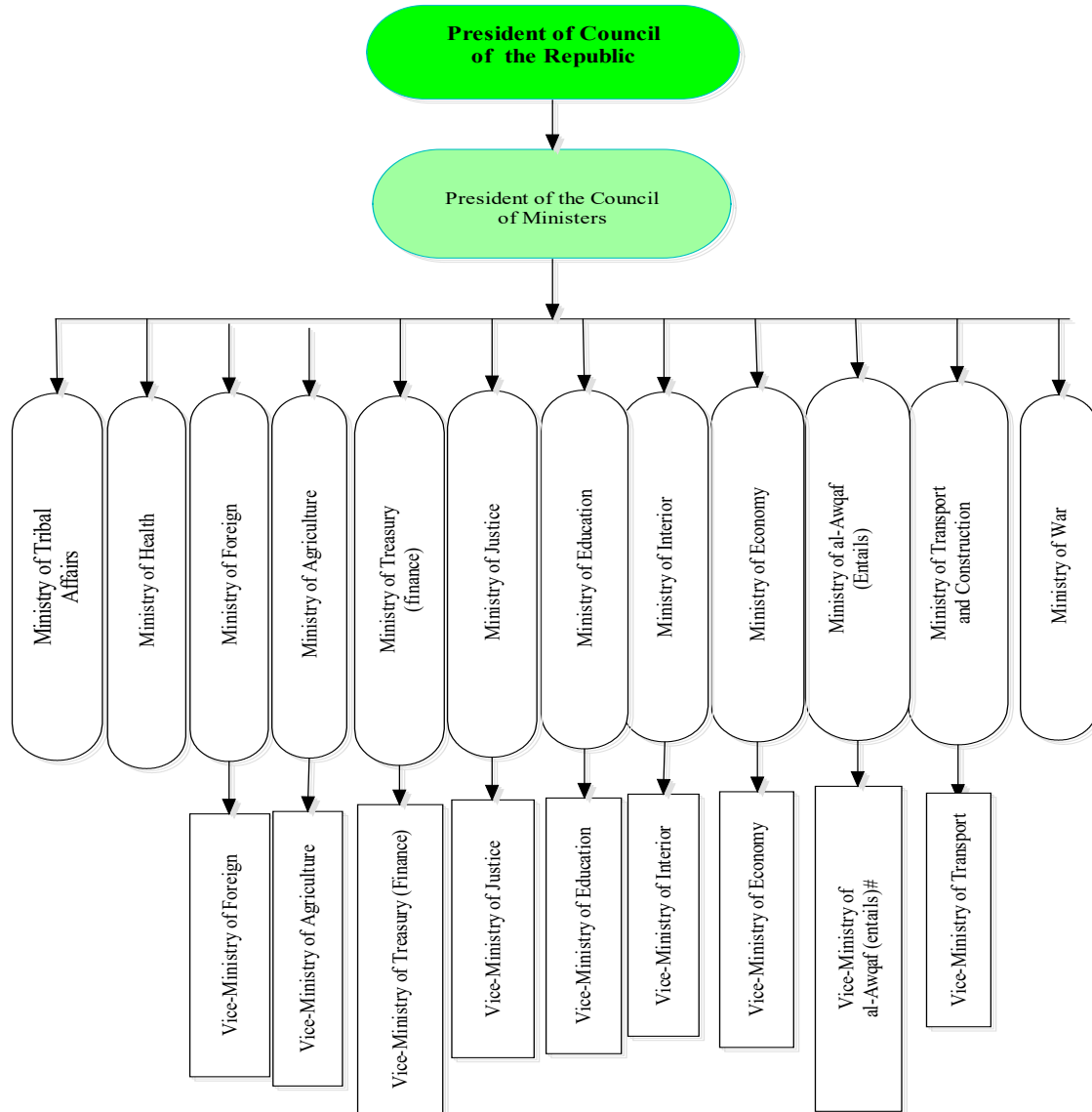


This figure shows the structure of the first Government in the period of al-Sallal regime, which, explains that al-Sallal was president of Republic and the council of Ministers. In addition, the figure represents the structure that consisted of 19 Ministries. This government was the first after the revolution against the Imamate.

⁶¹ - Documenten legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P5-21 Yemen News Agency (Saba)' September 2002' p11

The third government formed by virtue of decision of the president of Republican N (3) on 25/4/1963, and it lasted about ten months from 25/4/1963 until 9/2/1964. It consisted of 12 ministries and 9, vice-ministry as the following figure shows: ‘President of council of ministers beaded by Abd al-Rahman al-Iryani’. (The Legal Documents of YAR, 1982)⁶²

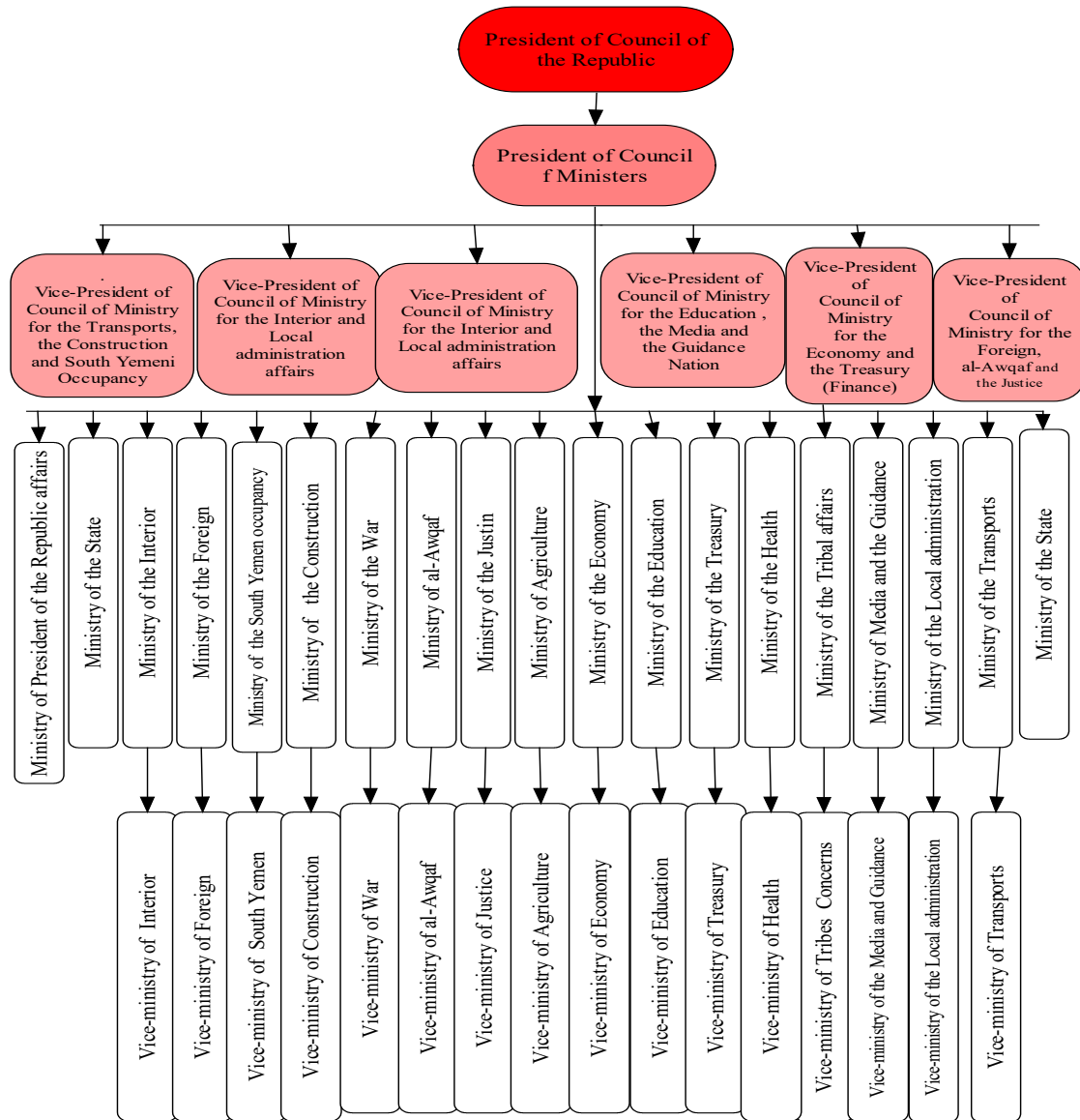
Figure 7. The structure of the third government in the period of the al-Sallal regime



⁶² - Documentents legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P5-21 Yemen News Agency (Saba)' September 2002' pp13

The fifth government formed by virtue of president of republican N (13) on 3/5/1964; and it lasted about 8 months from 3/5/1964 until 5/1/1965. It consisted of 6 vice-presidents of council of ministers and 19 ministers and 16 vice-ministers, as the following figure shows 'President of council of ministers, headed by Hamood al-Jaeefi'. (The Legal Documents of YAR, 1982)⁶³

Figure 8. The Structure of the Fifth government in the period of al-Sallal regime.

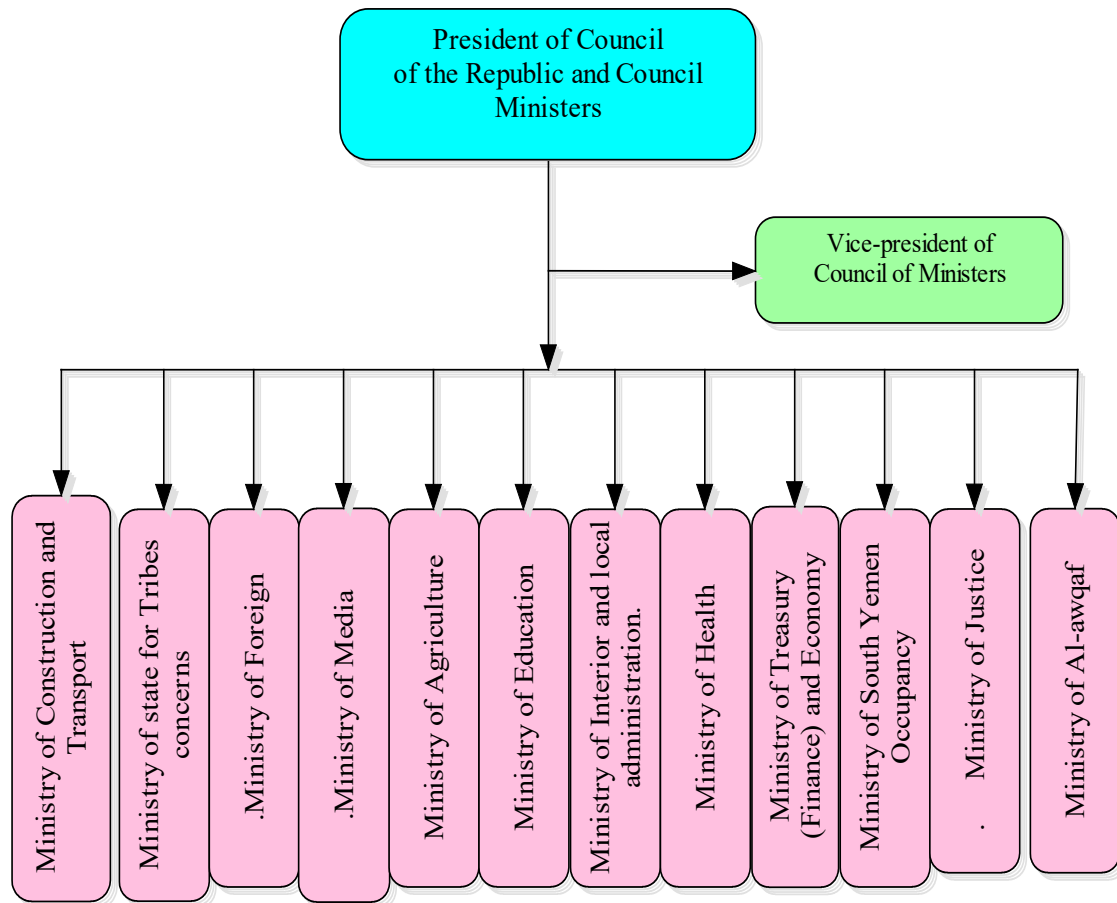


⁶³ - Documenten legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P5-21 Yemen News Agency (Saba)' September 2002' p15

The Tenth government formed by virtue decision of president of Republic

N (39) on 18/6/1966, and it lasted about 16 months from 18/6/66 until 11/10/1967. Is consist of one vice-president council ministers and 12 ministers as following figure snows: ‘president of council ministers headed by Abdullah al-Sallal’ (The Legal Documents of YAR, 1982).⁶⁴

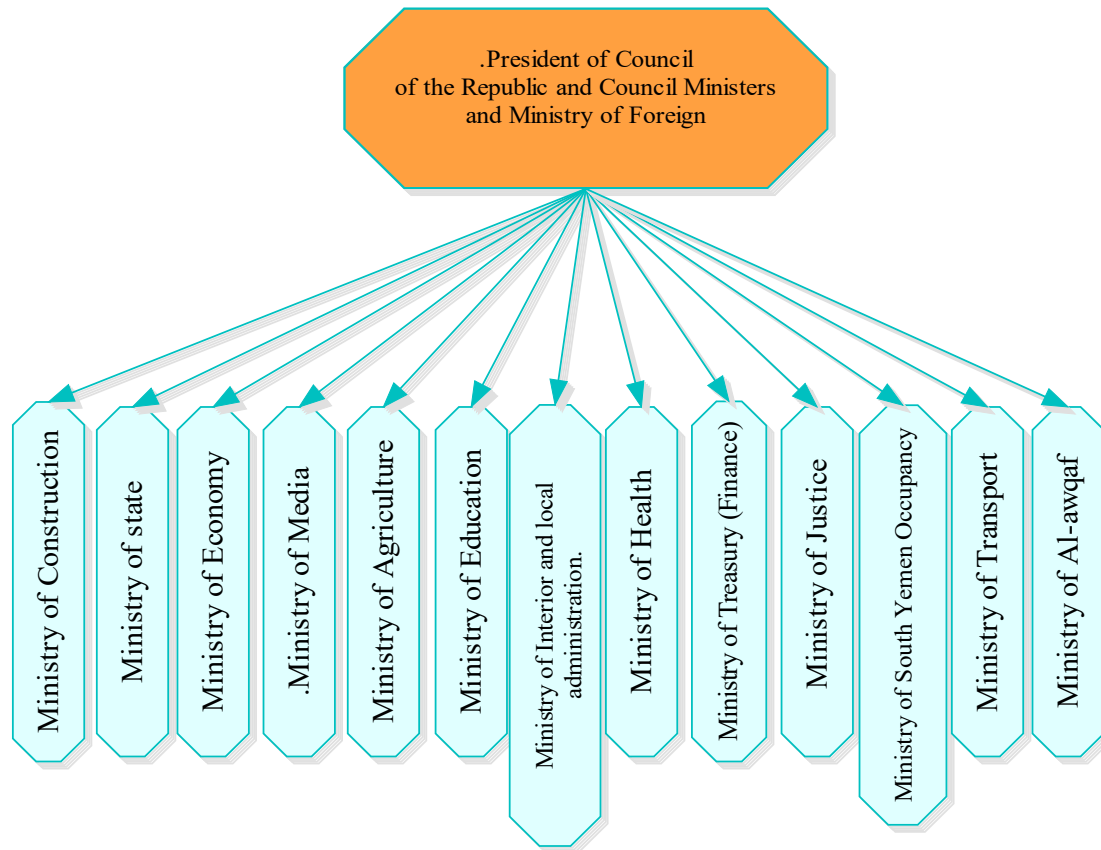
Figure 9: The Structure of the Tenth government in the period of al-Sallal regime.



⁶⁴ - Documentents legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P5-21 Yemen News Agency (Saba)' September 2002' p 19

The eleventh government formed by virtue decision of president on 12/10/1967, and it lasted about 22 days from 12/10/1967 until 4/11/1967; its formation consists 13 ministers; as following figure shows: ‘president of Republic, president of ministers and ministry of the Foreign this all headed by Abdullah al-Sallal’ (The Legal Documents of YAR, 1982).⁶⁵

Figure 10. The Structure of the Eleventh government in the period of al-Sallal regime.



By analysing the period of Al-Sallal’s regime, it is very apparent that a distinguishing feature of his leadership was the large number of governments he formed, the numerous changes made throughout each, and the distinctly short-lived nature of each of these numerous governments. During his leadership, Al-Sallal formed 11 governments:

⁶⁵ - Documentents legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P5-21 Yemen News Agency (Saba)’ September 2002’ p 20

- The first government lasted a total of 33 days.
- The second government lasted a total of 4 months.
 - (it is to be noted that during these first two governments, Al-Sallal occupied the positions of both President and Prime Minister.)
- The third lasted a total of 15 months.
- The fourth lasted a total of 80 days.
- The fifth lasted a total of 8 months.
- The sixth lasted a total of 13 months.
- The seventh lasted a total of 89 days.
- The eighth government lasted a total of 9 months.
- The ninth lasted a total of 23 days.
- The tenth lasted a total 12 months.
- The eleventh government lasted a total of 22 days.

During the first year the new state established as well a council of ministers. Lacking skills and experience, it did not prove to be a useful scheme for governance and the establishment of an effective. Laws were passed establishing a number of ministries and institutions. It could be argued that some of these new enterprises played important roles during the first years of the republic. These included

- 1- The Yemen construction and development bank in 1962.
- 2- Institution of public for administration in 1963.

Some of the new ministries performed important roles during the first years of the republic, but other ministries and institutions did. not performed any roles. They were merely structures without any influence.

I partly concur with Mr Robert D. Burrowes who said, “Nevertheless, this initial effort at modern state building was largely ill conceived and hastily executed, and the changes were often more formal than substantive. Egypt had tried to make the Y A R in its own image, and most of the new institutions were pale carbon copies....most of these institutions were closely controlled by Egypt, either directly through its own advisers or indirectly through Yemenis beholden to the Egyptians... He also said, “the Egyptian

intervention in the Yemeni conflict was a military and political disaster for Egypt and president Nasir as well as a mixed blessing for the fledgling YAR.” (Burrows, 1987).⁶⁶

I say for the purpose of indication and clarity the fact that intervention by Egypt in the Yemen and the support for a republican system played an important role, and attained many good things for the Yemen during the first years of the republic. For example:

- 1- Stabilising and consolidating the republican system.
- 2- Political and financial support.
- 3- Military support.
- 4- Administrative support through building of the governmental framework.
- 5- Educational support.

Despite the diversity of the Egyptian support and its outstanding size, it was accompanied by many negative policies, which lead to many crises.

5.2.2 The legal constitutional role of local administration

The legislation no 7, 1965, of local administration: (Republican-Decree, 1973)⁶⁷

the presidential Decree No,55 of 1973, which continued until the promulgation of Law No. 64 of 1976.

This legislation, like others, was characterised with the same divisional structure of local administrative units and their councils. These units were structured in three levels: 1. *Liwaa*’ (city) 2. *Qadhaa*’ (town) 3. *Naahiyah* (group of villages). It was also characterised by similar council structure in each of the units, as follows:

1. The divisional structure: The members of the council in view the legislation no 7, 1965 were made up of various appointed members, according to their previous positions, i.e., Governor of the *Liwaa*’, the military head officer, the head of security, the head of tribal affairs, and members from the service ministries such as electricity, education health, etc., in addition to members from the general public according to the local population. All of these members were appointed. Some were appointed by the President, others by Ministers and others from Minister of local

⁶⁶ -Robert D. Burrowes. The Yemen Arab Republic, the Politics of Development’ published in 1987 in UK by croon helm Ltd .p23

⁶⁷ - republican Decree No.55 year 1973 The legislation no 7, 1965, of local administration official gazette no7/8 1973

admin. This same council make-up is the same for *Qadhaa'* and *Naahiyah*. The laws required that the appointed members had the following attributes:

- a. To have the necessary inclination to become a member.
- b. Must be a permanent resident.
- c. Over 25 years old.
- d. Of good character.

The law stated a period of 3 years for membership without salary. For more info see section 61,62 of legislation 7, 1965.

Membership will cease if any of the following apply:

- a. Resignation
- b. Death
- c. Vote of no confidence from 2/3 of the council and a directive from the Minister of local administration

The heads of implementation in the local units is the governor the leader of the *Qadhaa'* and the *Naahiyah*. These three represented both local and central government.

2. Specialisations of local councils

After appointment and constitutional oath, in a public meeting, the local councils would start their work and the council would meet once a month, as well as the right to call extraordinary meeting at the request of the head of the council, the Governor of the *Liwaa'*. The law gave the power to the President of the Republic to abolish the council on the authority of a legislation giving reasons, and by a request from the Minister of local administration. The law makers unified the work of local administrative units in all its levels, except that most of the work was on the shoulders of the central city (*Liwaa'*). The law makers specified in the second section of the legislation no7 1965, the different responsibilities of the council in ten chapters. See the points 7 – 25 for further info. The law makers specified in the 8th section of this legislation. For the financial income for the councils it specified local means of fundraising, such as taxes, fees, and *zakaah*, as well as central means of funding, such as donations and budgets.

As for the local employees, the law makers indicated that they subscribe to the same rules and regulations for all state workers – see point 67 of the legis.

Comments on this legislation

- The administrative structure was completely undemocratic. All members were appointed by central directives.
- The local admin. System was a copy of the Egyptian system and not necessarily suitable for the Yemen.
- Lack of political stability lead to lack of development in local admin., so there is a strong relationship between political stability and the development of local administration.
- Civil wars were an important reason for lack of advancement in local admin.
- The law makers did not make clear the relationship between central and local admin, and between the state judiciary and the legislative powers.
- The local councils did not have independence in implanting their work.
- The sources of funding were mostly central.
- There was no clear method of accountability for the work of the councils, which resulted in the failure of most of the councils at that time.

5.2.3 The local administrative structure

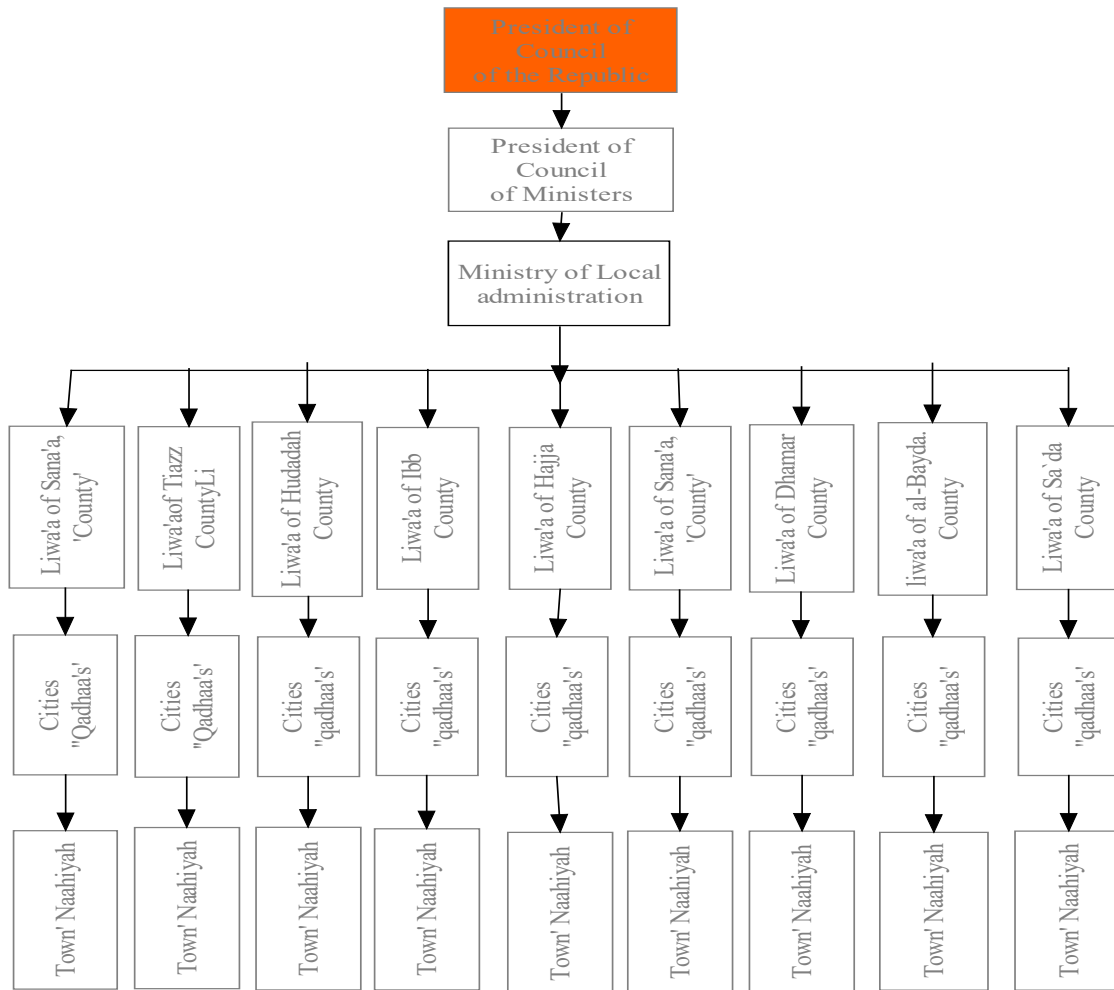
The al-Sallal regime interested in the issues of local administration after the Yemeni revolution and was the start of organised local admin in the YAR in 1964. That was due to a directive from the President of the Republic, no 8 1964, and which upon was initiated the first ministry of local admin. The second directive (Qaraar) was no 7 1965, which okayed the first foundations for local admin in the YAR, similar again to the Egyptian experience. This legislation, with some amendments and changes, was used until the issuing of the subsequent legislation of no 64 1967. The modernization and development at period of al-Sallal was languid and tardy, in side the local administration. The reason was civil war which did not permit the government to modernize the administration. There was no administrative, political, and economic stability. During the period of the al-Sallal regime and the years of unstable tutelage under Egypt, work was done to replace the Imamate system with the institutions and practices of modern government via a host of Egyptian advisers. These men supervised the wholesale replacement of the Imam's government with a council of ministers and other government agencies. A number of

administrative systems were created. Some of these new enterprises played important roles during the first years of the republic nevertheless, this initial effort at building a modern state was largely ill conceived and hastily executed, and the changes were often more formal than substantive. In the first government during al-sallal period formed ministry of local administration, this ministry was responsible for the local administrative units and their councils, [the three levels: 1. Liwaa' (city) 2. Qadhaa' (town), 3. Naahiyah (group of villages)] (National Institute of Local Administration, 1973)⁶⁸.

The law gave the power to the minister of local administration the supervision, nomination and appointment and change the heads and members of the local administrative units.

⁶⁸ - local administration documents in YAR and national institute of local administration in snaa'a, see the office of the leadership council and council of ministers 1973

Figure 11 The administrative units structure under al-Sallal regime



The figure above clarifies the Yemeni legislator divided YAR territory, into nine counties or administrative units and they are called, (liwaa's): 1) Liwaa of Sana'a, 2) Liwaa of Tiazz, 3) Liwaa of Hudadah 4) Liwaa of Ibb 5) Liwaa' of Hajja 6) liwaa of al-Bayda 7) Liwaa of Damar 8) Liwaa of Sa'da. Each (liwaa') . Then each county was in turn divided into many cities ('Qadhaa's') according to population and the nature of the area, each city ('Qadhaa's'). Finally, the cities ('Naahiyah') were divided into many villages.

‘All the administrative units under minister of local administration’

5.2.4 General Assessment of the Administrative Performance 1962-1967

1. The modernization and development at period of al-Sallal was languid and tardy, inside the local administration. The reason, was civil war which did not permit the government to modernize administration. There was not administrative political, economic stability. This is because that there is a strong correlation between modernization and development, administration, political and economical stability.
2. During the period of the al-Sallal regime and the years of unstable tutelage under Egypt, work was done to replace the Imamate system with the institutions and practices of modern government via a host of Egyptian advisers.
3. Some new enterprises played important roles during the first years of the republic, Nevertheless, this initial effort at building a modern state was largely ill conceived and hastily executed, and the changes were often more formal than substantive.
4. By analysing the period of Al-Sallal's regime, it is very apparent that a distinguishing feature of his leadership was the large number of governments he formed, the numerous changes made throughout each, and the distinctly short-lived nature of each of these numerous governments. During his leadership, Al-Sallal formed 11 governments:
 - The first government lasted a total of 33 days.
 - The second government lasted a total of 4 months.
 - (it is to be noted that during these first two governments, Al-Sallal occupied the positions of both President and Prime Minister.)
 - The third lasted a total of 15 months.
 - The fourth lasted a total of 80 days.
 - The fifth lasted a total of 8 months.
 - The sixth lasted a total of 13 months.
 - The seventh lasted a total of 89 days.
 - The eighth government lasted a total of 9 months.
 - The ninth lasted a total of 23 days.

- The tenth lasted a total 12 months.
- The eleventh government lasted a total of 22 days.

During the tenth and eleventh governments, Al-Sallal occupied the positions of Prime Minister, Foreign Minister and President of republic.

All this points to an obvious conclusion: during the leadership of Al-Sallal there was a distinct lack of political and administrative stability and continuity.

5. The new administrative system was not introduced in a gradual manner and its institutions were not given enough time to grow or progress in a natural way of development. This was coupled with a lack of experts needed to assist both Yemeni administration and its institutions.
6. Yemen's rugged terrain and the prevalence of illiteracy and ignorance among the tribes, was one of the causes of retardation and lack of administrative sophistication.
7. During the period of the governing of al-Sallal the president and the prime minister came from the military field except one government was the prime minister came from civilian field and it continued 90 days only.
8. The regime of Abdullah al-Sallal was blighted by a civil war, which did not permit the government to modernize its administration. This is because there is a string correlation between modernizing and development and administration, political and economical stability.
9. 'A United States embassy survey in early 1965 found nearly fifty Yemeni graduates of higher education living in the YAR'. (Burrows, 1987)⁶⁹ Consequently, lack of stability and continuity influenced by poorly qualified or few graduates available for top jobs. Therefore, education should be most important to the future of Yemen society.
10. The main goal of the new state was to fixate the establishment of the republican regime in Yemeni.
11. Many problems were encountered by the al-Sallal government in its attempt to achieve a complete governmental control over the country. The largest was the six

⁶⁹ - Robert D. Burrowes. 'The Yemen Arab Republic, the Politics of Development'. 1962-1986" Published in 1987 in the Greet Britain by Croon Helm Ltd), p25.

- years civil war, which started immediately after the revolution. In addition the geographic and demographic characteristics of north Yemen, together with variations in geography, traditions, doctrines, and life style, adversely worked against the government efforts towards complete control. Then to the work of development of the country.
12. The examination al-Sallal era I found that three constitutions were declared during the first six years of republic. The first constitution on 30 October 1962, the second on 28 April 1964, the third on 8 May 1965. These frequent changes denote constitutional instability.
 13. During the first year a number of institutions and ministries that were not present during the Imamate reign were established. This has had both positive and negative consequences because these institutions were established without any previous study concerning their applicability and suitability to the Yemeni society during that period.
 14. The engineers of these administrative systems did not consider the compatibility of the newly introduced institutions with the requirements of Yemeni society. They were content with the introduction of administrative structures borrowed from modern states in general and the Y.A.R in particular.
 15. These institutions had their designated general duties, but were not positively fulfilled due to the lack of both human and material resources.
 16. It had of course been difficult, if not impossible, for the Yemen Republic to build a complete administrative infrastructure, a modern economy, and a new political system while it was engaged in fierce civil war.
 17. The founders of the new republic have faced a number of problems while attempting to establish the new state institutions. They were without previous experience in the intricacies of government administration.

Table 3. The governmental changes in the Abdullah al-Sallal's regime from 26/09/1962 until 04/11/1967

Date	Prime Minister
26/09/1962 to 24/04/1962	Abdullah al-Sallal
25/04/1962 to 24/04/1963	Abdullah al-Salla
25/04/1963 to 09/02/1964	Abd al-Rahman al-Iryani
10/20/1964 to 02/05/01964	Hassan al-Amri
03/05/1964 to 05/01/1965	Hamood al-Jaeefi
06/01/1965 to 19/04/1965	Hassan al-Amri
20/04/1965 to 19/07/1965	Ahmad M Numman
20/07/1965 to 15/04/1966	Hassan al-Amri
16/04/1966 to 17/06/1966	Hassan al-Amri
18/06/1966 to 11/10/1967	Abdullah al-Salla
12/10/1967 to 04/11/1967	Abdulla al-Salla

5.3 Administration under Abd al-Rahman al-Iryani from 1967 to 1974

5.3.1 Introduction

The al-Sallal regime came to an end ousted in November 1967, after the withdrawal of the Egyptian armed forces from the Yemen. The Khartoum concord in August 1967 ended the long confrontation between republicans and royalists in Yemen, as well as national reconciliation in North of Yemen by a broad coalition, from prominent Scholars, tribe leaders, judges, intellectuals, and some from armed forces. The bloodless coup, over al-Sallal was replaced by a republican council chaired by the Qadi, Abd al-Rahman al-Iryani, and two members of the council; Ahmad M. Nu'man, and Muhammad Ali Uthman. The first objective of the new government was the establishment of the Republican Council, instead (revolutionary command council), under the leadership of Qadi Abd al-Rahman al-Iryani, who was the chairman, and Ahmad Muhammad Nu'man, and the Shaykh Muhammad Ali Uthman. A Prime Minister (Muhsin al-Aini) and also a vice-president of minister was appointed, as well as 14 ministers for the ministries were created during the al-Sallal period. The republican council was formed with a rotating chairmanship, it was the only institution that was formed from the beginning. It was clear that the leadership's desire was to end the one-man rule, be it of an imam or a soldier (in the case of al-Sallal). This new institution took root quickly due to the prestige and personality of president al-Iryani. It is worth mentioning that President Abd al-Rahman al-Iryani was the only civil president in the history of the republic until this day. All presidents were from the military side.

There were some changes made to the names of the ministries, there were also additional changes made. The first attempt for state building in the al-Iryani regime was in the middle of 1968, at a time when the al-Amri government, it consisted of the formation of two offices attached to office of the Prime Minister, the legal office (an agency that drafted laws and provided the state with legal advice) and the Technical office. The creation of two offices that are attached to the office of the Prime Minister is the first step in the building of the Modern Yemeni State. In addition, there was a will and there were attempts for the state building and efforts which focused on financial management, the formation of the administration, economic and development planning.

The most important period at the time of al-Iryani, was the act of state building between 1971 and 1974, in which the establishment of the Consultative Council and also the establishment of the Central Planning Organization (CPO). The modest increase in the capacity of the state to plan and to manage, and through the three governments of al-Aini, al-Hajri and Makki, was marked by a significant increment in the capacity of the Yemeni state to manage its economic and finance to plan its future development. “By contrast, little was done during this period to create other institutions that are usually thought of as more essential to the modern state for example, professional armed forces, a rationalized bureaucracy, and a secular legal system. This putting of the cart before the horse in state building was probably a matter of both necessity and choice. The immediate security concerns, the acute financial crises, and the vested interests of the more powerful elements in the al-Iryani regime combined to largely determine what sort of state building could be undertaken’. (Burrows, 1987)⁷⁰

To perform new tasks in the government and in the private sector. This period saw the founding of the University of Sana’a and the adoption of a plan to create a new school of public administration. the university began in 1970 on a modest basis with a teachers' training program and a law school. The creation of the National Institute of Public Administration (NIPA) in end al-Iryani regime.

In al-Iryani regime was the financial crisis and the soaring rate of inflation, the collapse of the Yemeni the currency, and the growing deficits in the government budget and the balance of payments were only the most dramatic of the many economic, administration and financial problems facing the YAR.

In 1969 a national council was established; the council was made up of forty-five appointed members. The major objective of the national council was the drafting and preparation of the first permanent constitution, for the Yemen Arab Republic. The al-Iryani regime initially operated within a vague, inchoate constitutional framework. Was for the national council its presence and came to play an important part in the political

⁷⁰ - Robert D. Burrows “the Yemen Arab Republic; the Politics of Development 1962-1986” Published in 1987 in the Greet Britain by Croon Helm Ltd), p38/39.

and decision-making process. a major task of the national council in 1970 was the drafting of the YAR's first permanent constitution.

In March 1971, Majlis al-Shura "parliamentary council the first" was established. It consisted of 179-member legislature, the consultative council.

The twenty of the members of parliamentary council appointed by the chairman of the republican council and the remaining 159 elected indirectly by electors chosen by residents at local electoral districts, this was the most important achievement during the al Iryani period. The Majlis al-Shura was a main objective of (Al-Mithaq al-Watani al-Muqaddas,) The Sacred National Charter for year 1948. It was also the first national elections for Y.A.R. Majlis al-Shura under the new constitutional system (this was the first experience of democracy in Yemen, although it contained many shortcomings it was an important step towards democracy). As this settled into a more regularized pattern, the council became an increasingly powerful institution. The Yemeni traditions of political leadership and responsibility reasserting, the unique position, influence, and characteristics of the tribes in north Yemen are an important part of the contemporary political system. As noted earlier, the Consultative Council was dominated by tribal shaykhs, conservative notables and Al-Ikhwan al-Muslimun. And was for council and its members the growing influence and had become symbol on the national level and also was for shaykh Abdullah ibn Husayn al-Ahmar role notable, in council because al-shaykh al-Ahmar was president of the council and the most powerful in Yemen.

I suppose laws and constitutions on their own do not create a modern nation, and do not make a developed administrative system. But before the implementation stage, must be given to popular politics a people should have a legal and constitutional consciousness but 'many of them bridled at the need to cater to the parochial and selfish interests of the tribalism on matters that they somewhat unrealistically and self- righteously regarded as technical, above politics, and in the interests of all Yemenis.

Al-Iryani had a major role in the YAR constitution 1970, which was a national product after a year's genuine debate; in which the invitation of various groups (tribal chiefs, Scholars of religion, educated citizens, youth, business men and all who had an impact on the Yemeni society) to discuss the constitution. There was a true attempt to find a

political system appropriate to the country as they guaranteed one-fifth of the consultative council (Majlis al-Shura) should be appointed and that a two-thirds majority would be required to approve legislation.

Al-Irayni played a major role in the YAR constitution in 1970, which was a national product after a year's genuine debate; in which the invitation of various groups to discuss a draft occurred. The impact of religious leaders triumphed and the outcome of the document that declared the source of legislation began with verses from the Qur'aan. This indicated a much stronger commitment to the shariah than any other modern constitution. Islamic concepts of social justice in taxes and economic measures were ensured by a supreme constitutional court of Ulama. On the contrary to popular belief, a wholly elected parliament dominated by conservative tribal chiefs did not belittle the views of the educated young rather there was a true attempt to find a political system appropriate to the country as they guaranteed one-fifth of the consultative council (Majlis al-Shura) should be appointed and that a two-thirds majority would be required to approve legislation.

5.3.2. The Constitutional development and the rules of constitutional

This research will present some points from the permanent constitution, and will focus the light on the texts that were mentioned in the division of powers (legislative, judicial and executive), and will explain administrative systems. The national council (YAR), was officially proclaimed on 28 December 1970, the constitution (the permanent constitution), of the Yemen Arab Republic, this constitution consists of Preamble and Eight Parts. This constitution is the first in the republic with national production. This constitution in theory is considered an advanced step where it includes, the basic principles from rights, human rights obligations, realising the separation of powers and affording a safeguard against exposure to the rule of coercion and humiliation under any type of dictatorial rule.

Some points from the constitution;

'We live today in an era witnessing the progress of nations and the advancement of science and knowledge, interlocked with each other politically, economically, and culturally. Therefore, it is incumbent upon us to learn and benefit from those nations advanced in science and progress but at the same time preserving our character, customs, and heritage which by their nature should in no way impede our march toward our goal of progress' (Constitution of YAR, 1970).⁷¹

In order to eradicate the isolation from the world and ignorance that the Yemeni people inherited from Imamate regime, therefore, stated as an objective in the constitution:

'We should open the doors of Yemen for all useful sciences, arts, and cultures, experienced by all nations, and should, with perception, study, and scrutiny, obtain wisdom wherever it is found and strengthen our ties with our brothers the Arabs and between ourselves and our friends in both the East and the West' (Constitution of YAR, 1970).⁷²

The following section will briefly review the most important aspects of the constitution with regard to administrative regulations and the administrative system.

The constitution provides for the election the Majlis al-Shura from 159 members, 20% of whom are appointed. the council supervises the work of the executive (Article 46), and the term of the Majlis al-Shura is four solar years (Article 50) it is the supreme legislative body of the State and responsible for supervising the business of the executive authority (Article 44 and Article 45) (Constitution of YAR, 1970)⁷³.

The constitution provides for the Republican Council represents the Presidency of the State. It is the body responsible for specifying the State's general policy and for supervising its execution (Article 73) and The Chairman of the Council is the President of the State and Commander in Chief of the armed forces (Article 74), the Republican Council consists of no less than three members or more than five members nominated and elected by the Majlis (Article 76) (Constitution of YAR, 1970) .

⁷¹- See documents "the permanent constitution of Y A R 1970

⁷² - instruction . "the permanent constitution of Y A R 1970

⁷³ - Article 44 and Article 45, 46 and 60). "the permanent constitution of Y A R 1970

Article 77: The term of the Council is five solar years beginning with the date of announcement of the results of the elections.

Article 78: The members of the Republican Council elect among themselves a chairman. The Chairmanship is rotating and the election of the Chairman of the Republican Council shall take place sixty days before the end of the term. No election of a new chairman of the Republican Council shall take place in the event of the resignation of the Council of Ministers.

Article 80: It is not permissible for the Chairman or a member of the Republican Council during his term of office to practice, even indirectly, a free profession or commercial, financial or industrial activity, or to buy or rent any government property even by means of public auction, or to rent to the Government or to sell to it any of his properties or to exchange these with the Government' (Constitution of YAR, 1970).⁷⁴

'Article 95 of constitution stated The Government is the supreme executive and administrative body of the State.

Article 96: The Government is composed of the Prime Minister and a number of Ministers as needed in the public interest.

Article 97: The Prime Minister nominates the members of his Cabinet with the approval of the Republican Council and seeks the confidence of the Majlis al-Shura after the presentation of his Government's political program (Constitution of YAR, 1970).⁷⁵

in order to block the ways of corruption, the constitution stated in Article 102 'this article does not applied in the ground, unfortunately'.

'Article 102: During his term of office, it is not permissible for a minister to occupy another public post or to exercise, even indirectly, another profession or a commercial of financial or industrial activity. Also, he is not allowed to share in the contracts concluded by the Government or public establishments or to combine his ministerial post with membership on the board of directors of any commercial firm. During the said period, he shall have no right to buy or to rent any Government property or to exchange the same with it even by means of public auction, or to rent or to sell to the Government any of his own property or exchange the same with the Government.

⁷⁴ See Document of "the permanent constitution of Y A R 1970-

⁷⁵ - See Document of the permanent constitution of Y A R 1970

Article 106: The Government performs the following functions:

- a. directs and co-ordinates and reviews the duties of ministries and public establishments and organisation, in accordance with the law.
- b. issues administrative and executive resolutions in accordance with laws and resolutions, creates departments and public organisations, and insures administrative control over such organisations.
- c. prepares draft laws and resolutions to organise governmental systems, insures the execution of development programs and the development of the economy, implements Islamic social justice, defends traditions and develops national culture and encourages scientific research in accordance with the State's fundamental principles as laid down by the Republican Council.
- d. appoints and discharges employees according to the law.
- e. prepares the draft budget of the State prior to forwarding it to the Majlis al-Shura.
- f. ensures the implementation of laws, safeguards public finances and interests within and outside the country, and protects the rights of the citizens.
- g. supervises the organisation and administration of matters pertaining to the monetary, trust, and insurance systems of the State.
- h. concludes loans and grants them within the general policy of the State' (Constitution of YAR, 1970).⁷⁶

❖ LOCAL ADMINISTRATION

Article 109: The territory of the republic is divided into administrative units, and law defines their number, divisions and boundaries. It also defines the responsibilities of those functioning in the administrative units.

Article 110: The administrative units shall have local councils in which the affairs of the regions shall be administered in a democratic manner according to the law (Constitution of YAR, 1970).

⁷⁶ - See "the permanent constitution of Y A R 1970

5.3.3 The structure of central and local administration

Once Egyptians withdrew from north Yemen, in November 1967, there was national reconciliation in north of Yemen by a broad coalition, from Scholars prominent, Tribes leaders, Judges, Intellectuals and some from armed forces, under the leadership of Qadi Abd al-Rahman al-Iryani the ended regime al-Salla.

During the period of the era of Abd al-Rahman al-Iryani ‘formed 11 governments during Six years’ and eight months.

In the era of al-Iryani's presidency, there was fiscal problems in the successive governments which led to increasing instability and conflict in Yemen. This more than any other factor explains why the first seven governments in the al-Iryani era lasted on the average less than six months. Between July 1969 and July 1971, three governments failed due to of fiscal problems and disputes over the budget had become irreconcilable.

Figure 12 shows that during the period of Abd al-Rahman al-Iryani regime

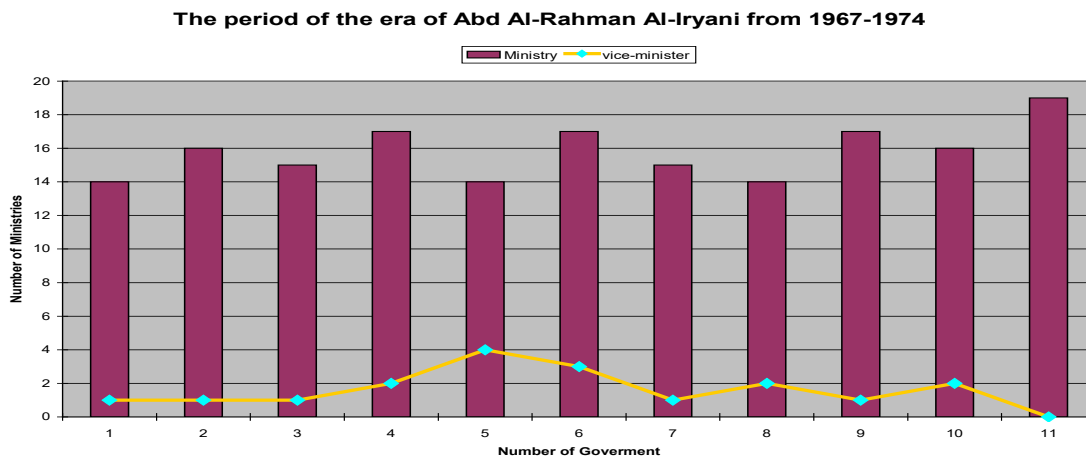


Figure 12 shows that during the period of Abd al-Rahman al-Iryani regime, 11 governments formed in 5 years, the highest number of ministers were in the government 11 which consisted of 19 ministers, whereas the lowest number was in the 1,5 and 8 the governments in which only 14 ministers were present. Additionally, the highest number of vice-ministers was 4 in the fifth government in comparison to government 1, 2 ,3,7 and 9 which comprised of 1 vice-minister. Concerning governments 11 there was no vice-ministers at all.

During The seven years of President al-Iryani period, 11 governments were established, this study will mention five them for example. (the first, fifth, sixth, eighth and eleventh governments). The first government formed by virtue of decision of the Republican council on 5/11/1967, and it lasted about 45 days from 5/11/1967 until 20/12/1967. It consisted one vice-president of ministers and 14 ministers, as following figure snows: 'president of council of ministers headed by Muhsin al-Aini (The Legal Documents of YAR, 1982):⁷⁷

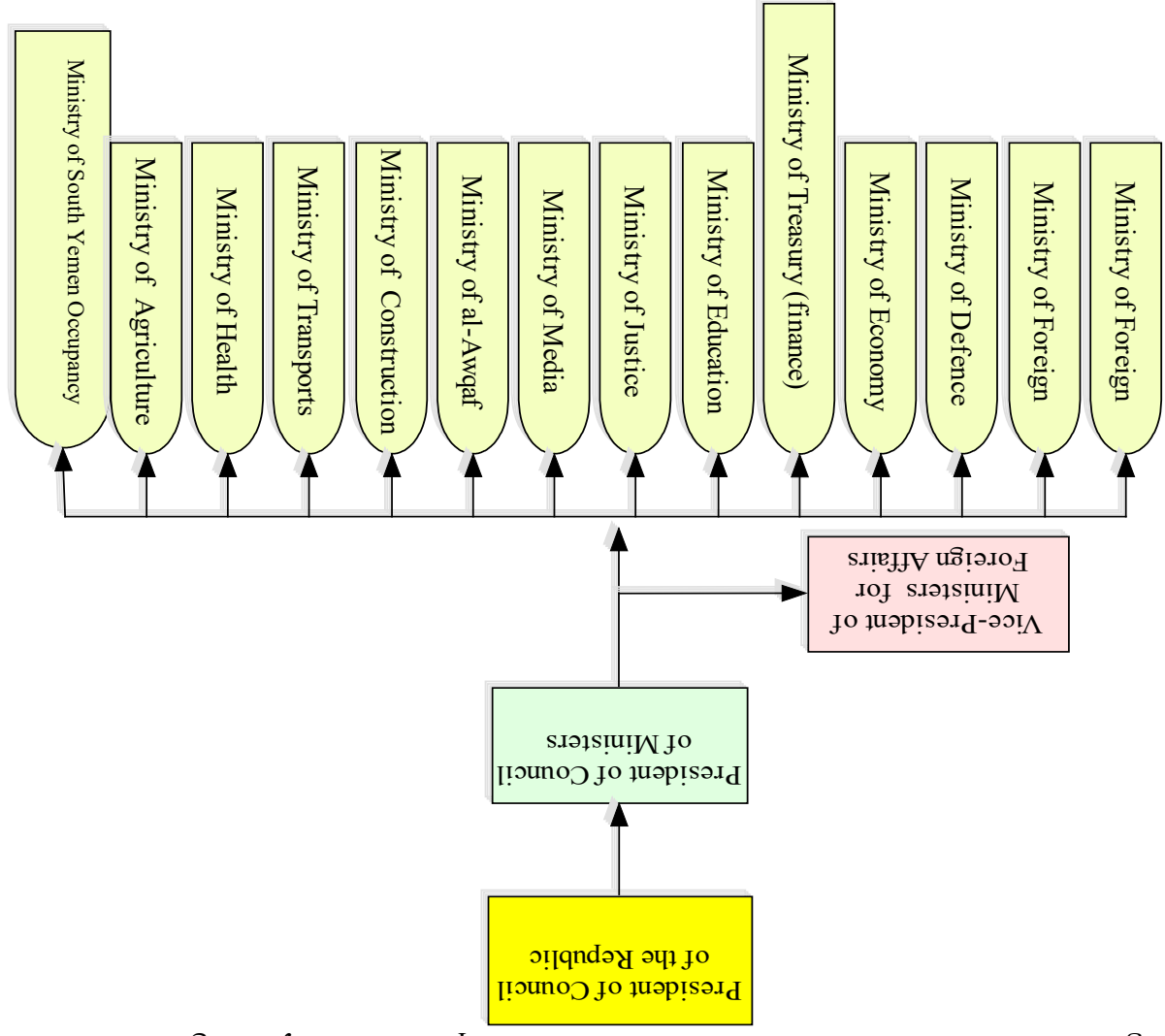
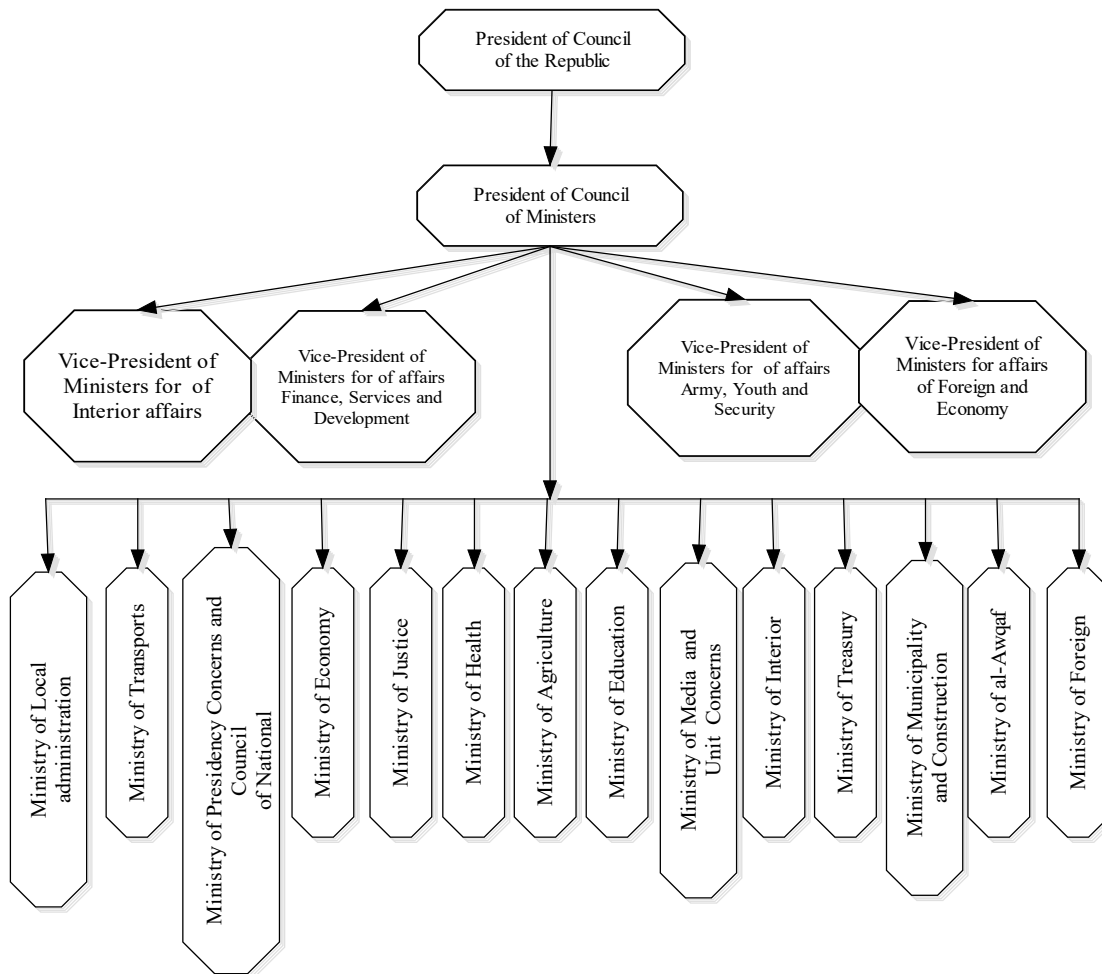


Figure 13. The Structure of the First Government in the period of al-Iryani regime

⁷⁷ - legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P22-41 and Yemen News Agency (Saba) September 2002' p30

The fifth government formed by virtue of decision of the Republican N (60) on 2/9/69, and it lasted Six months from 2/9/1969 until 4/2/1970. It consisted four vice-president of ministers and 14 ministers, as following figure shows: ‘the president of ministers of council headed by Abdullah al-Kurshumi’ (The Legal Documents of YAR, 1982).⁷⁸

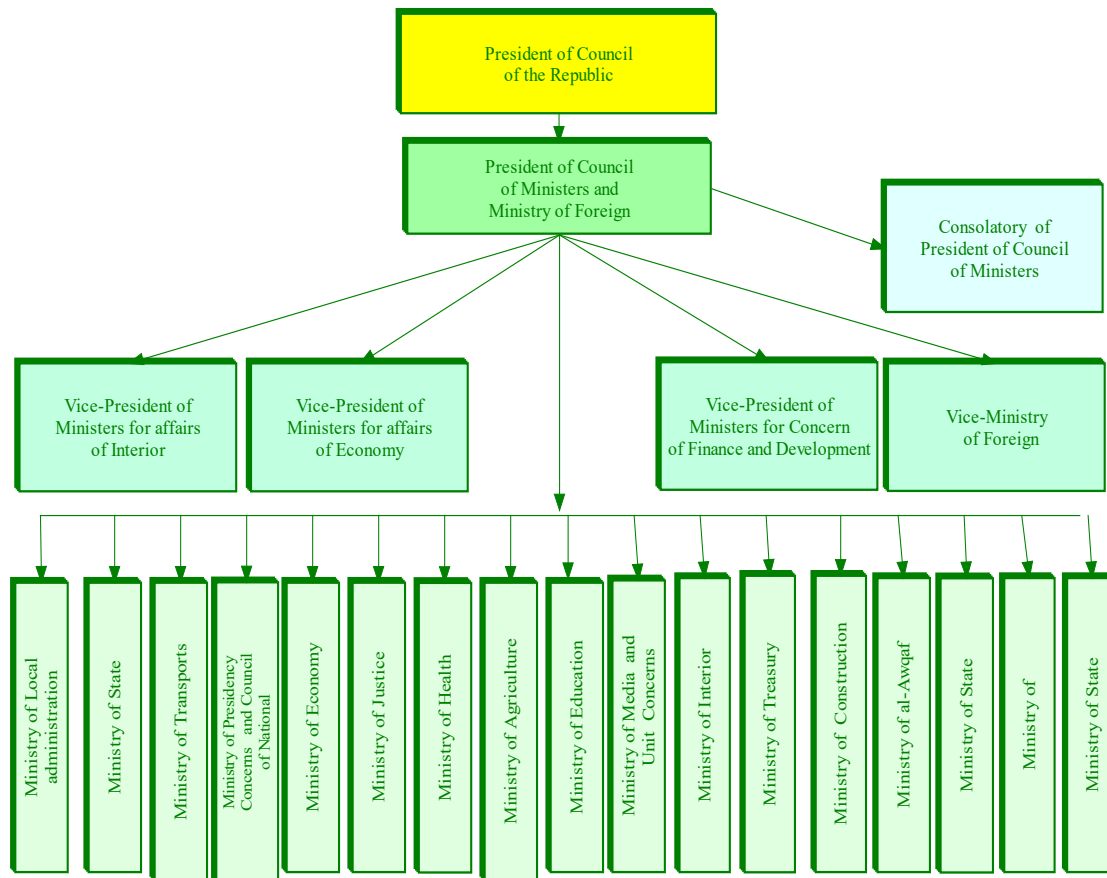
Figure 14. The Structure of the Fifth Government in the period of al-Iryani regime



⁷⁸ - legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P22-41 and Yemen News Agency (Saba)' September 2002' p34

The Sixth government formed by virtue of decision of the Republican N (4) on 5/2/70, and it lasted about 15 months from 5/2/70 until 2/5/71. It consisted 3 vice-president ministers and 17 ministers as following figure snows⁷⁹. ‘the president of ministers of council and ministry of the Foreign, headed by Muhsin al-Aini. (The Legal Documents of YAR, 1982)’.⁷⁹

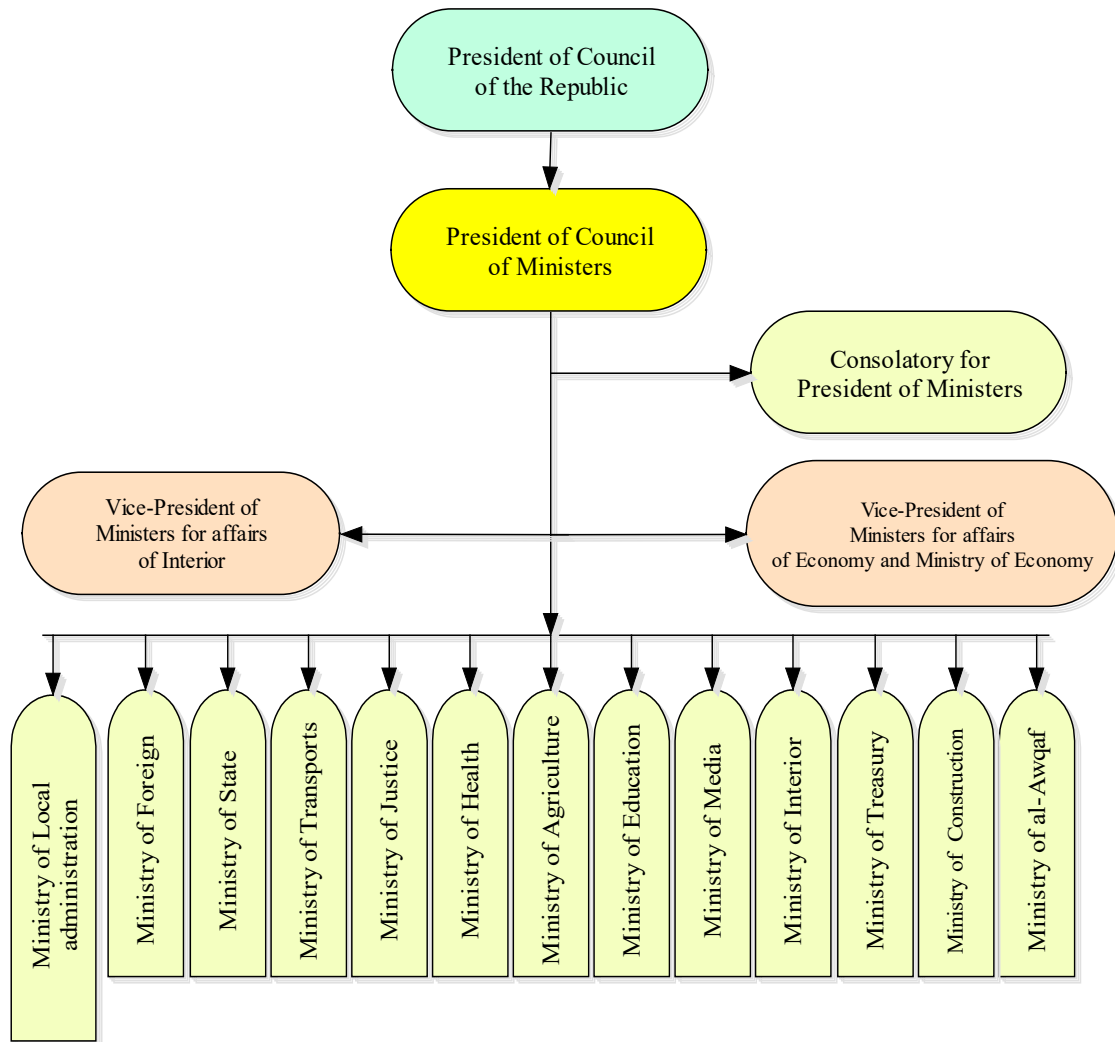
Figure 15. The Structure of the Sixth Government in the period of al-Iryani regime



⁷⁹ - legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P22-41 and Yemen News Agency (Saba)' September 2002' p35

The eighth government formed by virtue of decision of the Republican N (46) on 23/8/71, and it lasted 24 days from 23/8/71 until 17/9/71. It consisted 14 ministers and two vice-president of ministers as following figure snows: ‘the president of ministers of council headed by Hassan al-Amri.’ (The Legal Documents of YAR, 1982).⁸⁰

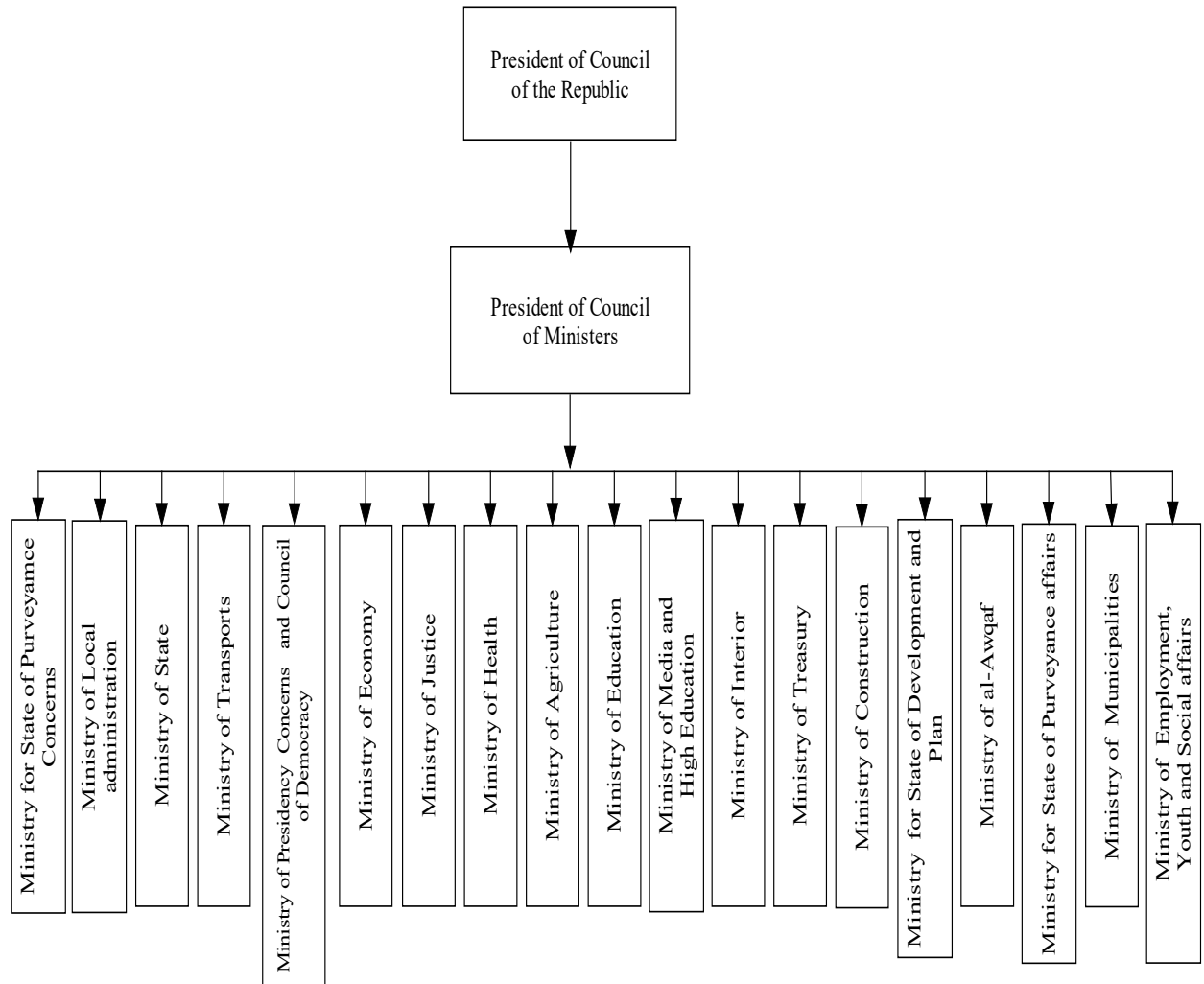
Figure 16. The Structure of the Eighth Government in the period of al-Iryani regime



⁸⁰ - legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P22-41 and Yemen News Agency (Saba)' September 2002' p37

The eleventh government formed by virtue of decision of the Republican N (7) on 3/3/1974, and it lasted about 87 days from 3/3/1974 until 20/6/1974. It consisted 19 ministers; as following figure snows: ‘the president of ministers of council headed by Dr Hassan Makki’ (The Legal Documents of YAR, 1982).⁸¹

Figure 17. The Structure of the Eleventh Government in the period of al-Iryani regime



⁸¹ - legal office of the presidency of republic and council of ministers, a documentary records the formation of ministries in YAR, 26/09/62-26/09/82. P22-41 and Yemen News Agency (Saba)' September 2002' p40

By analysing the period of al-Iryani's regime, from 1967 to 1974, it is very apparent that a distinguishing feature of his leadership was the large number of governments he formed, the numerous changes made throughout each, and the distinctly short-lived nature of each of these numerous governments. During his leadership, al-Iryani formed 11 governments:

- The first government lasted a total of 45 days.
- The second government lasted a total of nine months and 22 days.
- The third lasted a total of Six months and 18 days.
- The fourth lasted a total of Fife months.
- The fifth lasted a total of Six months.
- The sixth lasted a total of 15 months.
- The seventh lasted a total of three months.
- The eighth government lasted a total of 24 days.
- The ninth lasted a total of 15 months and 12 days.
- The tenth lasted a total two years and two months.
- The eleventh government lasted a total of 87 days.

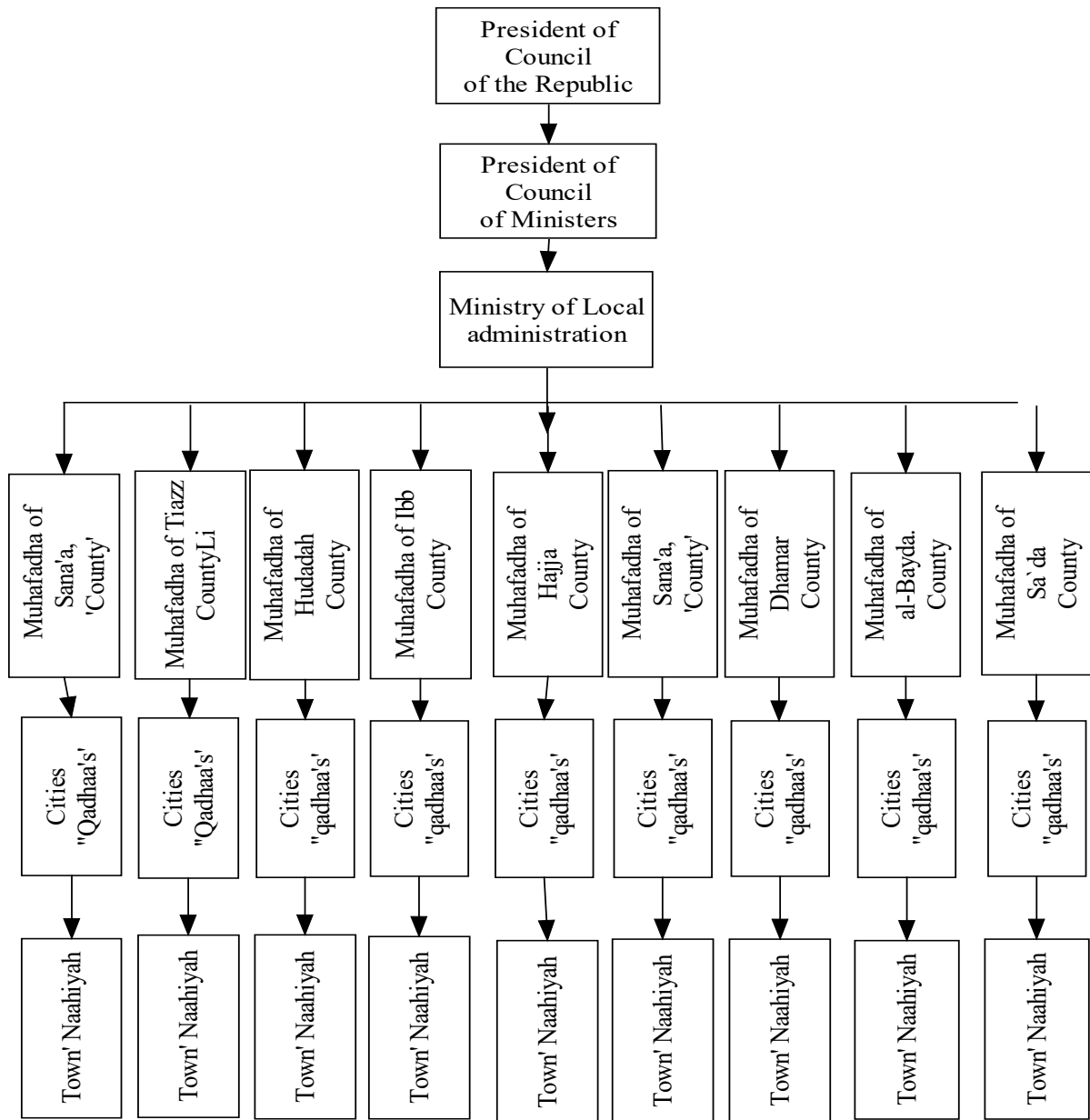
5.3.4 The local administrative structure and how it worked.

The modernization and development at period of al-Iryani was languid and tardy, in side local the administration. believed their efforts to develop the YAR were being obstructed and put into jeopardy by the corruption, favoritism , cynical bargaining, and petty bickering that they regarded as endemic to the politics that revolved around the consultative council the influence of the tribalism in the bureaucracy and in the provinces was a cause of additional despair, especially for those modernists who believed that further development required administrative reform at the center and the increased presence of the government on the periphery. The importance of administrative rules and principles in people's lives should also be emphasized. The permanent constitution mentioned two articles about local administration.

‘Article 109: The territory of the republic is divided into administrative units, and law defines their number, divisions and boundaries. It also defines the responsibilities of those functioning in the administrative units. And Article 110: The administrative units shall have local councils in which the affairs of the regions shall be administered in a democratic manner according to the law’ (Constitution of YAR, 1970).⁸²

⁸² - See “- local administration documents in YAR and national institute of local administration in snaa’a, see the office of the ledership council and council of ministers 1973

Figure 18. The administrative units structure under al-Iryani regime



The Figure above clarifies the Yemeni legislator divided YAR territory, into nine counties or administrative units and they are called (al-Mhafadatt): 1) Mhafada of Sana'a, 2) Mhafada of Tiaz, 3) Mhafada of Hudadah 4) Mhafada of Ibb 5) Mhafada of Hajja 6) Mhafada of al-Bayda 7) Mhafada of Damar 8) Mhafada of Sa'da. Each (Mhafada). Then each county was in turn divided into many cities ('Qadhaa's') according to population and the nature of the area. Each city ('Qadhaa's'). Finally, the cities ('Naahiyah ') were divided into many villages.

5.3.5. Conclusion and General Assessment of the Administrative Performance from 1967 to 1974

1. The change from military government to civilian government. During period, Abd AL-Rahman al-Iryani, was the presidency of republic from civilian but was during this period 11, government four the Prime minister was from military and seven from civilian.
2. The modernization and development at period of al-Iryani was languid and tardy inside the local administration. And the al-iryani regime did not place high priority on administrative construction.
3. In era Qadi Abd al-Rahman al-Iryani, scholars of administration noted that the efforts on the processes of administrative, political and legal. There was something deficient in society and some institutions not governed by explicit system of law.
4. The first attempt for state building in the al-Iryani era was in middle 1968, when the creation of two offices attached to office of the Prime Minister, the legal office, agency that drafted laws and provided the state with legal advice, and the technical. The creation of two offices the attached to the office of the Prime Minister is the first step in the building of the modern Yemeni state.
5. The achievements and the most important act of state building between 1971 and 1974 was establish of Consultative Council and the establishment of the Central Planning Organization, (CPO).
6. After al-Sallal regime the leading tribal “shaykhs” enjoy enhanced power and after the civil war there, acquired new bases.
7. I agree with Robert W.Stookey Design some of the new governmental institutions of as more essential to the modern State also the most important act of State building in al-Iryani era was the establishment the National Council, and Majlis al-Shura “Parliamentary Council” and the founder of the Yemen Bank for reconstruction and development, the Central bank of Yemen the Higher Planning Council. As well as

Professional Armed Forces and the National Institute of Public Administration.
(Stookey, 1982)”.⁸³

8. There was no tradition and basis for a system of representative democracy but only notions in constitution. Also, there is no doubt that political development correlates strongly with administrative development.
9. Was not reinforcing more effectively the interrelationship between legal institutions, administrative, regulations and popular participation and institutions by the form a general. There was also widespread dissatisfaction at the prevalence of corruption and inefficiency.
10. On a more practical level, compiled data economic and social data, on the YAR, also achievement of the national census. The first rudimentary as well as the founding first university at Sana'a in addition expanded of the national institute of public administration in 1974, to perform, and train new tasks in the government and in the private sector. The attempt to meet the need to train personnel for the YAR's public institutions centered on a proposal of a United Nations expert.
11. Many shortcomings in the framing of the administrative and very impotent coercive, administrative capabilities. Also ambivalence in the implementation stages in addition the domestic socio-political constraints.
12. Political problems and the government's budget deficit, and a torrent of loans and many differences, which had preoccupied them. In the pace of state building and modernization in the future.
13. A relation between the YAR and neighbour, renamed the PDRY, had become increasingly strained after 1969 and was war between the YAR and PDRY, in addition civil war in 1968 and this was from sources of instability, of administrative, political and economic.
14. Abd Al- Rahman al-Iryani was unable to deal with of domestic problems in an effective manner, such the tribal alliance.
15. There was no tradition and basis for a system of representative democracy, but only notions in constitution.

⁸³ - Robert W. Stookey "Social Structure and Politics in the Yemen" Middle East Journal 28, no. 3 1974, p. 252.

16. The greatest visible progress has been seen in the sphere of education, established first university at Sana'a and the many schools opened during 1969-1974, and the first three years plan.
17. unfortunately, in the era of al-Iryani President spread of favouritism, and the bribe and the corruption of the financial, and the administrative and inefficiency of performance in addition the financial crisis, and the political crisis. Also "bribery became more necessary than ever to persuade officials to perform their duties.
18. The findings of this study indicate that the overriding priority for the YAR from the 1970s was state building and the implementation of projects designed to create the correct beginnings of a modern socioeconomic infrastructure, and development administrative and political constructive.
19. The fiscal problem of successive governments were source of instability of administrative and political in al-Iryani era this more than any other factor explains why the first seven governments (see to the table) in the al-Iryani era lasted on the average less than six months, between July 1969 and July 1971, three governments fell and an attempt to form a fourth failed largely because disputes over the budget had become so heated and irreconcilable".

Table 4. The governmental changes in the al-Iryani regime: 1967 to 1974.

Prime Minister	Date
1. Muhsin al-Aini	05/11/1967 to 20/12/1967
2. Hassan al-Amri	21/12/1967 to 13/09/1968
3. Hassan al-Amri	14/09/1968 to 02/04/1969
4. Hassan al-Amri	03/04/1969 to 01/09/1969
5. Abdullah al-Kurshumi	02/09/1969 to 04/02/1970
6. Muhsin al-Aini	05/02/1970 to 02/05/1971
7. Ahmad Muhammad Numan	03/05/1971 to 22/08/1971
8. Hassan al-Amri	23/08/1971 to 17/09/1971
9. Muhsin al-Aini	18/09/1971 to 30/12/1972
10. Qadi Abdullah al-Hajri	31/12/1972 to 02/03/1974
11. Dr Hasan Makki	03/03/1974 to 20/06/1974

Chapter Six: The Administration a under Ibrahim al-Hamdi from 1974 to 1977

6.1. Introduction

This chapter focuses on the dynamics of the changes for local administrative regulations and systems, and the transition from constitutions and enactment of theory to the implementation stage and democratic practice. It also comprises the analytical study of the problems that accompanied the local administration and political modernization in the Yemen Arab Republic. In addition, the present chapter tries to explore the mechanisms and analysis for the major characteristics of the constitutional doctrines which have been used for local administration and structure in the Yemen from 1974 to 1990. This period is most important in the YAR because the central governments of Al-Hamdi and Ali Abdullah Salih implemented the democratic process even though it was simple, incomplete and sometimes deformed. The first democratic experience in local society in Yemen was in 1975 when law 35 of 1975 was issued which allowed the election of members to administrative politicos. It was followed by law 52 of 1985, which reinforced the democratic process in election of municipal and local councils. The issuing of the laws to establish the organisation of the "Association of cooperation between municipal and local councils," necessitated the preparation of the local society of Yemen in order to train them for modernised democratic practices, leading to the process of voting and election through public participation in it.

We will show the study and analysis of these laws as well as including a study of the structure of previous organisations and the differences between them in their implementation and content. In addition, this reseach will study law 12&27 of 1985 which concerned the “Association of cooperation” and made the municipal and local councils into one organisation called the Local councils for co-operation development.

6.2 Appearance of the 13 June correction movement, and established the command council under the chairmanship of colonel Ibrahim al-Hamdi.

The collapse in the internal political situation, the corruption of administrative bureaucracy, the exhaustive dispute between president al-Iryani and the consultative council, together with the administrative and financial chaos and indiscipline prevailing, and the civil war with its many problems, caused the bloodless coup on 13 June 1974, over the presidency of Abd al-Rahman al-Iryani, and established the command council of seven members under the chairmanship of colonel Ibrahim al-Hamdi, (Which was called the 13 June correction movement). The command council composed of army officers was a radical shift from civilian to military rule. The council declared to people that the former regime had resigned because of the administrative and financial chaos and the indiscipline prevailing. As a result, many despaired of reform or of restoring a normal atmosphere suitable for the progress and development in YAR. (Al-Azazi, 1975) (Burrows, 1987)⁸⁴

President al-Hamdi abolished the republican council and exercised power as Chairman of the Military Command Council (MCC) which included the Chief of Staff, Colonel Ahmad Hussein Ghashmi, Abu Luhum and Major Abdullah Abd al-Ailm, who commanded the Parachute Brigade. The latter, together with Hamdi's own brother who commanded the largest and best equipped Brigade in the army, were the new leader's closest associates.

6.2.1 The Abeyance of Constitution and legislature

The Yemenis had envisioned that the 1970 constitution and the establishments of the Shura Council as the first proper step in building the institutional state. However, unfortunately, the conflicts between "the traditional and the modern" and the bloodless coup over president al-Iryani and established the command council of seven members

⁸⁴ -Al-ttanmiah al-iqtisadiyah Dr. M. Al-Azazi P249. Also Robert D. Burrowes. The Yemen Arab Republic, the Politics of Development.p54

under the chairmanship of colonel Ibrahim al-Hamdi, (Which was called the 13 June correction movement). The first action of Ibrahim al-Hamdi was the suspension of the 1970 constitution and the legislature (majlis al-Shuraa) in in the June 1974 by corrective movement.

The abeyance of the constitution and legislature in the era of al-Hamdi was in the first step to failure, and the cause of internal conflicts in the al-Hamdi regime. Therefore, during the first year of the al-Hamdi regime were dominated the political scene of struggle between al-Hamdi and political and tribal leaders. 'President al-Hamdi's hold on his office during the early months was extremely tenuous and depended primarily upon armed forces. President al-Hamdi's personal popularity with the people grew quickly, but institutions were absent to convert this popular support into a political resource'. (Burrows, 1987)⁸⁵

The al-Hamdi regime did not launch a major and sustained effort to strengthen the political and constitutional infrastructure of the YAR during the three years following the abolition of the national Yemeni Union, the suspension of the legislature, and the 1970 constitution. But in side of local he did and developed. " a provisional constitution was promulgated by the MCC which declared Yemen indivisible and the Shariah the source of all laws... Sovereignty was vested in the Chairman of the MCC which assumed the functions of both legislature and executive with the government as its administrative instrument. Action was pledged to restore constitutional and democratic life on a sound basis in view of the need to provide the Yemeni people with a dignified life and a bright future'' (Bidwell, 1983).⁸⁶

It was announced by al-Hamdi that elections will take place in the near future as well as issue a new constitution. Elections to a new legislature were not held, and the 1970 constitution was not reinstated, amended, or replaced. "The command council declared at the time of the coup to be an interim body during a transitional phase, remained the sole repository of legislative and executive authority; and even the command council existed

⁸⁵ - Robert D. Burrowes. The Yemen Arab Republic, the Politics of Development.p61

⁸⁶ - Pobin Bidwell ' the two Yemens ' p273

only in a formal sense by 1976, its membership reduced by political attrition to just president al-Hamdi and three others. More and more, the regime revolved around the person of president al-Hamdi, in fact as well as in the popular imagination” (Burrows, 1987).⁸⁷ The conflict increased between al-hamdi and the opposition (the tribal leaders, headed by sheikh Abdullah al-Ahmar and it was against the regime of al-Hamdi).

The opposition to the regime of al-Hamdi was centered around the return to constitutional government and elections for a new legislature, and the detachment of authorities. President al-Hamdi responded by establishing a Higher Committee under the former Prime Minister Abdullah al-Hajri to ‘investigate’ the ways of ensuring “genuine representation of the people. In short president, al-Hamdi had become the key reference for all state matters.

6.2.2 The legal role of local administration and the structure local administration

Legislation no. 64, year 1976, of local administration;

The leaders of Military Command Council (MCC) (majlis al-Qiyadah) issued a statement in its position of being the highest constitutional authority in the country, after the termination of parliament (majlis al-shuraa) and the suspension of the constitution.

“This law, superseded all previous laws and eliminated the ministry of local administration, and instead established the ‘office of the affairs of the provinces *al-muhaafadhaat* and *nawaahi*’. This office was part of the council of ministers and under the authority of the Prime Minister who was given the relevant powers by the decision makers to issue legislation to implement the legislation of no 64, 1976 (Al-Mikhlaafi, 1994)”.⁸⁸

The prime minister issued statement no 32, 1976 which stated in detail the main and subsidiary divisions of the ‘office of the affairs of the provinces *al-muhaafadhaat* and *nawaahi*’ and also pinpointed its areas of work (specialisations).

⁸⁷ - Robert D. Burrows. The Yemen Arab Republic, the Politics of Development.p68

⁸⁸ - Daail M. Al-Mikhlaafi Al-Idarah Al-Mahiliah 1990.p98

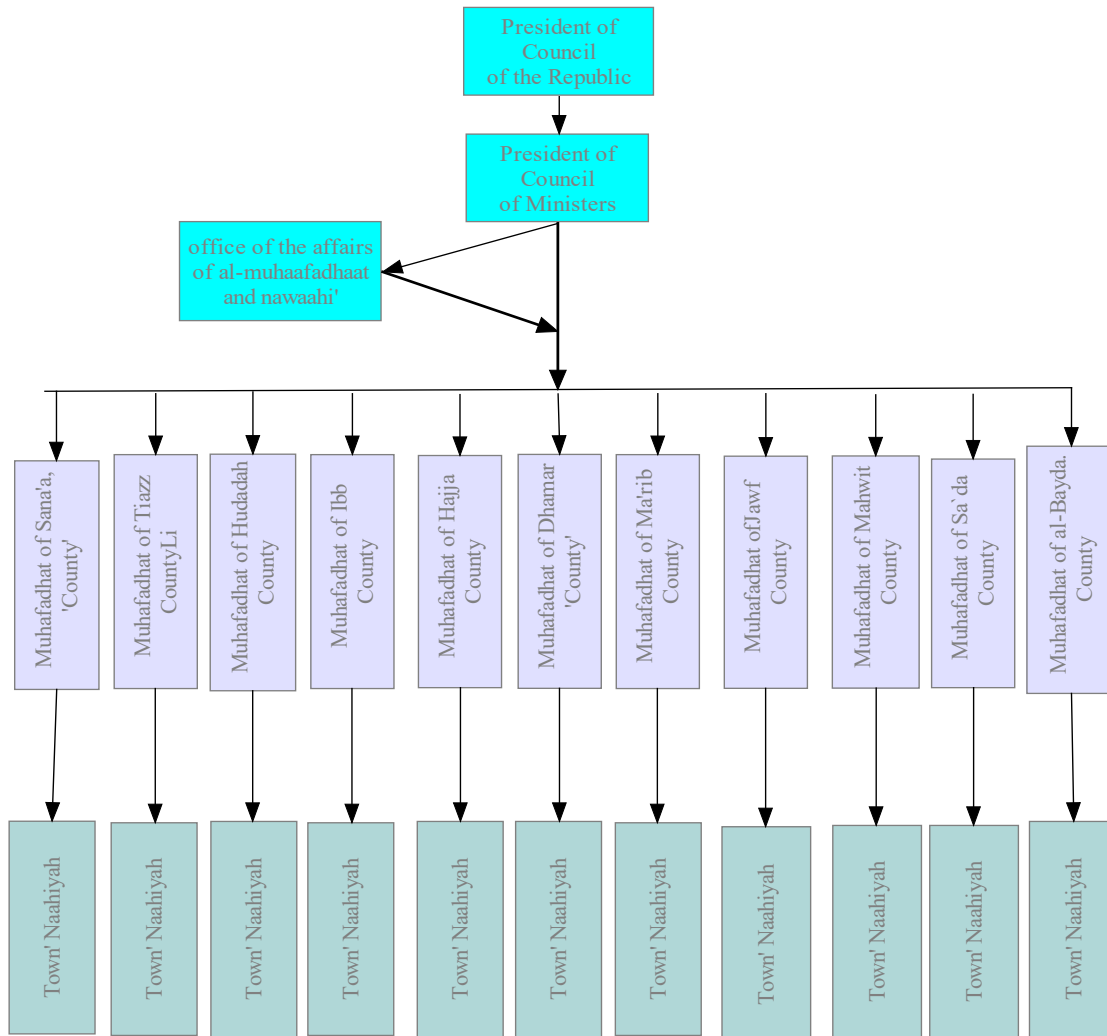
Looking at this law (The office of al-Muhaafadhaat ;, 1976)⁸⁹ no 32, 1976 we see that

- 1) It eliminated the ministry of local administration and replaced them with the “office of the affairs of *al-muhaafadhaat* and *nawaahi*.
- 2) It did away with one of the previous divisional levels, so now there were just two levels (*muhaafadhaat* and *nawaahi*, instead of the previous *Liwaa*’ (city), *Qadhaa*’ (town) and *Naahiyah* (group of villages).
- 3) One notes that *Liwaa*’ became *muhaafadhah*, and the new post of Deputy Governor which was not present under the old legislation no7 of 1965.
- 4) All the members of the local councils were appointed as previously.
- 5) “The specialisms were listed in section 14 of the law, and were mainly counted as a liaison between the activities of the branches of the various ministries according to the general state policy, and not of great importance. The councils were therefore mostly token organizations’ (The office of al-Muhaafadhaat ;, 1976)⁹⁰.

⁸⁹ - the ‘office of the affairs of the provinces al-muhaafadhaat and nawaahi’ law no 32, 1976 and see The official state newspaper (al-thawrah) also ‘Al-Idarah Al-Mahiliah’ 1990

⁹⁰ - law no 32, 1976 and see The official state newspaper (al-thawrah) also ‘Al-Idarah Al-Mahiliah’ 1990

Figure 19. The administrative units structure under al-Hamdi regime.



As shown in this figure, eliminated the ministry of local administration, and instead established the 'office of the affairs of the provinces al-muhaafadhaat and nawaahi'. This office was part of the council of ministers and under the authority of the Prime Minister who was given the relevant power also away with one of the previous divisional levels, so now there were just two levels (muhaafadhaat and nawaahi, instead of the previous Liwaa' (city), Qadhaa' (town) and Naahiyah (group of villages)).

6.2.3 The political situation in the al-Hamdi regime:

The wrong belief of al-Hamdi was the reason behind the absence of the constitution, which normally lays down the rules and principles of peaceful transmission of power and determines the form of state's political and administrative system. Command council under the chairmanship of colonel Ibrahim al-Hamdi possessed the legislative and executive authority. Hamdi established a Higher Committee for Financial and Administrative Reform In November 1976 which was to supervise allocations to the tribes and stamp out corruption. In brief, al-Hamdi had become the main reference for all state matters, minor or major over which he exercised direct personal control. President al-Hamdi's personal popularity grew quickly, whilst institutions were absent to convert this popular support into a political resource and improve the administrative system within his government. Robin Bidwell commented "Hamdi came to realise that his dream of a "modern civilised state" was impossible while much of the country was dominated by implacably conservative shaykhs supported by masses of armed followers, and gradually he moved into confrontation with them" (Bidwell, 1983).⁹¹

In an effort to begin to remedy administrative problems, the central planning organization and the united nations' development program (UNDP) put together a package of institutional support projects designed to introduce teams of foreign experts into selected government agencies . "By 1974, UNDP had a team of experts on a long term basis at the national institute of public administration and a large team of experts at the ministry of education and the ministries of economics and agriculture" (Al-Mikhlaafi, 1994) (Bidwell, 1983).⁹²

The Jordanian military advisers contributed to modern methods of management, administration, and communications was implemented in 1975 and 1976". In addition, the new Yemeni graduates as well as foreign experts and other technical assistance contributed to a marked improvement in the functioning of administration systems in state institutions.

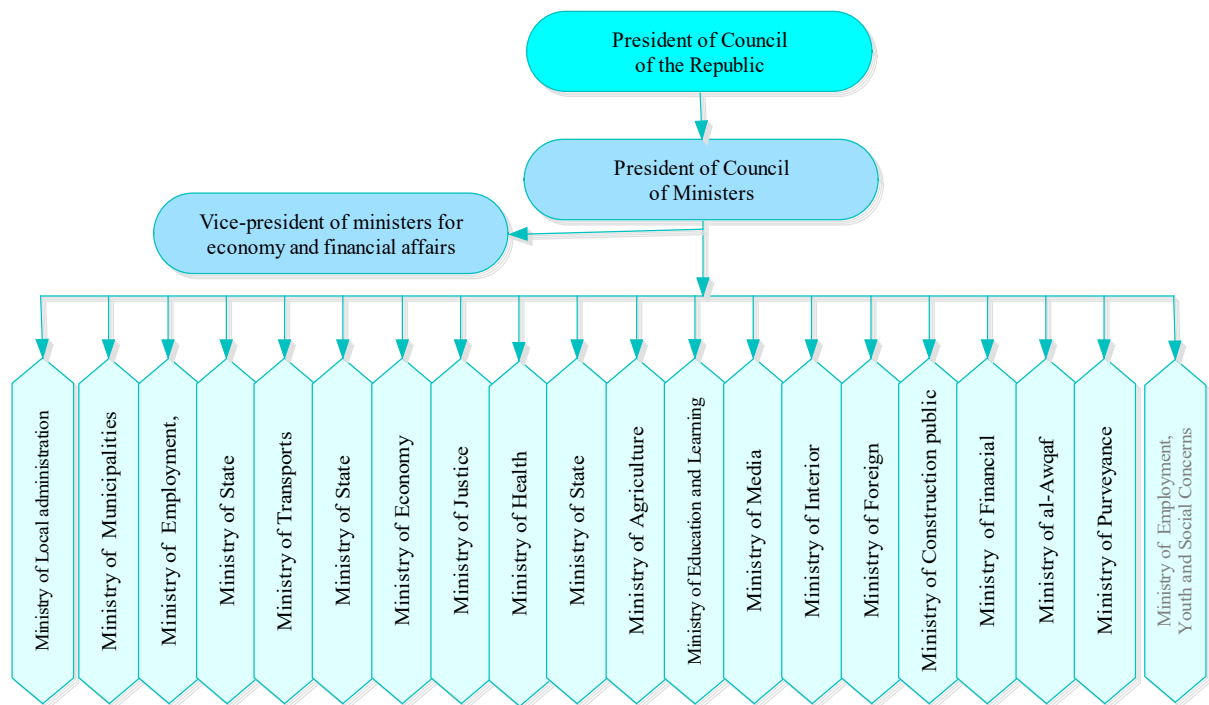
⁹¹ - Dr Daail M. Al-Mikhlaafi Al-Idarah Al-Mahiliah 1990.p99 Pobin Bidwell ' the two Yemens.p231

⁹² - Pobin Bidwell ' the two Yemens . published 1983 Longman group and westview press.p274

6.2.4 The structure of the central government and how it worked.

The first government formed by virtue of decision of the Republican N (25) on 21/06/1974, and it lasted about 6 months from 21/06/1974 until 25/01/1975, its formation consists 20 ministers; as follows; the president of ministers of council headed by Muhsin al-Aini. (The Legal Documents of YAR, 1982)⁹³

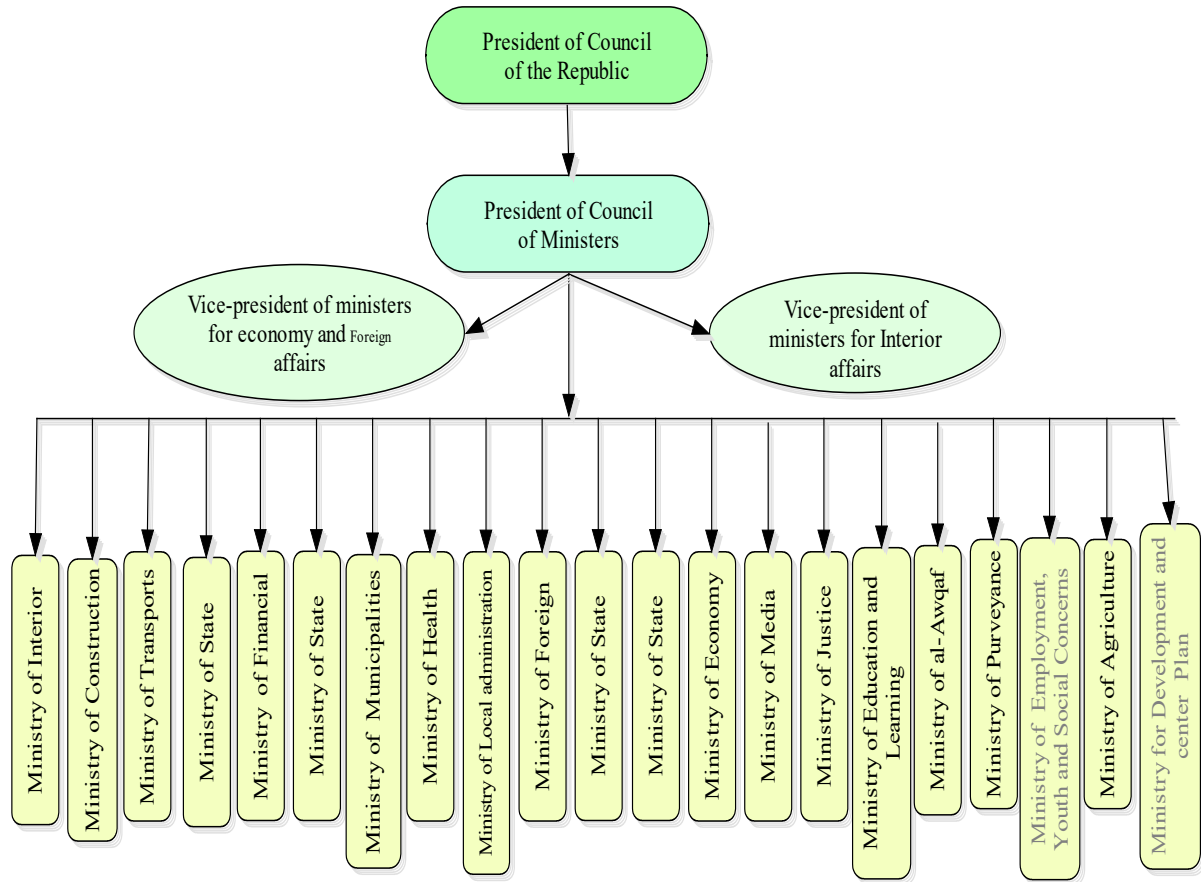
Figure 20: The Structure of the First Government in the period of al-Hamdi regime



⁹³ - (Documents Office, 26/09/1962-26/09/1982 Yemen News Agency (Saba)' September 2002' p51

The Second government formed by virtue of decision of command council No (8) on 26/01/1975, and it lasted about two years, three months and three days from 26/01/1975 until 29/05/1978, its formation consists 21 ministers and two vice-presidents of ministers; as follows; the president of ministers of council headed by Abd al-Aziz abd al-qhani (The Legal Documents of YAR, 1982).⁹⁴

Figure 21: The Structure of the second Government in the period of al-Hamdi regime



⁹⁴ - (Documents Office, 26/09/1962-26/09/1982 Yemen News Agency (Saba) September 2002' p51

6.2.5 The civil co-operation counsel for development

During al-Hamdi era four organisations were established. In my view, they were an important steps towards better administrative and management systems in the Yemen locally and in the central government. These included the following: (Majlis al-Qiadah , 1974)⁹⁵

- I. Central Commission for Inspection and Accountancy; it was established as a result of ‘Majlis al-giadah’ Command council No 54 in the year 1974. the duties of this body included the following
 - a. the purpose of establishing such commission was to have an overall supervision control on public spending and ensure quality of expenditure.
 - b. The control and supervision focused on various aspects of government systems including income and expenditure of public funds. In addition, to the other funds received via other sources such as donations from international bodies etc.
 - c. Working to discover theft, defalcation, neglect, and any incorrect financial or administrative procedures in all government bodies.
- II. The Guardian of Financial and Administrative Body (this acting like a financial court): it was established as a result of 57 in the year 1974. The duty of this body was to carry out investigations in any cases identified by the Central Commission for Inspection and Accountancy. The body had two main aims:
 - a. Carry out investigations on any financial or administrative irregularities, which have been identified or referred to by the CCIA.
 - b. Carry out inspections on the quality of referrals by the CCIA.
- III. The Higher Committee for Financial and Administrative Reform:

This was established as a result of 138 in the year 1975.

⁹⁵ - Majlis al-giadah’ Command council No 54 in the year 1974

“The establishment of the higher financial and administrative reform committee was one of the most important accomplishments in the Hamdi era in order to achieve financial and administrative reforms. The committee was given ultimate powers to carry out revolutionary financial and administrative reforms against many numerous problems including corruption and an old bureaucratic system. Indeed we mean, in the first instance, the problems that hides amongst race, party affiliation and favoritism” (Al-Azazi, 1975).⁹⁶

IV. Local cooperative development associations: (LCDA) 'hay'at al-ta'awun al-ahli li-I-tatwir' the associations was established as a result of the Law 35 of the year 1975. This represent the first democratic experience all over Yemen. This will be reviewed in details in the following chapter because it has more relevant.

In the early 1970s, the growing number of LCDAs soon became a major factor at the local level in the construction of schools, feeder roads, local roads, clinics, cisterns, and other water systems etc. Also, the cooperation movement, spread rapidly by example throughout the provinces of the YAR, because the cooperation rooted in a Yemeni tradition of local self help and supported primarily by local funds and some in the form of remittances and foreign aid.

‘The idea of establishing local cooperation and development Association (LCDA) 'hay'at al-ta'awun al-ahli li-I-tatwir' started at the beginning of the YAR by government laws 11 and 24 in the year 1963 which has planned the seeds for the first cooperation movement in the Yemen during al-Sallal regime. But this idea was not developed despite the existence of laws 11 and 24, until al-Hamdi regime came (Al-Azazi, 1975)’ (Carapico, 1998).⁹⁷

“On 25 June 1973, the first cooperation conference was held with the participation of 29 local cooperation agencies. The conference concluded with the agreement to establish the Confederation (Ittihad) of Yemeni Development Association (CYDA). The conference also agreed terms of reference for the conference and elected the first conference management committee. By the spring of 1973 it oversaw foundation of a confederation

⁹⁶ - Al-ttanmiah alqitisadiyah 1975 Dr. M. A. Al-Azazi P250.

⁹⁷ - Al-ttanmiah alqitisadiyah Dr. M. A. Al-Azazi P257 and Sheila Carapico “Civil Society in Yemen”, p105

of twenty-eight associations: this became known (in English) as CYDA, the Confederation (Ittihad) of Yemeni Development Associations.

The second of two cooperation conferences selected Ibrahim al-Hamdi of the to head the twenty-one-member administrative committee' (Al-Mikhlaafi, 1994).⁹⁸

al-Hamdi president convened a larger CYDA conference of sixty-five associations, promulgated a cooperative law, and scheduled elections for the LCDAs, their provincial councils, and the CYDA executive board in all local administration.

On 25 November 1975, the third cooperation Conference was held. The delegation included 137 local association of cooperation. The conference enforced very important resolutions for example: law 35 1975 for Local Cooperation which we will study and analyse at a later stage.

Law 35 of 1975, to establish the associations for civil cooperation and Development which was the first local democratic experience in Yemen. Unfortunately, since the establishment of the cooperation committees, everything was done by direct appointments rather than the well known way of direct election and democracy. Despite all of that, things started to change as a result of this Act as more and more started to experience direct election not in the wide sense but at least it was a good start.

Law 35 of 1975 provided authorisation of the administrative boards of town or district "local cooperative development associations" to spend half of local zakat, a quarter of municipalities' revenues, a new 2 percent cooperative customs duty, cinema taxes, and other modern-sector taxes on community improvement. While the Ministry of Local Administration, having earlier replaced the imamic baladiyya (municipalities) ministry, was absorbed into the prime minister's office, the DYLSA became an independent ministry, the MYLSA.

Under Law 35 of 1975, the general assembly delegate represented each 500 persons, a hamlet or neighborhood. Each seven-to-nine-man board or "hay'at al-ta'awun al-ahil li-l-

⁹⁸ - Al-Idarah Al-Mahiliah . Daill M. Al-Mekhlafi p 255.

tatwir" elected a president, secretary-general, and financial officer. Districts were not required to have LCDAs, nor were LCDAs necessarily nahiyya-level associations. The LCDAs were granted a high degree of legal autonomy, and said to represent a "legal personality.

The Associations of cooperation is a public organisation that has no relationship with local administration and the lawmaker defined the associations of cooperation that its; every associate existing or establishment based on legislation of Act 35 of 1975 Associations of cooperation.

The lawmaker specified to establish associations in (Liwaa' or muhaafadhah (provinces), Qadhaa' (town) and Naahiyah (group of villages).

Decision maker granted the associations of cooperation "legal personality" when its establishing according to the appropriate legislation Act 35 of 1975 (Tarbush, 1992)⁹⁹.

6.2.6 General Assessment of the administrative performance

- 1) The change from civilian government to military government
- 2) President al-Hamdi's biggest mistake had been the dissolution of the consultative council, this disrupted the constitutional life. There is rather broad agreement among Yemeni leaders among some tribalists as well as modernists and urban conservatives that legitimacy in republican Yemen inheres in the constitutional system put in place by president Abd al-rahman al-Iryani at the beginning of the 1970s.
- 3) After president, al-Hamdi suspended the constitution and replaced its executive and legislative organs with the command council. The subsequent atrophy of that body resulted in an institutional vacuum that al-Hamdi failed to fill before his demise.
- 4) "The legacy of the young and dynamic al-Hamdi is modest because the shortness of his tenure, like that of John F. Kennedy, made it more a matter of promise than fulfillment and because his regime depended so much upon his physical presence. During his brief time, he fostered a political environment that advanced the prosperity and development activity begun during the al-Iryani era, tilted the political balance in

⁹⁹ Qa'id muhammad tarbush, Tatawwur al-nizam al-intikhabi fi al-Jumhuriyya al-Yamaniyya 1948-1992, manshurat 26, Sabtamber, 1992 pp63-80

favor of the modern sector and came to personify national strength and development in the minds of many Yemenis” (Burrows, 1987).¹⁰⁰

- 5) The command council, declared at the time of the coup to be an interim body during a transitional phase, remained the sole repository of legislative and executive authority.
- 6) Al-Hamdi had proved himself the most effective ruler of the country since the Imam Ahmad and certainly the most popular. He was possessed of an attractive personality and able to inspire the Yemenis and influence them.
- 7) Indeed, made good use of the central planning organization, the expanding banking system, and the other new economic and financial agencies.
- 8) The al-Hamdi regime paved the way for a more generalized pattern of state building than that pursued during the al-Iyani era.
- 9) The local cooperation and development Association (LCDA) 'hay'at al-ta'awun al-ahli li-I-tatwir' this was the first experience of democracy in local society in Yemen, although it contained many shortcomings it was an important step towards democracy.
- 10) The official ban on political parties.
- 11) For the first time, subject government expenditures to formal budgetary procedures by International Monetary Fund (IMF).
- 12) President al-Hamdi promised elections to a new legislature or a constituent assembly with increasing frequency after early 1975. It seems that the president al-hamdi was unwilling to give up his power for no promise.

This study suggests that the overriding priority for the YAR from the 1970s was state building and the implementation of projects designed to create the correct beginnings of a modern socioeconomic infrastructure, and development administrative and political construction. I also believe that the domestic politics of the YAR, which had undergone such dramatic change during the first eighteen months of the al-Hamdi era, settled into the political equivalent of stationary trench warfare by 1976 was the main reason for many problems administrative and political.

- 13) The Yemeni community is primarily a tribal society and the tribe has a positive and negative tradition. Positive tribal traditions contribute to the stability of the country, such as the central state's support for the extension of security and the

¹⁰⁰ - Robert D. Burrows. The Yemen Arab Republic, the Politics of Development.p70

prevention of crime, and to help encourage members of society to educate and maintain public services. But there is a negative tradition of the tribe which has recently spread to Yemen. Negative tribal traditions from persons such as the destruction of public services of the state in order to claim rights, abduct foreign tourists, cut off the highway or use weapons against the central state and local. All this contributed to the instability, which led to the lack of development. also The poor education and the spread of illiteracy in the tribal society contributed to the spread of such actions which led to the lack of development and stability.

6.3 The administration under Ahmad al-Ghashmi from 1977 to 1978

On the 11th of October 1977, deputy commander in chief and chief of staff al-ghashmi was chosen chairman of the command council, after mysterious assassination for president al-hamdi.

President al ghashmi declared that the 1970 constitution remained the legal framework governing the state, this constitution and the consultative council which suspended in al-hamdi period. In an effort to fill the institutional vacuum and provide for broader participation, the command council by presidency of al-Ghashmi issued a constitutional decree in early February 1978 that created the people's constituent assembly (PCA), of ninety-nine members, chosen by the MCC. Presided over the body (PCA) Qadi Abd al-Karim al-Arshi.

This ninety-nine-member appointed body was given mostly advisory powers and described as being part of the transition to a new, elected legislative body. in turn, the people's constituent assembly.

President al- ghashmi, although he promised elections and talked at time as if the constitution were in effect, did not formally reinstate the 1970 constitution or its major institutions. Instead, he created a new presidency and the people's constituent assembly.

In late April 1978, abolished the command council, created a presidential council consisting of a president and two, vice president, and appointed al-ghashmi as president. But in fact he achieved nothing in his eight months of office.

The al-ghashmi regime proceeded to do what it could to establish itself and to increase its chances of survival in the domestic political environment of the YAR and in the larger regional and international systems.

On 24 June 1978, president al-Ghashmi was killed in his office after he ruled YAR for eight months. Therefore, al-Ghashmi has left the YAR without a major change in political and administrative system.

6.4 The administration under Ali Abdullah Salih from 1978 to1990

6.4.1. Introduction

After al- ghashmi assassinated, there was no natural successor so a makeshift Presidential Council was formed under Qadi Abd al-Karim al-Arshi and the other members were the Prime Minister Abd al-Ghani, the Chief of Staff Colonel Ali Salih al-Shayba and Major Ali Abdullah Salih. In July 1978, a large majority of the Constituent Assembly elected Colonel Ali Abdullah Salih as President of Yemen Arab Republic. But the first year during president Salih was the political events out of control. Nevertheless, in period of president salih was the transition from the constitutions and enactments of theory to the implementation stage and democratic practice.

This practice accompanied problems in the local administration and political modernization in the Yemen Arab Republic. This study will focus and analyse these phenomena. In addition to explore the mechanisms and analysis for the major characteristics of the constitutional doctrines which have been used for local administration and structure in the Yemen from 1979 to1990.

This period is most important in the YAR because the central government of Abdullah Salih implemented the democratic process even though it was simple, incomplete and sometimes deformed. As well as law 52 of 1985, this reinforced the democratic process in election of municipal and local councils. 'Colonel Al Abdullah Salih has managed to continue in office as President although his position has often seemed extremely precarious and his control, at times, has extended little beyond the boundaries of the major cities. Although largely uneducated, he has had time to develop as a leader, showing himself artful and astute. He has managed to balance deftly between contending forces, both internal and external, and his main pre-occupation has been to avoid becoming totally committed to any group or policy. He has been able to take credit for some economic development and has had three years in which to put his relatives and fellow tribesmen in places where they can support him' (Bidwell, 1983).¹⁰¹

¹⁰¹ - the two Yemenis Robin Bidwell Longman Westview1983, p322

6.4.2 The political situation in the Ali Salih regime:

The difficult problems and events which faced of President Salih, were;

The first the October 1978 coup attempt after he had three months of receiving the presidency. The couper they were the supporters of al-Hamdi.

The second event was in the February-March 1979 border fight between the forces of the YAR and those of the PDRY. The third event a rebellion against the Salih regime by North Yemeni dissidents grouped under the banner of the National Democratic Front 'NDF' or (al-Jabha al- Wataniyya al-Dimuqratiyya) also the supporters of al-Hamdi, calling themselves the 13 June Movement, had merged with the NDF and together they had pledged to struggle for the Salih regime's destruction.

One of the reasons of the political instability of Yemen was the exposure of President Salih to a coup attempt in in October 1978; he had been lucky to survive the coup attempt as the it had failed. Another reason for the political instability was the civil war between the president Salih and the NDF which was supported by PDRY.

The president Salih protected his position and strengthened his power through re-enactment of the 1970 constitution which was previously suspended by president al-hamdi, and strengthened the close links with the Hashid tribes and the Islamists. President Salih signed a decree amending the laws governing the People's Constituent Assembly (PCA), the appointed, quasi-legislative body. The major changes increased the nominal powers of the PCA and increased its size from 99 to 159 members. In addition, he created the fifteen-member advisory council to the president. President salih inherited this rickety extra YAR constitutional framework. President Salih has kept trying to win acceptance by promises of increasing public participation in government. In 1979, he carried out municipal elections with "Islamic Alliance" known as Al-Ikhwan al-Muslimun in Yemen; who played a prominent role in the support and success for the municipal elections experience. Shortly after the coup attempt, and turned on the elections for the local development associations and the convention of the Confederation of Yemeni Development Associations, the umbrella organization of the LDA movement.

The most pressing concern of the Salih regime during its first year was the shoring up of its shaky political position in those areas of the country under its control, although this concern was an armed rebellion by the national democratic front (NDF). President Salih

had been lucky to survive the coup attempt in October 1978; having failed, that attempt served him well by flushing out many previously hidden foes.

The idea of a national pact has an important place in the modern political lore of Yemen, and the pact proposed under President Salth recalled a similarly named statement of political principles framed on the eve of the ill-fated 1948 Revolution.

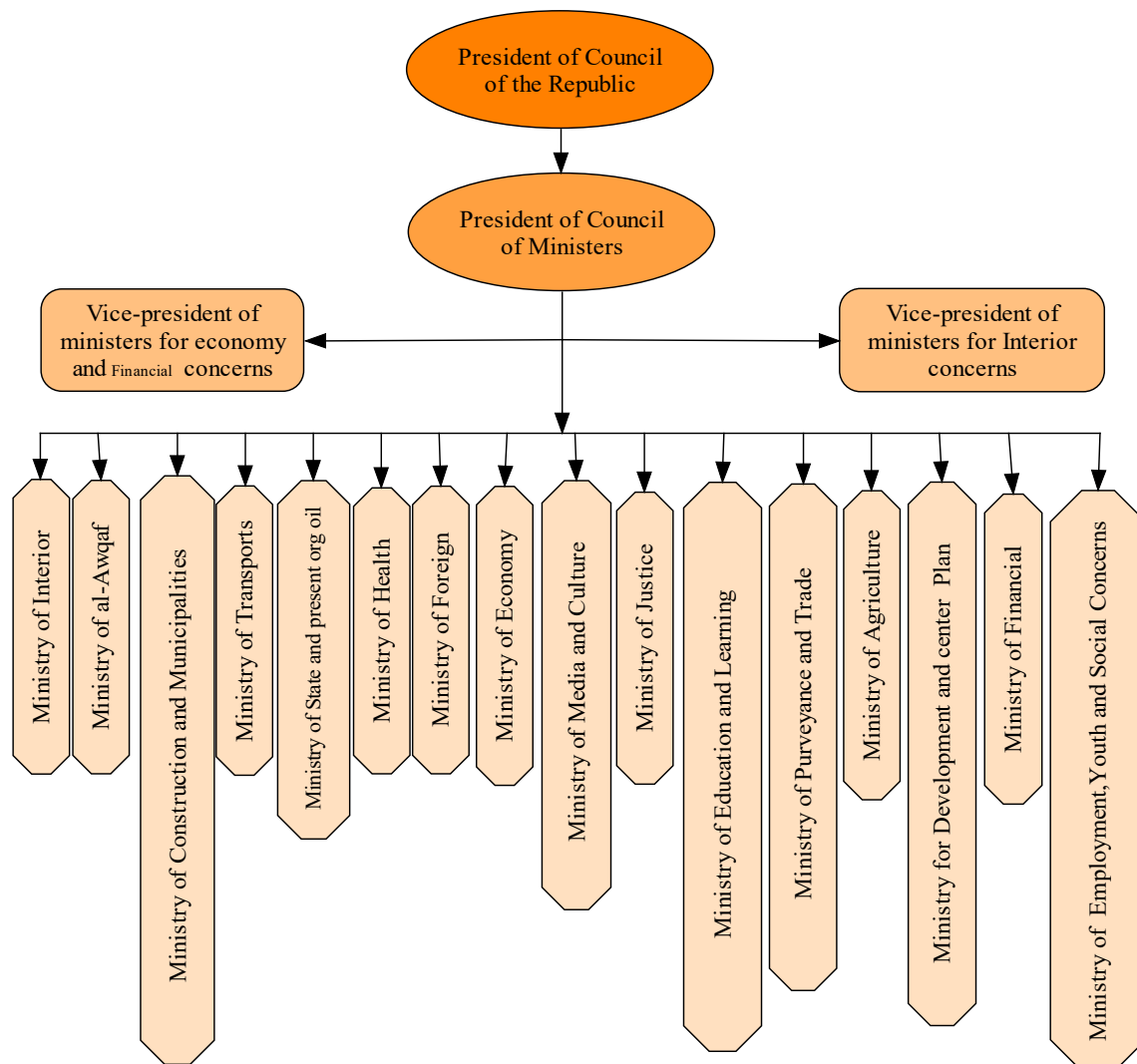
In the second half of 1979, was national dialogue based on the National Pact and under the supervision of the National Dialogue Committee. This structured process provided for considerable activity, ceremony, and popular participation. The regime made and began to act in terms of a major choice on broad strategy for domestic and external politics.

In addition, the creation of the Ministry of Civil Service and Administrative Reform, the attempt to reassert the CPO's authority involved giving it greater financial control as the paymaster of the development process. It was thought that this would lead to the more timely payment of development bills as well as greater supervision and accountability of development activities. The preparation of the Second Five-Year Plan for 1982-1986, the Supreme Committee for the Second Development Plan, chaired by President Salth and consisting of Second Vice President Abd al-Ghani, the prime minister, and the heads of the major banking institutions, technical ministries, and authorities. as well as thirty-member technical committee was set up shortly thereafter to assist the Supreme Committee.

6.4.3 The structure of Central government

The first government formed by virtue of decision of the Republican N (01) on 25/10/1978, and it lasted about two years from 25/10/1978 until 14/10/1980, its formation consists 16 ministers and two vice ministers; as follows; the president of ministers of council headed by abd al-Aziz abd al-qhani (The Legal Documents of YAR, 1982)

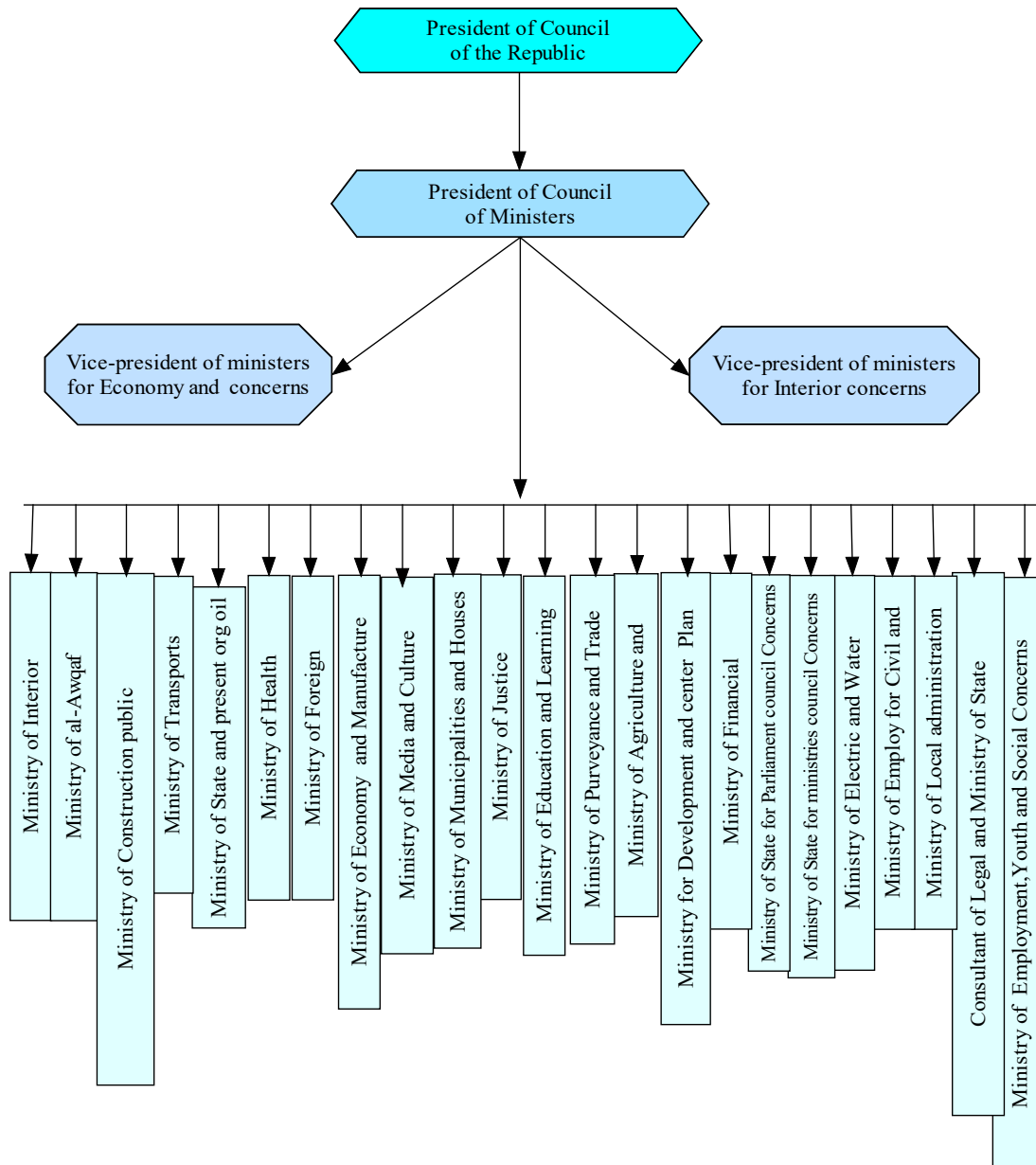
Figure 22. The Structure of the first Government in the period of Ali Salih regime¹⁰²



¹⁰² Yemen News Agency (Saba)' September 2002' p51

The second government formed by virtue of decision of the Republican N (121) on 15/10/1980, and it lasted about three years from 15/10/1980 until 11/11/1983, its formation consists 23 ministers and two vice ministers; as follows; the president of ministers of council headed by Abd al-k al-Iryani; (The Legal Documents of YAR, 1982)

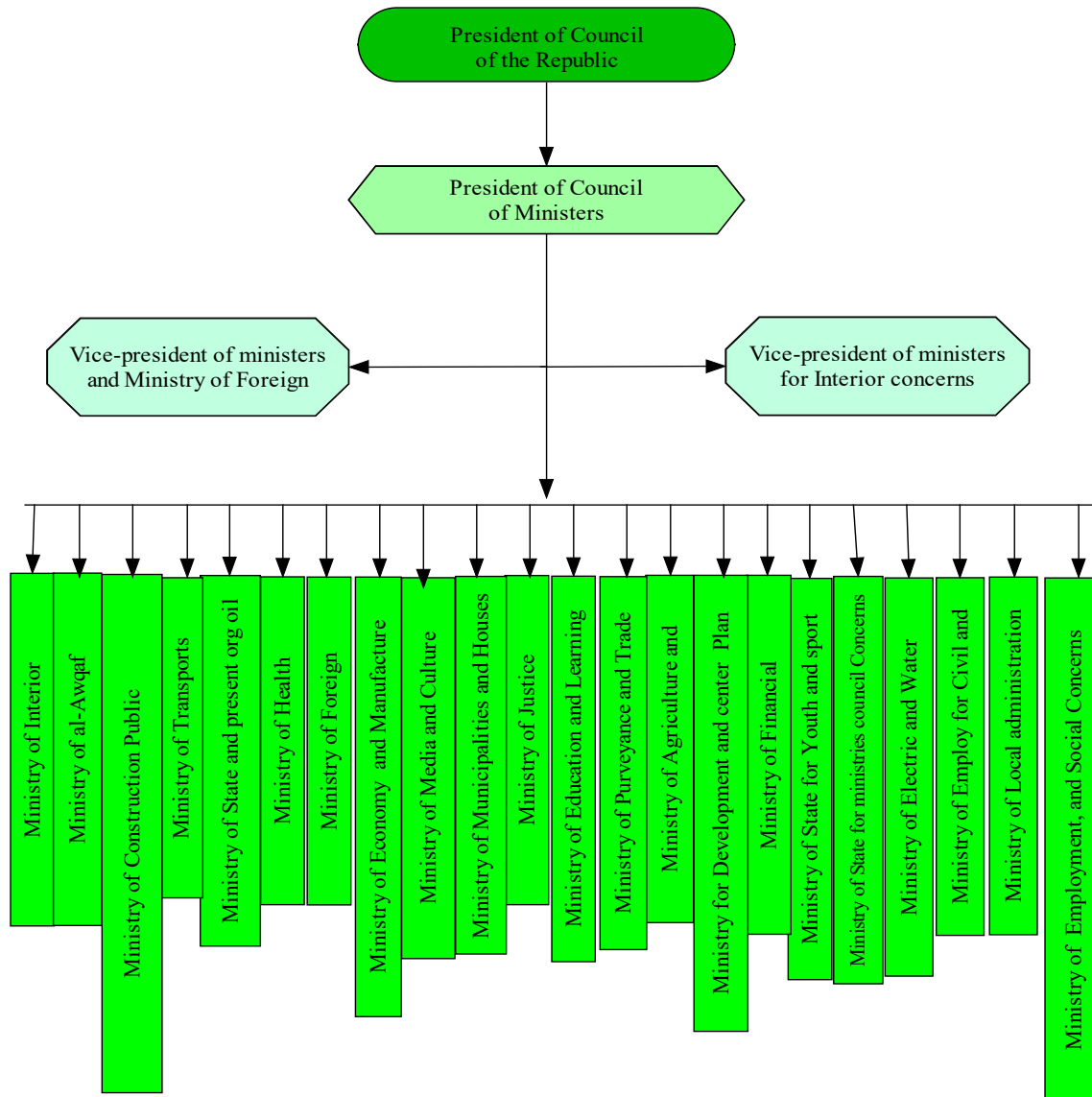
Figure 23. The Structure of the second Government in the period of Ali Salih regime¹⁰³



¹⁰³ Yemen News Agency (Saba)' September 2002' p52

The third government formed by virtue of decision of the Republican N (90) on 12/11/1983, and it lasted about four years and 8 months from 12/11/1983 until 30/07/1988, its formation consists of 23 ministers and two vice ministers; as follows; the president of ministers of council headed by Abd al-Aziz abd al-qhani (legal , 12/11/1983 and 31/7/88,) ¹⁰⁴

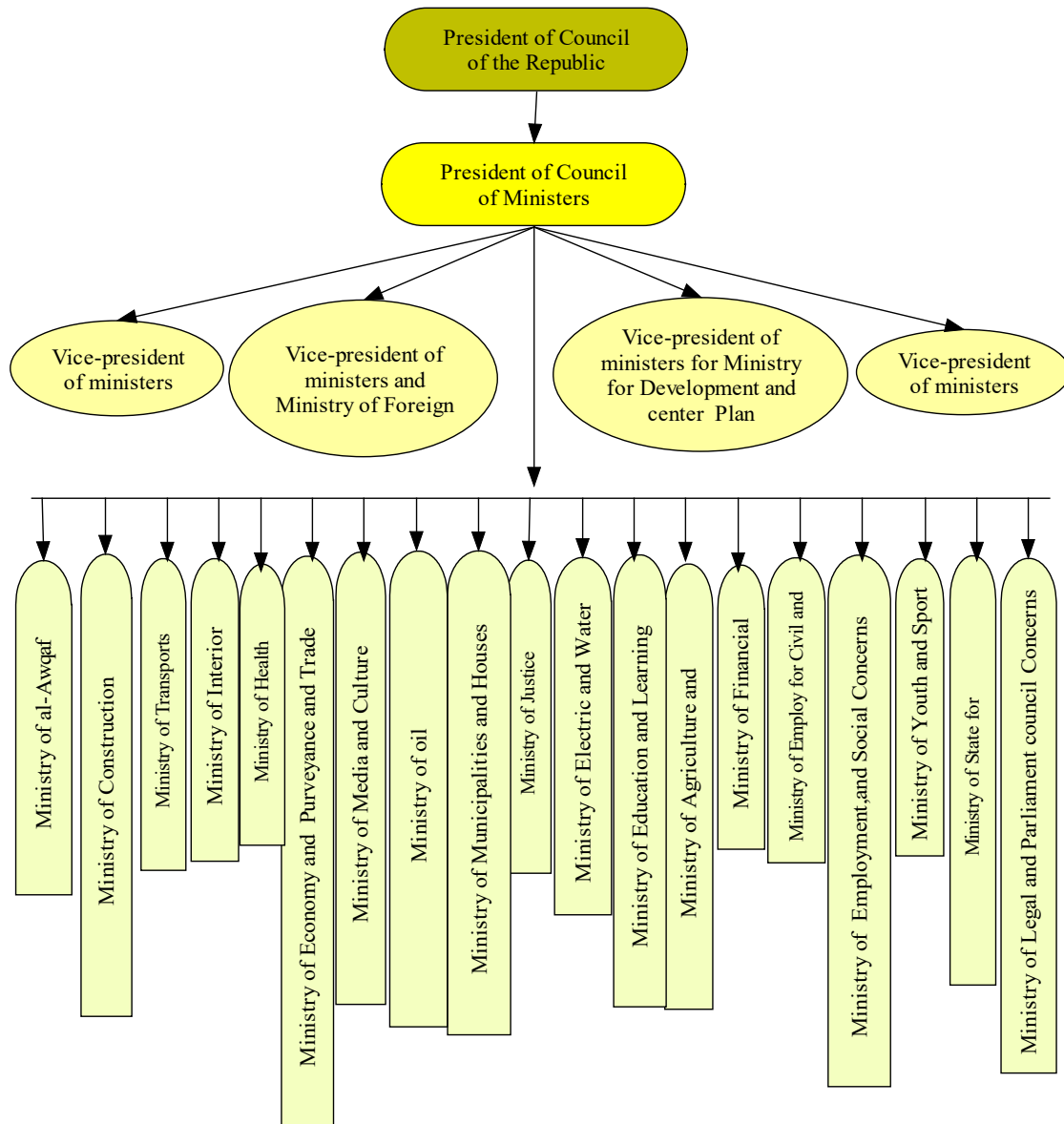
Figure 24. The Structure of the third Government in the period of Ali Salih regime



¹⁰⁴ - Yemen News Agency (Saba)' September 2002' p53

The fourth government formed by virtue of decision of the Republican N (41) on 30/07/1988, and it lasted about one years and 10 months from 30/07/1988 to 22 May 1990 it is formation consists 23 ministers and two vice ministers; as follows; the president of ministers of council headed by Abd al-Aziz abd al-qhani (legal , 12/11/1983 and 31/7/88,)¹⁰⁵

Figure 25. The Structure of the fourth Government in the period of Ali Salih regime



¹⁰⁵ - Yemen News Agency (Saba)' September 2002' p54

6.4.4 The constitutional legal role of local administration

Legislation no 35, 1980 (Legal Office, 1980)¹⁰⁶

When this was issued, it eliminated all previous legislations, and brought back the local administration ministry. The decision-makers gave the powers to minister of local administration to issue the new regulations governing the working of the local councils.

They reverted back to a three-way division of the country - (*Liwaa'* (city), *Qadhaa'* (town) and *Naahiyah* (group of villages). The structure of the membership of the councils was as that of the legislation of 1965, no 7 with the addition of leader of the liaison council, and leader of the municipal council and making these two positions members of the *liwaa* council. From the point of view of specialisms, again they were mainly a liaising between the different activities offered in the local *muhaafadhah*.

Looking at this law no 35, 1980 we see that

- The law recreated the ministry of local administration
- The law restored the previous divisional structure of the country (*Liwaa'* (city), *Qadhaa'* (town) and *Naahiyah* (group of villages).
- Two extra posts were created and were added to the *liwaa* council.
- All members were appointed.
- The specialisms for the were listed in section 14 of the law, and mainly accounted as a liaison between the activities of the branches of the various ministries according to the general state policy, and not of great importance. The councils were therefore mostly token organisations.
- The legislation no 64, 1976 gave the regulation making powers to the prime minister, but this legislation bestowed this upon the minister of local administration.
- Legislation no 35, 1980 of local administration was centralisation system of administrative and finance.

¹⁰⁶ - Publications of the legal office of the presidency of reupublic and council of ministres . law no, 35, of 1980. for the organization of local administration.

The Salih regime did little during the first half of 1982 to advance its effort to restructure politics around the National Pact.

Also in the expansion of free partnership and democracy in Yemen that also included the municipal councils, the local development associations, the Yemeni Students' Union, and the various professional and vocational societies. If it were a sincere effort at democratization.

The elections were held throughout the country from 17-20 July 1985, and an estimated 60 percent of all men and women aged eighteen and over participated in the balloting for 17,507 members of Local Councils for Cooperative Development (LCCDs).

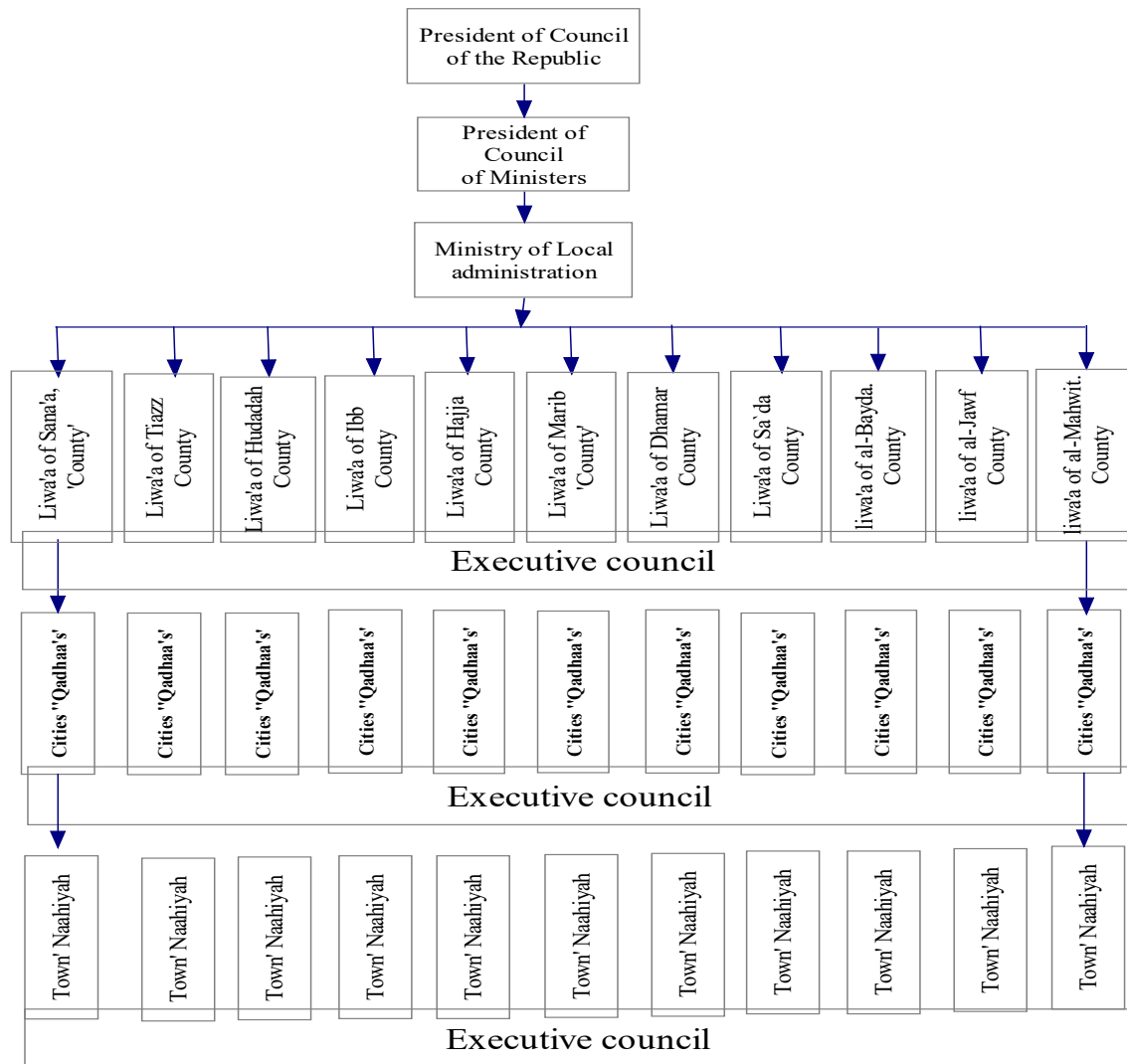
The LCCDs, new local institutions created out of a merger of the old local development associations and new district-level arms of the GPC, have local political and development duties as well as the task of providing the electors who will choose the 1,000 delegates of the new GPC that was scheduled to hold its biennial meeting in August 1986. Completing the circle, the new GPC was charged with electing the twenty-member national administrative board of the Federation of LCCDs, the body that has replaced the old Confederation of Yemeni Development Associations 'CYDA'.

6.4.5 The structure of local administration

Legislation no 35, 1980 it eliminated all previous legislations, and brought back the local administration ministry. The decision-makers gave the powers to minister of local administration to issue the new regulations governing the working of the local councils.

They reverted back to a three-way division of the country - (Liwaa' (city), Qadhaa' (town) and Naahiyah (group of villages). the Yemeni legislator divided YAR territory, into 11 counties or administrative units and they are called, (liwaa's): 1) Liwaa of Sana'a, 2) Liwaa of Tiaz, 3) Liwaa of Hudadah 4) Liwaa of Ibb 5) Liwaa' of Hajja 6) liwaa of al-Bayda 7) Liwaa of Damar 8) Liwaa of Sa'da 9) Liwaa of Marab 10) Liwaa of al-Jawf 11) Liwaa of al-Mahwit. (Legal Office, 1980)

Figure 26. The administrative units structure under Ali Abdullah Salih regime



The figure above clarifies the Yemeni legislator divided YAR territory, into nine counties or administrative units and they are called, (liwaa's): 1) Liwaa of Sana'a, 2) Liwaa of Tiazz, 3) Liwaa of Hudadah 4) Liwaa of Ibb 5) Liwaa' of Hajja 6) liwaa of al-Bayda 7) Liwaa of Damar 8) Liwaa of Sa'da 9) Liwaa of Marab 10) Liwaa of al-Jawf 11) Liwaa of al-Mahwit. Each (liwaa'), or county has executive council. Then each county was in turn divided into many cities ('Qadhaa's'). Also, each city has executive council, according to population and the nature of the area, each city ('Qadhaa's'). Finally, the town ('Naahiyah') were divided into many villages and each town has executive council, all the administrative units under minister of local administration.

6.4.6 The Local Counsels, MC and LDA.

Anthropologists from Western researchers, whom worked in the late 1970s, in tribal, in the northern highlands in Yemen have written exceptions to many essentialist notions of cultural atavism that nonetheless show how difficult it is to translate "al-ta 'awun al-ahli" as LDA "the Local Development Association'.

The Local Development Association LDAs looked like grassroots organizations supportive of donors' "mission" to improve rural infrastructure. Often the district-level LDA was run by someone called shaykh, the ta'awun al-ahli was project often autonomous from any institutional entity.

Although by 1980 the Local Development Association "LDAs" theoretically covered three-quarters of the country, only a handful approximated the formal structure laid out in laws and Confederation of Yemeni Development Associations 'CYDA' guidelines. Moreover, some active LDAs nonetheless did not file accounts with CYDA.

In the shadow of Law 12 and 27 of 1985 the legislator decreed to form local council units from two councils; firstly, a direct election from the public (LDAs), and its provisions shall be regulated by law number 12 of 1985. Secondly, the other is to be appointed by the government which is the local councils for cooperative development (LC CD), and its provisions shall be regulated by law number 27 of 1975 that is special for the administrative units.

A 1981 World Bank report concluded, for instance, that "the Local Development Association (LDA) movement, which is based on local initiative, represents a bottom-up, self-reliant and decentralized mechanism for meeting basic rural infrastructure needs based on priorities determined at the local level in the rural areas.

In comparative perspective, the cooperative movement's accomplishments were noteworthy. Another American study ranked three local-level organizations - agricultural cooperatives near Taiz and Hodeida and a village electrical cooperative in al-Mahwit

governorate - at the top of forty-one organizations in seven nations in terms of their impact on community development" (Bank World, 1981) (Carapico, 1998).¹⁰⁷

President Ali Abdullah salih, labored to improve his political and local prospects. in rapid urbanization in the five cities - Sana'a, Taiz, Hodeida, Ibb, and Dhamar.

Some achievements have been completed in the time of president Salih, particularly in the five cities - Sana'a, Taiz, Hodeida, Ibb, and Dhamar, in hospitals, secondary and higher education, universities, utilities, banks, some airports, transportation, many roads and employment in the cities. Unfortunately, many of them had been destroyed in the recent war that still continues until now.

The YAR's last president, 'Ali'Abd Allah Salih, had even bigger plans for al-ta 'awun. Early in his term, in the winter of 1978/79, he oversaw the second round of elections in 187 districts and towns. The election season began when a twenty-five-man Supreme Elections Committee invited 400 election supervisors, mostly students, to a seminar at the National Institute for Public Administration, and ended with a much-publicized general conference of 600 local representatives. Eighty-three candidates announced for the CYDA board, and seventy actually ran for eleven seats. In voting by secret written ballot, the president of the Republic, several CYDA founding fathers, and other members of the military, religious, landowning, and tribal elites were elected to join the eleven CC secretaries-general, nine deputy ministers, and the chairman of the new Cooperative Credit Bank on an expanded CYDA board.

In the mid-1980's, the taxes and projects were more efficiently centralized than ever before in the majority of counties (Liwa'a).

The CYDA law of 1981 formally established the provincial CCs and the national Ittihad, empowering them to centralize budgets and to create LDAs where they had not formed spontaneously or not worked effectively.³⁰ Another round of non-partisan nationwide elections was held in the spring of 1982.

Under President Salib's National Pact, general assemblies, (with one representative for each 500 persons) would elect both LCCD officers and delegates to the national

¹⁰⁷ - World Bank report for 1981 and Sheila Carapico "Civil Society in Yemen . p109

permanent committee of the General People's Congress; 30 percent of delegates would be appointed by the president. This enhanced cooperative democracy and electoral representation. Appointments ensured that intellectuals and experts joined local leaders and clansmen in deliberations. Supervised by a Supreme Elections Committee, 1823 delegates were elected to the congress in December 1988.

In the reorganization, the district and town boards were simultaneously empowered and reined in. The LCCDs were given larger budgets but less leeway in expenditure. All funds had to be deposited in the Cooperative Bank, which could refuse disbursements or freeze accounts. The existing *nahiyya* structure, overlapping with expanding municipalities, was replaced with an "administrative unit," either a district or a town. District administrators provincial, governors and officers of the general secretariat-LCCDs including the last head of CYDA, Minister of local administration.

This process radically democratized the government while disempowering the localities. It democratized the government by electing representatives for the first time, through a hierarchical bottom-to-top system wherein local election were simultaneously elections to the GPC. This was the reform introduced in *al-Mithaq al-Watani*, the National Pact, which utilized the cooperative experience to bolster the legitimacy and the hegemony of a mass conference headed by a military regime. Whereas previous cooperative elections were outside government, the LCCD elections were for government.

6.4.7 General Assessment of the administrative performance;

- 1) The extent and range of activism in Yemen challenges stereotypes of inherent conservatism usually attributed to tribalism and Islam.
- 2) By the mid-1980s, Sana'a exercised unprecedented control over the countryside. Taxes and projects were more efficiently centralized than ever before.
- 3) From the important achievements that was achieved in the reign president Salih restructure politics and to foster a new consensus and basis of legitimacy, beginning with the first draft of the National Pact and culminating in the holding of the GPC.

- 4) In the YAR, security alone was over half of all state spending. These are indicators of the over development of the armed forces at the expense of civilian government.
- 5) international assistance contributed to the accumulation of assets in the public sectors in the YAR.
- 6) Between 1978 and 1990, the foundations of a national infrastructure was built: about 35%-kilometer grid of two-lane tarmac highways; urban water, sewerage, and power for the five cities; Hodeida harbor and three airports; modern urban public hospitals and some provincial clinics; and campuses for university, technical, and secondary education. These construction projects, contributed to rapid urbanization and high rates of growth in the services sector.
- 7) President Salih has kept trying to win acceptance by promises of increasing public participation in government. In 1979, he carried out municipal elections with "Islamic Alliance" known as Al-Ikhwan al-Muslimun in Yemen; who played a prominent role in the support and success for the municipal elections experience.
- 8) I participated in the organisation of LCCD elections and truly it was better organized than LDA-CYDA elections, and expanded on the LDA system. Although, it's immature experience due to the Yemeni environment and the spread of ignorance.
- 9) The three legislations (no 7 1965, no 64 1976, no 35 1980) above came as a representation of the different circumstances that the Yemen passed through after the establishment of the revolution and the civil wars and crises that accompanied the revolution, lead to a state of instability in the political and administrative circumstances in the country. This caused the state system to be one of centralisation, as well as the system of local administration, in light of the three legislations above
- 10) President Ali Abdullah salih, labored to improve his political and local prospects. in rapid urbanization in the five cities - Sana'a, Taiz, Hodeida, Ibb, and Dhamar.

- 11) This process radically democratized the government while disempowering the localities. It democratized the government by electing representatives for the first time, through a hierarchical bottom-to-top system wherein local election were simultaneously elections to the GPC. This was the reform introduced in al-Mithaq al-Watani, the National Pact, which utilized the cooperative experience to bolster the legitimacy and the hegemony of a mass conference headed by a military regime.
- 12) International assistance contributed to the accumulation of assets in the public sectors in the YAR. 'The World Bank, the UN, and Europeans trained a technocratic elite speaking English, German, Czech, or Russian to manage the YAR, while Kuwait and other donors built up the public education system. The public university, health workers', teachers' training, and research institutes made Sana'a look more like a modern.
- 13) In the era of Yemen Arab Republic there were a few descriptions of good governance as shown in the following. Description of a Good Governance: 1. The State of law and institutions. 2. The existence of a clear strategy and flexible development plans. 3. Provide participation component. 4. Sovereignty and the rule of law. 5. Provide transparency component. 6. Provide accountability component. 7. The Justice and providing the needs of the citizen. 8. Equality and equal opportunities. 9. Reward and punishment law. 10. The Decentralisation
- 14) The Yemeni community is primarily a tribal society and the tribe has a positive and negative tradition. Positive tribal traditions contribute to the stability of the country, such as the central state's support for the extension of security and the prevention of crime, and to help encourage members of society to educate and maintain public services. But there is a negative tradition of the tribe which has recently spread to Yemen. Negative tribal traditions from persons such as the destruction of public services of the state in order to claim rights, abduct foreign tourists, cut off the highway or use weapons against the central state and local. All this contributed to the instability, which led to the lack of development. also The poor education and the spread of illiteracy in the tribal society contributed to the spread of such actions which led to the lack of development and stability.

6.4.8 Conclusion:

Yemen Arab Republic lived 27 years and eight months, from 26/9/1962 to 22/5/1990. the YAR, ruled during the period five heads of the Republic Abdullah al-Sallal, Abd al-Rahman al-Iryani, Ibrahim al-Hamdi, Ahmad al-Ghashmi and Ali Abdullah Salih during the period formed 26 Governments.

They were all from the military, only one of the civilian is Abd al-Rahman al-Iryani.

Yemen has been racked by political instability and violence and it has witnessed several political, bloody coups. For example: the civil war between republicans and royals (Imamate followers) from 1962 until 1968, the ousting President of al-Sallal and al-Iryani from state baskets through a bloodless coup as well as civil conflict and wars between north and south of Yemen. However the new president Al-Hamdi was assassinated followed by the assassination of president Al-Ghashmi.

State of institutions

State of institutions: There was a separation of powers between the legislative, executive and judicial power, but it was not real exercise, but in most cases the executive branch have been influencing and interfering with all the authorities.

in most cases, the head of state is the owner of the commands and prohibitions in all authorities, and the Yemen and Yemenis are still suffering even today from this problem.

it was formed in each period of council such as the revolutionary command council in al-sallal regime, the Republic council in al-Iryani regime and command council in Al-Hamdi regime. Councils were considered the collective leadership in the State.

The side of constitutional

The YAR state therefore worked towards building these constitutional institutions that organise the different facets of living in the country and establish the rights and responsibilities. Due to this attempt, three temporary constitutions appeared.

The first was that issued in 1964 - the second in 1965 - and the third in 1967 - and much of these three were copies of the Egyptian constitution. The final constitution appeared . December 1970 and was the first to make progress towards meeting the aspirations of The Yemeni people and was an extension of the constitution of 1948, and was the main

permanent constitution until the Unification in 1990. But We have been observing that the heart of the problem of change and stability in political societies is the interrelationship between law, administration and popular participation.

The side of Democratic:

In March 1971, Majlis al-Shura "parliamentary council the first" was established. It consisted of 179-member legislature, the consultative council.

The chairman Salih, appointed the twenty of the members of parliamentary council and the remaining 159 elected indirectly by electors chosen by residents at local electoral districts. This was the most important achievement during the al Iryani period. The Majlis al-Shura was a main objective of (Al-Mithaq al-Watani al-Muqaddas,) The Sacred National Charter for year 1948. It was also the first national elections for Y.A.R. Majlis al-Shura under the new constitutional system (this was the first experience of democracy in Yemen, although it contained many shortcomings it was an important step towards democracy).

This period is most important in the YAR because the central governments of Al-Hamdi and Ali Abdullah Salih implemented the democratic process even though it was simple, incomplete and sometimes deformed.

The first democratic experience in local society in Yemen was in 1975 when law 35 of 1975 was issued which allowed the election of members to administrative positicus.

It was followed by law 52 of 1985, which reinforced the democratic process in election of municipal and local councils.

The administrative side:

By the mid-1980s, Sana'a exercised unprecedented control over the countryside. Taxes and projects were more efficiently centralized than ever before. Military, judicial, administrative, and national security officers as well as teachers and nurses worked in every district center. Central appointees wielded increasing authority relative to customary leaders. There was much administrative disarray and improvisation.

Table 5. Leaders of North Yemen (the Yemen Arab Republic) from 1962 to 1990:

President of Republic	The Period	The Picture
Abd Allah as-Sallal	26 Sep 1962 to 05 November 1968	Military
Abd ar-Rahman Yahya al-'Iriani	05 November 1968 13 June 1974	Civilian
Ibrahim al- Hamdi	13 June 1974 to 11 October 1977	Military
Ahmad al-Ghashmi	11 October 1977 to 24 June 1978	Military
'All 'Abd Allah Salih	July 1978 to 22 May 1990	Military

Table 6. Leaders of North Yemen (the Yemen Arab Republic) from 1962 to 1990:

President of ministry	The period	The picture
Abd Allah as-Sallal	26 Sep 1962 - 26 Apr 1963	Military
Abd al-Latif Dayfallah	26 Apr 1963 - 5 Oct 1963	Military
Abd ar-Rahman Yahya al-'Iriani	5 Oct 1963 - 10 Feb 1964	Civilian
Hassan al-Amri	10 Feb 1964 - 29 Apr 1964	Military
Mahmoud al-Jaifi	29 Apr 1964 - 6 Jan 1965	Military
Hassan al-Amri	6 Jan 1965 - 20 Apr 1965	Military
Ahmad ibn Muhammad Numan	20 Apr 1965 - 6 Jul 1965	Civilian
Hassan al-Amri	21 Jul 1965 - 18 Sep 1966	Military
Mohsin al-Aini	5 Nov 1967 - 21 Dec 1967	Civilian
Hassan al-Amri	21 Dec 1967 - 9 Jul 1969	Military
Abd al-Salam Sabrah	9 Jul 1969 - 29 Jul 1969	Civilian
Mohsin al-Aini	29 Jul 1969 - 2 Sep 1969	Civilian
Abd Allah Kurshumi	2 Sep 1969 - 5 Feb 1970	Civilian
Mohsin al-Aini	5 Feb 1970 - 26 Feb 1971	Civilian
Abd al-Salam Sabrah	26 Feb 1971 - 3 May 1971	Civilian
Ahmad ibn Muhammad Numan	3 May 1971 - 24 Aug 1971	Civilian
Hassan al-Amri	24 Aug 1971 - 5 Sep 1971	Military
Abd al-Salam Sabrah	5 Sep 1971 - 18 Sep 1971	Civilian
Mohsin al-Aini	18 Sep 1971 - 30 Dec 1972	Civilian
Kadhi 'Abd Allah al-Hagri	30 Dec 1972 - 10 Feb 1974	Civilian
Hassan ibn Muhammad Makki	10 Feb 1974 - 22 Jun 1974	Civilian
Mohsin al-Aini	22 Jun 1974 - 16 Jan 1975	Civilian
Abd al-Latif Dayfallah	16 Jan 1975 - 25 Jan 1975	Military
Abd al-'Aziz 'Abd al-Ghani	26 Jan 1975 - 15 Oct 1980	Civilian
Abd al-Karim al-'Iriani	15 Oct 1980 - 13 Nov 1983	Civilian
Abd al-'Aziz 'Abd al-Ghani	13 Nov 1983 - 22 May 1990	Civilian

Chapter seven: The administrative systems in the South Yemen

7.1. Introduction

The purpose and objective of this chapter is to explore the mechanisms that have been used for the administrative and constitutional systems during the British occupation for South Yemen from 1839 until 1967. In addition, it will focus on historical developments from an administrative perspective and the changes that coincided with the trajectories of various political and administrative regimes that were implemented in South Yemeni society. It will study the administrative, constitutional and legal changes and their role in the development of local administration in Aden and the protectorates which contributed to the development of Yemen's administration under various political and administrative circumstances, and that withered under others.

This chapter will focus on the British rule of Aden and the protectorates, historic periods of heightened activism in the administrative sphere, and the gradual but uneven development of the states that ruled Yemen, in addition to the political and administrative vicissitudes which influenced the local administrative systems negatively or positively and their influences upon constitutional rules and principles.

In attempting to explain Britain's experience in South Yemen, from the administrative perspective it tries to highlight those aspects of the decision-making process that seem most important, making careful note of when and how they changed.

The Yemen is a land of many civilizations and many states which practised numerous forms of administration. Some used a centralized system and others a decentralized system.

It witnessed many forms of government throughout the twentieth century'. Consequently many forms have evolved in the country over the past 100 years. It has been a century racked by political instability and violence.

But In the nineteenth and twentieth centuries the hinterland continued largely undisturbed under the British as a matter of deliberate colonial practice.

The Yemen witnessed many events during the twentieth century by virtue of its strategic position on the Red Sea. In the mid-nineteenth century with the first and the second Ottoman seizure and control upon North Yemen and the British occupation of the port of Aden in South Yemen, this research will mention the reasons for the occupation of Aden by Britain.

Historically, the Yemen has experienced a unique combination of isolation and interaction, of peripheralism and strategic centrality. South Yemen's major city-the port of Aden- occupies an important commercial and strategic position and, as a result, has suffered some times from foreign occupation.

Yemen has played an important role in international commerce. Therefore, the competition for its control has always been active. It is a country whose population and terrain has defied numerous countries and systems that have attempted to occupy and divide it.

Therefore, I agree with what Shela C, stated in her book 'Civil Society in Yemen' because the Arabs and Muslims believe in unity; "Historically Yemen has rarely constituted a single political unit. A sense of Yemeni unity nevertheless has developed within the general context of Arab Nationalism and Islamism by which amalgamation of the two Yemenis has been seen as a necessary and desirable step towards unification of the entire Arab nation. As a result, the concept is enshrined as a major goal in the constitutions of both countries" (Carapico, 1998).¹⁰⁸

At many historical junctures Yemen has played an important role in international commerce. It is situated at the intersection of important Middle Eastern and African trade routes which date back to antiquity. As well as the Yemen had a huge favourable trade balance with Middle Eastern and later, with the European countries. Yemeni coffee was purchased almost exclusively with silver and gold. Many ships, large and small, were engaged in conveying the chief product of the Yemen from Mocha, 'the Yemeni coffee trade reached its apogee in the second decade of the eighteenth century. By then, Middle

¹⁰⁸ Sheila Carapico "Civil Society in Yemen", *The political economy of activism in modern Arabia* Cambridge Middle East Studies , U k.p19

Eastern and European merchants were scrambling for coffee in the markets, driving the prices to astronomical heights (Gavin, 1975).¹⁰⁹

In 1802 the British a treaty was signed with the Sultan of Aden for the development of commerce. During the ensuing decades, the trade between India and the Red Sea was actively fostered under the British flag. Therefore, the competition for its control has always been active. The objective was political but the means used were primarily commercial.

The British sent troops to guard the southern entrance to the Red Sea in 1798. Then occupying (Perim Island in the Bab el Mandeb)- the strait between the Red Sea and the Gulf of Aden. We also find that Karl Pieragostini wrote a significant reason for Britain's occupation of Aden.

"The potential threat to India and the need for coaling stations combined to convince the British Government it needed a presence in Aden. The pretext for involvement occurred in 1837 when an Indian ship flying a British flag ran aground at Aden and was plundered by the locals". 'On the 19th of January 1839 Aden was seized and Haines installed as the first British Resident in the first of Queen Victoria's colonial acquisitions. The Aden settlement was administered from Bombay' (Pieagostini, 1991).¹¹⁰

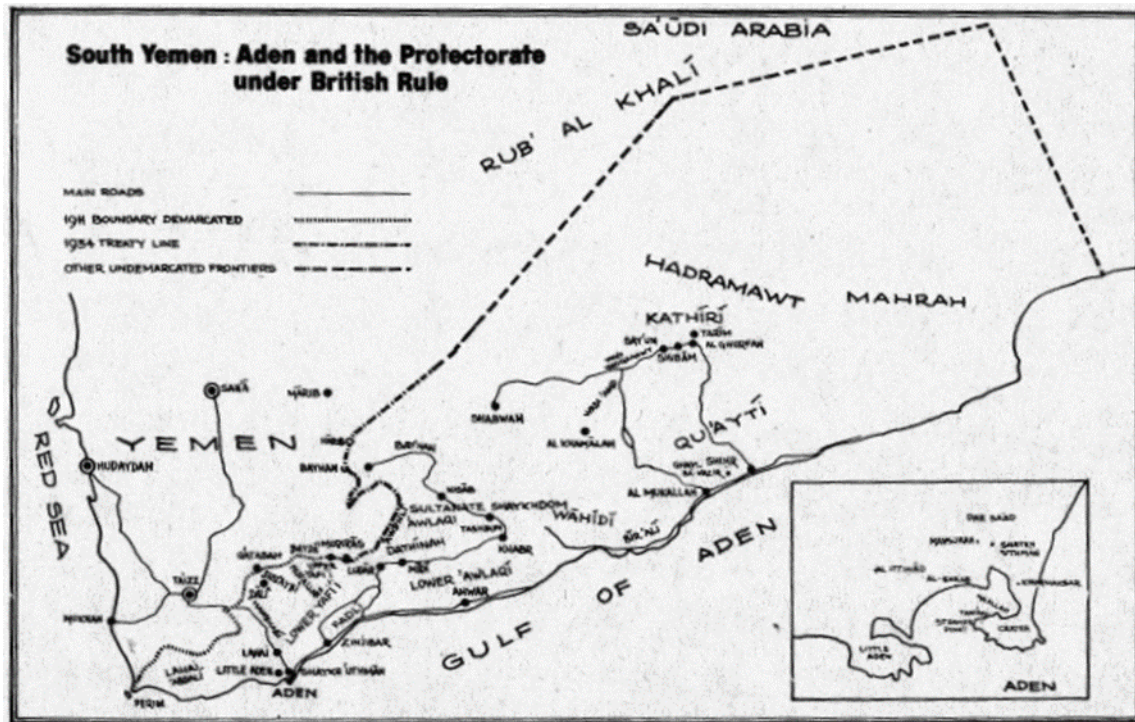
'The area ceded to Britain by the Sultan of Lahej in 1839 comprised only the peninsula of Aden itself. In 1868 this area (known as the Settlement) was extended by the purchase of little Aden from the Sheikh of 'Aqrabi, and in 1882 by the purchase of the connecting strip of land and the town of Sheikh Othman from the Sultanate of Lahej. (Office of Central Information, 1996) '¹¹¹

¹⁰⁹ - R J G. 'Aden under British'. P 21

¹¹⁰ - ' Karl Pieragostini 'Britain, Aden and South Arabia '1991 New York. P 21/22

¹¹¹ - Prepared by reference division central office of information. London June 1996 quote No. R5671/66

Map of South Yemen: Aden and the Protectorate Under British Rule



7.2. The Administration in South Yemen under British Rule 1839-1967.

7.2.1 Firstly Aden City;

Aden was incorporated into the British Empire and administered from Bombay from 1839 until 1937, because India was under British rule.

Aden was considered to be a point pivotal for British strategy in the Indian Ocean and in the Peninsula as a whole the Protectorate was viewed only as Aden's defensive hinterland.

"The British kept 'The Fortress of Aden' isolated from the rest of the Protectorate. Contact with the Princedom was minimal, sporadic and limited to signing 'defense treaties' with some of the sultans' (Kostiner, 1984).¹¹²

"After the 1920s, British policy in South Yemen was aimed at administrative and constitutional development. However, in an attempt to preserve traditional structures in the Princedom and a firm British grip over Aden, this policy was exercised in the form of indirect rule in the Protectorate and in an interventional direct rule in Aden. Hence, British officials intended to develop Aden differently and more rapidly than the Protectorate. (Kostiner, 1984)¹¹³

On 1st April 1937, Aden was removed from the Indian government's authority; placed under the direct rule and became a Crown Colony under the authority of the Colonial Office, and administered by a Governor assisted by an Executive Council.

When Aden was under the administration of the Indian government, aspects of the administration and constitution were very weak, to an extent of not existing at all.

In the Colonial Office, the British took various initiatives to the changes at the administrative and constitutional level, namely, in the authority, structure and practice of local government which were of major importance.

Aden area was divided into (1) the peninsula of Aden itself, (known as the Settlement) (2) The small Aden., (3) The town of Sheikh Othman.

¹¹² - Joseph. K. (the struggle for South Yemen) 1984. p3 Croom Helm, 1984

¹¹³ - Joseph. K. (the struggle for South Yemen) 1984. p5

Some initial steps were taken in Aden towards popular participation within an orderly government of the colonial pattern, and some form of rudimentary administration was brought to the Protectorates.

After ten years from 1937, a Legislative Council was constituted, but without elected members. 'In 1947 a sixteen-member Legislative Council, half of whom were British officials and the rest nominated town's people, was established.

This Council could initiate laws, which the Governor had a right to veto, except for tax matters and the abolition of existing laws. Aden also had a Supreme Court over which a single British judge presided. In Aden's various quarters, there were lower ranking courts and municipal councils which again were dominated by the British'. (Kostiner, 1984)¹¹⁴

In this context, propertied male Adenis were allowed to vote for a few seats on an Aden municipal council in 1949 and for a majority of seats on a reconstituted Aden legislative council in 1959.

'Aden's local government had, since 1959, consisted of a Legislative Council of twenty-three members - twelve elected, six nominated, and five ex officio - and an Executive Council subordinate to the Governor, who acted as President of the Council',¹¹⁵

The greatest visible progress was seen in the sphere of education. Aden College and the Technical College opened during 1952 and the first five-year plan came to a successful conclusion (Pieagostini, 1991).

'Independent of any constitutional arrangement, the civil court system was one of Britain's hardest legacies in Aden, where the two-tiered judicial system headed by a chief justice and supreme court also included magistrates' courts that heard criminal, civil, and traffic cases. ...Attorneys, practicing in Aden since the 1920s, were organized into a Council of Legal Practitioners in 1954. English-style, English-language courts operated from court houses in Crater, Steamer Point, Shaykh 'Uthmān, and Little Aden. They applied a corpulent corpus of British and Indian statutory codes and ordinances published in five volumes in 1955. Courts were backed up by municipal police force' (Carapico, 2007).¹¹⁶

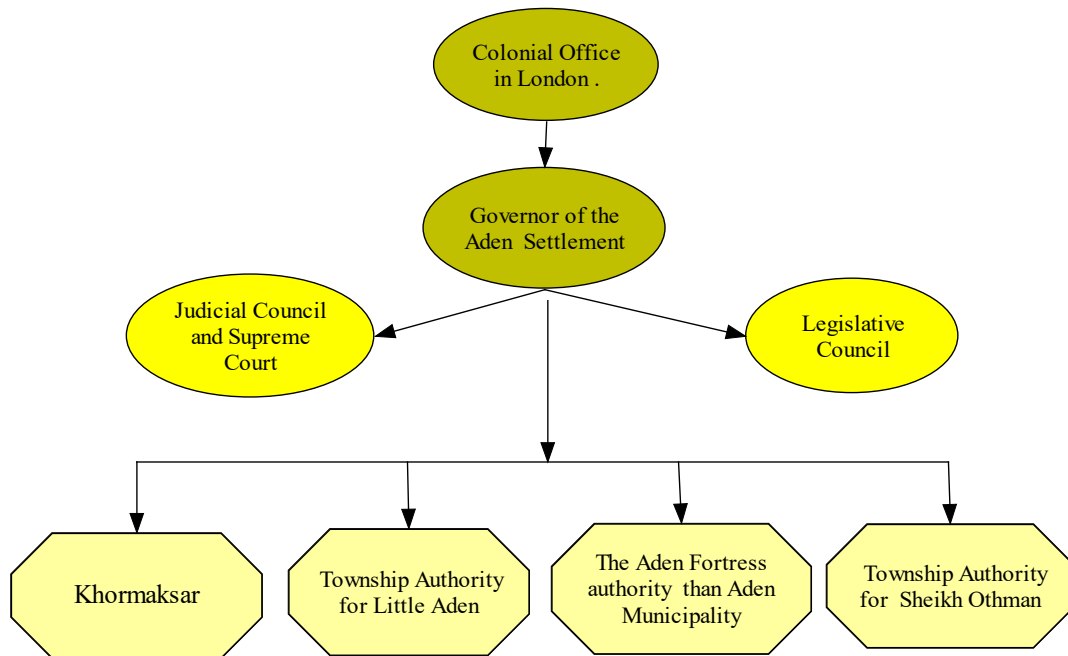
¹¹⁴ - Joseph. K. (the struggle for South Yemen) 1984. p25

¹¹⁵ -Karl Pieragostini 'Britain, Aden and South Arabia' p 38

¹¹⁶ - Sheila Carapico "Civil Society in Yemen", p25

Division of the administrative units in Aden City

Figure 27. The colonial structure of administration in Aden City



The constitution provided for an Aden legislature consisting of the High Commissioner and a Legislative Council composed of a Speaker, 16 elected members, six nominated members and the Attorney-General (who is an ex officio member). The constitution also contained provisions governing qualifications for election to the Legislative Council, the enactment of local legislation, the Aden Supreme Court and the Aden Public Service. As well as Aden area was divided to (1) The peninsula of Aden itself, Crater, the original port city; Ma'alla, the modern port; Tawahi, known as "Steamer Point" in colonial days; and the resorts of Gold Mohur. (2) The small Aden. The volcanic peninsula of Little Aden forms a near-mirror image, were enclosing the harbor and port on the western side. Little Aden became the site of the oil refinery and tanker port. Both were established and operated by British Petroleum until they were turned over to Yemeni government ownerships and control in 1977. (3) The town of Sheikh Othman, a former oasis area; Al-Mansura, a town planned by the British. (4) Khormaksar, located on the isthmus that connects Aden proper with the mainland, includes the city's diplomatic missions, the main offices of Aden University, and Aden International Airport. (Pieagostini, 1991) (Kostiner, 1984)

The 16 elected members of the Legislative Council, representing single-member constituencies are elected by registered voters in accordance with the provisions of a local ordinance passed by the council in March 1964. This gave voting rights to all males over 21 residents in Aden who were themselves born or naturalised in Aden or whose fathers were born in Aden.

Aden had a Supreme Court, with unlimited civil, criminal and Admiralty jurisdiction, presided over by a Chief Justice. In addition, there were subordinate civil and criminal courts presided over by magistrates. In those cases, before the courts where it was appropriate and which involve Muslims, the Shari'ah* (Colonial Reports, 1954).¹¹⁷ (Muslim religious) law is applied. Muslim marriages and divorces were registered before a IA Muslim official, the Qadhi of Aden. Since 1937, when Aden was taken from the control of the Government of India and put under the Colonial Office, the constitution of Aden had been that of a Crown Colony. The Colony was administered by a Governor, assisted by an Executive Council. Then in 1944 a Legislative Council was constituted for the Colony of Aden. The Council was inaugurated in January, 1947, and consisted of the Governor as President, four ex officio members, not more than four official members and not more than eight unofficial members. Its members were chosen by the Governor (half from the colonial administration itself) and lacked any real power. In 1955 a small elected clement was added. These reforms were, of course, intended to foster the growth of the pro-British Aden elite and to involve it in the governing process (Colonial Reports, 1954). Aden was governed by British officials and run according to British administrative and judicial methods.

'Aden Colony a Supreme Court with unlimited civil and criminal jurisdiction presided over by a Judge of the Supreme Court. There are subordinate civil and criminal courts. Subordinate civil business is transacted by the Court of Small Causes.

This Court is presided over by the Chief Magistrate, who is the Judge of the Small Causes Court, assisted by one of the other two Magistrates as additional Judge. In addition, there

¹¹⁷ - Colonial Reports Aden 1951 and 1952, London :Her Majesty's Stationery Office 1954
Net. British Library No; 42/R341, p40

*. *After becoming a part of the Islamic state the Yemenis were regulated according to one or more of the following: (1) The Shari'a (the path) commonly translated by Western scholars as Islamic law, yet its meaning is more comprehensive and could be referred to as, "the Islamic approach to life according to the tenets of Islam.", (2) 'Urf (customary law) and (3) Tribal law (also often called hukm al-qabila

are Magistrate's Courts at Crater, Tawahi and Sheikh Othman. In 1945 the Aden Settlement, a nominated body representative of local residents which had wide municipal authority over all mainland areas of Aden Colony, was dissolved. 'A civilian population estimated to be 80,000 to 100,000 (Colonial Reports, 1954)'.¹¹⁸

In its place two Township Authorities were set up for Aden Fortress and for Sheikh Othman. The Aden Fortress authority later became the Aden Municipality, 'the Aden Municipality came into being on April, 1953', the council of which had from 1958 an elected majority. In 1955 a separate Township Authority was created for Little Aden (excluding the area of the new oil refinery) which had previously come under the Sheikh Othman Township Authority. The Fortress Township Authority now includes three elected members in addition to four nominated official and three nominated unofficial members.

'The qualifications for a voter are Aden or British birth and two years' residence, or foreign birth and five years' residence. In addition, a voter must be a male of over twenty-one years and own property worth Sh.1.500, or pay rent of Sh.18 a month, or have an income Sh.200 a month. A candidate must be of Aden or British birth and possess the qualifications of a voter. At the 1951 elections the electoral roll for the Fortress Township contained the names of 4,930 persons. In the Sheikh Othman Township Authority area the people are not so developed politically and a fully nominated Authority is retained with three officials, one Arab resident and one European resident as members.

The Township Authorities hold fortnightly meetings to superintend various services of a municipal character, such as control of markets, the maintenance of public health and sanitary services, the maintenance and improvement of roads, the provision of recreation facilities and the control of building operations (Colonial Reports, 1954)',¹¹⁹.

After 1955 four of the unofficial members were elected instead of being nominated.

In Aden, there was a more successful, albeit less ambitious, injection of constitutional advance in 1955 when elected members were allowed on the Legislative Council for the first time.

¹¹⁸ -Colonial Reports Aden 1951and 1952, London :Her Majesty's Stationery Office 1954
Net. British Library No; 42/R341, p40

¹¹⁹ - Colonial Reports Aden 1951and 1952, London :Her Majesty's Stationery Office 1954
Net. British Library No; 42/R341,p55

The Proposals for further constitutional advance were formulated in 1956-57 and an Aden Order in Council brought these into effect in November 1958.

The Order in Council provided for a reconstituted Legislative Council with an elected unofficial majority, and for half the membership of the Executive Council to consist of unofficial members of the Legislative Council who would be appointed 'Members in Charge' of certain departments of the Government of Aden.

The first elections for the 12 elective seats of the Legislative Council were held in January 1959, the successful candidates (9 Arabs, 2 Somalis and 1 Indian) were independents or members of the Aden Association which aimed at self-government within the Commonwealth. The lifetime of the council elected in 1959, which was due to expire in January 1963, was later twice extended to 1964.

The Aden Governor in January 1961, announced majority of the government departments, and in a wide range of public affairs, the responsibility for administering and for the evolution of policy lay with representatives of the local people.

The Ministers would also be given wider responsibilities.

'In the 1960s there were more constitutional developments. On 2 October 1962, a constitution for Aden was introduced. Civil rights, including freedoms of expression, and political organization; the prohibition of racial discrimination and the obligation to abide by the law, were officially granted. A new Executive Assembly was set up, five of whose ten members were appointed by the Governor and the other five elected' (Kostiner, 1984).¹²⁰

Aden joined the Federation only in January 1963. The reasons for this delay were indicative of the problems prevalent in South Yemen.

'As Aden entered the Federation, Britain granted the Colony a further degree of constitutional advance. Aden's local government had, since 1959, consisted of a Legislative Council of twenty-three members - twelve elected, six nominated, and five ex officio - and an Executive Council subordinate to the Governor. (Pieagostini, 1991)¹²¹

7.2.2 Secondly the Protectorates

¹²⁰ - Joseph Kostiner (the struggle for south Yemen),. P10

¹²¹ - Karl Pieragostini. 'Britain, Aden and South Arabia' P38

The population of the Protectorate, estimated one million, approximately is wholly Arab and indigenous to the area.

Relations with the rulers of the states under British protection were conducted from 1839 to 1937 through the Government of India, then they became the responsibility of the Colonial Office. The British authorities played no part in the domestic affairs of the protected states, except in so far as some intervention was necessary from time to time to preserve the peace and to ensure the necessary conditions for normal trade between Aden and other parts (Gavin, 1975) (Brehony, 2011).

The South Yemen having no effective central rule, authority was divided amongst small state-like units, nominally known as "Emirates", "Sultanates," or "Princedom" which were actually semi institutionalised tribal alliances. Each unit was headed by a Sultan, or Amir. The law that ruled the North and South Yemeni society involved tribal law ('urf), which owes much to pre-Islamic practice, then Islamic law (Kostiner, 1984) (Pieagostini, 1991).

Relations with the rulers of the states under British protection were conducted from 1839, through the Government of India. The British kept The Fortress of Aden isolated from the rest of the Protectorate. Contact with the Princedom was minimal, sporadic and limited to signing defence treaties with some of the sultans. Some form of rudimentary administration was brought to the Protectorates but administrative difficulties prevented it from being effective. 'A first attempt to take more positive action in the Protectorate occurred under the residency of Sir Stewart Symes who wrote "the territory in general presented an unedifying example of the principle of individual liberty which precluded the possibility, except by coercion, of carrying out any measure for the common welfare". He tried, therefore, to bring about some sort of stability by calling a conference of Rulers which met at Lahej in 1930. Eighteen Protectorate chiefs attended and Symes hoped that they would agree to combine to defend the frontiers and to take joint action against wrong-doers: by establishing peace it would be possible to move towards a policy of social and economic development with money spent on public services rather than on

doles to notables. The experiment was, however, premature and mutual jealousies proved too strong for the creation of any effective union'. (Bidwell, 1983)¹²²

The British were reluctant to impose direct rule over the Protectorate. While Aden was considered to be a point pivotal for British strategy in the Indian Ocean and in the Peninsula as a whole the Protectorate was viewed only as Aden's defensive hinterland. Therefore, from Aden, the British began to consolidate their position in the interior of South Yemen. British government listed nine South Yemeni tribes whose independence it desired to see considered (Abdali, Alawi, Aqrabi, Awlaqi, Dali, Fadli, Hawshabi, Subayhi, and Yafi). 'The most important tribal units include in South Yemen the Subayhi, 'Abdali, 'Aqrabi, Hawshabi, 'Amiri, 'Alawi and Fadhali near Aden; the Yafi'i tribes in the north; the 'Aulaqi, Audhali, Dathina and Bayhan in the mid-west the Wahidi, Shenafir, Saybani, Qu'ayti, Kathiri and Hamuni confederacies in and around Wadi Hadhramawt in the east and the Mahrah of the far east. In turn, these tribal units are characterized by an extended segmented structure, with each tribe divided into sub-tribes by lineage, and these further divided and subdivided until the basic building block of tribal society, the clan or family group is reached' (Ismael & Jacqueline, 1986).¹²³

Within the tribes, power generally rested in the hands of tribal sheikhs, to whom all members of the tribe looked as mediators and judges in intra-tribal affairs.

In the old South Arabian tradition, succession was not by primogeniture but by election within a hereditary group either by its own members or on a wider tribal basis.

"Once elected", both chief and tribe are subject to each other's will, and this is the ancient blending of feudalism and democracy, the agreement between the Sultan and the tribes, based on a customary law far older than Islam; but Islam did not delete the customary law but accepted the good which benefited the people and disapproved that which did not.

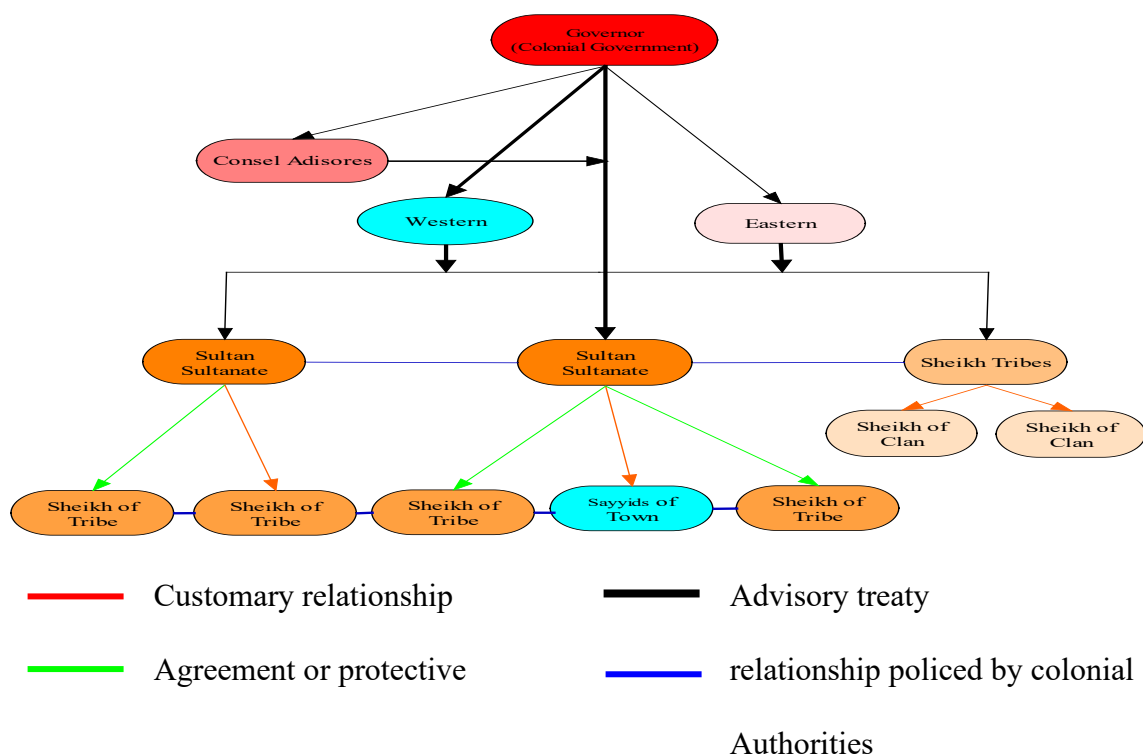
"Both tribal areas and hinterland towns were often ruled by a common sultan, to whom tribal units pledged (often only nominal) political allegiance and under whom towns were ruled directly or enjoyed semi-autonomy guaranteed by custom or treaty...the dependence

¹²² - Robin Bidwell 'Two Yemen'. P 87

¹²³ - Tareq. Y. Ismael and Jacqueline. S. Ismael (the People's D R Y). p10 Tareq Y. Ismael and Jacqueline 'PDRY Politics, Economics and Society' 1986 p Cardiff U K1986

of the sultan's position on tribal support introduced a significant degree of responsibility into the traditional political system" (Ismael & Jacqueline, 1986).¹²⁴ In the absence of alternative social or political frameworks, social strata, to which one was affiliated according to the "estate" norms, namely, by descent and lineage only. British colonial policy reinforced this structure by adding a single authority at its head and policing relationships among its constituent elements. After a period of time British colonial policy changed all this. Under the protectorate treaty system, a sultan's position and the existing intra-and inter-tribal status quo were guaranteed by the overwhelming power of the British-in exchange for which the sultan and the existing elite pledged their support for British, interests. Moreover, the British usually provided direct financial support for a sultan, hence reducing his reliance on those under him.

Figure 28. The colonial power structure in protectorates ‘South Yemen’



¹²⁴ - Tareq. Y. Ismael and Jacqueline. S. Ismael (the People's D R Y). p11

South Yemen was eventually divided into Western protectorates, 'the larger number of Princedoms there' and Eastern Protectorates.

'The British were aided in the extension of their influence by the chaotic political conditions prevailing among the local rulers-interneccine tribal feuds, the absence of a strong central government, and the general backwardness and poverty of the inhabitants of the region. Britain offered protection to tribal rulers and to their heirs, in return for which the rulers gave up their right to enter into any relations whatsoever with any foreign power, promised not to sell or cede any territory except to Britain; and undertook to inform the British Resident in Aden if any power tried to interfere in any way in tribal territory'.¹²⁵

The nine tribes were in treaty relations with Britain and that British officials acted as mediators in their mutual disputes (Ismael & Jacqueline, 1986).

These treaties were to become the nucleus of the system of British protection for the area. From through a system of treaties, agreements and alliances signed between 1839 and 1938, the British extended their control over the whole of South Yemen. Military control in Aden was important for Britain's involvement in South Yemen.

The judicial, educational and local administrative systems in the Princedoms, for the nine tribes (Abdali, Alawi, Aqrabi, Awlaqi, Dali, Fadli, Hawshabi, Subayhi, and Yafi), remained quite autonomous. But Aden was governed by British officials and run according to British administrative and judicial methods.

But From the end of the First World War, Britain's attitude towards the Protectorate gradually changed and relations with Protectorate tribes and rulers expanded, particularly in places where there was a visible North Yemeni threat or where a dispute could influence the local attitude towards the British.

After the 1930s, the British policy in South Yemen was aimed at administrative and constitutional development in an attempt to preserve traditional structures in the Princedoms and a firm British grip over Aden, this policy was exercised in the form of indirect rule in the Protectorate.

¹²⁵ - Tareq. Y. Ismael and Jacqueline. S. Ismael (the People's D R Y) Cardiff U K1986 . p11

"In the 1940s, five to ten member executive councils were established to assist the Sultans , who alone could use them or dismiss them. Bigger councils, composed of 20 members, some of whom were elected, functioned as quasi-legislative bodies, which could propose and recommend laws for the Sultan's approval, in addition, a system of Shar'i courts based on the Shafi'i persuasion was operating' (Kostiner, 1984).¹²⁶

7.2.3 Thirdly Federation of South Arabia (South Yemen)

Birth of a new state under the British High Commissioner / the Colonial Office

'In an attempt to resist growing Arab nationalist pressures in the region, the British undertook a series of discussions, beginning in 1954, with sheikhs and sultans interested in the formation of a federation of Arab emirates of the south. This autonomous entity would be tied to Britain by treaty and protected by the British Army. It was hoped that such a Federation would provide a somewhat more cohesive and coherent unit with which to resist regional pressures, going beyond the thirty-one major protectorate treaties and ninety conventions that by this time defined Britain's status and power in the hinterland' (Ismael & Jacqueline, 1986)¹²⁷.

Discussions were initiated in 1958 by a group of rulers and tribal leaders, during which many difficulties caused by long-standing disputes between tribes were overcome.

On 11th February 1959, six of the states 'Amirates' of the western Aden Protectorate Beihan, Audhali, Fadhli, Lower Yafa', Dhala, and the Sheikhdom of Upper Aulaqi on their own initiative set up a Federation of Arab Amirates of the South with the object of ensuring the mutual defence of the six states and development in all social, administrative, political and economic matters for the betterment of the country and its people, they declared that the union would be based upon democratic principles, social justice and equality.

'The new Federation, in 1959, signed a treaty of friendship and mutual co-operation with Britain by the Governor of Aden, Sir William Luce, which recognised the Federation's 'desire to develop ultimately into an economically and politically independent state' and

¹²⁶ - Joseph. K.(the struggle for south Yemen) 1984. p 24

¹²⁷ - Tareq Y. Ismael and Jacqueline 'PDRY Politics, Economics and Society' 1986 p 16

pledged Britain's assistance in achieving such independence' (Bidwell, 1983),¹²⁸ (And, very gradually, to a degree of democratic self-government within the Commonwealth).

The treaty, while specifying that all previous agreements between Britain and the rulers of the states should continue in force, extended British protection to the Federation as such (Article III (1) (Anon., n.d.) (Albahama, 1969)¹²⁹, and committed Britain to providing the Federation with 'advice and financial and technical assistance' in order to assist its 'social, economic and political development and the establishment and maintenance of a Federal Army and a Federal National Guard' (Article IV). The Federal constitution (which was amended in December 1962), provided for a Federal Council consisting of an equal number of representatives

from each state and for an executive body called the Federal Supreme Council which elects the Federal Ministers from amongst its own members. The constitution also defined the respective powers of the Federal and State Governments and provided for the accession of other states in the Protectorate.

'Federation was clearly in the interests of South Arabia, but the Rulers were presented with a rigid scheme, which, owing to the interference and advice of Whitehall, bore little relation to local conditions. ..Fiercely independent and mutually jealous Chiefs were expected to surrender most of their power and responsibilities, and to become instead members of a Council of Rulers under the Presidency of a British Governor.

There was to be an Advisory Legislative Council, which would in due course be elected, and an Executive Council under the chairmanship of the British Agent.

The Governor would retain control of defence and foreign affairs while the Federation would deal with customs, health, communications, postal services and education, using the British Political Officers in the states as its executive arm' (Bidwell, 1983).¹³⁰

'According to the Treaty of Friendship signed between Britain and the Federation of South Arabia on 11 February 1959, the High Commissioner, became head of state.

¹²⁸- Robil Bidwell. p131 -

¹²⁹ - al-Habashi the general constitution which determined that Aden be annexed to the federation in 1963; no . 82 (London: H. M. S.O.,1963), :henceforth Constitution. See also Treaty of friendship 11 February, 1959

¹³⁰ - Robil Bidwell. P132

He remained responsible for the Federation's foreign affairs, its budgeting, administrative and security planning and for the training and command of the Federal Army. Any change in the Federation's frontiers also required British approval. Furthermore, the High Commissioner had the right to declare "a state of emergency" in the Federation (according to Paragraph 15 of the first part of the constitution). He could suspend any institution or political body. (al-Habashi, 1968) (Albahama, 1969)

The Colony of Aden joined the Federation in January 1963 as the State of Aden, the Treaty of Accession laying down special conditions relating only to Aden, which remained a British dependency.

After Aden joined two further protected states, the Sheikhdom of Sha'ib and the Sultanate of Haushabi, acceded in March 1963. The Upper Aulaqi Sultanate and the Sheikhdoms of 'Alawi and Muflahi' acceded in 1965, bringing the total membership to 17 states.

The Protectorate of South Arabia (South Yemen), comprised 20 autonomous 'Amirates' states, varying greatly in size and population, the rulers of which signed treaties of protection with Britain (al-Habashi, 1968).

The tribes of each state nominated their own rulers (usually a member of the ruling family) who were subsequently to be recognised by the High Commissioner for the Protectorate of South Arabia. Government had no direct administrative responsibility within the Protectorate, but the rulers received British advice on the administration of their territories.

'The principle of self-Government was most evident in the Federal Constitution. Six members from each Princedom formed a Legislative Council. The right to endorse their proposed laws and all executive rights rested with an executive council (known as "The Supreme Federal Council") which comprised all the Sultan members (al-Habashi, 1968).

The post of Chairman of the Council rotated among its members. A Federal Court to arbitrate inter-Princedom disputes was also founded. The Federal balance was secured by authorising the Sultans, as heads of their Princedoms' (al-Habashi, 1968)¹³¹

¹³¹ - Constitution and M Umar al-Habashi, p31

‘Aden received 24 seats in the Federal legislature, more than any other unit, which was the most populated unit in the Federation However, Aden remained a British colony and kept its separate constitution’ (al-Habashi, 1968).¹³²

7.2.4 The structure of local government and how it worked

The Federal Supreme Council had eightyfour members representing 20 Princedom but Aden alone had 24 out of 84 members on the Federal Council. Also, four Ministers in the 14- member Federal Supreme Council - the Federation's Cabinet. The Federation was given authority over certain matters, including external affairs, defence, and internal security, although the authority of the High Commissioner would prevail over that of the Federation in applying the constitution to Aden in these matters.

The administrative and constitutional changes which culminated in the establishment of The Federation of South Arabia were the foundations of primitive reforms, which were designed to develop a social, economic and administrative infrastructure.

The High Commissioner was directed to appoint as Chief Minister the member of the Legislative Council who appeared most likely to command support of the majority of the Council. The Executive Council was renamed the Council of Ministers, and would consist of the Chief Minister, Attorney-General, and not less than six other members appointed by the High Commissioner on the advice of the Chief Minister. The Legislative Council approved the changes in late September 1962' (Pieagostini, 1991).¹³³

'We have often remarked upon the spirit of fierce independence which characterises the South Arabian Arab. No tribal leader would accept the superiority of another so it proved quite impossible to endow the new Federation with such a normal institution as a President sovereignty was therefore embodied in the Cabinet, the Federal Supreme Council, with a rotating Chairman who changed monthly and thus made any continuity impossible. No Ruler could possibly accept exclusion from the Federal Supreme Council and therefore he had to be a Minister'. (Bidwell, 1983)¹³⁴

¹³² - See constitution, M Uma al-Habashi, 'Yaman al-Janob Siyasiyan wa-Iqtisadiyyan wa- Ijtima'iyyan' (Bayrut; Dar al-Tali'ah, 1968) p 342

¹³³ - Karl Pieragostini . Britain, Aden and South Arabia' p 40

¹³⁴ - Robin Bdiwell. P131

There was a very limited number of educated men of tribal birth capable of holding responsible posts in the administrative units. Hence the British were interested in education and opened new schools to be a starting point to develop administration in the Southern Yemeni society therefore:

Important changes the greatest visible progress has been seen in the sphere of education. Aden College and the Technical College opened during 1952 and the first five-year plan came to a successful conclusion as the colony's government expanded, the regime entered the education field to produce trained personnel for the lower levels of the bureaucracy. 'The development of British-run schools had far-reaching consequences. The teaching function was transferred from the hands of Islamic scholars to the British and their protégés another breach in the traditional social structure-and in addition to skills useful to the administrative establishment the students acquired quite new political perspectives. In the first instance, a deliberate effort was made to recruit as students the Sons of chiefs and other elites in the protectorate, a circumstance that contributed to development of class consciousness' (Stookey, 1982).¹³⁵

'In 1963, there were about 161 primary schools in the Federation, 34 preparatory schools for higher education, 15 secondary schools and three teacher-training colleges. These schools were attended by 36,000 male pupils and 7,500 girls, who were taught by over 1,000 teachers. 230 students attended the teachers' colleges. In the same years, 47 students studied in Britain and another 15 in Arab countries. In 1963, 23 newspapers appeared in South Yemen, of which six were dailies; four appeared in Aden and two in the Protectorate (Kostiner, 1984).¹³⁶

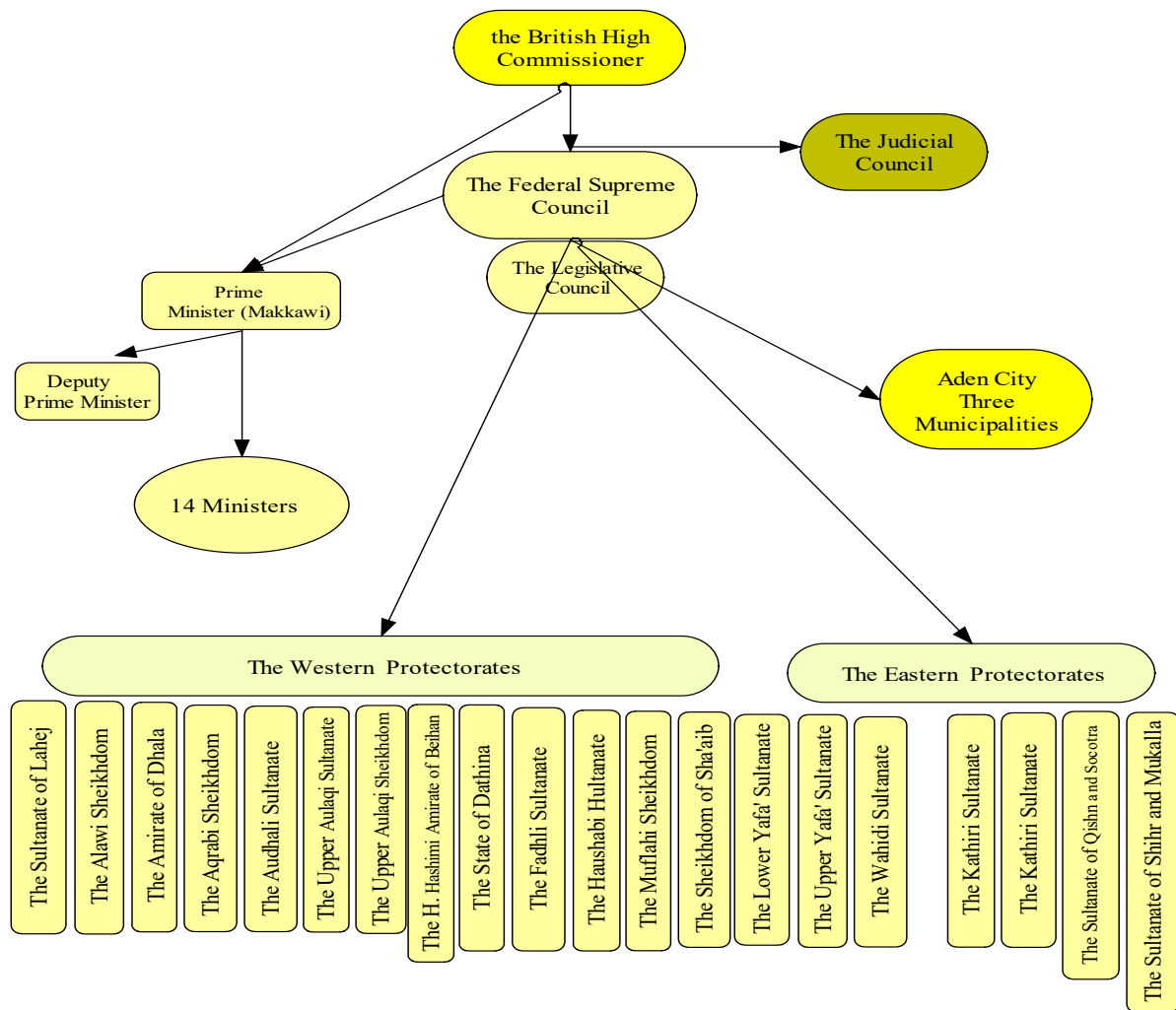
'The conflicts which precipitated the events which occurred between 1963 and 1967 rose out of situations in which the British inspired reforms either caused new problems or exacerbated old ones. The leading groups in the conflagration crystallised around the following premises: first, the actual consequences of British rule in South Yemen -- the reforms resulted in an entrenched British presence, but also gave birth to relatively educated and frustrated local groups who longed for independence. These constituted the main nationalist group. Secondly, the reforms either exacerbated or generated social

¹³⁵ - Robert W. Stookey 'South Yemen' Westview Press, 1982 p35

¹³⁶ - Joseph Kostiner P13

divisions all over South Yemen. Various groups who regarded themselves socially deprived and offended thus emerged against the newly founded ruling establishment. Thirdly, the reforms applied differently in the various South Yemeni Princedoms, thus sharpening the administrative divisions and different levels of development among these princedoms and notably between them and Aden town, a fact which further fuelled the opposition' (al-Habashi, 1968) (Kostiner, 1984).¹³⁷

Figure 29. The colonial power structure in the Federation in South Yemen



¹³⁷ - Al-Habashi, p181 and also Joseph. K. (the struggle South Yemen) . p14

The legislature (called the Federal Council) consisted of 94 members,' each state being entitled to be represented by 6 members except the 'Aqrabi Sheikhdom (1member), Aden (24) and the Sheikhdom of Sha'ib (3 members). Each state was free to select its representatives in the Federal Council by whatever means the state considered appropriate. The chief executive organ of the Federation was the Supreme Council, which consists of 14 Ministers' elected by and from the members of the Federal Council for periods of office not exceeding five years. Each state was entitled to be allotted one ministerial post for every six members by which the state was represented in the Federal Council. The chairmanship of the Supreme Council was held by Ministers in rotation (al-Habashi, 1968).

7.2.5 Conclusion and General assessment of the administrative performance.

1. It has been a century racked by political instability and violence.
The area was chronically unstable because of protracted disputes among tribes and Princedoms and because of the many complex problems, as well as the spirit of fierce independence which characterises the South Arabian Arab.
2. This increased significance of Aden meant that a different political and administrative infrastructure was required to carry the weight of British interests in the Middle East and Indian Ocean.
3. In Aden, there was a more successful, albeit less ambitious, injection of constitutional advance in 1955 when elected members were allowed on the Legislative Council for the first time.
4. Independent of any constitutional arrangement, the civil court system was one of Britain's hardest legacies in Aden, where the two-tiered judicial system headed by a chief justice and supreme court also included magistrates' courts.
5. The stability was of great importance to the government which considered it necessary to play a more active part in the affairs of the Protectorate and to establish at least a rudimentary form of administration. But the Protectorates were feeble and fragmented.
6. Aden's relative openness, especially in contrast to Sana'a or Taiz, gave rise to a plethora of projects in the nongovernmental public sphere: sports, cultural,

and charitable clubs;...These projects rather resembled bubbles on the surface of boiling water, appearing and submerging, but they were indeed pluralist, projected public opinion, articulated interests, and offered some state-like social services" (Carapico, 2007).¹³⁸

7. The local clan or tribe was often the only operative form of political control and administrative stability.
8. In the old administrative Yemeni tradition succession by election within a hereditary group either by its own members or on a wider tribal basis, "Once elected", both chief and tribe are subject to each other's will, and this is the ancient blending of feudalism and democracy.
9. Having been under British occupation for over 110 years, in October 1962, occupation which had recently introduced a type of constitutional regime which Included civil rights, freedoms of expression, and political organisation; the prohibition of racial discrimination and the obligation to abide by the law.
11. After the 1930s, the balance between the competing forces of conservatism and modernism, which characterised South Yemen's modern history, tilted towards the latter.
12. "The administrative, economic and educational fabrics of South Yemeni society were altered; however, as had happened in many other cases, these innovations did not amount to a coherent, complete and acceptable new order" (Kostiner, 1984).¹³⁹
13. The Federal Supreme Council had eighty-four members representing 20 Princedom but Aden alone had 24 out of 84 members on the Federal Council. Federation was clearly in the interests of South Yemen.
14. The British introduced the reforms according to their own priorities. Therefore, the reforms did not spread equally and symmetrically. through

¹³⁸ - Sheila Carapico "Civil Society in Yemen', The political economy of activism in modern Arabia" Cambridge Middle East Studies , U k.p84

¹³⁹ - Joseph. K. (the struggle South Yemen) . p14

South Yemeni society. Sometimes in some places intervention was direct and massive, while elsewhere it was indirect and restrained.

15. Government had no direct administrative responsibility within the Protectorate, but the rulers received British advice on the administration of their territories.
16. The sheikhs and sultans of the South Yemeni hinterland became increasingly tied to Britain, and increasingly unable to resist British demands.
17. In the 1960s there were more constitutional developments. On 2 October 1962, a constitution for Aden was introduced.
18. Town Councils were established in Aden and some Protectorates.
19. The Indians and Europeans dominated Aden's administration to the disgust of nationalists, and the Arab citizen lived at the margin of life in his own country.
20. The British were careful to secure for themselves over-all control in the Federation. The British Governor of Aden the title of High Commissioner and became head of state, according to the Treaty of Friendship signed between Britain and the Federation.
21. Despite Aden joining the Federation it remained a British colony and kept its separate constitution.
22. To prevent nepotism and to impose proper management norms, occasionally had to stop members of leading families from sharing the profits of a certain enterprise, which often triggered an angry backlash.
23. The fact that the reforms also opened up new avenues of advancement for
24. officials' teachers, officers and others. Within the ambit of the "forward policy", such people acquired new professional and intellectual skills and were in greater demand as tools to hasten the Princedom's development.
25. In the era of the British Empire there were some descriptions of good governance as shown in the following. Description of a Good Governance:
 1. The State of law and institutions. 2. The existence of a clear strategy and flexible development plans. 3. Provide participation component. 4. Sovereignty and the rule of law. 5. Provide transparency component. 6.

Provide accountability component. 7. The Justice and providing the needs of the citizen. 8. Equality and equal opportunities. 9. Reward and punishment law. 10. The Decentralisation.

Table 7. The Sultanates and Amirates of the protectorate of south Arabia

Note: The tribal and full names of the states are used interchangeably. (Central Office of Information, 1996) ¹⁴⁰

Tribal name	Full name of Amirate "State"	Date of accession to Federation of South Arabia
1- 'Abdali	The Sultanate of Lahej	1959
2- Alawi	The 'Alawi Sheikhdom	1965
3- Amiri	The Amfrate of Dhala	1959
4- Aqrabi	The 'Aqrabi Sheikhdom	1960
5- Audhali	The 'Audhall Sultanate	1959
6- Aulaqi (I)	The Upper Aulaqi Sūltanate	1965
7- Aulaqi (II)	The Upper Aulaqi Sheikhdom	1959
8- Aulaqi (III)	The Lower Aulaqi Sultanate	1960
9- Beihan	The Habili Hashimi Amirate of Bethan	1959
10- Dathina	The State of Dathina	1960
11- Fadhli	The Fadhi Sultanate	1959
12- Haushabi	The Haushabi Sultante	1963
13- Muflahi	The Muflahi Sheikhdom	1965
14- Sha'ib	The Sheikhdom of Sba'ib	1963
15- Yafa'(I)	The Lower Yafa' Sultanate	1959
16- Yafa' (II)	The Upper Yafa' Sultanate	Non-member
17- Baihaf	The Wahidi Sultanate	1962
18- Kathiri	The Kathiri Sultanate	Non-member
19- Mahra	The Sultanate of Qishn and Socotra	Non-member
20- Qa'iti	The Sultanate of Shihr and Mukalla	Non-member

¹⁴⁰ - Prepared by reference division central office of information. London June 1996 Quote, No R5671/66, p37

'Aden and South Arabia'

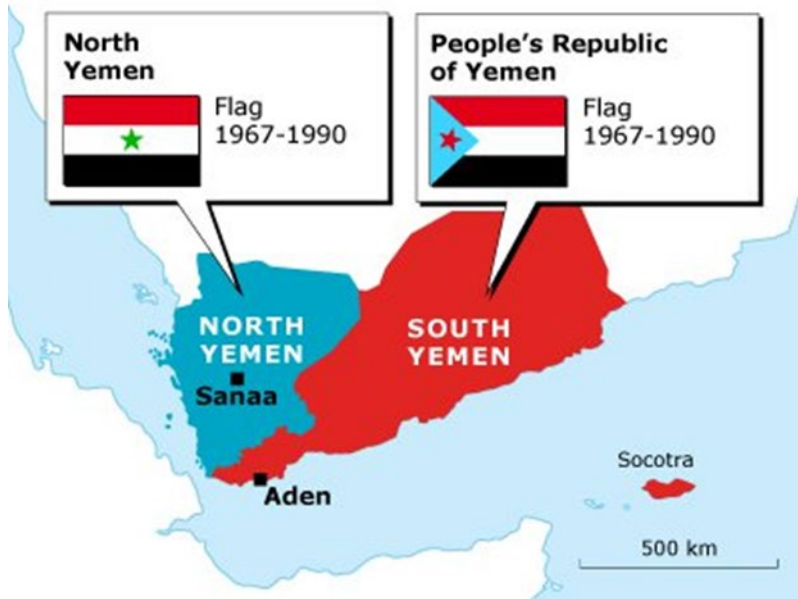
**Table 8. Governors of British for Aden and Protectorates ‘south Yemen
(Gavin, 1975)’¹⁴¹**

Name of Governor		Date
1. Captain S. B. Haines Indian	Political Agent	1839-1854
2. General J. - Major Outram	Political Agent	1854-1856
3. Col, W Coghlan	Political Agent	1856-1862
4. Major General R.W. Honner	Political Agent	1862
5. Col, W. Coghlan	Political Agent	1863
6. Major, W. L. Merewether	Political Agent	1863-1867
7. Major, General Sir E. L. Russell	Political Agent	1867-1870
8. Major, General, C. W. Tremenheare	Political Agent	1870-1872
9. Brigadier General. J. W. Schneider	Political Agent	1872-1877
10. Brigadier General, F. A. E. Loch	Political Agent	1877-1882
11. Brigadier General, J. Blair	Political Agent	1882-1885
12. Brigadier General A. G. F. Hogg	Political Agent	1885-1890
13. Brigadier General J. Jopp	Political Agent	1890-1895
14. Brigadier General C. A. Cuninghame	Political Agent	1895-1899
15. Brigadier General, O. Moore Creagh	Political Agent	1899-1901
16. Brigadier General, P. J. Maitland	Political Agent	1901-1904
17. Major General, M. Mason	Political Agent	1904-1906
18. Major General, E. De Bratn	Political Agent	1906-1910
19. Brigadier General, J. A. Bell	Political Agent	1910-1914
20. Brigadier General, C. H. U. Price	Political Agent	1915
21. Major General, J. M. Stewart	Political Agent	1916-1920
22. Major General, T. E. Scott	Political Agent	1920-1925
23. Major General, J. H. K. Stewart	Political Agent	1925-1928
24. Lieutenant Colonel Sir G. S. Symes	Political Agent	1928-1930
25. Lieutenant Colonel B. R. Reilly	Political Agent	1930-1932
26. Lieutenant Colonel B. R. Reilly	Chef Commissioner	1932-1937
27. Sir Bernard Reilly	Governor	1937-1940
28. Sir John Hathorn Hall	Governor	1940-1944
29. Sir Reginald Campion	Governor	1944-1951
30. Sir Tom Hickinbotham	Governor	1951-1956
31. Sir William Luce	Governor	1956-1960
32. Sir Charles Johnston	Governor	1960-1963
33. Sir Kennedy Trevaskis	High Commissioner	1963-1965
34. Sir Richard Turnbull	High Commissioner	1965-1967
35. Sir Humphrey Trevelyan.	High Commissioner	1967

¹⁴¹ -Aden under British rule 1938-1967, R. J. Gavin p 444

Chapter eight: The administration in South Yemen under the People's Democratic Republic of Yemen (PDRY) from Dec 1967 to 1990

The Map South Yemen (PRDY) and North Yemen (YAR)



8.1. Introduction

The purpose and objective of this chapter is to explore the mechanisms that have been used for administrative systems in period, the rule of the People's Democratic Republic of Yemen (PDRY) in South Yemen from the time of its independence from Britain in 1967 until 1990. In addition, it will focus on historical developments from the administrative perspective and the changes that coincided with the trajectories of various political and administrative regimes that were implemented in south Yemeni society.

This, the full study of public policy, and the administrative systems and their influence's in local government and society in the People's Democratic Republic of Yemen (PDRY), from end 1967 until 1990.

As a major city of South Yemen, 'the port of Aden', plays an important commercial and strategic position, as a consequence, has suffered foreign occupation of the past four

centuries; first, the control of the Ottoman Turks (1538-1839), and then by the occupation of the British (1839-1967). Despite this most of this period, South Yemen's hinterland remained largely undisturbed.

Most of the indigenous population of South Yemen are Sunni Muslims, adhering to the Shafi School of jurisprudence.

The PDRY was the only Marxist regime in the Arab world and was in South Yemen the located in one of the most strategically important areas of the globe. And which was occupies a unique place among the panoply of contemporary left-wing experiments. It is a state in which the traditional tribal-based social structure has undergone significant transformation in two decades of independence (Ismael & Jacqueline, 1986).

‘South Yemen's political history has been punctuated by serious (and often bloody) struggles for power within the party! government leadership. Notable among these have been the execution of Salem Rubayi 'Ali in June 1978; the sustained power struggle between 'Ali Nasser Muhammed, 'Abd al-Fattah Ismail (exiled 1980-84), and 'Ali Antar, which followed Rubayi 'Ali's overthrow and continued until January 1986; and the January 1986 civil war which saw Muhammed deposed, Ismail and Antar dead, and the emergence of a new party and government leadership. Extreme political violence has been a constant companion of major political succession or change; at a lower level, many assassination incidents attributed by the government to counter-revolutionary forces may have actually stemmed from internal political disputes’ (Ismael & Jacqueline, 1986) (al-Habashi, 1968)¹⁴².

Successive state presidents have sought to centralize power in their own hands while party officials have resisted this trend. Both divisions reinforce themselves over time.

Since the independence of South Yemen from British colonial rule, the rule of South Yemen from 1967 to 1990 five presidents they are:

Qahtan al-Sha'abi, Salem Rubayi 'Ali, 'Abd al-Fattah Ismail, 'Ali Nasser Muhammed and Haydar Abu 'Bakr al-'Attas.

¹⁴² - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p69

8.1.2 The South Yemen independence from British colonial

The various factions that struggled against the British presence in South Yemen and the federal structure it created were as follows;

'The oldest major nationalist political group in South Yemen was the Rabitat Abna al-Junub al-Arabi (League of the Sons of the Arab South), better known as the South Arabian League (Rabitat al-Januh al-'Arabi, or SAL). Founded in 1950 under the chairmanship of Muhammed al-Jifri with Sheikhan al-Habshi as Secretary-General, the League sought to unite the divided, British-dominated principalities of the South into an independent South Arabia' (Ismael & Jacqueline, 1986).¹⁴³ Also was there an important role in Aden's political organization during the 1960s played by the small but active al-Jabhah al-Wataniyah al-Mutahidah (United National Front, UNF) which called for independence from Britain and, the unity with YAR in North Yemen.

'In 1953, a Communist party, "The Democratic Nationalist Union" started to operate in Aden and in 1957, its members also formed a branch in north Yemen...The Qawmiyyun al-Arab ("The Arab Nationalist Movement") opened branches in North and South Yemen in 1956; in 1959 the South Yemeni branch spread further into several Princedoms in South Yemen. The fact that these groups penetrated South Yemen in conditions of mutual rivalry, characteristic of the Arab world in the 1960s became marked in South Yemeni society'¹⁴⁴.

'South Yemenis were further inspired by the September 1962 revolution in North Yemen. Its close proximity to South Yemen the increased contacts between the two countries (particularly through migration to Aden) coupled with the fact that the ousted Imam's rule had been very similar to that of the Protectorate's Sultans, made the North Yemeni revolution an example in the South (Kostiner, 1984)'¹⁴⁵.

¹⁴³ - al-Mashadi, 1963, p. 9. and Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986. p21

¹⁴⁴ - Joseph K 'the struggle for south Yemen p34

¹⁴⁵ - Joseph K 'the struggle for south Yemen p32

The Trades Union Congress in Aden and its political extension, the People's Socialist party (PSP) led by Abdullah al-Asnaj, had conducted the opposition to Britain and the federation during the 1950s and early 1960s.

On 20 March 1956, formed the umbrella, al-Mu 'atamar a!-'Umali (commonly known as the Aden Trade Union Congress or ATUC). The Congress soon proved to be a major social and political force in Aden under the leadership of Abdullah al-Asnaj. It led opposition to both the legislative council elections of 1959 and the merger of Aden within the South Arabian Federation in 1963 (al-Habashi, 1968) (Kostiner, 1984).

'In 1962, amid the debate over merger, the Trade Union Congress formally established its own political wing, the Hizb al-Shi 'ab al-Ishtiraki (People's Socialist Party, PSP). Led by former ATUC Secretary-General Abdullah al-Asnaj, the PSP superseded both the United National Front and the Trade Union Congress as the nationalist political voice of many Adeni workers. It called for South Yemeni independence from Britain, the withdrawal of British forces, and unity with the North 'YAR'. For many years, however, its 'commitment to anti-colonialism did not include a commitment to armed struggle as a way of achieving such goals; rather, it relied on political and diplomatic means (such as participation in the second London constitutional conference)' (Ismael & Jacqueline, 1986)¹⁴⁶.

After the September 1962 revolution in the North Yemen, more cultural and literary associations in Taiz and Sana'a became meeting-places for intellectuals and political for the anti-colonial movement in the south Yemen.

Much of the development of left-wing thought took place within the Arab Nationalist Movement (ANM), founded in 1954 at the American University of Beirut by Dr. George Habash as a right-wing party.

'Nasser's Egypt sought to induce the unification of all the anti- colonial forces in South Yemen and to keep them under its own guidance. It exerted great effort to amalgamate the Front for the Liberation of South Yemen (FLOS Y) and the Nationalist Liberation Front (NLF), and in fact persuaded representatives of the two organizations to attend a meeting in Alexandria in July and August 1966, which resulted in the signing of a merger agreement.....During the following year the unified movement achieved complete success

¹⁴⁶ - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p24

on both military fronts and assumed rule of independent South Yemen with only feeble opposition from rival aspirants to power' (Stookey, 1982).¹⁴⁷

'Egypt's disastrous defeat in the June 1967 war had momentous consequences for the regional leftist movement. It irreparably discredited the "progressive" Arab regimes that had failed in "mobilizing, organizing, preparing, and leading their masses on the path of the people's protracted war of liberation against imperialism." Among the results were a sharp swing toward Marxism- Leninism by substantial elements of the ANM and the fragmentation of the ANM itself within two years, into nearly a dozen rival-factions. The principal leaders of what was to become the South Yemeni National Liberation Front constituted the local branch of the A.N.M, and although their opinions, like those of the parent organization, were diverse, the more extreme views tended to predominate' (Stookey, 1982).¹⁴⁸

8.2. The administration under Qahtan al-Shabi from 1967 until 1969

The first president for the new state in South Yemen was Qahtan al-Shaabi and who had headed the delegation to final negotiations at Geneva.

On 30 November 1967, the People's Republic of South Yemen was formally created.

The new state, in South Yemen calling itself the People's Republic of Southern Yemen (PRSY), came into being, with the High Command of the Nationalist Liberation Front (NLF), as its sovereign body.

'Prime movers in launching the NLF were members of the Sha'bi clan, tribesmen and small landowners in Lahej, of whom Faisal Abd al Latif al-Sha'bi was the most active organizer while his older cousin Qahtan, emerged as titular leader of the organization'. (Stookey, 1982)¹⁴⁹ As a start of a new state, the President Qhatan changed the Federation of tribes (which established under the British Colonization) and created a 'South Arabian nationality', as one of the first tasks in the new government. As a result, abolition of the old internal boundaries, which were replaced by the creation of six Governorates (which will be discussed it in this chapter) under officials appointed from Aden, and declared a general truce amongst the tribes.

¹⁴⁷ - Robert W. Stookey 'South Yemen' A Marxist Republic in Arabia p 60

¹⁴⁸ - Robert W. Stookey 'South Yemen' A Marxist Republic in Arabia p 60

¹⁴⁹ - Robert W. Stookey 'South Yemen' A Marxist Republic in Arabia p 61

‘The National Front established itself as the sole governing power in South Yemen. The General command of the NF was then composed of twenty-one members who appointed Qahtan al-Sha'abi as President for two years. The General command was the authority which outlined the main programme of the new state; it coordinated relations between the Front and the Army, and acted as the legislative authority at that time' (Ismael & Jacqueline, 1986).¹⁵⁰ As chairman of the Nationalist Liberation Front (NLF) executive council, Qahtan assumed office as chairman of a presidential council in effect, chief of state and also took the post of prime minister. In addition, most other senior government posts were occupied by party stalwarts of radical nationalist.

‘In April 1969 there was also a slight change of government in the PRSY. Qahtan apparently bowed to criticism that he appeared to be too autocratic and so handed over the Premiership to his cousin Faysal Abd al-Latif’ (Bidwell, 1983)¹⁵¹.

When the Front for the Liberation of South Yemen FLOSY, received the state from the British forces, and the roots of divisions was apparent within it.

"FLOSY had brought major divisions within the National Front to the fore, and how the Third Congress at Homr in 1966 had served to formalize this split. At the Third Congress, the leftist wing had demonstrated its superior support within party ranks. With independence, a new battle between the 'external' and 'internal' factions of the party emerged, this time over control of the formal apparatus of state (as opposed to party) power. The former group held the initial advantage, with Qahtan al-Sha'abi in post as President of the Republic. It was the latter group, however, which ultimately triumphed. After many months of conflict, al-Sha'abi (and his wing of the party) was forced from power on 22 June 1967—an event which has become known, in the argot of the Yemeni revolution, as the June 22 'Corrective Step' (Ismael & Jacqueline, 1986).¹⁵²

‘The internecine dispute came to a head at the Fourth Congress of the NLF, held March 28, 1968. The leftist faction succeeded in obtaining majority support for a series of resolutions aimed at conducting a "popular democratic liberation" phase of the South Yemeni revolution. The program called for collective decision making at all levels;

¹⁵⁰ - Ahmad, 1968, p. 129 and Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p26

¹⁵¹ - Robin Bidwell 'the two Yemens' p224

¹⁵² - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p28

confiscation without compensation of land uncultivated or owned by the religious endowments, "kulaks," or "feudalists"; a thorough purge of the civil service, army, and police; nationalization of residential property in the towns; and extension of state control over all sectors of the economy. Within the General Command elected by the congress, President Qahtan and his supporters strongly opposed the resolutions. The senior officers of the conventional armed forces furthermore demanded the liquidation of the NLF's irregular forces, the Liberation Army and the "people's guards" (Stookey, 1982).¹⁵³

This study indicates that the internal disputes among the leaders the Nationalist Liberation Front (NLF) during the first two years of the republic prevented significant progress toward transforming the organization into an effective socialist party.

The period Qahtan was not successful due to the divisions inside the Liberation of South Yemen (FLOSY) which resulted in negative effect on the performance of the administrative environment.

The President issued a constitutional declaration granting him wide powers, including the power to dismiss ministers.

‘The Fourth Congress of the NLF assembled at Zinjibar early in March 1968. It became clear that there was a deep division between those who wished to work pragmatically to deal with the numerous problems and those who were prepared to sacrifice everything to the principle of all-out revolution’ (Bidwell, 1983)¹⁵⁴.

‘Despite the moderates' critique-and a threat by al-Sha'abi to resign rather than accept the principle of collective leadership-in The Zinjibar the resolutions adopted by the Fourth Congress reflected a victory by 'Abd al-Fattah Ismail and the radical The leftist wing of the party’ (Ismael & Jacqueline, 1986)¹⁵⁵.

The resolutions adopted by the Fourth Congress called for:

1. Developing the National Front into a political party based on the ideology of 'scientific socialism'
2. Opening the NP to other national democratic forces
3. Reorganizing the NP

¹⁵³ - Robert W. Stookey 'South Yemen' A Marxist Republic in Arabia p 65

¹⁵⁴ - Pabin Bidwell ' the two Yemens p223

¹⁵⁵ - Reproduced in National Front, 1969, pp. 237-41

4. Liberating the economy of South Yemen from the control and hegemony of foreign capital
5. Purging the State structure and the army of all undesirable and reactionary elements
6. The election of a new forty-one-member General Command to be the supreme authority in South Yemen, and to act as the legislative authority until a Supreme People's Council was established
7. Land reform whereby the land belonging to sultans and ex-ministers under the British would be confiscated without compensation.

‘At this point, in the wake of the Fourth Congress, the army began to assume a pivotal role in South Yemeni politics, in other words destroying the old state apparatus and building an entirely new one in its place’.¹⁵⁶ The collective leadership made a major effort to ensure that education facilities were extended to the remotest corners of the country and that people of all ages and occupations were intensively trained in "scientific socialism." An ideological school established in Aden trained hundreds of party functionaries, and many were sent to socialist countries for study. (Ismael & Jacqueline, 1986)

Under these circumstances of mistrust, ideological differences and political posturing, a violent turn of events could not be too far off. The Fourth Congress resolutions had marked a political victory by 'Abd al-Fattah Ismail and other leftist leaders, underscoring their support among party cadres and in the ranks of the Liberation Army. Qahtan had resigned as prime minister in April 1969.

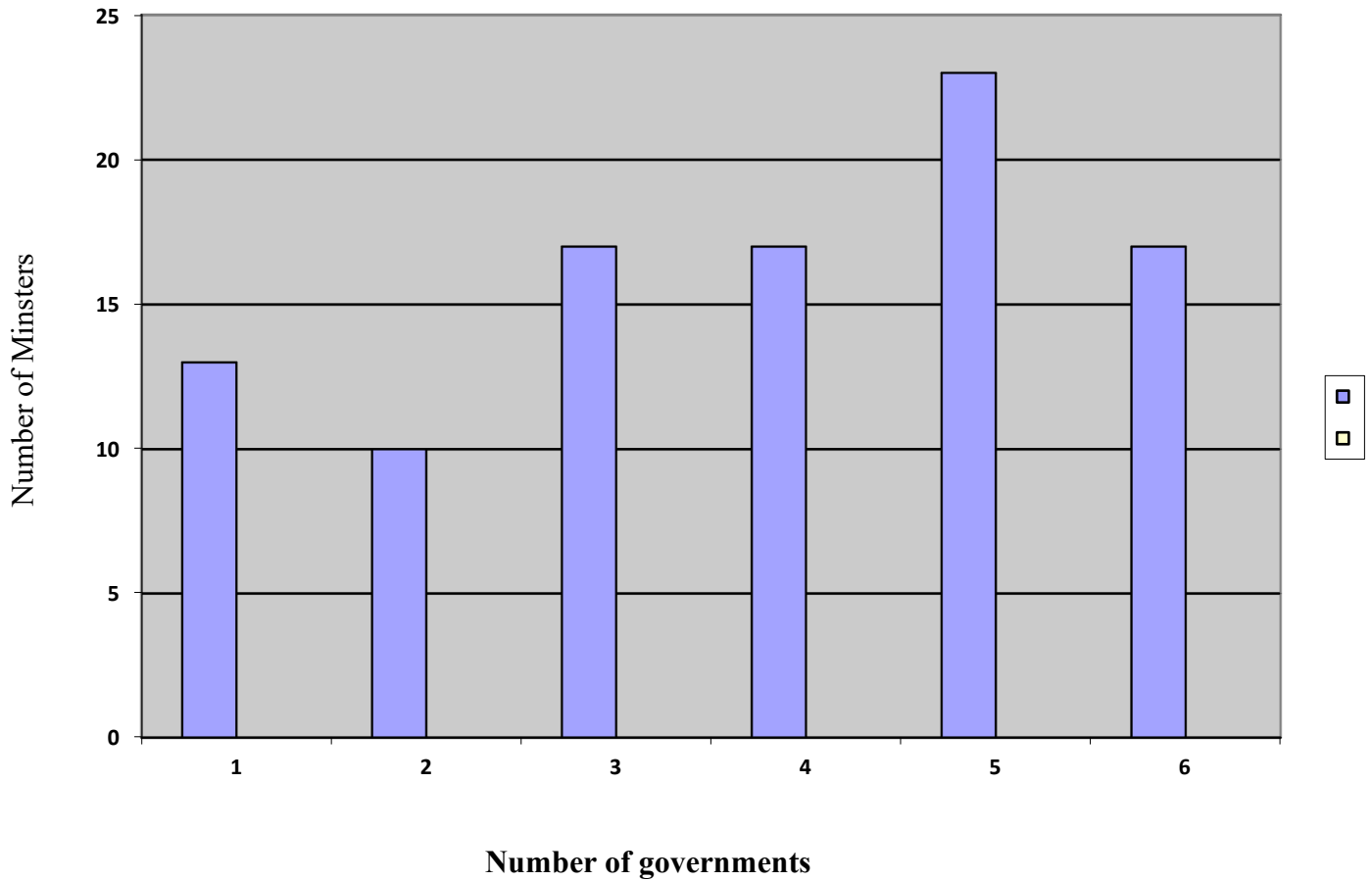
In 22 Jun 1969, the collective leadership in Aden simultaneously announced a purge in which twenty NLF members including Qahtan were expelled from the party and a reform of the Presidential Council and of the Cabinet. Qahtan deposed in a bloodless coup which later became sanctified under the name of "The Glorious Corrective Step" (Ismael & Jacqueline, 1986).

¹⁵⁶ - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, (quoted in al-Ashtal, 1976, p. 276).

8.2.1 The structure of central

Figure 30 the number of the government under the People's Democratic

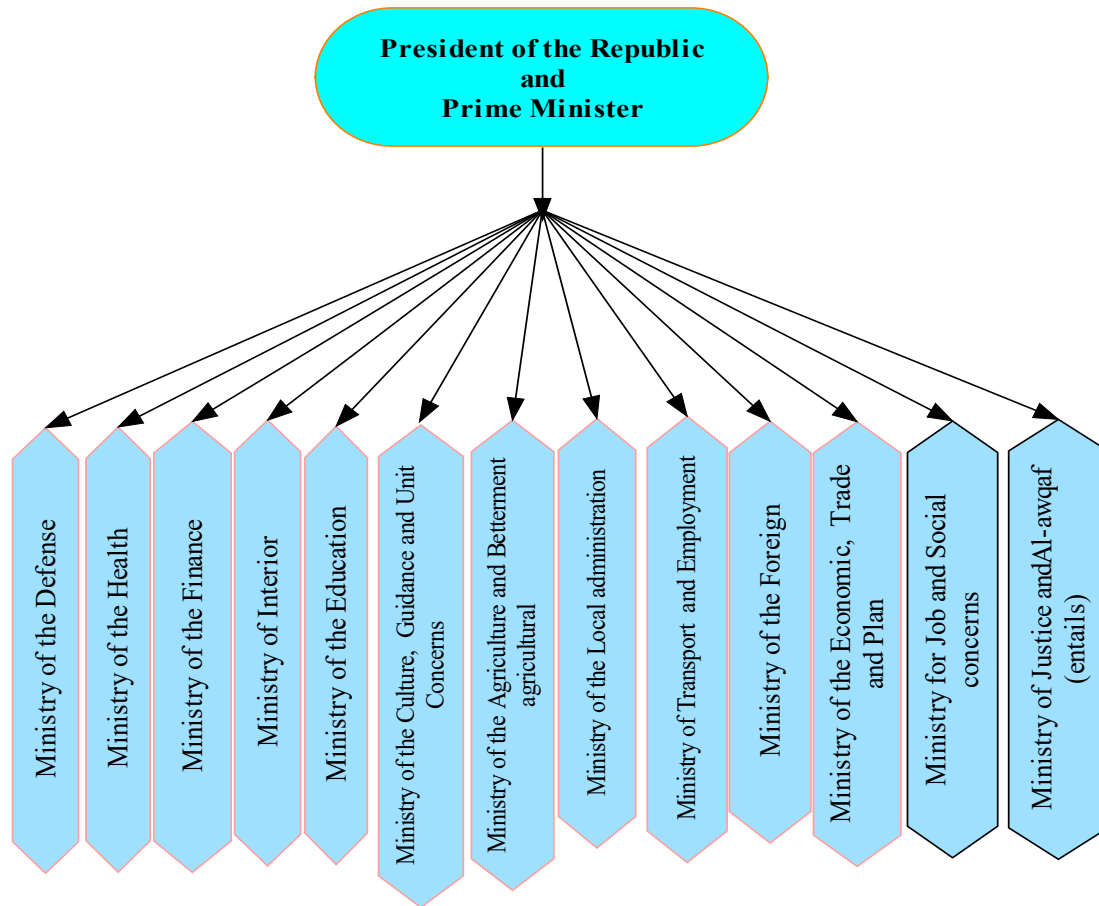
Republic of Yemen (PDRY) from end 1967 to 1990



The fifth government was formed of 23 ministries, and considers this government is the most in the number of ministries during the reign of PDAY.

The first government formed by virtue of decision of the Republican N (1) on 30/11/1967, and it lasted about 18 months from 30/11/1967 until 21/6/1969 it is formation consists 13 ministers; as follows; the president of the Republic and Prime Ministers headed by **Qahtan al-Sha'abi** (Official Gazette PRSY, 1969) ¹⁵⁷

Figure 31. The Structure of the First Government in the period of Qahtan al-Sha'abi regime



This figure shows the structure of the first Government in the period of Qahtan al-Sha'abi regime, which, explains that Qahtan al-Sha'abi was President of Republic and Prime Ministers. In addition, the figure represents the structure that consisted of 13 Ministries. This government was the first after the independence from British colonial. In April 1969, there was a slight change of government in the PRSY. Qahtan apparently bowed and so handed over the Premiership to Faysal Abd al-Latif.

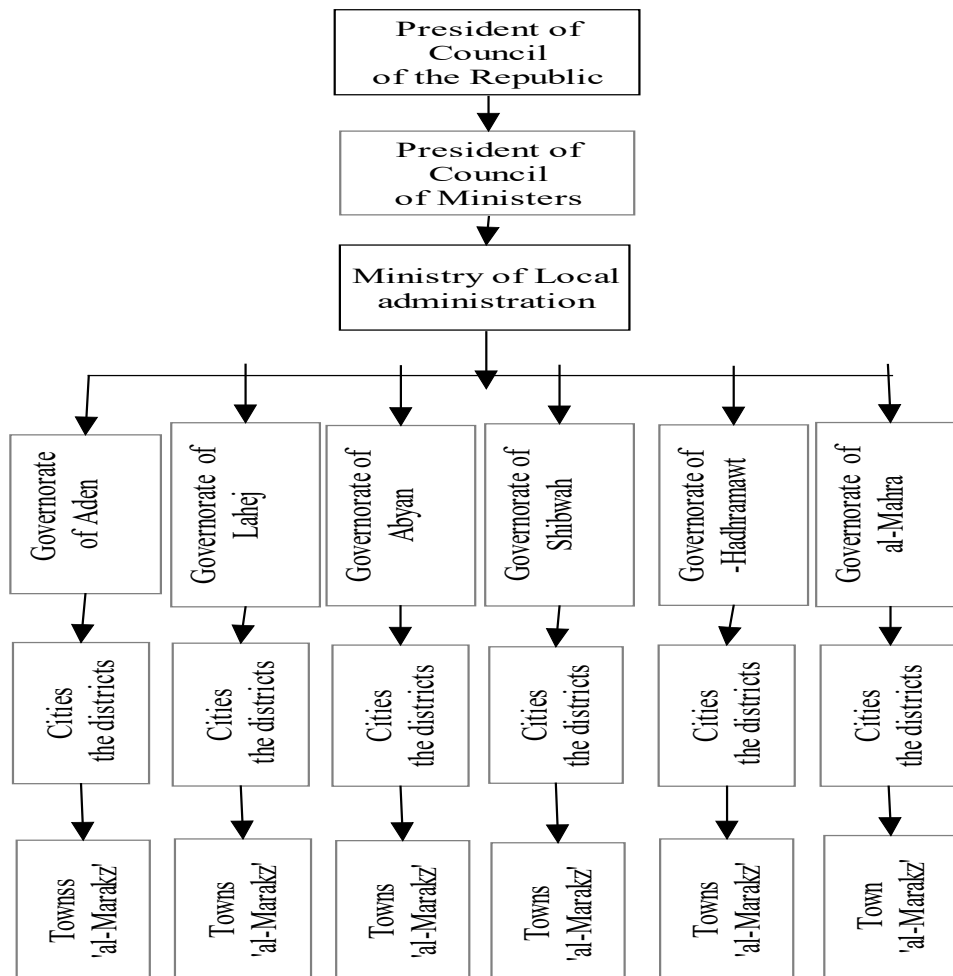
¹⁵⁷ - the people's republic of south yemen, the official gazette, issue 1, p3 Yemen News Agency (Saba)' September 2002' p74

Government of Faysal Abd al-L atif, which lasted about two months from April 1969 until 21/6/1969. In addition, the figure represents the structure that consisted of 13 Ministries

8.2.2 The structure of local administration

The President Qhatan changed the Federation of tribes (which established under the British Colonization) and created a 'South Arabian nationality', as one of the first tasks in the new government. As a result, abolition of the old internal boundaries, which were replaced by the creation of six Governorates; these in turn are divided into directorates and subdivided into districts. First (Aden) and capital of Aden, second (Lahej) and capital of Hawatah, third (Abyan) and capital of Zinjibar, fourth (Shibwah) and capital of Ataq, fifth (Hadhramawt) and capital of Mukalla, sixth (al-Mahra), and capital of Ghaydah, under officials appointed from the President Qhatan.

Figure 32. The administrative units structure under Qahtan al-Sha'abi regime



8.2.3 The constitutional legal role of local administration

The first law of local administration after independence was the Law No. 7 of 1968, under the law grants the Minister of all local administrative powers.

‘Act Presidential Decree No. (12) of 1968, the private system of local administration, which regulates all affairs, and shows the powers of the staff and their terms of reference and the nature of the operational structures and management and explains, how the formation of provincial councils and district councils, competences, and identifies the system to work in local councils, as the law defines how to organize and the preparation of financial budgets’ (PRSY Laws, 1968)¹⁵⁸.

Law No. (12), for the year 1968, provided that the provinces and area it, determined by a decision from the President of the Republic. The directorates and centres shall be determined and appointed by area it, by the Minister of Local Administration, after the approval of the Council of Ministers (PRSY Laws, 1968)¹⁵⁹.

On June 30, 1968, issued Resolution No. 4 of the Minister of Local Administration divides the six provinces to districts, and districts to the Town s‘al-Marakz’.

Governor is the representative of the executive power in his province and is appointed by and dismisses the President of the Republic. Appoint and dismiss of commissioner, resolution of the Council of Ministers, the deputy commissioner of the decision of the Minister of Local Administration (PRSY Laws, 1968).

‘In the 30-7 -, 1968, a Ministerial Decree No. (4) of the Minister of Local Administration is divided six provinces into districts and towns as follows:

the first governorate - Aden and the Aden as its capital and contains (3) districts and (18) Towns ‘al-Marakaz’. The second governorate: Lahej and capital of Hawatah, and contains (3) districts and (13) Towns ‘al-Marakaz’. The Third governorate; Abyan and capital of Zinjibar, and contains (4) districts and (13) Towns ‘al-Marakaz.

¹⁵⁸ - Collection of Laws for 1968 PDAY, The official newspaper of the No. (23) issued on 06/18/1968

¹⁵⁹ - Official Gazette Supplement No. (36) issued on 08/08/1968

The fourth governorate; (Shibwah) and capital of Ataq, and contains (4) districts and (15) Towns 'al-Marakaz. The fifth governorate; Hadhramawt) and capital of Mukalla, and contains (5) districts and (24) Towns 'al-Marakaz.

The sixth governorate; (al-Mahra), and capital of Ghaydah, and contains (4) districts and (4) Towns 'al-Marakaz (PRSY Laws, 1968)¹⁶⁰.

8.3 The administration under Salim Robayya Ali from 1969 until 1978.

Following the June 22 1968 the Corrective step Salem Robayya Ali, become Chairman of the Presidential Council, the new body of collective leadership. The political authority in the South Yemen passed from the hands of deposed President Qahtan al-Sha'abi, to Presidential Council. The collective leadership by the President, Salem Robayya Ali and members of the Council were Ali Nasser Mohammed, Ali Antar, Abd al-Fattah Ismail (NF Secretary-General) and Mohammed 'Ali Haytham Prime Minister. In November 1970 the name of the State was changed from the People's Republic of Southern Yemen (PRSY) into the People's Democratic Republic of Yemen (PDRY). The Fourth Congress of the (NLF), High Command a new was determined to show that it was the supreme authority in country. The president Robayya Ali and the NLF High command and both worked on the amendment of laws and administrative systems and the development of them in a way conforming to the present revolutionary status 'the Marxist regime'.

'All stress was on the working classes and it was declared that "a national democratic revolution is achieved on the basis of scientific socialism". The sovereign body was to be widened beyond the High Command of the NLF to a People's Supreme Council of 101 members, which would have power to determine policy and elect the Head of State and appoint Ministers. Few had any illusions that the ruling group of the party had any real intention of sharing power or of making any genuine move towards greater democracy. (Bidwell, 1983)¹⁶¹

'In 1971 a Higher School of Scientific Socialism was established to provide advanced ideological and organizational training, graduating some 3,000 party cadres by the early

¹⁶⁰ - Shuaibi Mohammed Ali "-PDAY" Library Alnhida Egyptian 1971 p87/88.

¹⁶¹ - Pabin Bidwell ' the two Yemens pp 228-229

1980s' (Halliday, 1990).¹⁶² Others were sent abroad (primarily to the Soviet Union and Eastern Europe) for this training.

The NLF who had the initiative and the means to embark on a large-scale process of modernisation and to provide advanced ideological and organizational training 'Scientific Socialism'. This process had a two-fold significance. First, the administrative, economic and educational fabrics of South Yemeni society were altered; however, as happened in many other cases, these the initiative had a conflicting and irritant effect on South Yemeni society. These the initiative did not amount to a coherent, complete and acceptable new order. Various groups lost their traditional social and political position and had great difficulties in adapting to the reforms. Secondly, the NLF introduced the reforms according to their own priorities. Therefore, the reforms did not spread equally and symmetrically. Through South Yemeni society, sometimes in some places intervention was direct and massive, while elsewhere it was indirect and restrained (Halliday, 1990).

Despite the crushing power of the state, internally its leaders were engaged in savage infighting. Diplomats and journalists often commented upon the differences between President Robayya and the party chief Abd al-Fattah Ismail, the two men who dominated Aden politics after the fall of Qahtan. The split between the pro-Moscow Ismail and the pro-Peking Robayya might prove deeper.

Amidst power struggles within the ruling party, a PDRY firing squad executed its own leader, Salim Robayya Ali (Halliday, 1990).

8.3.1 The State Constitution of the (PDAY);

This study will present some points from The State Constitution of the People's Democratic Republic of Yemen (PDAY), It was promulgated on 30 November 1970, on the third anniversary of independence and after the Corrective Step. The administrative and constitutional changes which culminated in the establishment of PDRY were the foundations for additional reforms, which were designed to develop a social and economic infrastructure. These reforms received the term "forward policy".

¹⁶² - Halliday, 1983, p. 58.

The research will focus the light on the texts that were mentioned in the division of powers (legislative, judicial and executive), and will explain administrative systems.

The Constitution consists of six parts (The Constitution PDRY,, 1970)¹⁶³:

Part I: Foundations of the National Democratic Social System and the System of State (three chapters, articles 1-32).

Part II: Citizens and Their Organizations (two chapters, articles 33-61).

Part III: Organization of State Authority (four chapters, articles 62-115).

Part IV: Democratic Law and Justice (one chapter, articles 116-24).

Part V: National Defence and Security (one chapter, articles 125-30).

Part VI: Interim and Final Orders (one chapter, articles 131-5).

Chapter 1, Part I sets forth the political foundation of the State. It contains three important themes. First, it declares the PDRY's commitment to Yemeni unity (articles 1, 12), to the struggle against imperialism, colonialism and 'local reactionary feudalism' (article 13), and to the 'complete elimination of exploitation of man by man' (article 8). Second, it declares that the State is based on a class alliance between the working class, farmers, the intelligentsia, and the petit bourgeoisie, ultimately led by the workers (article 7). Third, this alliance is expressed through the agency of the National Front (now the YSP) 'on the basis of scientific socialism lead political activity of the public and public organizations in order to develop the society in a manner which achieves national democratic revolution following a non-capitalist course' (article 7). The public participates in this through elections to local People's Councils or the Supreme People's Council (articles 9-10).

Chapter 2 specifies the economic foundations of the State. The State is mandated to 'develop the national economy' and 'ensure a fair distribution of the fruits of society between its citizens' in accordance with the principle of social justice (article 14). Thus, while the right to private property is guaranteed (article 18), it is not unconditional (The Constitution PDRY,, 1970).

The articles contained in this chapter envisage a biased, mixed-market economy-'market' in the sense that the broad right to own and transfer property continues, 'mixed' in the sense that government spending and planning predominates but is not universal; 'biased'

¹⁶³ - Constitution of the (PDAY);1970 and Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p42-43.

in the sense that the bounds of property ownership are limited by the principle of public welfare (article 1, clause 2). Elsewhere in this chapter, the Constitution upholds the nationalization of foreign companies and the redistribution of land in accordance with the Agrarian Reform Law of 1970 (article 15, 19). The State is granted a monopoly over foreign trade (article 21). Economic development occurs under the aegis of a development plan prepared by the State, which has the force of an overriding law (article 17) (The Constitution PDRY,, 1970).

Chapter 3 of Part I commits the State to developing its citizens through education, promotion of the sciences, arts, and culture, and protection of the family and South Yemen's 'Arab and Islamic legacy'. (Later, in article 46, Islam is recognized as the state religion.) Particular emphasis is placed on combatting the 'corrupt concepts spread by colonialism and tribalism (article 31).

Part 2 addresses the rights and duties of both the public and of mass organizations. All citizens enjoy formal equality. The list of formal rights granted to them is impressive: work, education (also a duty), personal freedom, court trial, nationality, sanctity of home, secrecy of communication, freedom of religion and of artistic, literary and cultural expression; the right to assemble 'within the spirit of the constitution' medical care; freedom of movement within the boundaries of the State. Duties comprise the defence of the domestic order and of the Republic's frontiers, public service, and the payment of income tax (The Constitution PDRY,, 1970)¹⁶⁴.

The political organization of the National Front was to lead the people and the state. Part III of the Constitution. Chapter 1 outlines the structure and role of the People's Supreme Council (PSC), the formal State legislative body and source of sovereign authority. It consists of 101 members elected triennially through general, equal, and direct elections in the governorates. The electorate may, by demand the recall of their members. In 1978, of the PSC become 111 members (The Constitution PDRY,, 1970).

'The PSC issues legislation covering the whole range of state business. It debates and establishes guidelines for the Council of Ministers in foreign and domestic policy. It must ratify foreign treaties, the national development plan, and the annual state budget. Finally,

¹⁶⁴ - Constitution 1970 of the (PDAY). and Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p42-43,

the People's Supreme Council elects from its ranks all members of the Presidium (formerly the Presidential Council) and a majority of the members of the Council of Ministers. The Prime Minister must himself be a member of the PSC, to which he is accountable through a vote of confidence' (Ismael & Jacqueline, 1986)¹⁶⁵.

The Presidential Council was established under Chapter 2 of the Constitution. It consisted of at least three and not more than six members. It was this body which was responsible for actually executing state policy and overseeing the work of government. Unlike the PSC, its powers were concrete, specific, sweeping and real. Article 92 of the 1970 Constitution charged it with: (The Constitution PDRY., 1970)¹⁶⁶

1. Representing the Republic at home and abroad.
2. Appointing members of the Supreme Council for National Defence;
3. Proposing draft legislation (although most legislation in fact originates with the PSC, and in particular with the Council of Ministers)
4. Fixing dates for PSC and local People's Council elections;
5. Nominating the Prime Minister and Cabinet.
6. Appointing and discharging leading state officials;
7. Promulgating laws passed by the PSC;
8. Appointing and discharging Supreme Court judges and the Attorney-General;
9. Appointing and discharging leaders of the armed forces;
10. Awarding decorations;
11. Approving treaties not requiring ratification by the PSC;
12. Appointing and discharging the Republic's diplomatic representatives;
13. Accrediting representatives from foreign governments;
14. Granting amnesty;
15. Granting asylum;
16. Declaring a state of emergency and general mobilization;
17. Declaring a state of national defence.

The Council of Ministers, established under Chapter 3 of the 1970 State Constitution, consists of the Prime Minister and the various Cabinet ministers (article 101). It is now

¹⁶⁵ - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p44

¹⁶⁶ - Constitution 1970 of the (PDAY) and Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p 45

the highest administrative and executive body of the state. Each minister is separately responsible for his/her department to the Prime Minister, and the Council as a whole is responsible to the PSC (article 102). Under Article 103 the Council of Ministers is charged with: (The Constitution PDRY., 1970) (Ismael & Jacqueline, 1986)¹⁶⁷

- (1) proposing the broad lines of government policy;
- (2) submitting draft legislation to the PSC;
- (3) preparing and executing the state economic plan and national budget;
- (4) appointing members of the Supreme Council for National Planning;
- (5) auditing the final accounts of the state;
- (6) approving the form of treaties and agreements before submitting them to the PSC and Presidential Council;
- (7) safeguarding internal and external security;
- (8) directing, co-ordinating and supervising government departments;
- (9) appointing, discharging and punishing leading State officials

After the June 22 Corrective Step, was first step, People's Courts and land reform tribunals were established in the early 1970s alongside the nascent socialist system of justice. The new judicial system in the PDRY was given under the 1970 Constitution to the Minister of Justice, who was also empowered to establish courts for special purposes such as military and arbitration tribunals. The Minister of Justice appoints the Attorney-General (article 118) (Ismael & Jacqueline, 1986).

‘The 1970 PDRY constitution, with traces of Islamic and British as well as Marxist legal principles, enshrined a unified, Arab, Muslim, Socialist Yemen where sovereignty rested with the "working people. Special privileges of sultans, sayyids, men, foreigners, and property owners were replaced by universal rights to housing, education, health care, and social security....Independent of any constitutional arrangement, the civil court system was one of Britain's hardest legacies in Aden, where the two-tiered judicial system headed by a chief justice and supreme court... also they applied a corpulent corpus of British and Indian statutory codes and ordinances published in five volumes in 1955’ (Carapico, 2007)¹⁶⁸.

¹⁶⁷ - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p 46 and Constitution 1970 of the (PDAY)

¹⁶⁸ - Sheila Carapico "Civil Society in Yemen", p25

‘The Yemeni Socialist Party serves as the political vanguard of the Yemeni people, formulating revolutionary policies which are then implemented by the state.

First, the leading role of the party is enshrined in the state constitution. This provides a legal basis for party supremacy. Second, there exists substantial overlapping of party/state membership. All government ministers and senior bureaucrats are party members, as are many junior civil servants and military ranks. Typically, the most senior ministers (Prime Minister, Deputy Prime Minister, Minister of Defence) and the State President are members of the YSP Politburo, while other ministers, important deputy ministers and governors are members of the party Central Committee’ (Ismael & Jacqueline, 1986)¹⁶⁹.

The central and preponderant role of the Yemeni Socialist party is clearly asserted in Article 2, which defines it as the "leader and guide of the society and the state (The Constitution PDRY,, 1970).

8.3.2 The structure of central government.

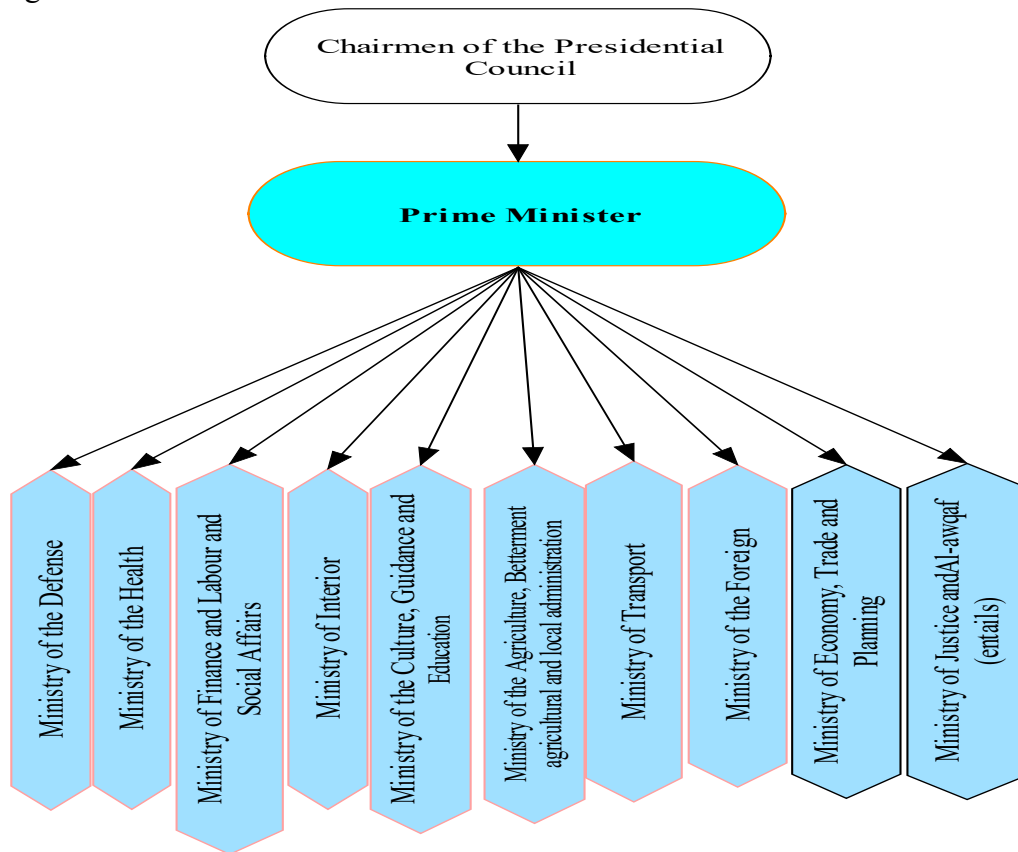
The highest body of the PDRY, power is the People’s Supreme Assembly, elected by the people to a three-year term. It defines the general principles of domestic and foreign policy, adopts laws and resolutions on all of the more important matters, and appoints a permanent committee (consisting of a chairman, three other members, and a secretary). The voting franchise is granted to all citizens who have reached the age of 18. The members of the highest executive body the government (Council of Ministers), headed by its chairman are chosen by the People’s Supreme Assembly.

The Second government formed by virtue of decision of the General Command N (4) on June 23 1969, and it lasted about 25 months from 23/6 /1969 until 01 / 8/1971 it is formation consists 10 ministers; as follows; the President of the Republic Salem Robayyi Ali and Prime Ministers Mohammed Ali Haytham (Official Gazette PRSY, 1969).¹⁷⁰

¹⁶⁹ - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p 53

¹⁷⁰ - Yemen News Agency (Saba)' September 2002' p74

Figure 33. The Structure of the First Government in the period of Salem Robayyi Ali regime

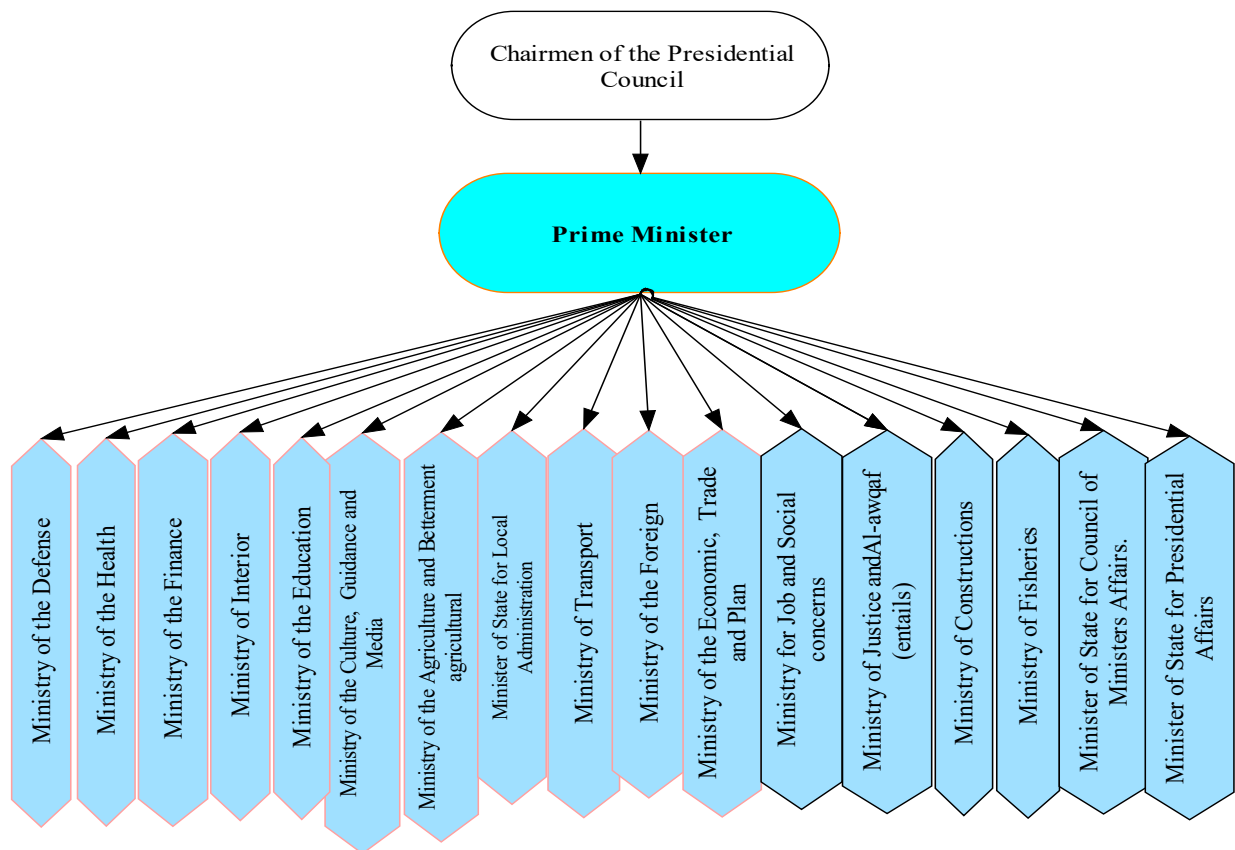


This figure shows the structure of the second Government in the period of ‘PRSY’ regime, which, explains Salem Robayyi Ali was President of Republic and Mohammed Ali Haytham Prime Ministers. In addition, the figure represents the structure that consisted of 10 Ministries.

The third government formed by virtue of decision of the General Command N (4) on 1/8/1971, and it lasted about 6 years from 1/8 /1971 until 11 / 10/1978 it is formation consists 11 ministers; as follows; the President of the Republic Salem Robayyi Ali. Muhammad Ali Haytham his resignation, was replaced by Ali Nasser Muhammad. From November 1971 to October 1978 were about 20 laws to appoint ministers and change the others, and finally the government has stabilized seventeen ministers. N (57) on 05/11/ 1971, N (4) on 22/1/1972, N (9) on 18/5/1973, N (13) on 24/7/1973, N (3) on 13/2/1974, N (10/11/6) on 4/4/1975, N(25) on 11/10/1975, N (38/39/ 40/41) on 31/12/1975, N(37) on 26/12/1976, N (27/29/31/32/33/35) on 24/10/1977 and it lasted about 15

months from 01/8 /1971 until 26 / 7/1978 it is formation consists 17 ministers; as follows; the President of the Republic Salem Rubayi Ali and Prime Ministers Ali Nasser Mohammad (The Official Gazette of PDRY, 1977)¹⁷¹

Figure 34 The Structure of the third Government in the period of Salem Robayyi Ali regime



This figure shows the structure of the third Government in the period of PDRY regime, which, explains Salem Robayyi Ali was President of Republic and Ali Nasser Mohammad Prime Ministers. In addition the figure represents the structure that consisted of 17 Ministries.

¹⁷¹ - Official the newspapers of PDRY. No 41.on 14 October, No 52 December 1971, No 7 Febrile 1972, No 15 12April 1975, No 42 on 18 October 1975, No 52 on 31Dec, 1975 No 53 on 31 Dec 1976, No 43 on 27 Oct 1977 and No44 and 45 on 3 Nov 1977. Yemen News Agency (Saba)' September 2002'pp 73/77

8.3.3 The constitutional legal role and structure of local Administration.

In 1968, the creation of six governorates, these in turn are divided into directorates and subdivided into districts; First (Aden) and capital of Aden, second (Lahej) and capital of Hawatah, third (Abyan) and capital of Zinjibar, fourth (Shibwah) and capital of Ataq, fifth (Hadhramawt) and capital of Mukalla Sixth (al-Mahra), and capital of Ghaydah, under officials appointed from the president (PRSY Laws, 1968).

'Local government boundaries have been deliberately designed to cross-cut tribal boundaries, thus weakening tribal identities. Also, the governates were to be known by number only, in another effort to weaken the geographic dimension of tribalism. Eventually in 1980 the Supreme People's Council changed this policy and gave formal names to the governates, in a more realistic appraisal of tribalism's power and the best ways of combating it' (Halliday, 1990)¹⁷².

Principles underlie local government. The first of these is centralization, a principle enshrined in Chapter 4 of the Constitution. In an effort to maintain central government control over outlying areas and to promote national integrations a pyramidal power structure has been implemented. Within each governate an Aden-appointed governor holds central authority; commissioners and assistant commissioners administer the directorates and districts respectively. The governor retains final authority over the smaller units, while local government as a whole is supervised by the Council of Ministers under the authority of Article 104 of the Constitution. Also, the second principle constitutionally mandated in local administration is that of popular democracy. Under Article 114 the establishment of local People's Councils was called for 'the power and responsibilities of these bodies are vague. Nevertheless, in 1976-7 local elections were held for them, first in the Fifth Governate in the summer of 1976 and then in the rest of the country the following year. Some 204 members were elected, twenty-one of them women' (Ismael & Jacqueline, 1986) (The Constitution PDRY., 1970)¹⁷³.

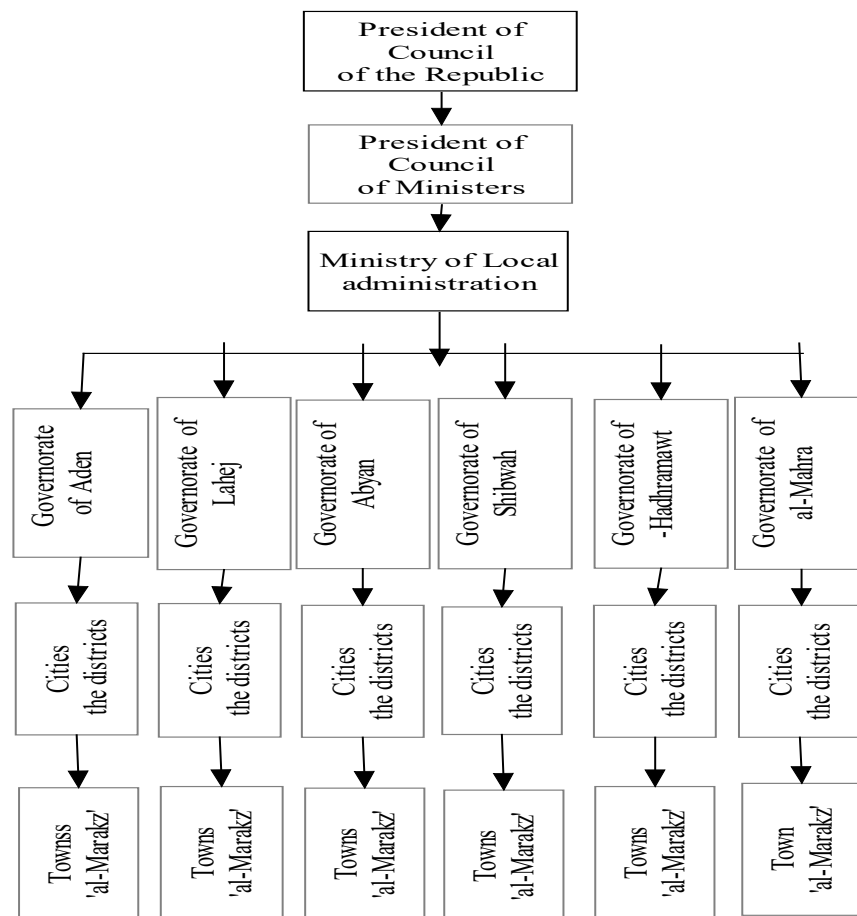
by decree of the Council of Ministers on the recommendation then selected of local Councils Local executive bureaux. These bureaux were charged with preparing the local

¹⁷² - (Halliday, 1983, p. 50)

¹⁷³ - The Constitution, 30/11/1970 and Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p 52

budget and supervising local administration under the scrutiny of the local People's Council. From 1976 until 1978 responsibility for this was assumed by a Supreme National Council, chaired by the Minister of Local Administration. State nationalized everything and did not leave any chance to activate the private funds for the work, but the state has worked to curb the activities of private funds, which double the performance of administrative units in local councils. Agricultural lands were confiscated from the former rulers and other absentee landowners. By 1972, arable land had been organized into state farms or into cooperatives. Marketing and the supply of services were concentrated in the hands of government agencies. Fishing boats and gear were nationalized and distribution of the catch was placed under the control of a cooperative. All housing was nationalized.

Figure 35. The administrative units structure under Salem Robayya Ali regime



8.4 The administration under Abd al-Fattah Ismail from 1978 to 1980.

South Yemen's political history has been punctuated by serious (and often bloody) struggles for power within the party and the government leadership.

After Robayya Ali was deposed and killed the party appointed of Ali Nasser Mohammed, head of the Republic from 26 Jun 1978 - 27 Dec 1978.

In December 1978 Ismail became formal Head of State, after Robayya Ali was deposed and killed and Abdul Fattah Ismail's faction assumed control.

Abd al-Fattah Ismail became the new Head of State of the PDRY following the June events, also Ali N Muhammad and Ali Antar retained their positions as Prime Minister and Minister of Defence respectively. Both Ismail and Muhammad were appointed Brigadier-Generals in the Popular Defence Forces in an effort to further consolidate party control over the military.

In end the 1978 the Presidential Council was abolished, and replaced by the Presidium of the Supreme People's Council. The Presidium consists of a Chairman, a Deputy Chairman, and a Secretary, with a total membership of eleven. 'The South Yemeni state is directed by the party-a party whose internal decision-making is governed by the twin principles of democratic centralism and collective leadership. These two principles represent a 'fundamental internal party tenet' . 'However, there were indications that as Ismail became ever more obviously ready to sacrifice everything to ideological considerations' (Bidwell, 1983)¹⁷⁴.

Ismail advocated an ideologically militant approach and close alliance with the socialist camp, rejecting any moderation of the revolution's aggressive foreign policy approach. Ismail was also the primary architect of the new party structure then in formation. 'In the words of Abd al-Fattah Ismail, collective leadership is 'a safety barrier meant to prevent the revolution falling once again into the hands of an individual leader... . No individual. . . can be either the substitute for the collective, or singlehandedly bear the responsibility for an entire historic phase (Ismael & Jacqueline, 1986)'¹⁷⁵.

¹⁷⁴ - Robin Bidwell 'the two Yemens' p280

¹⁷⁵ - Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p 68

Law 18 of 1978 entitled them to nominate representatives to Majlis al-Sha'b 1978 constitutional amendments defined separately elected local popular councils (also majlis al-sha'b). Cadres of village or neighborhood councils and defense committees represented them at governorate and national levels.

As the problems of central planning emerged, however, 'Abd al-Fattah Ismail's policies were criticized as being too bureaucratic. By April 1980 Ali Muhammed and others had finally secured sufficient support within the YSP Central Committee to force Ismail's resignation as both President and party Secretary-General' (Halliday, 1990)¹⁷⁶.

Ismail went into self-imposed exile in Moscow. In 1985, Ismail did return from Moscow to South Yemen. In February 1985, the YSP Central Committee appointment and brought Ismail back into its ranks as a member of the Central Committee secretariat.

The government in the reign of Abd al-Fattah was the government, which formed in the last reign of Salem Robayya Ali, and was Ali Nasser Mohammad Prime Minister

The third government formed by virtue of decision of the Republican N () on 26/12/ 1978, and it lasted about 22 months from 26 /12 /1978 until 27 / 4/1980 it is formation consists ministers; as follows; the President of the Republic Abd al-Fattah Ismail and Prime Minister Ali Nasser Muhammad

8.5 The administration under Ali N. Muhammad from 1980 until 1986.

After Ismail resignation, then into self-imposed exile in Moscow, Ali Nasser Muhammad was appointed Chairman of the Council Presidium.

In October, an Extraordinary YSP Congress was held at which Muhammad's party positions were confirmed and a new YSP Central Committee elected.

Ali Nasser Muhammad occupied for himself 3 leading positions in the regime, these are: the president of State, prime minister and YSP general-secretary by the end of the 1980 YSP congress. This is what president al-Sallal did in the mid 1960's in YAR, where he collected for himself the position of president of the State, the Council of Ministers and Minister of foreign Affairs.

¹⁷⁶ - Halliday, 1990 Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p 72

The South Yemen Civil War, colloquially referred to as The Events of '86, or more simply as The Events, was a failed coup d'etat and armed conflict which took place in 13 January 1986 in South Yemen. The civil war developed as a result of ideological and tribal tensions between two factions of the ruling Yemeni Socialist Party (YSP), centred on Abdul Fattah Ismail and Ali Nasir Muhammad for the leadership of the YSP. The conflict quickly escalated into a costly civil war that lasted eleven days and resulted in thousands of casualties. Additionally, the conflict resulted in the demise of much of the Yemeni Socialist Party's most experienced leadership cadre, contributing to the country's eventual unification with North Yemen in 1990 (Halliday, 1990)¹⁷⁷.

Ali Nasir Muhammad, lost a gamble to eliminate rivals in the ruling Yemeni Socialist Party (YSP) in January 1986. The ensuing two-week gun-battle in Aden, Abyan, and other locations killed off thousands of party cadres, leaving the PDRY physically, psychologically, and socially scarred. Ali Nasir himself and tens of thousands of his followers, including many soldiers, fled north or abroad. The party leadership was decimated. A group of civilian Hadramis left standing when the smoke cleared Ali Salim al-Bid, haydar AbU Bakr al-'Attas, and Yasin Sa'id Nu'man - assumed leadership of the party-state. 'The split polarized over the issue of leadership. Increasingly, 'Ali sought to centralize power in his hands (thus ignoring the fundamental party principle of collective leadership), subordinating the Council of Ministers to a secondary role and ruling through presidential decree' (Halliday, 1990) (Ismael & Jacqueline, 1986)¹⁷⁸.

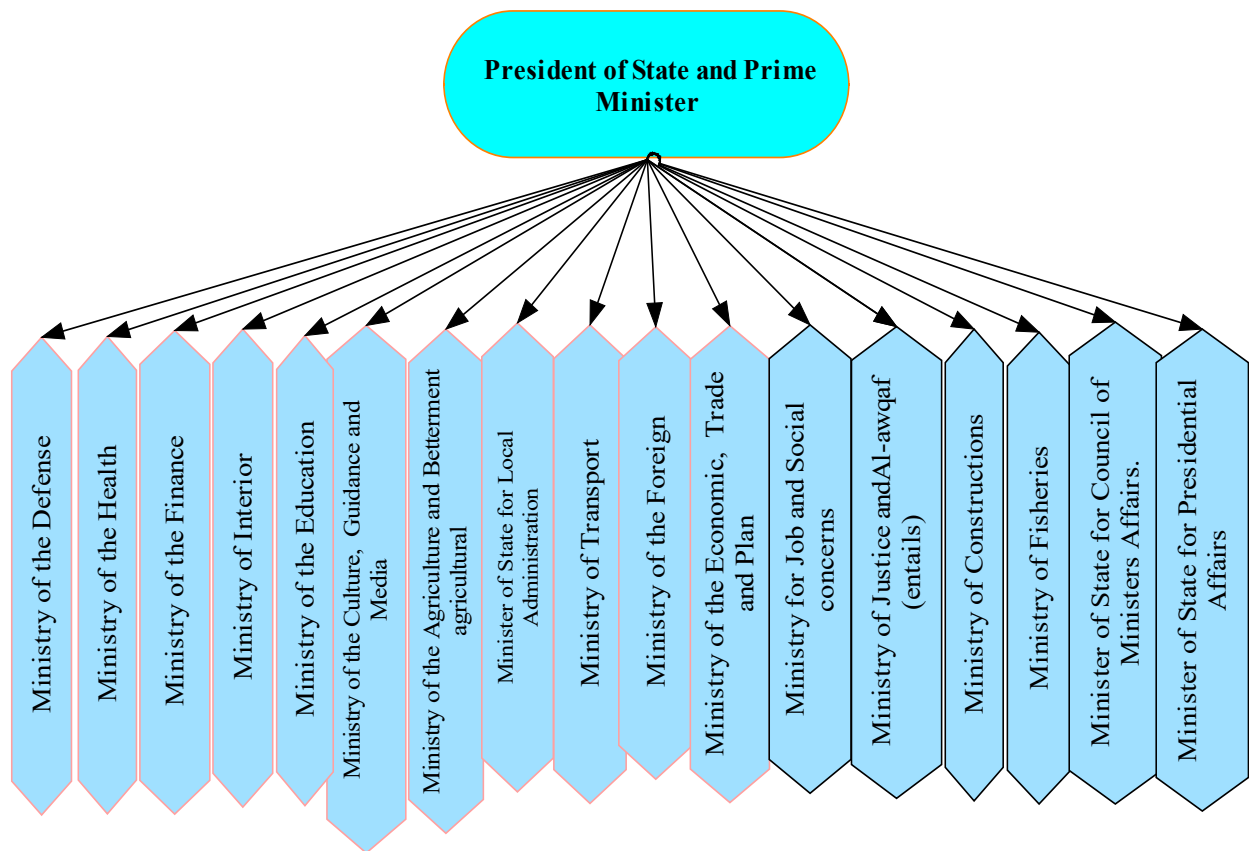
In May 1984, the Central Committee appointed five new members to the Politburo (including some of Mohammad's critics), Muhammed resigned as Prime Minister a few days later in favour of Haidar Abu-Bakr al-Attas. The power struggle in South Yemen entered final phase with the conclusion of the YSP Third Congress on 13 January 1986. the widespread fighting took place throughout the South Yemen, the killed of many important party leaders, and many people two weeks of bloody and intense hand-to-hand fighting, about thousands were killed from Yemenis.

¹⁷⁷ Halliday, Fred (2002). *Revolution and Foreign Policy: The Case of South Yemen, 1967–1987*. Cambridge University Press. p. 42

¹⁷⁸ - Halliday, Fred (2002) Tareq Y. Ismael 'The PDRY Politics, Economics and Society' 1986, p 73

The fourth government formed by virtue of decision of the Republican N () on 00/5/ 1980, and it lasted about 4 years and 8 months from 26 /5 /1980 until 13 / 2/1985 its formation consists 17 ministers; as follows; the President of the Republic and Prime Minister Ali Nasser Mohammad.

Figure 36. shows the structure of the fourth Government in the period of PDRY regime, which was the President of the Republic and Prime Minister Ali Nasser Mohammad. **(Decision of the Supreme Assembly, 1980 -1986)**¹⁷⁹

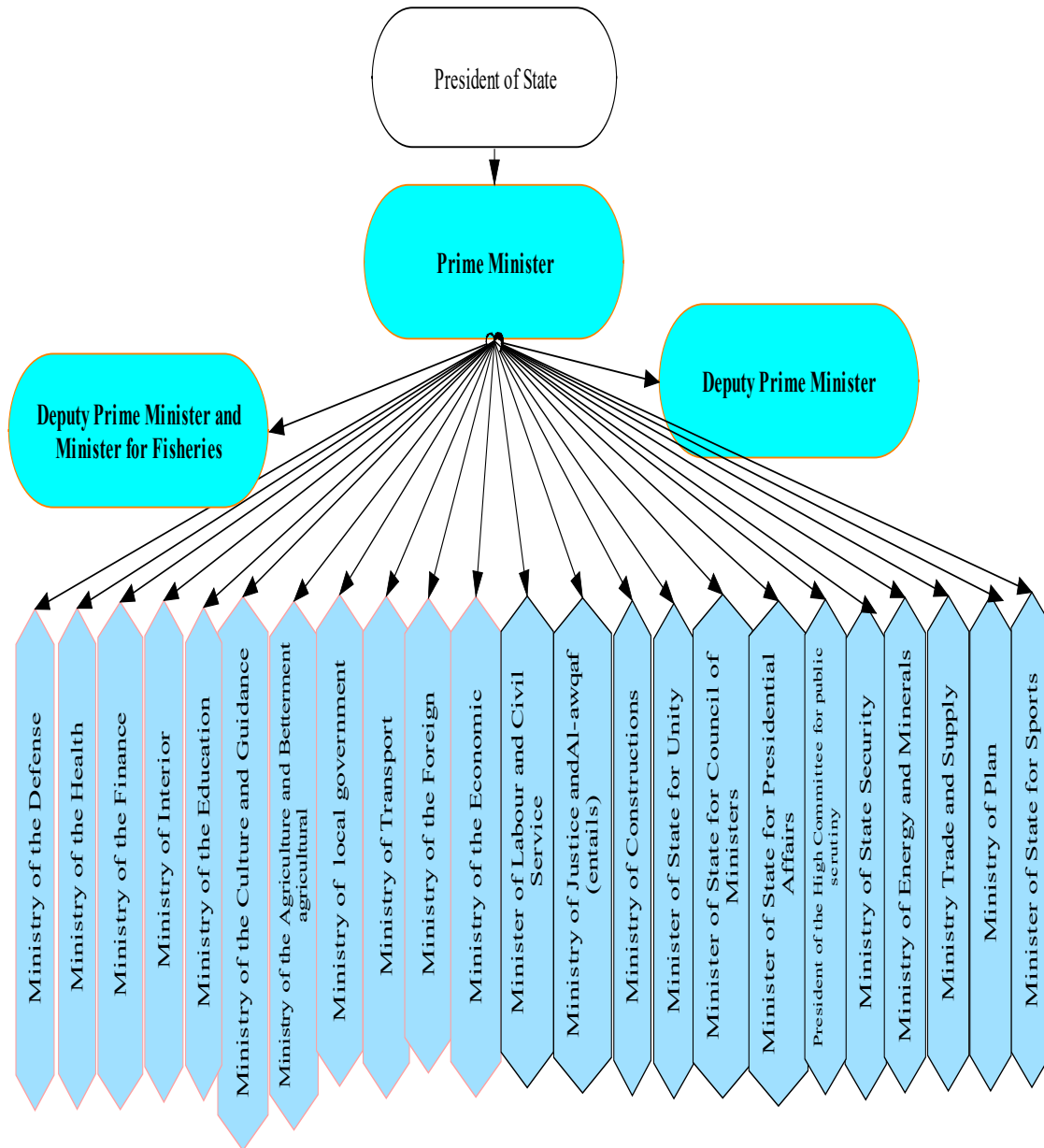


This figure shows the structure of the fourth Government in the period of PDRY regime, which, explains Ali Nasser Mohammad was President of Republic and Prime Ministers. In addition the figure represents the structure that consisted of 17 Ministries.

¹⁷⁹ - the presidency of the supreme people's assembly and Yemen News Agency (Saba)' September 2002' p76

The fifth government formed by virtue of decision of the Supreme People's Council N (10) on 14/02/ 1985, and it lasted about 10 months from 14/02 /1985 until 08/ 1/1986 it is formation consists 23 ministers and 2 deputies prime minister; as follows; the President of the Republic Ali Nasser Muhammad and Prime Minister Haydar Abu `Bakr al-`Attas. (Decision of the Supreme Assembly, 1980 -1986)¹⁸⁰

Figure 37. shows the structure of the fifth Government in the period of PDRY regime,



This government was formed of 23 ministries, and considers this government is the most in the number of ministries during the reign of PDAY.

¹⁸⁰ - Yemen News Agency (Saba)' September 2002'pp 79/83

This figure shows the structure of the fifth Government in the period of PDRY regime, which, explains Ali Nasser Mohammad was President of Republic and Haydar Abu `Bakr al-`Attas Prime and 2 deputies prime minister. In addition the figure represents the structure that consisted of 23 Ministries.

8.6 The administration under Haidar Abu-Bakr al-Attas from 1986 until 1990.

Al-Attas was confirmed as the Republic's new President Yaseen Said Numan became Prime Minister; Politburo member Ali Salem al-Bidh was appointed YSP Secretary-General. Six new members were appointed to the sixteen-person YSP Politburo.

A new State and party leadership was confirmed following YSP Central Committee meetings in early February. Al-Attas was confirmed as the Republic's new President~ Yaseen Said Numan became Prime Minister; Politburo member Ali Salem al-Bidh was appointed YSP Secretary-General. Six new members were appointed to the sixteen-person YSP Politburo.

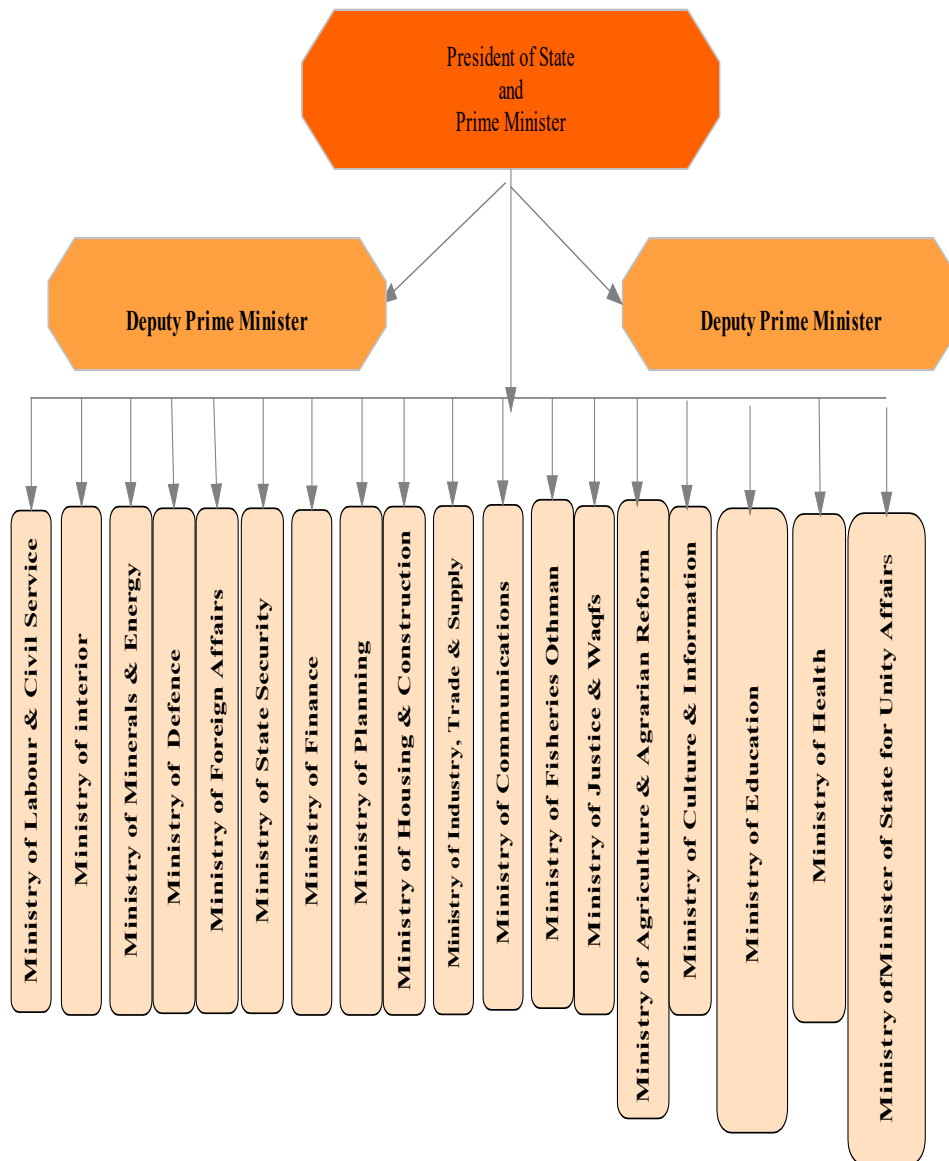
'Thousands of Southerners fled the PDRY: eventually as many as 500,000 former colonial civil servants, officers, and conservative business, tribal, and feudal families. The victorious NLF launched a "reign of terror," as it is known in the literature on comparative revolutions. Uncounted numbers of its opponents died, languished in security prison, or simply disappeared. Some egregious abuses originated in the popular and land reform courts of the 1970s, others in ad hoc tribunals, and still others by order of military or party officers' (Carapico, 2007)¹⁸¹.

The sixth government formed by virtue of decision of f the Supreme People's Council N () on 24 /1 /1986, and it lasted about 4 years and 8 months from 24/1 /1986 until 21 /

¹⁸¹ - Sheila Carapico "Civil Society in Yemen", p40

5/1990 it is formation consists 18 ministers; as follows; the President of the Republic Haidar Abu-Bakr al-Attas and Prime Ministers Yaseen Saied Numan

Figure 38 shows the structure of the seventh Government in the period of PDRY regime which was the President of the Republic Haidar Abu-Bakr al-Attas and Prime Ministers Yaseen Saied Numan (**Decision of the Supreme Assembly, 1980 -1986**)¹⁸²



This figure shows the structure of the last Government in the period of PDRY regime, which, explains Haydar Abu `Bakr al-` Attas was President of Republic and Yaseen Saied

¹⁸² Yemen News Agency (Saba)* September 2002*pp 84

Numan Prime and 2 deputies prime minister. In addition, the figure represents the structure that consisted of 18 Ministries this government was after civil war in south Yemen.

8.7 Conclusion and General Assessment of administrative performance.

1. The PDRY was the only Marxist regime in the Arab world and was in South Yemen the located in one of the most strategically important areas of the globe. And which was occupies a unique place among the panoply of contemporary left-wing experiments.
2. South Yemen's political history has been punctuated by serious (and often bloody) struggles for power within the party/ government leadership. All dissent was ruthlessly suppressed and likewise the use of force in political dispute.
3. Period 'PDRY', racked by political instability and violence. Inside military and party elites engaged in murderous internecine struggles - coups, counter-coups, factional civil wars.
4. The period Qahtan was not successful due to the divisions inside the Liberation of South Yemen (FLOSY) which resulted in negative effect on the performance of the administrative environment.
5. The internal disputes among the leaders the Nationalist Liberation Front (NLF) during the first two years of the republic prevented any significant progress toward transforming the State into an effective State. But after independence by two years Special management and training institutes were established, including the Institute of Statistical Training (1970), the College for Economic and Management Studies (1974), and Aden University (1975). Others were sent abroad for training in Arab countries or Eastern Europe. Throughout this process great efforts were made to assure the growth of an effective and reliable civil service.
6. After Independence on 30 November 1967 led to the departure of the British administrative and military staff and their dependants as well as much of the

- trading community, which resulted in negative effect on the performance of the administrative environment in PDRY.
7. Purges have been commonplace in the NF/YSP since independence, and until 1986 and have been upheld as a legitimate and necessary political mechanism by successive party constitutions, particularly in the wake of major internal political crises, such as those of 1969, 1978 and in the January 1986.
 8. In theory (and to a considerable extent in practice), the South Yemeni state is directed by the party-a party whose internal decision-making is governed by the twin principles of democratic centralism and collective leadership.
 9. By 1972, despite the ban on travelling abroad without special permission, it was estimated that 25 per cent of the population had escaped and sought refuge in neighboring countries, especially in the YAR.
 10. South Yemen has only a small population-of approximately 2.1 million. Administratively, the country is divided into a number of governorates (six since March 1980). The size and population of these, based on the most recent census for which full.
 11. Abolition of private property and state ownership of all instruments of production, from 1978 to 1989, an economic system based on the idea of the abolition of private property - the private sector and that the State is the owner the right to possess all the tools of production, it is undisputed the state from members of the society in the possession of instruments of production is outside the law and a traitor to the principles, This approach has led to the establishment of the state to possess all the tools and means of production, and the abolition of private property, and cover the state requirements of living the main members of the community through the support of a monthly report to each family represented in the ration to meet the needs of the living major.
 12. In the era of PDRY there were a few descriptions of good governance as shown in the following. Description of a Good Governance: 1. The State of law and institutions. 2. The existence of a clear strategy and flexible development plans. 3. Provide participation component. 4. Sovereignty and the rule of law. 5. Provide transparency component. 6. Provide accountability component. 7. The Justice and

providing the needs of the citizen. 8. Equality and equal opportunities. 9. Reward and punishment law. 10. The Decentralisation

Table 9. The Capital City and Population of Goverates, PDRY

Governate	Capital	Population
(1)- Aden	Aden	291,000 (18%)
(2)-Lahej	Hawatah	273,000 (17%)
(3)-Abyan	Zinjibar	311,000 (20%)
(4)-Shibwah)	Ataq	162,000 (10%)
(5)-Hadhramawt	Mukalla	492,000 (31%)
(6)-al-Mahra	Ghaydah	61,000 04%)

1973 census. Source: PDRY, 1980c: Fisher & Unwin, 1986

Table 10. Leaders of South Yemen;(People's Democratic Republic of Yemen, 1967-1990) President of the Republic ‘Chairmen of the Presidential Council’¹ after president Qahtan al-Sha’bi Table

Chairmen of the Presidential Council	Period	
Qahtan Muhammad al-Sha’bi	30 Nov 1967 - 22 Jun 1969	
Salim Robayya Ali	23 Jun 1969 - 26 Jun 1978	
Ali Nasir Muhammad al-Hasani	26 Jun 1978 - 27 Dec 1978	
Abd al-Fattah Isma’il al-Jawfi	27 Dec 1978 - 26 Apr 1980	
Ali Nasir Muhammad al-Hasani	26 Apr 1980 - 25 Jan 1986	
Haydar `Abu Bakr al-`Attas	25 Jan 1986 - 22 May 1990	

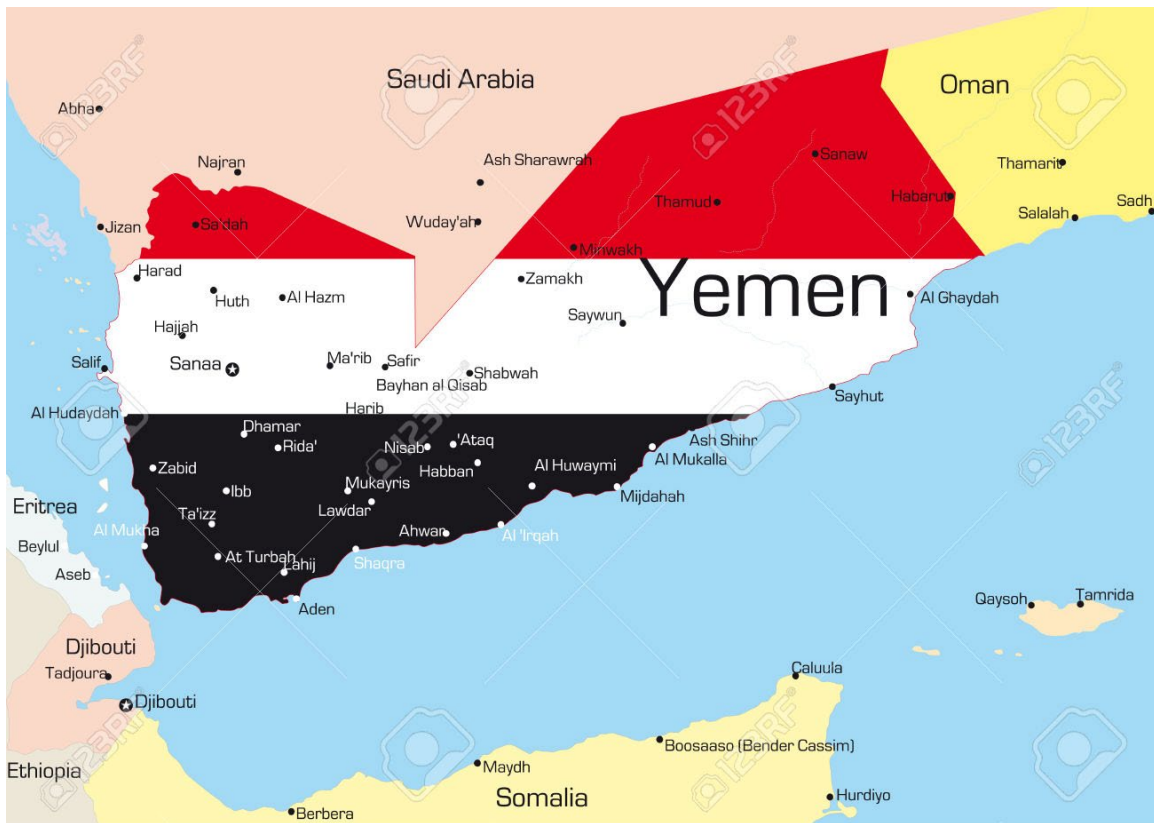
Table 11. Prime Ministers

(1)Members of the Presidential Council (continued after the appointment of its chairman):1)- Muhammad `Ali Haytham 2)-Muhammad Salih al-Awlaqi 3)- Abd al-Fattah Isma’il al-Jawfi 4)- Salim Rubay Ali 5)-Ali Ahmad Nasir Antar al-Bishi.

Prime Minister	Period	
Qahtan Muhammad al-Sha’bi	30Nov 1967 – 5Apr 1969	
Faysal `Abd al-Latif al-Sha’bi	6Apr 1969-5 Apr 1969	
Muhammad Ali Haytam	23 Jun 1969 - 2 Aug 1971	
Ali Nasir Muhammad al-Hasani	2 Aug 1971 - 14 Feb 1985	
Haydar Abu `Bakr al-`Attas	14 Feb 1985 - 8 Feb 1986	
Yasin Said Numan	8 Feb 1986 - 22 May 1990	

Chapter nine: The administrative systems in the Republic of Yemen from 1990 to 2012

Map of Yemen Republic



9.1 Introduction.

Within the general context of Arab nationalism and pan Arabism, by which amalgamation of the two Yemenis is seen as a necessary and desirable step toward unification of the entire Arab nation. The concept is enshrined as a major goal in the constitutions of both countries YAR and PDRY.

The Yemeni people are one people and it is part of the Arab nation and the Yemeni nationality is one. The Yemen constitutes a historical, economical and geographical unity.

Indeed, the past hundred years have seen continued struggles in military and civic arenas over the composition and constitution of the state, and episodes of liberalization alternate with military engagements.

The Yemen has witnessed many forms of governments, some ruled parts of Yemen during the 20th century: a mixture of Ottoman and Imamate in North Yemen, British Colonial systems in South Yemen followed by the two republics, YAR in the north and PDRY (the only Marxist regime in the Arab world) in the south.

During the twentieth century Yemen has been racked by political instability and violence and it has witnessed several political, bloody coups and revolutions. For example: Civil war and political between Ottomans and imam Yahya, the revolution act against the Imamate regime, and the assassination of both imam Yayah and imam Ahmed, and the creation of the Yemen Arab Republic (YAR), the civil war between republicans and royals (Imamate followers) from 1962 until the end of 1968; the ousting President of al-Sallal and al-Iryani from state baskets through a bloodless coup as well as civil conflict and wars between north and south of Yemen. However the new president Al-Hamdi was assassinated followed by the assassination of president Al-Ghashmi. This is took place in North Yemen.

The situation in People's Democratic Republic of Yemen (PDRY), the southern part of Yemen, was no different in (Anqlabat), political and bloody coups, and between the members of the same Marxist party, the blood was shed on streets whereby more severe and more numerous victims from north Yemen. In 22 May 1990, Republic of Yemen was established with the merger of the Yemen Arab Republic the Tribalism-dominated (north Yemen) and the Marxist-dominated people's Democratic Republic of Yemen (South Yemen), previously north Yemen had become independent in Nov 1918 (from the Ottoman Empire) and also after the revolution on 26 September 1962, on (Mitwakliyya Kingdom).which The September revolution successfully abolished the Imamate and terminated the reign of the Hamid al-Din dynasty, which lasted approximately 70 years, South Yemen had become independent on 30 November 1967 (from the UK).

The Convention on the Yemeni unity in 22 1990, was the main reason for Yemen's most liberal, most political civic opening and also legal controls, the issuance of legal-constitutional guarantees to personal, press, and political freedom, and the unleashing of

pent-up desires to travel within the country, publish, organize, and hold public debates were all unprecedented, Unprecedented, especially in southern Yemen.

After unification Yemen in 1990 Yemen has taken steps toward establishing a more democratic system of government in a complex and challenging in a complex and difficult environment in which many causes of conflict and instability.

This period is most important in the YR because the central government implemented the democratic process even though it was simple, incomplete and sometimes deformed.

The first democratic experience in Yemen "nation and local" was in 1993, the after unity between the north and south Yemen. After years of internal conflict, north and south Yemen were finally united in 1990. While progress was made in forming a unified government and constitution, relations were still strained between the north and south.

The creation of the Yemen Republic in the 22 May 1990, this unity Yemen was believed to be a new history of political pluralism, freedom, democracy and party competition. But unfortunately, it ended with of political crisis which led to the civil war which ended in the summer of 1994.

9.1.1 The creation of the Yemen of Republic.

On 22 May 1990, a long standing Yemeni national dream became a reality when the Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen), were united in the Republic of Yemen. The process of political integration was violently disrupted four years later, however, and civil war broke out.

Sana'a was the new capital of a unitary state, under unification accords, during transition period formal power was shared equally between the partners. The five-man presidential council consisted of President 'Ali Abd Allah Salih and two other members of his General People's Congress (GPC) and (unofficial) vice president 'Ali Salim al-Bid and one other Socialist. Prime Minister Haydar Ab Bakr al-'Attas and speaker of Parliament Ysin Sa'id Nu'man were both Southern Socialists. In addition, the 301-man Chamber of Deputies comprised the two pre-existing, quasi-elected parliaments (159 from the YAR and 111 from the PDRY), plus thirty-one appointees from beyond the two political establishments. The power of the State of unity was formed between two ruling parties and then the agreement them was both on power-sharing agreement divided posts in the five-man

Presidential Council, the Council of Ministers, and the Parliament more or less equally between the General People's Congress (GPC) and the Yemeni Socialist Party (YSP), establishing a parity between them.

I have lived the facts of the establishment of the State of Yemeni unity and were the hope of all yemenis north and south. the unity accords ushered in Yemen's more freedom and political participation, the relaxation of security, political, financial, and legal controls, the issuance of legal constitutional guarantees to personal, press, and political freedom, and the unleashing of pent-up desires to travel within the country, publish, organize, and hold public debates were all unprecedented.

After unity of the Yemen in 1990 significant for the restrictions they lifted, liberalizing legislation cleared legal space for the electoral process, participation in political parties, intellectual projects, mass conferences, non-governmental organizations and kiosks overflowed with newspapers. More independent political, charitable, social, and professional organizations were founded after 1990 than in the preceding eight decades. All there were the calendars of public events was unprecedented.

9.2 The administration under President of Ali Abd Allah Salih from 1990 to 2012

The legislative package responsible for the post-unity political opening included the 1990 unity accords, the 1990 press law, the 1991 constitution, the 1991 political parties law, the 1992 elections law, and the announcement that the old national and central security forces would be disbanded. Inscribing rights and freedoms heretofore unknown. there were legislative steps towards to State of Institutions. But the failure of the unity accords and the constitution to resolve many issues of executive, military, and local power was their ultimate undoing.

During the three years after the unification of yemen there was political and administrative instability. it is regrettable that the conflict between the two ruling parties the General People's Congress (GPC) and the Yemeni Socialist Party (YSP began after the 1993 elections, this is because of the difference in how the State is run. Conflicts within the coalition resulted in the self-imposed exile of Vice President Ali Salim Al-Beidh to Aden beginning in August 1993 and a deterioration in the general security and there have been many assassinations in the cadres of the yemeni socialist party.

it is regrettable that the conflict between the two ruling parties the General People's Congress (GPC) and the Yemeni Socialist Party (YSP) began after the 1993 elections, this is because of the difference in how the State is run.

After election 1993 was crisis political between the General People's Congress (GPC) and the Yemeni Socialist Party (YSP), 'neither the constitution nor the elections proved binding on former ruling cliques who clung tenaciously to their armies, security forces, and public sectors.

the Yemeni Socialist Party (YSP) was demanding for gradual reduction of the military presence in the major cities; dilution of the preponderance of "certain tribes" in the army; phased financial and administrative decentralization, followed by local elections; new by-laws for amending the constitution; serious fiscal, monetary, and administrative reform; safety, security, and an end to banditry; and cessation of mud-slinging in newspapers of the coalition partners. Conflicts within the ruling coalition led to the 1993 self-imposed exile of Vice President Ali Salim Al-Bidh. As political rivals settled scores on their own, leading to a deterioration in the security situation.

The authoritarian denouement to each of the earlier openings, one in the South and the other in the North, left both systems in crisis, the General People's Congress (GPC) and the Yemeni Socialist Party (YSP). The civil war was after declaration of separation from the State of Yemeni unity. The discord over power sharing was such that Vice President 'Ali Salm al-Bid and his colleagues ensconced themselves back in Aden. Finally, they declared a separate Democratic Republic of Yemen in what had been the PDRY'. The civil war was after declaration of separation from the State of Yemeni unity.

In elections 1993, the participation of political parties, women and illiterates, and most of Yemeni People. The political-military rivalry between the GPC and the YSP intensified, and especially after elections failed to resolve the distribution of power. In the 1993, elections, and the victory Islah party in the third degree. The most specific points proposed the election of two GPC, two YSP, and one Islah Party, representative to the Presidential Council and then, contradictorily, called on them to resign their party memberships. There was a call for unification, restructuring, and depoliticisation of the

armed and security forces, and another for redrawing local administrative lines. The Presented to the chamber as a State: Salih and Abd al-'Aziz 'Abd al-Ghani from the GPC, al-Bid and Slim Salih Muhammad from the YSP, and Islah Party, the Sheikh 'Abd al-Majid al-Zindani.

The head of Islah, Paramount Hashid Sheik Abdullah bin Hussein Al-Ahmar, was elected speaker of Parliament. Islah Party was invited into the ruling coalition, and the presidential council was altered to include one Islah member.

The transition from crisis to all out war came towards the end of April, 1994, with renewed clashes involving the forces that north and south had stationed on the opposite sides of the border at the time of unification. Although in 1990 the exchange of troops had been intended as a confidence-building measure and a prelude to merging the two armies, in the heightened tension of the crisis this merely increased the risk of conflict, creating flashpoints where each side was perceived as threatening the other while at the same time considering itself to be under threat (Whitaker, 2009)¹⁸³.

It was the main cause of the civil war in 1994, when Southern leaders declared secession from State of unity and the establishment of the Democratic Republic of Yemen (DRY) on May 21, 1994, but the DRY was not recognized by the international community it and was the civil war.

9.2.1 The constitutional legal role of central administration.

The constitution of Yemen Republic a constitution unifying north and south Yemen was drafted in May 1990 and ratified by popular referendum in May 1991. The constitution was amended in 1994. The constitution of Yemen provides for free, multi-party elections of members to the legislative and executive branches.

The legal system in Yemen based on Islamic law (Zaydi, Shafa), Turkish law, British civil, Egyptian, local tribal customary law and internationally recommended commercial codes.

Divergent legal traditions were a major difference between South Yemen, where English and Stalinist models were quite thoroughly institutionalized, and the states of the North,

¹⁸³ <http://al-bab.com/birth-modern-yemen-chapter-12> Brian Whitaker 2009

where Islamic and tribal models.

The 1991 constitution was unique in comparison to previous constitutions in Yemen, which described a system for presidential and ministerial councils selection after parliamentary elections, as it granted many rights and freedoms to citizens of the republic, including equal treatment under the law, voting and candidacy rights, liberty of expression, the right to a fair trial and judicial independence. However, there were constitutional issues that were unresolved, among these issues are: the organization of the judiciary, the design of the electoral system, the command of the military and the character of local government.

This study will present some parts and points from the constitution 1991 and will focus the light on the texts that were mentioned division of powers, administrative systems and the way to state of institutes, through the democratic method.

'Article 3 Islamic jurisprudence is the main source of legislation' (The Constitution, 1991)¹⁸⁴.

In article 4 from the constitution 1991 promised and text "Power rests with the people who is the source of all powers. The people shall exercise its power directly through referenda and general elections, and indirectly through legislative, executive, and judicial bodies and also through elected local councils' In article 5 of 1991 promised and text 'The state shall abide by the United Nations Charter, the Universal Declaration of Human Rights, the Charter of the League of Arab States and the generally accepted norms of international law' (The Constitution, 1991)¹⁸⁵.

In article 19 from the constitution 1991 promised and text the State shall guarantee, to all its citizens, equal political, economic, social, and cultural opportunities and, to that effect, shall enact all the required laws' (The Constitution, 1991)¹⁸⁶.

The article 26 of 1991 promised and text "All citizens have the right to participate in the political, economic, social, and cultural life. To this end, the state shall guarantee the freedom of thought and the freedom to express opinion by word of mouth, in writing, or in picture, within the limits of the law'. In Article 27 from the constitution 1991 promised

184 - the constitution 1991 p1

185 - the constitution 1991 p1

186 - the constitution 1991 p2

text ‘All citizens are equal before the law. They are equal in public rights and duties. There shall be no discrimination between them based on sex, color, ethnic origin, language, occupation, social status, or religion. Also, Article 39 Citizens all over the Republic may, in a manner that does not contravene the provisions of this constitution, associate politically, professionally, and in trade unions. They have the right to establish scientific, cultural, social, and national organizations and unions in a manner that serves the purposes of this constitution. The state shall guarantee this right and provide all necessary means to enable its citizens to exercise it. It shall also guarantee all freedoms for political, cultural, scientific, social, and trade union organizations. (The Constitution, 1991)¹⁸⁷, the Articles 26, 27 and 39 which were mentioned previously distinguished the 1991 constitution from previous constitutions in Yemen.

The Yemeni legislator promised in constitution 1991 of article 32;

Article 32a ‘the state shall guarantee, for its citizens, their personal freedom, dignity, and safety. The law shall specify cases of depriving a citizen of his freedom. No one may be deprived of his freedom except under a ruling by a competent court. (The Constitution, 1991)¹⁸⁸.

The first legislation in history of Yemen, in article 39 mentioned of the constitution 1991 ‘Citizens all over the Republic may, in a manner that does not contravene the provisions of this constitution, associate politically, professionally, and in trade unions. They have the right to establish scientific, cultural, social, and national organizations and unions in a manner that serves the purposes of this constitution. The state shall guarantee this right and provide all necessary means to enable its citizens to exercise it. It shall also guarantee all freedoms for political, cultural, scientific, social, and trade union organizations’. (The Constitution, 1991)¹⁸⁹

Law 66 of 1991 cites Article 39 of the constitution on political pluralism, and entitles citizens to form and affiliate with parties; but also cautions that "no party or political organization may misuse this right in contradiction with the national interest and in preserving sovereignty, security, stability, and national cohesion (The Constitution, 1991).

¹⁸⁷ - the constitution 1991 p3

¹⁸⁸ - the constitution 1991 p4

¹⁸⁹ - the constitution 1991 p5

9.2.2 The structure of central government and how it worked.

The constitution of 1991 text on the legislative power of the State as the House of Representatives, through free national elections. Promised and text of Article 40 and 41 The House of Representatives is the legislative power of the state. It shall enact the laws and decide the general policy of the state, in addition to adopting the general plan for economic and social development, the public budget, and its final statement. It also shall assume the function of controlling the actions of the executive power in the manner specified in this constitution. Article 41 The House of Representatives shall consist of members to be elected by secret ballot and by free general and equal suffrage. The Republic shall be divided into electoral constituencies with equal number of inhabitants within an up or down range of 5%. Each constituency shall elect one member to the House of Representatives (The Constitution, 1991).

The text of the constitution that the The Presidency of the Yemeni Republic shall be exercised by a Presidential Council consisting of five members to be elected by the House of Representatives. Article 82 The presidency of the Yemeni Republic shall be exercised by a Presidential Council consisting of five members to be elected by the House of Representatives (The Constitution, 1991). this council lived for four years and then the civil war in the summer of 1994. In the sentence, there was a conflict in council between the two ruling parties.

The constitution specified the tasks for the presidential council in Article 94.

The Presidential Council shall exercise the following powers:

- 1) It shall represent the Republic inside and outside the state.
- 2) It shall convoke voters, at the fixed time, to participate in electing the House of Representative.
- 3) It shall call for general referenda.
- 4) It shall designate someone to form the Government and issue the presidential decree nominating its members.
- 5) It shall, together with the Government, form the general policy of the state and shall oversee its implementation in the

manner determined by the constitution.

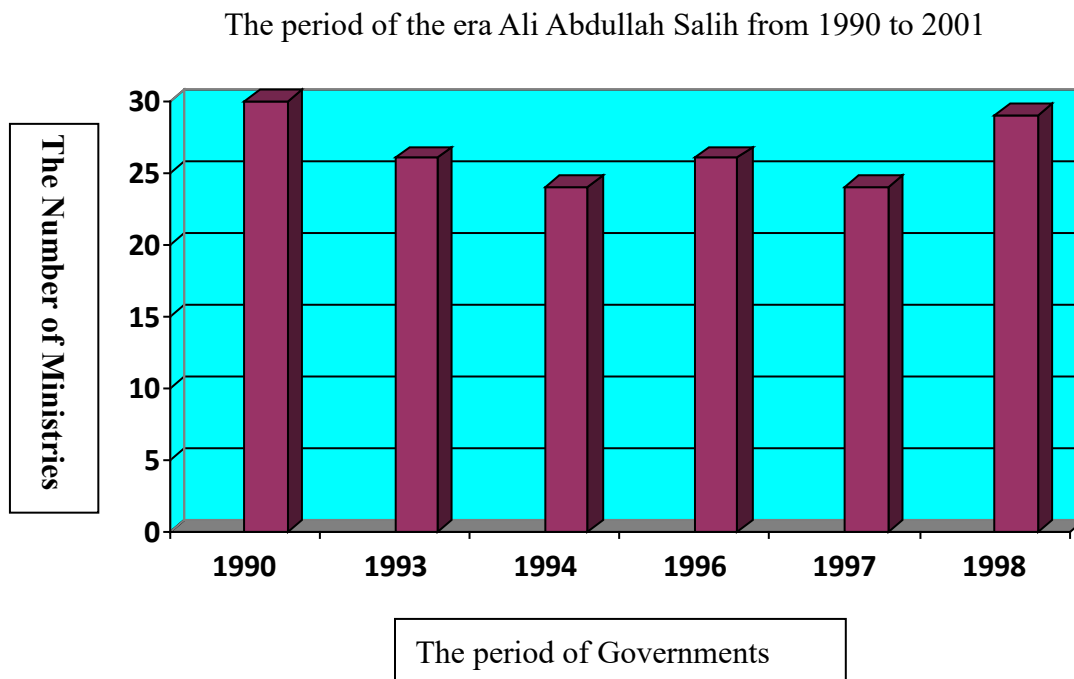
- 6) It shall convene a joint meeting of the Council of Ministers and the Presidential Council whenever necessary.
- 7) It shall nominate members of the National Defense Council, in accordance with the law.
- 8) It shall issue the laws approved by the House of Representatives and the Presidential Council and take the decisions necessary for executing them.
- 9) It shall appoint and remove the state's high civilian and military officials in accordance with the law.
- 10) It shall create military ranks in accordance with the law.
- 11) It shall grant the medals and decorations provided for in the law and shall grant permission to hold those medals and decorations granted by other states.
- 12) It shall adopt decisions of ratification of treaties and agreements approved by the House of Representatives.
- 13) It shall ratify, after the approval of the Council of Ministers, those agreements that require no approval by the House of Representatives.
- 14) It shall establish diplomatic missions and appoint and recall ambassadors in accordance with the law.
- 15) It shall accredit representatives of foreign states and foreign organizations.
- 16) It shall grant the right of political asylum.
- 17) It shall declare states of emergency and general mobilization in accordance with the law.
- 18) It shall exercise any other powers conferred by laws and the Constitution. (The Constitution, 1991)

Yemen Constitution limits the period of the government for 5 years of rule at one particular time. However, (YR), period formed, 6 governments during 10 years from May 1990 to 2001 there are several reasons behind this formation and instability;

1. Two governments were formed during the presidency of council from 25/5/1990 to 5/10/1994, and three governments under president Salih from 6/10/1994 to 4/4/2001

2. Continuing cold war between the President: Ali Abdullah Salih (GPC), and Vice-president: Ali Salim al-Baid (YSP).
3. The war 1994.
4. Political, administrative and economic Instability.
5. Initial effort at building a modern state was largely ill conceived and hastily executed, and the changes were often more formal than substantive.
6. Individualism and lack of seriousness in establishing State of institutes.
7. Yemen's rugged terrain and the prevalence of illiteracy and ignorance among the tribes, was one of the causes of retardation and lack of administrative sophistication.
8. The modernization and development was languid and tardy, inside the central and local the administrative. Believed their efforts to develop the YR were being obstructed and put into jeopardy by the corruption, favouritism, cynical bargaining, and petty bickering.

Figure 39. shows that during the period of Yemen Republic president of Ali Abdullah--Salih regime



The figure 39 shows that during the period of Yemen Republic president of Ali Abdullah-Salih regime, 6 governments formed in 10 years from May 1990 to 2001, the highest number of ministers were in the first government which consisted of 30 ministers, whereas the lowest number was in the third and the governments in which only 23 ministers were present.

Figure 40. First Government list, 1990

President: Ali Abdullah Salih (GPC) and Vice-president: Ali Salim al-Baid (YSP)

Prime Minister Haydar Abu Bakr al-Attas(YSP)

New cabinet announced following unification of north and south in May 1990;
resigned April 1993 (Decree, 2001).

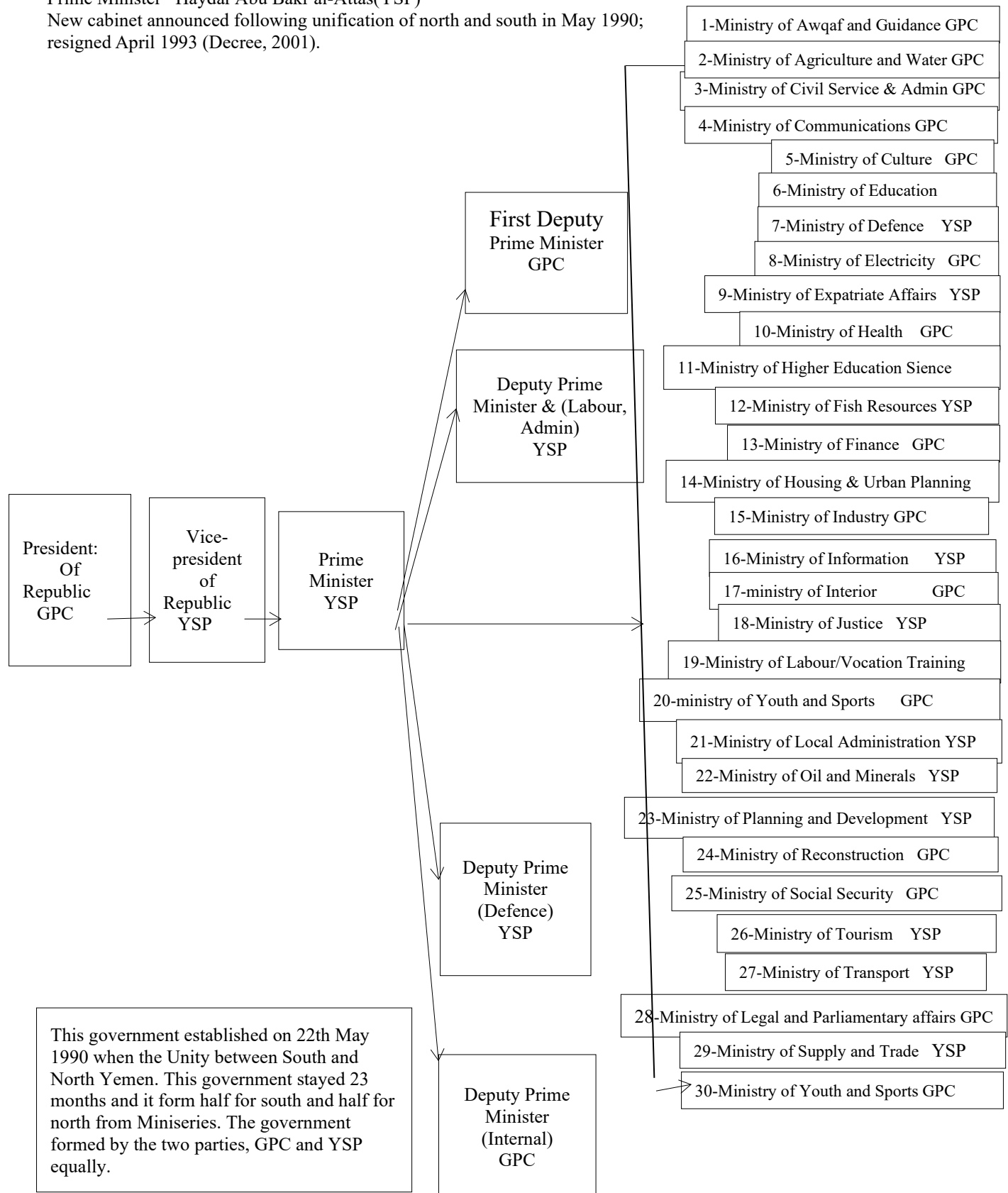


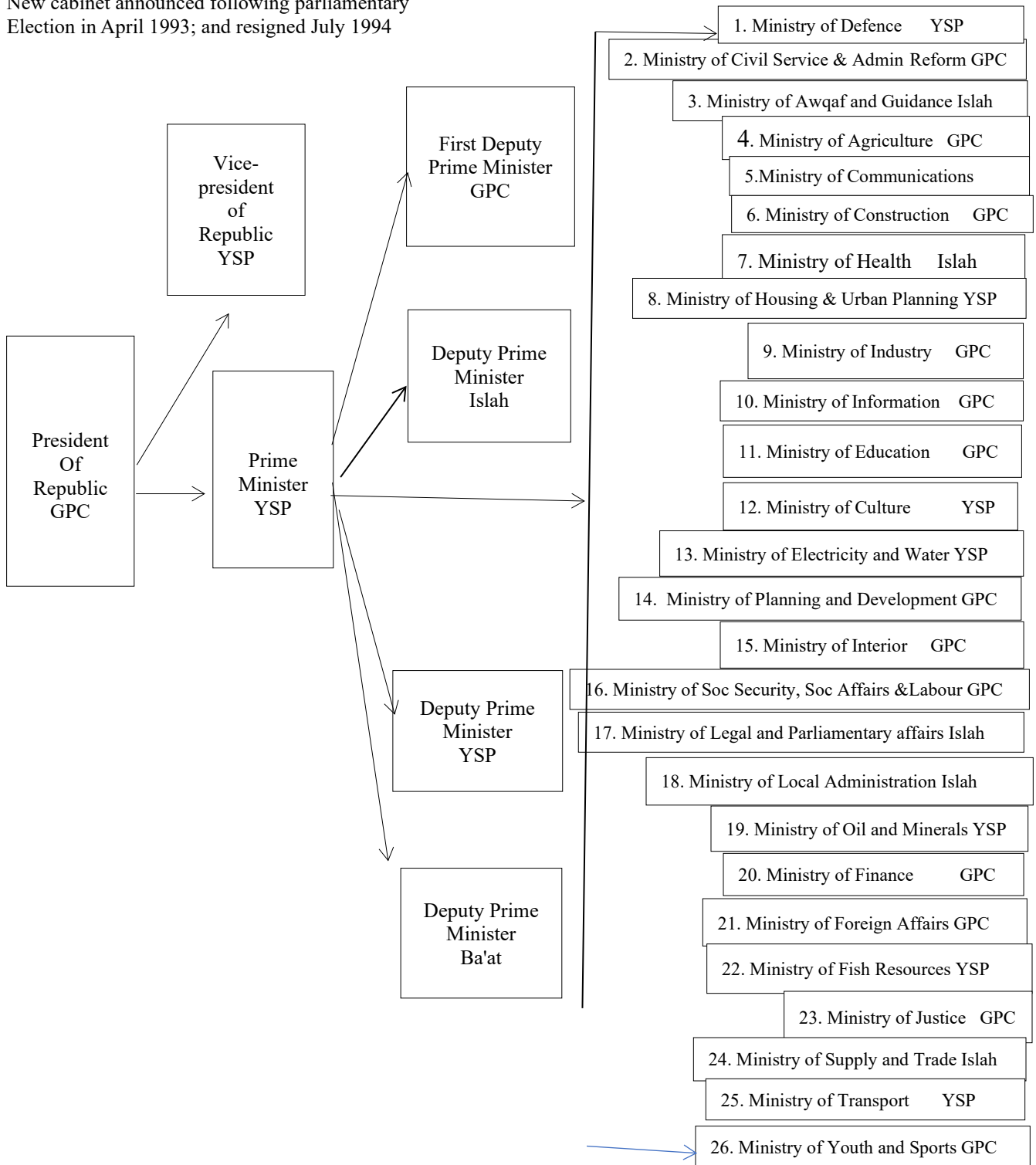
Figure 41. Second Government list, 1993 (Decree, 2001)

President: Ali Abdullah Salih (GPC) and Vice-president: Ali Salim al-Baid (YSP)

New cabinet announced following parliamentary election in April 1993

Prime Minister Haydar Abu Bakr al-Attas YSP

New cabinet announced following parliamentary
Election in April 1993; and resigned July 1994



Second Government established from, Prime Minister Haydar Abu Bakr al-'Atts, a Southern Socialist, formed a Cabinet of fifteen ministers from the GPC, nine from YSP and six from Yemen Islah Party.

One of the most important achievements of Yemeni unity pluralism the political parties participation

according to my research there has been an important development in the political arena in Yemen, specifically speaking, in 1993 elections, the participation of political parties, women and illiterates, an interdiction against using religious symbols in electoral propaganda, and a "code of political conduct" governing interactions among the political parties.

In the summer and fall of 1993 the contest played dramatically on the floor of the new Majlis al-Nuwwab. By a three-quarters majority, the chamber elected a Yemen Islah Party leader as its speaker, the famous, powerful Shaykh al-Ahmar, a key figure in the YAR revolution and the Sana'a establishment. One member of each of the Congress, Socialist, and Ba'th parties were elected to join him on the chamber's leadership council. Outgoing Prime Minister Haydar Abu Bakr al-'Atts, a Southern Socialist, formed a Cabinet of fifteen ministers from the GPC party, nine from YSP and six from Yemen Islah Party .

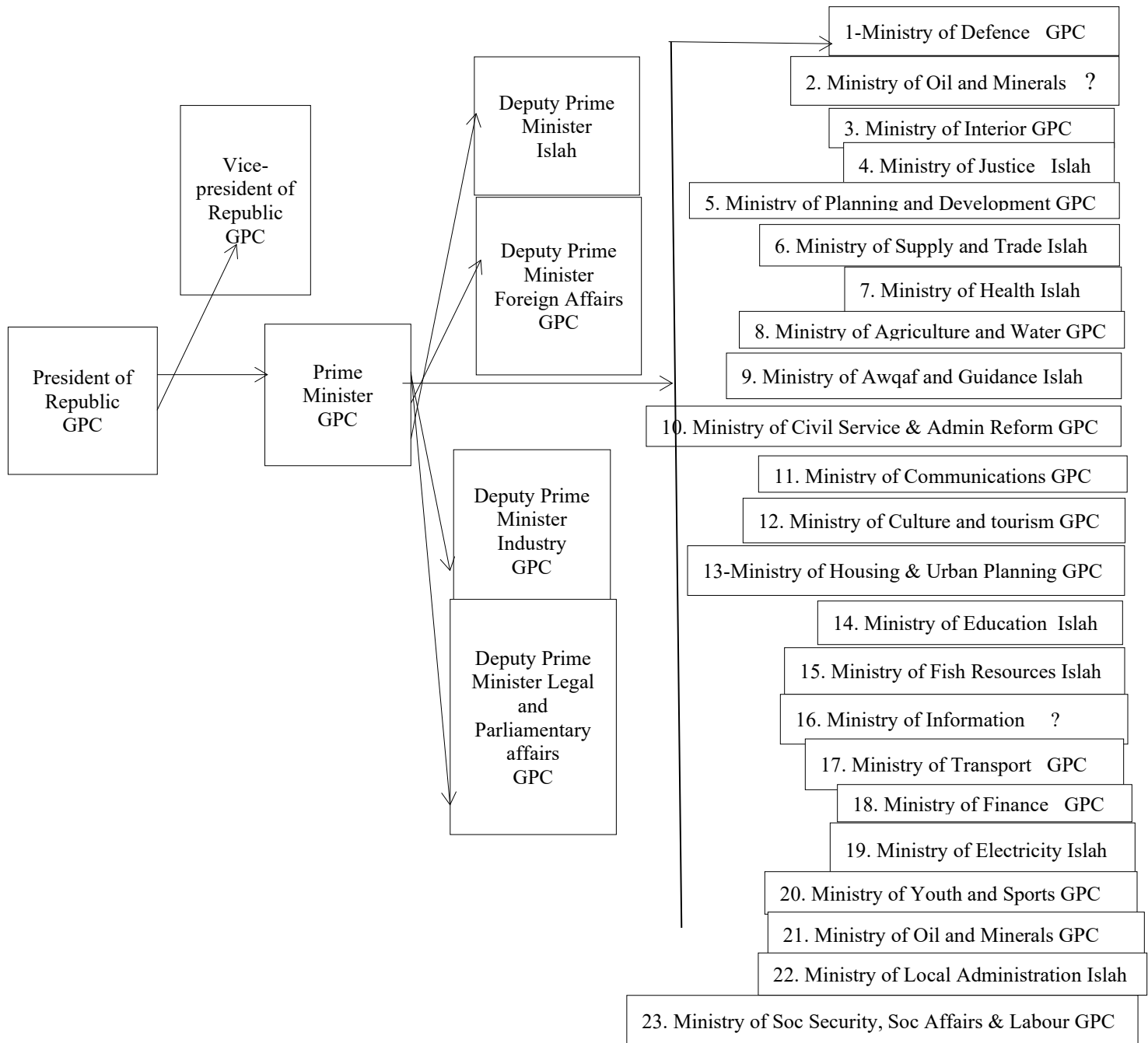
Several were familiar proposals with wide appeal -a national referendum on constitutional amendments drawn up by committees of specialists; and "general and comprehensive reconciliation also Majlis al-Shūra and local council elections; extensive judicial, administrative, and budgetary reform.

Figure 42 Third Government list, 1994 (Decree, 2001)

President: Ali Abdullah Salih (GPC), Vice-president: Abd-Rabbu Mansour Hadi (GPC)

Prime Minister Abd al-Aziz Abd al-Ghani GPC

New cabinet announced: 6 October 1994 in aftermath of war and resigned May 1997



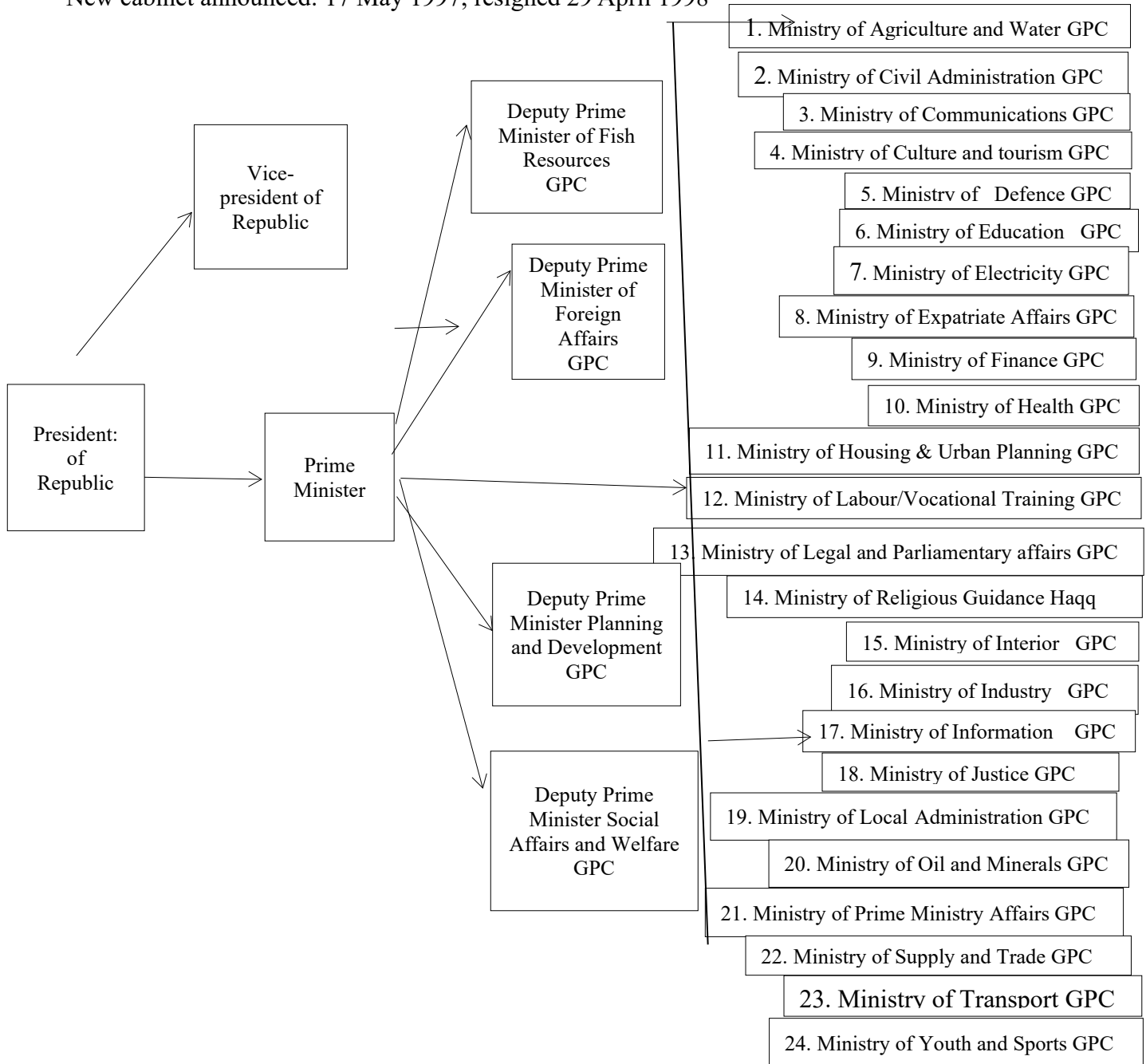
After war 94, between GPC and YSP, established the third Government from 23 ministers. The Prime Minister Abd al-Aziz Abd al-Ghani GPC, four Deputy Prime Minister, (three from GPC and one from Islah), thirteen ministers from the GPC, eight from Islah Party and two independents.

Figure 43. Fourth Government list, 1997 (Decree, 2001)

President: Ali Abdullah Salih (GPC) Vice-president: Abd-Rabbu Mansour Hadi (GPC)

Prime Minister Abd al-Aziz Abd al-Ghani GPC

New cabinet announced: 17 May 1997; resigned 29 April 1998



9.2.3 The structure of local government and how it worked.

Administrative divisions 19 governorates (muhafazah)

Article (143), 'The territory of the Republic of Yemen is divided into administrative Units. The law shall identify their number, borders, divisions and the objective criteria for the administrative divisions. Also the law shall show the way for nominating, electing and selecting their chairpersons, and shall specify their functions and duties within their areas.

Article (144) The administrative districts enjoy a nominal personality and shall have councils which must be freely and fairly elected, both at the local and governorate level, which shall exercise their functions within the borders of the administrative area. They shall propose programmers, plans and investment budgets for the administrative district as well as supervise, monitor and audit the agencies of the local authority according to law. The law shall specify the means for nomination and election of the local authority, its administration and financial resources, the rights and duties of its members, its role in the execution of development plans and programmes and all other rules, through considering the adoption of the principle of administrative and financial decentralization as the foundation of local administration system.

Article (145) All the administrative units and the local councils are an inseparable part of the power of the state. The governors shall be responsible before the President of the Republic and the Council of Ministers, whose decisions are obligatory to the districts and councils which must execute them in all cases. The law defines the methods of control over the actions of the local councils.

Article (146) The state shall encourage and sponsor the local cooperative administrations as they are one of the most important means of local development (The Constitution, 1991)¹⁹⁰. There are currently 19 governorates (muhafazah), (then established two governorates), in Yemen. The city of Sana'a (alamana) has a special administrative status comparable to a governorate. with each governorate, municipal regions are divided into areas (mantaka). non-municipal regions are divided into districts (mudiriyah). Citizens

¹⁹⁰ - the constitution 1991 p8---In the government's administrative structure, the governorates are units within the Ministry of Local Administration The City of Sana'a is located under the Prime Minister.

each district and each area elect one representative to the national parliament. while there is no official central government administrative structure below the district. there are several additional administrative sub-divisions; sub-districts (uzlah/markez), villages, and hamlets (mahalla). At the governorate, the governor (an appointee of the president) is the highest political authority of the state. His mandate is to ensure public safety and the security of the state, and to coordinate economic development with technical ministry branch offices that are represented in the governorate. while governors are affiliated with the ministry of local administration, their rank is comparable to that of a minister. the governor is supported by a deputy governor and office that is staffed through the ministry of local administration, (UN, 2004)¹⁹¹.

‘In march 1999, a national conference on decentralization helped provide the impetus for the Yemen parliament to adopt the local Authority law, which presents the present model national decentralization (World Bank, 2000).¹⁹² the law calls for municipal elections, held for the first time in February 2001. it restructures the distribution of budgetary resources between the local and central government. the law consolidates local authority for planning, development, and administration into one elected body; the municipal council. it also provides for a yearly national conference to be convened by the prime minister to review the status of national decentralization (UN, 2004)¹⁹³.

The local councils nonetheless had profound political, economic, and social implications. Cumulatively, roads, schools, water projects, electricity systems, and a range of miscellaneous projects revolutionized everyday life, facilitated market penetration of the hinterland, extended the hegemony of the state to some the countryside. But the report 2004, for UN mentioned ‘implementation of the local authority law has been slow due to political opposition, difficulties in demarcating new municipal districts, and a lack of institutional commitment. the municipal elections held in Feb 2001 included 26,832 candidates for 6,614 district municipal council seats and over 2,500 candidates for 418 provincial municipal council seats. these officials will serve a two-year transitional term as the first elected municipal representatives in Yemen's history. the local authority law

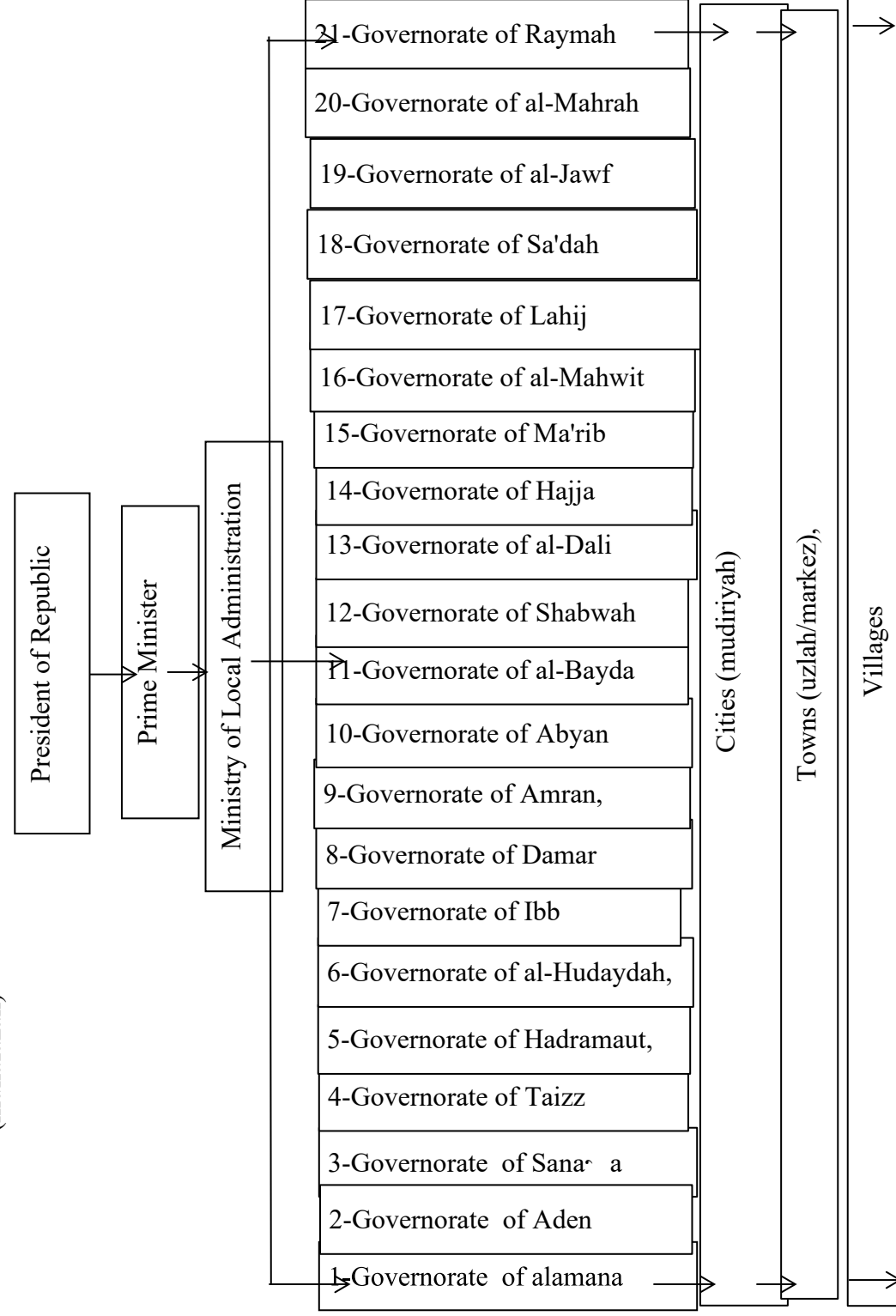
¹⁹¹ -Republic of Yemen ,Public Administration Country Profile
Division for Public Administration and Development Management (DPADM) Department of Economic and Social Affairs (DESA)
United Nations February 2004 p7

¹⁹² - According to the World Bank's Comprehensive Development Review (2000) Yemen had a highly centralized administrative structure.

¹⁹³ - Republic of Yemen ,Public Administration (DESA) United Nations February 2004 p8

seeks to fiscally decentralize the Yemeni government by increasing local budgetary autonomy. before 1999, fiscal allocations were tightly controlled by the central government, creating delays in local development projects. most local revenues raised through taxes and fees were transferred to the capital of Sana'a, with virtually of local budgets coming from fund transfers from the national government. the new law provides that local authorities will keep revenues collected at the local level. portions of monies collected by the central government will be distributed to municipalities based on population density' (UN, 2004).¹⁹⁴

Figure 44. The structure of local government Administrative divisions 21 governorates (muhafazah)



¹⁹⁴ - Republic of Yemen ,Public Administration (DESA) United Nations February 2004 p8

The figure above clarifies the Yemeni legislator divided YR territory, into 21 governorates (muhafazah) or administrative units and they are called,

1). The city of Sana'a (Al-Amanah 1), (Asimah), has a special administrative status comparable to a governorate.

2) Muhafazaht of Aden, 3) Muhafazaht of Ta'izz, 4) Muhafazaht of Hadramaut.

5) Muhafazaht of al-Hudaydah, 6) Muhafazaht of Ibb, 7) Muhafazaht of Damar,

8) Muhafazaht of Sana'a, 9) Muhafazaht of Amran, 10) Muhafazaht of Abyan,

11) Muhafazaht of al-Bayda, 12) Muhafazaht of Shabwah, 13) Muhafazaht of al-Dali,

14) Muhafazaht of Hajja 15) Muhafazaht of Ma'rib, 16) Muhafazaht of al-Mahwit,

17) Muhafazaht of Lahij, 18) Muhafazaht of Sa'dah, 19) Muhafazaht of al-Jawf, 20)

Muhafazaht of al-Mahrah, 21) Muhafazaht of Raymah. Each (Muhafazah's), or

Governorate has executive council. Then each Governorate was in turn divided into many

cities (mudiriyaht)). Also, each city (mudiriyaht's) has executive council, according to

population and the nature of the area, each city (Muhafazah's), (citizens each district and

each area elect one representative to the national parliament), finally the town

(uzlah/markez), were divided into many villages and each town has executive council, all

the administrative units under minister of local administration. At the governorate, the

governor (an appointee of the president) is the highest political authority of the state. His

mandate is to ensure public safety and the security of the state, and to coordinate

economic development with technical ministry branch offices that are represented in the

governorate. While governors are affiliated with the ministry of local administration, their

rank is comparable to that of a minister. The governor is supported by a deputy governor

and office that is staffed through the ministry of local administration. The governorates

are subdivided into 333 districts (muderiah), which are subdivided into 2,210 sub-

districts, and then into 38,284 villages (as of 2001).

The findings of this study indicate that the new system of local administration now is

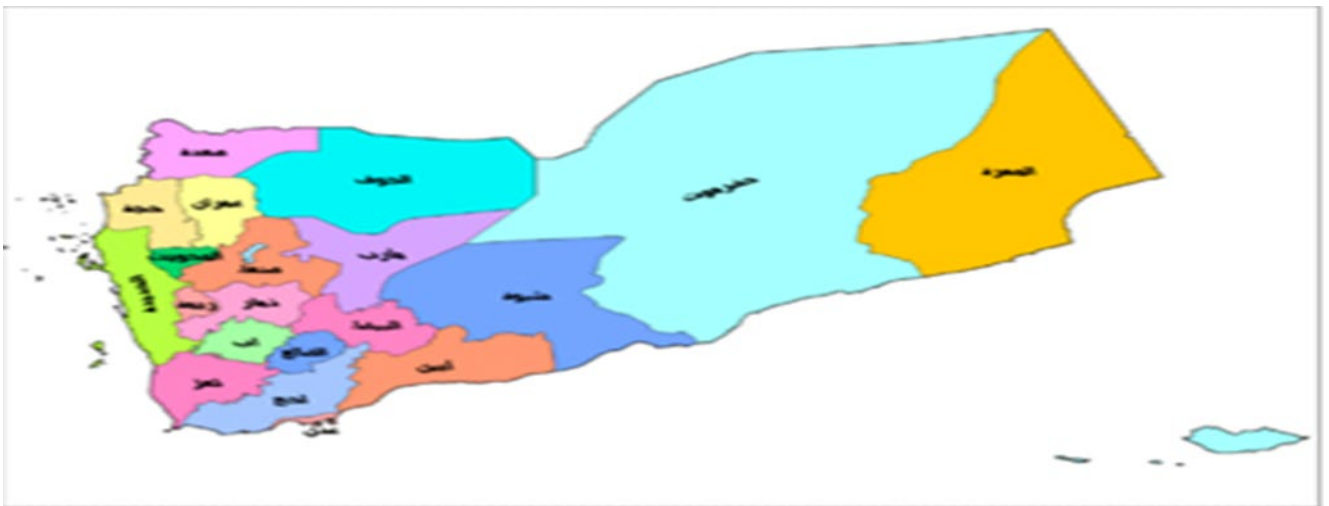
more centralized than it had ever been in either the YAR, or the PDRY, where quasi-

elected local governments had gradually been granted greater autonomy. This became a

bone of contention in the Republic of Yemen during its "democratic experiment," when

throughout the South, and especially in the Hadramawt with its long tradition of relative autonomy, and in many parts of the former YAR including Taiz, Ibb, Hajja, and the Tihama. After seven months from unification of the Yemen, Law 52 of 1991 on local administration replaced both LCCDs and the PDRY's local popular councils with local councils YAR's defined as branches of a new Ministry of Local Administration. Executive councils of twenty-one to forty-one members in the newly established administrative units and thirty-one to fifty-one members at the provincial level were to be elected at some time in the future, and in the interim, were comprised of existing councils plus some appointees. Executive councils were to be chaired by appointed governors and district administrators. Governors' powers were restored to something like what they had been under the imamate: they held ministerial rank and were empowered to collect zakat and other taxes, appoint or demote officials including the executive councils, and issue security directives (The Constitution, 1991).

Map of Governorates of Yemen



Northern groups called specifically for revitalization of the LDAs, and a committee of the old CYDA activists fruitlessly lobbied parliament for revision of Law 52 from Law local administration.

After 1994 war, conferences of rural leaders called for greater local autonomy and the "Decentralization" was a major demand of the many regional conferences of the early 1990s, and a key reform in the document hammered out by the National Dialogue

Committee in early 1994. The Dialogue Committee itself was spearheaded by several old ta'āwun activists. As already noted, however, after the 1994 civil war decentralization was explicitly repudiated and the 1991 constitution was amended in 1994 to incorporate Law 52 binding local councils to implement the policy of the state.

The five cities, Sana'a, Aden, Taiz, Hdramwt, Ibb, and Hodeida experienced urbanisation through the establishment of universities, secondary and higher education, hospitals, airports, utilities, banks, educational facilities, waste collection, of which the urban LCs were among the earliest in building oldest urban utilities and the network of rural roads and cities. The new system of local administration after unity between YAR and PDRY were now more centralized than it had ever been in either the YAR, where the reins had been tightening for several years, or the PDRY, where quasi-elected local governments had gradually been granted greater autonomy.

9.2.4 The constitutional legal role of local government.

Legislation no,52,1991

After unification, Law 52 of 1991 on local administration replaced both LCCDs and the PDRY's local popular councils with local councils defined as branches of a new Ministry of Local Administration. Executive councils of twenty-one to forty-one members in the newly established "administrative units" and thirty-one to fifty-one members at the provincial level were to be elected at some time in the future, and in the interim, were comprised of existing councils plus some appointees.

Looking at this law no 35, 1980 we see that;

- The system old connection where by the Local Development Association 'LDA' presidents served on the provincial CCs was abolished.
- All the executive councils were to be chaired by appointed governors and district administrators.
- This study shows that the 'Governors' powers were restored to something like what they had been under the imamate: they held ministerial rank and were empowered to collect zakat and other taxes, appoint or demote officials including the executive councils, and issue security directives and another from directives.
- The new system of local administration was now more centralized than it had ever

been in either the YAR, where the reins had been tightening for several years, or the PDRY, where quasi-elected local governments had gradually been granted greater autonomy.

- The new system of local administration became a bone of contention in the Republic of Yemen during its "democratic experiment," when throughout the Yemen, and in many parts, its, 'South and North', conferences of local leaders called for greater local autonomy.
- "Decentralisation" was a major demand of the many regional conferences 'muhaafadhah'. As already noted, however, after the 1994 civil war decentralisation was explicitly repudiated and the 1991 constitution was amended in 1994 to incorporate Law 52 binding local councils to implement the policy of the state.
- "Law 52 of 1991 on local administration was from reasons of the civil war in 1994, centralisation of administrative and finance or decentralisation' of administrative and finance.
- After 1994 civil war, the central government changed of the local government to local council.

9.3 General assessment of the administrative performance

1. The overriding priority for the Yemen from the 1990s was state building and the implementation of projects designed to create the correct beginnings of a modern socioeconomic infrastructure, and development administrative and political construction. In addition, the domestic politics of the Yemen Republic, which had undergone such dramatic change after election 1993 during the first months of the YR era, settled into the political equivalent of stationary trench warfare then war by 1994 was the main reason for many problems administrative and political.
2. Overall, progress toward state building is mainly infrastructural and technocratic-institutional, and even that is sporadic, uneven, and incomplete. In each period power plays within ruling circles play havoc with institutional development, legal formalities are overridden by security considerations, infrastructural progress is determined by foreign donors, and economic fortunes depend on circumstances elsewhere (Carapico, 2007)
3. As the political-military rivalry between the GPC and the YSP intensified, and especially after elections failed to resolve the distribution of power. While skirmishes between two separate armies blasted holes in an already-tattered unity accord.
4. The domestic politics of the YR, which had undergone such dramatic change during the first eighteen months of the unity era, settled into the political equivalent of stationary trench warfare by 1994 was the main reason for many problems administrative and political and war in 1994.
5. The unique temporary balance of power between two former ruling parties was both the point of departure for the liberal experiment and the source of its demise. The power-sharing and the governmental posts, as well as the Parliament equally between the General People's Congress (GPC) and the Yemeni Socialist Party (YSP), which resulted in conflict between them and the civil war in the summer of 1994.
6. The mid-1990s, Sana'a exercised unprecedented control over the countryside.

Taxes and projects were more efficiently centralized than ever before. Military, judicial, administrative, and national security officers as well as teachers and nurses worked in every district centre. Central appointees wielded increasing authority relative to customary leaders. What had begun as a series of conferences of regional republican elites ended giving legitimacy and top-down linkages to the regime.

7. the first time the Yemeni legislator mentioned in law 66 of 1991 cites Article 39 of the constitution on political pluralism, and entitles citizens to form and affiliate with parties but also cautions that no party or political organization may misuse this right in contradiction with the national interest and in preserving sovereignty, security, stability, and national cohesion.
8. The unity accords ushered in Yemen's most liberal, most political CIVIC opening. the relaxation of security, political, financial, and legal controls, the issuance of legal-constitutional guarantees to personal, press, and political freedom, and the unleashing of pent-up desires to travel within the country, publish, organize, and hold public debates were all unprecedented.
9. The 1997 elections, democratization consultants found a much more varied and influential legal opposition than in most Arab countries.
10. I agree with Sheila Carapico when mention in her book 'Despite the contrasts between "law and order" in the South and "chaos" in the YAR, the two legal systems shared a common trait: the presence of extra-judicial military and security courts who needed no charge, warrant, or hearing to detain, imprison, or even execute dissidents.
11. The unique temporary balance of power between two (GPC) and (YSP), former ruling parties were both the point of departure for the liberal experiment and the source of its demise.
12. Many shortcomings in the framing of the administrative and very impotent coercive, administrative capabilities. Also, ambivalence in the implementation stages in addition the domestic socio-political constraints.
13. Spread of favouritism, and the bribe and the corruption of the financial, and the administrative and inefficiency of performance in addition the financial crisis,

and the political crisis. Also "bribery became more necessary than ever to persuade officials to perform their duties".

14. In the era of Yemeni of Republic there were some descriptions of good governance as shown in the following. Description of a Good Governance: 1. The State of law and institutions. 2. The existence of a clear strategy and flexible development plans. 3. Provide participation component. 4. Sovereignty and the rule of law. 5. Provide transparency component. 6. Provide accountability component. 7. The Justice and providing the needs of the citizen. 8. Equality and equal opportunities. 9. Reward and punishment law. 10. The Decentralisation
15. The Yemeni community is primarily a tribal society and the tribe has a positive and negative tradition. Positive tribal traditions contribute to the stability of the country, such as the central state's support for the extension of security and the prevention of crime, and to help encourage members of society to educate and maintain public services. But there is a negative tradition of the tribe which has recently spread to Yemen. Negative tribal traditions from persons such as the destruction of public services of the state in order to claim rights, abduct foreign tourists, cut off the highway or use weapons against the central state and local. All this contributed to the instability, which led to the lack of development. also The poor education and the spread of illiteracy in the tribal society contributed to the spread of such actions which led to the lack of development and stability.

9.4. Conclusion:

The unit between north and south and including the agreements were really, beginning in Yemen's most liberal, most political civic opening, legal controls, and the issuance of legal-constitutional guarantees to personal, the relaxation of security, and political, financial, and legal controls, press, and political freedom, and the unleashing of pent-up desires to travel within the country, publish, organize, and hold public debates were all unprecedented In the face of widespread poverty and illiteracy.

The creation of the Yemen Republic in the twenty-second in May 1990, this unity Yemen was believed to be a new history of political pluralism, freedom, democracy and party

competition. But unfortunately, it ended with of political crisis which led to the civil war which ended in the summer of 1994.

The rule of unified Yemen, Ali Abdullah Salih 12 years from May 1990 until 2012 and he during the period formed 6 Governments. Yemen has been racked by political instability, violence and assassinations. Yemen witnessed major political changes that often have created long term conflicts that resulted in the instability in the country. Yemen suffered a difficult transition and it is the poorest country in the region and has serious socio-economic problems. This reality, in addition to the traditional tribal social structure has made the country a 'hot spot' for the religiously inspired extremist groups who further threaten the stability of the country.

State of institutions;

State of institutions: There was a separation of powers between the legislative, executive and judicial power, but it was not real exercise, but in most cases the executive branch have been influencing and interfering with all the authorities.

in most cases, the head of state is the owner of the commands and prohibitions in all authorities, and the Yemen and Yemenis are still suffering even today from this problem. it was formed in each period of council such as the revolutionary command council in al-sallal regime, the Republic council in al-Iryani regime and command council in Al-Hamdi regime, presidential Council in Ali Salih regime. Councils were consider the collective leadership in the State.

The side of constitutional

The YAR state therefore worked towards building these constitutional institutions that organise the different facets of living in the country and establish the rights and responsibilities.

The Republic of Yemen constitution, was drafted by a committee of jurists who wove together Arab, Western, and socialist legal principles, drawing among other things on model Arab constitutions developed in Tunis. When approved by referendum in May 1991, it guaranteed more rights and liberties than most Arab constitutions'. In addition the liberalizing legislative package responsible for the post-unity political opening included the 1989 unity accords, the 1991 constitution, the 1990 press law, the 1991 political parties law, the 1992 elections law.

The side of Democratic:

Since the unification of north and south in 1990, Yemen has taken steps toward establishing a more democratic system of government in a complex and challenging environment.

The first democratic experience in Yemen "nation and local" was in 1993, the after unity between the north and south Yemen.

The creation of the Yemen Republic in the 22 May 1990, this unity Yemen was believed to be a new history of political pluralism, freedom, democracy and party competition.

Under Majlis al-Nouab, the Parliament and the new constitutional system were national elections held in 1993, (this was the first experience of democracy in Yemen, although it contained many shortcomings it was an important step towards democracy).

But unfortunately, it ended with of political crisis which led to the civil war which ended in the summer of 1994.

The administrative side:

- By the mid-1990s, Sana'a exercised unprecedented control over the countryside. Taxes and projects were more efficiently centralized than ever before. Military, judicial, administrative, and national security officers as well as teachers and nurses worked in every district center.
- Central appointees wielded increasing authority relative to customary leaders. There was much administrative disarray and improvisation.
- In short president Ali Salih had become the key reference for all state matters, minor or major over which he exercised direct personal control.
- The fiscal problem of successive governments was source of instability of administrative and political in Ali Salih regime this more than any other factor and
there was
widespread dissatisfaction at the prevalence of corruption and inefficiency.
- Political problems and the government's budget deficit, and a torrent of loans and many differences, which had preoccupied them. In the pace of state building and

modernization in the future.

- Spread of favouritism, and the bribe and the corruption of the financial, and the administrative and inefficiency of performance in addition the financial crisis, and the political crisis. Also "bribery became more necessary than ever to persuade officials to perform their duties.
- Was not reinforcing more effectively the interrelationship between legal institutions, administrative, regulations and popular participation and institutions by the form a general.
- Despite the disagreements that exist about the definition of local government, or local administration we may summarise the common understanding. The local government is a child of its environment. A variety of factors contribute to its birth, growth and development. The local government it is an organised administrative social entity elected locally and recognised or created under law for the management of local affairs. This study suggests that the growth of local government institutions may be completely stunted for the duration of autocratic or system of authoritarian polity. There is a profound difference between local government and local administration. In summary, the study suggested considering the system of local administration as a first and necessary step towards local government, whereby some countries in their implementation of administrative decentralisation start by delegating some authority from central government to local provinces, and then implementing system of local government. Or once local administration has succeeded, the central government implements the system of local government. This is the process that is generally followed in developing countries, such as Yemen. The findings of this study suggest that the most appropriate system can be taken, the system of the centralisation in the political and sovereign funds, and the decentralisation system in administrative, local funds and services will be good for the state and society, or the central and local government.

Table 12. The governmental changes in the Ali Abdullah Salih regime from 22/05/1990 until 04/11/2001

Prime Minister	Date
1- Haydar Abu Bakr al-Attas(YSP	22 May 1990 until 30 May 1993
2- Haydar Abu Bakr al-Attas(YSP	30 May 1993 until October 1994
3- Abd al-Aziz Abd al-Ghani GPC	6 October 1994 15 May 1997
4- Faraj Saeed bin Ghanem	15 May 1994 until 16 May 1998
5- Abdul-Karim al-Iryani	16 May 1998 until 04 April 2001

Chapter Ten: Approach to the modernisation of system governance in Yemen.

10.1. Introduction

Yemen is the poorest country in the Middle East, lacking state control and rule of law in vast areas. It is burdened with broken institutions and faces a significant transnational terrorist problem. During the twentieth century Yemen has been racked by political instability, violence and it has witnessed several political, bloody coups, revolutions and wars. It also witnessed the diverse forms of political and administrative systems, which were applied in Yemen during the 20th century, such as the 19th century (and the beginning of the twentieth century), Ottoman and Imamate regime (al-Mitwakillya Kingdom), in North and the 20th century British (and the only Marxist regime in the Arab world), in South rule and the later geographical and political division of the country into North and South. All the above factors identify how instability has led to poor central and local governments and, in turn, poor administration, development, and many of the appearances of a good government.

The findings of this study show that the administrative development in Yemen depends on an interrelated cluster of Factors, firstly the political stability, then regimes and their power bases, courts, legal systems, policing, and related questions of constitutionalism and the role of various judicial philosophies public infrastructure and finally, economic resources available for various sorts of public, private, and voluntary sector investment. The South and North were united into one country in 1990. The creation of the Yemen Republic occurred in the 22nd of May 1990, this unification of Yemen was believed to be a new history of political pluralism, freedom, democracy and party competition. But unfortunately, it ended with of political crisis which led to the civil war which ended in the summer of 1994, then civil war of 2015, after Houthis 'rebels, a Zaydi Shia group' control of state institutions by force of arms.

Yemen witnessed major political changes that often have created long term conflicts that resulted in the instability in the country. Yemen suffered a difficult transition and it is the poorest country in the region and has serious socio-economic problems. This reality, in addition to the traditional tribal social structure has made the country a 'hot spot' for the religiously inspired extremist groups who further threaten the stability of the country.

During my study of political and administrative systems for Yemen, I found that the problem is centred in non-peaceful transfer of power and the taking of power was through assassinations, coups, or civil war, very regrettably. This main problem remains an open question until today (How to transfer power peacefully?). Although this is present theoretically 'in the constitutions', it is not implemented practically.

The information revolution and the trend towards democratic government decentralisation was in the forefront of the emergence of these changes. In addition, the impact of the forces of economic globalisation, particularly international companies, international organisations, which in turn led to the promotion of new concepts and adoption of innovative mechanisms in the development of thought in the world.

The trend towards decentralisation and the adoption of mechanisms of local authority or local contemporary government, are the most important advances in the development of thought in the world.

This study indicates that the solution for Yemen depends on political stability, democratisation, peaceful transfer of power, economic development, and better delivery of services. As well as, educating the population on legal culture, respecting the law and spreading the culture of coexistence between the citizens of one country and spreading advance democratic values. Yemen is suffering from widespread poverty and illiteracy, tribal influences (the society of Yemen is tribal par excellence), as well as a heavily armed citizenry, and the continuing internal tensions, in addition to the threat of 'Islamic' radicalisation (Extreme Shiite and Sunnis). The worst kind of regimes resulting in radicalisation are autocracies, dictatorships and anti-democracy.

The findings of this study show it is important to consider the Yemeni problem is in the application of the final National Dialogue Conference outputs (NDC), which was held in

Yemen in the capital Sana'a between all components of Yemeni society and political parties, youth, women, independents, and civil society activists, which lasted from 18 March 2013 that ended on 25 January 2014, 565 delegates took part in the NDC. The outcomes of the conference were largely balanced in an effort to guarantee a modern civil democratic state.

The main challenge facing the developing countries, including Yemen, revolves around how to establish some innovative systems of governance and management. This will enable those countries to create new relationships based on the direct responsibility of the masses in decision-making and strengthen the gains of sustainable human development, as well as to strengthen the material and moral potential for all citizens without discrimination or exclusion and real participation in governance.

10.2 Approach to Good governance & decentralization system

That the embodiment of the concepts of good governance has in fact been considered essential by international organizations and wealthy donor countries to achieve sustainable development and justice for society. This may seem more important and necessary in developing societies, which are in dire need of good governance, which is a major challenge and offers great opportunities for the development of communities at the micro, local and community levels.

Among the perceptions put forward by international organizations and rich donor countries, good governance issues should be placed as a priority on the agenda of governments in developing countries, since reform of government sector governance and improvement of governance should include political, financial and administrative structures as well as civil society institutions (Al-Akwaa, 2007).

Recent attention to good governance may be motivated by the conviction that economic development will be more rapid, sustainable and equitable if it reflects a common message to society as a whole and not just to a particular social or political group. Public participation contributes to ensuring that policy decisions and resource allocation attach importance and priority to the needs and concerns of citizens in all societies, thereby

increasing the conditions for sustaining and enhancing the effectiveness of comprehensive reform strategies.

The stream of information around the clock is a one of the major features of the times we live in. The breadth of information technology is unprecedented in human history. This has effected the methodologies and policies of governments in the developing countries.

Table 13. The difference between modern governance and traditional governance; (UNDP, 2003)¹⁹⁵

Governance mode rule (contemporary)	Governance mode rule (traditional)
•Federal or Confederation^ا تحادي/كونفدرالي •Globalized and Local^م معولم ومحلي •Guidance Center^ا التوجيه للمركز •Participatory^ا تشاركي •Accountability from the bottom up^ا من القاعدة الي القمة •Administrative flexibility, with accountability for results^ا مرونة ادارية، مع محاسبة على النتائج •Contracting system^ا نظام التعاقد •Responsive and accountable^ا مستجيب وقابل للمساءلة •Competitive^ا تنافسية •Open and Fast^ا منفتح وسريع •Success/ Failure possibility^ا تحقيق النجاح/امكانية الفشل •Focus on the system or patterns of governance within the community^ا التركيز على منظومة ا انماط الحكم داخل المجتمع	•Unitary^ا وحدوي •Central^ا مركزي •Administration Center^ا الادارة للمركز •Bureaucrat^ا بيروقراطي •Accountability from top to bottom^ا المساءلة من القمة الي القاعدة •Focus on the rules and procedures^ا التركيز على القواعد والاجراءات •Appointmens for a lifetime in the civil service^ا تعيينات لمدي الحياة في الخدمة المدنية •Leadership and oversight^ا القيادة الاشراف •Internal dependency^ا تبعية داخلية •Closed and Slow^ا مقلق وبطيء •Not to take the risk^ا عدم تحمل المخاطرة •Focus on Government^ا التركيز على الحكومة

Reflect on the pace of change, the technologies we have all become used to, from personal computers and electronic mail to fax machines, automatic tellers, and mobile phones. These technological changes have an enormous impact on government Then the telegraph was invented, then the telephone, then satellites, fibre optic cables, computers, and modems. Society is being transformed not only by technological changes but by social changes as well. As a result of the information revolution and the evolution of modern means of communication, the global community began to swift from the geographical and spatial concept, that dominated in the past centuries, to the new

¹⁹⁵ - Source: Good Governance in ESCWA, UNDP, New York. 2003, p.7

universal concept that deals with the international community as a single unit that interacts in the midst of nations with each other, so that the various countries of the world have become an active or passive part in the midst of the historical development of the modern movement (UNDP, 2003) (Al-Akwaa, 2007).

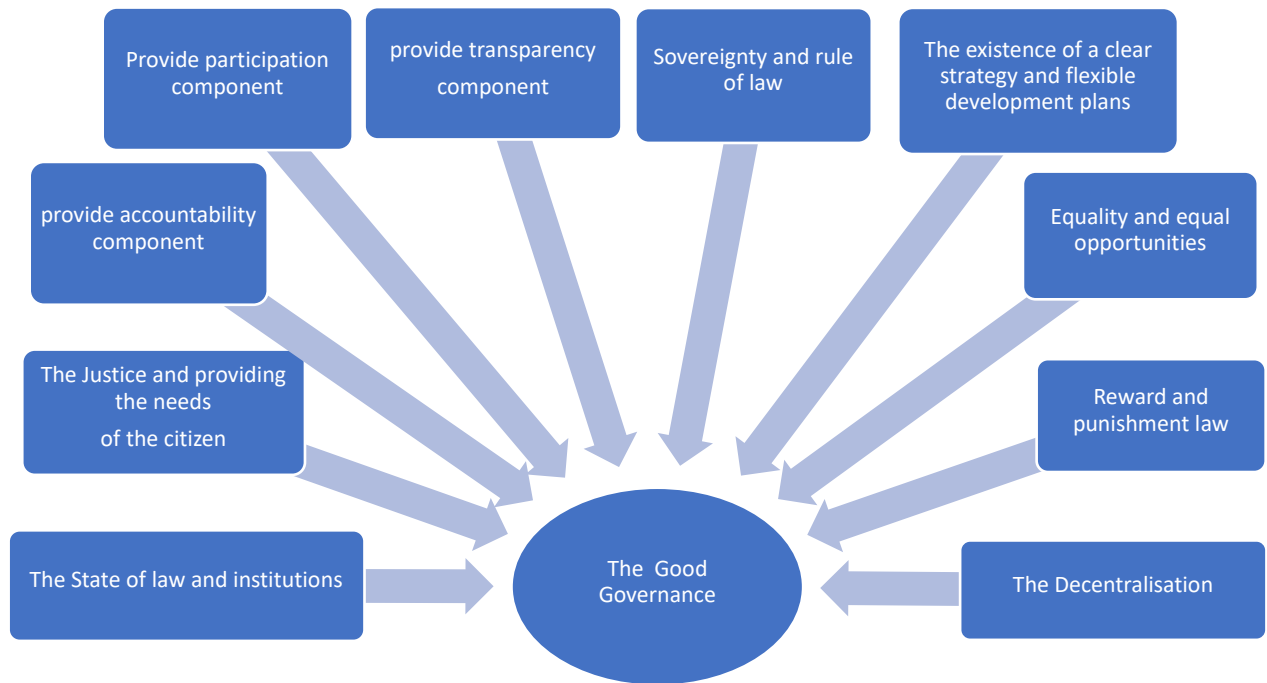
The information and communication revolution produced an informational explosion, which has led to the expansion of political awareness among a wider variety of people. Which led to the adoption of different alternatives to the backward regimes, from the spirit of the times and methods of antique outdated thinking and walk towards narrowing the totalitarian state and the central area of its tools.

The modern concept of the local authority or local government is crucial to the democratic system structure that is referred to by the Constitution of the State unit of the Yemeni people and was favored because they represent one of the main channels or mechanisms for popular participation in the process of governing in the Yemeni society (UNDP, 2003).

I mean the use of key leverage points to make fundamental changes that ripple throughout the bureaucracy, in institutions of the State of Yemen. It's an imposed necessity to build a democratic, financial and administrative decentralisation to keep pace with these developments, that made the so-called system "good governance" which is based on fundamental principles such as accountability, transparency, decentralisation and community participation in government decision-making (Osborne & Gaebler, 1993).

But Yemeni experiment is still at the level of decentralization in its first steps, particularly with respect to the operation of financial and administrative aspects; and that all executive bodies have not been absorbed yet in many districts.

Figure 45. clearly represents good governance mechanisms:



The UN, UNDP, WB and Most researchers believe that the following and above figure are the most important characteristics of good governance and are the most important functions of the state (UNDP, 2003).

1) The State of law and institutions¹⁹⁶.

2) The existence of a clear strategy and flexible development plans.

According to the concept of good governance, the vision defines the concept of development partnership between state institutions and the private sector through long-term plans for the development of community action on the one hand and individuals on the other hand, work on human development, and in order to achieve positive results in the formulation of plans within the framework of good governance, should be taken into

¹⁹⁶ Combined from The UN, UNDP, WB

account the internal and external variables and study the risks and try to develop solutions.

- 3) **Provide participation component;** It includes all members of society to participate effectively in decision-making, which guarantees freedom of opinion and expression and basic human rights standards, as linked to the principle of participation to the concept of transparency, knowing the information alone does not suffice, but there must be mechanisms for people to be able to take to affect the making resolution and to put officials under penalty of responsibility and accountability. States should give community members the right to participate in the formulation of laws and regulations and consulted in the affairs of public life and give them the right to the recognition of the right to hold the referendum on the laws and other things with integrity and ease and transparency.
- 4) **Sovereignty and the rule of law;** It means that everyone, rulers, officials and citizens are subject to the law and nothing is superior to the law, and must be legal provisions and texts are applied fairly and without discrimination between members of the community and that these laws agree human rights standards and be a guarantee for her and freedoms of natural rights.
- 5) **Provide transparency component;** one of the most important good governance characteristics and means to provide all the information and ease of exchange, to be available to all institutions and all parties concerned, and that the accounts be available directly, and that is available is sufficient and comprehensive information and the Organization for the work of institutions and their performance in order to facilitate supervision and follow-up. So transparency is the flow of the overall economic, social, cultural and political information in a timely and reliable manner, and transparency are summarized the following components:

- ✓ Access to information.

- ✓ The causal relationship between the information and the subject to be monitored.
- ✓ Accuracy in access to information.

6) **Provide accountability component;** All officials, referees and decision-makers in the state or private sector or civil society institutions, subject to the principle of accountability to the public and its institutions, without exception. It takes three forms:

- ❖ Legislative accountability; because the Parliament plays an important role in the implementation of government policies and control.
- ❖ Executive accountability: Executive undergo the same accounting device by means of administration.
- ❖ Judicial accountability: constitute a fundamental pillar of tuning the work of government and non-governmental organ, where you play a prominent role in the style of good governance.

7) **The Justice and providing the needs of the citizen:** To work for community service and here means social justice so that all members of society women, children and elderly men and the opportunity to improve social conditions and always looking to improve the situation of disadvantaged and marginalized groups and ensure social security and work to provide their basic needs.

8) **Equality and equal opportunities:** Equality, Means subordination of all members of society of equality and non- discrimination in the context of good governance, they are equal rights, freedoms and dignity. Efficiency, Through efficiency and effectiveness in public institutions and civil society institutions administration is to ensure the continuity of progress and prosperity, and always look forward to promoting the concept of development and sustainable development, which is working to comply with the employment of national resources and clear sound image for all members of society. Equality: Means subordination of all

members of society of equality and non- discrimination in the context of good governance, they are equal rights, freedoms and dignity.

9) Reward and punishment law

- 10) The Decentralisation:** The activation of the principle of distribution of powers to members of the community through the geographical distributions of the state in order to manage its affairs and the preservation of the rights of individuals within it constitutes a deep dimension in achieving the concept of good governance. Decentralization was seen in all countries evaluated as an indispensable instrument for development policy and not as an end in itself.

There are Factors that lead to the use of decentralisation system in any country such as: political factors, administrative factors, economic factors, cultural factors, geographic factors. In addition, decentralisation promotes democracy by bringing government closer to citizens. It also allows people to participate more effectively in local affairs, including identification of community priorities. With decentralisation, functions and services are transferred from higher levels of government to lower levels.

The multiplicity of state functions and the diversity of its internal problems from an aspect and the multiplicity of the requirements of life in contemporary societies on the other hand have led to an increase in the conviction of the need to look for other mechanisms effective to reduce the burden on the central administration and discharged for a national burden. Many countries particularly the developed countries have tended towards the adoption of towards the adoption of the distribution of political and administrative positions in the State between the central government in the capital, and between local devices scattered throughout the same country, in the framework of what is known at present as local government or decentralisation.

10.3 Attributes for a successful administrative local government, (Federal decentralisation) system.

Thanks to the information revolution and the evolution of modern means of communication, the international community began to move from the geographical and spatial concept, who dominated in the past centuries - to the new global concept. Which deals with the international community as a single unit in the midst countries interact with each other so that the various countries of the world have become an active or passive part in the midst of the historical development of the modern movement.

Has resulted in the widening of cognitive awareness provided by the information revolution in all areas to become the exchange of information and analysis of the events and news and the exchange of experiences across the different cultures of the world is accessible and available to millions of people who have been separated in the past, natural barriers such as language and geography, as well as artificial barriers set up by the dictatorships and inclusiveness.

The Local Government is a child of its environment. A variety of factors contribute to its birth, growth and development. Its form, structure and functions are a product of these factors. These factors include history, polity, economy, geography, demography, etc.

"Decentralising government ... enables people to participate more directly in governance processes and can help empower people previously excluded from decision-making. In this way a country can create and sustain equitable opportunities for all its people.

Closer contact between government officials and local communities and organizations also encourages the exchange of information that can be used to formulate development programmes that are tailored to local needs and priorities, and thus are more effective and sustainable (UNDP, 2003)."¹⁹⁷

¹⁹⁷ - UNDP, Governance for Sustainable Human Development, p. 19

Local government is a self-government involving the administration of public affairs in each locality by a body of elected representatives of the local community known as the local authority (or council). Although subject to the central government in many ways local authorities possess a considerable amount of responsibility and discretionary power. In my research the local government is synonymous to decentralisation or Federal decentralisation.

Some Key Success Factors for Decentralisation; (UNDP, 2003)¹⁹⁸

- (1) Decentralisation is long term and high risk, demanding strategic management.
- (2) Understand the problem before designing and implementing solutions.
- (3) Decentralisation requires top executive commitment and coordination.
- (4) Expectations must be carefully managed.
- (5) Participation requires flexible approaches adapted to the local situation.
- (6) Decentralisation is a learning process; it requires risk-taking and innovation.
- (7) Decentralisation is cross-sectoral and requires substantial multidimensional capacities.
- (8) Decentralisation depends on an enabling environment.
- (9) Decentralisation implementation should be paced and linked to other reforms.
- (10) Sustainable decentralized governance depends on local fiscal capacity.

The definition and implementation of a decentralisation initiative not only derives from political processes but also continues to be driven by political consensus or majority (including ongoing, visible and meaningful political will and commitment).

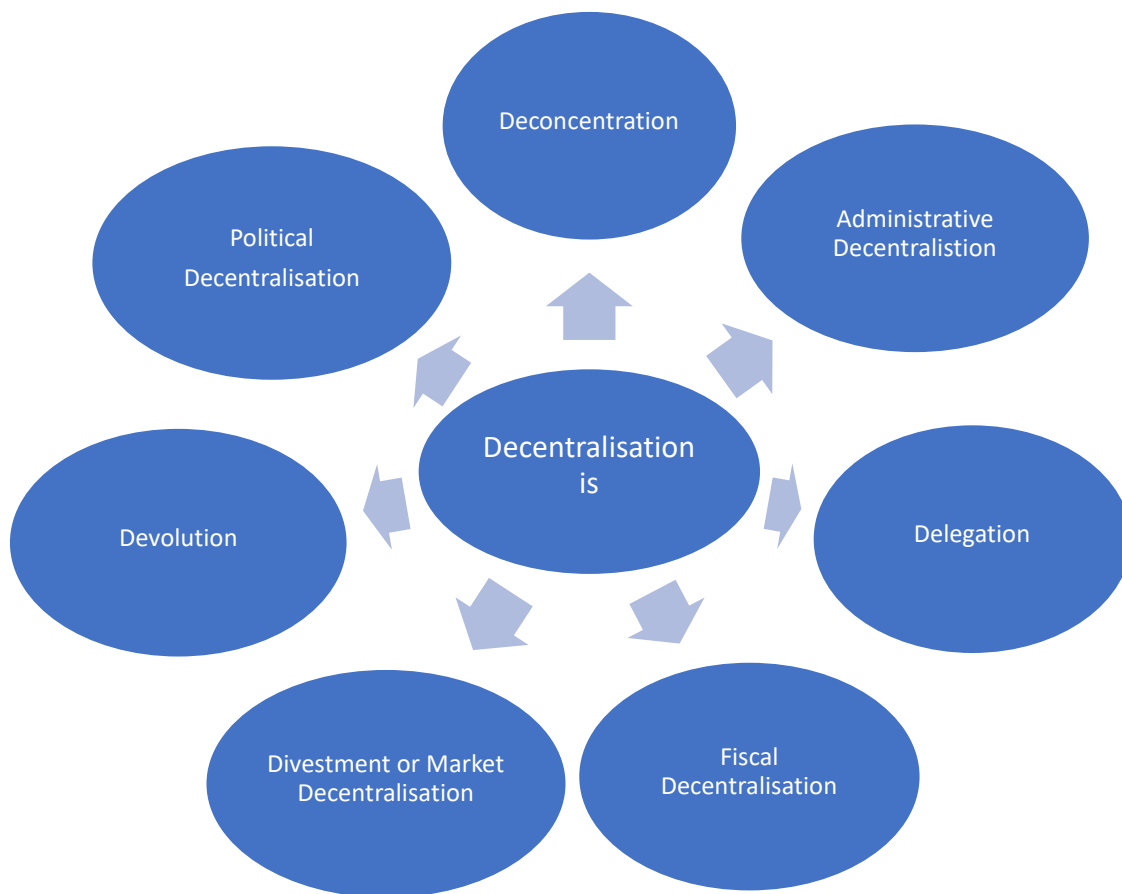
Decentralisation is highly cross-sectoral in nature and results in multidimensional

¹⁹⁸- The UNDP Role in Decentralization and Local Governance P49

transformational systems-wide change at both the central and local levels and in the nature of relationships across levels and sectors of society. The greater the change, the greater the potential for resistance to change at all levels.

Decentralisation and local governance initiatives that are subject to rigorous, ongoing monitoring and evaluation have a greater likelihood of viability and of capacity to respond to shifting priorities and other changes in the external environment.

Figure 46 shows the Forms of Decentralisation Defined by UNDP;



- 1) Political Decentralisation; This normally refers to situations where political power and authority have been decentralised to sub-national levels. The most obvious manifestations of this type of decentralisation are elected and empowered sub-

national forms of government ranging from village councils to state level bodies. . . Devolution is considered a form of political decentralisation.

- 2) Devolution; Devolution refers to a full transfer of responsibility, decision making, resources and revenue generation to a local level of public authority that is autonomous and fully independent from the devolving authority.
- 3) Administrative Decentralisation: . . . aims at transferring decision making authority, resources and responsibilities for the delivery of a select number of public services from the central government to other lower levels of government, agencies, field offices of central government line agencies. . . It is the accountability factor that differentiates the major types of administrative decentralisation.
- 4) Deconcentration: transfers authority and responsibility from one level of the central government to another while maintaining the same hierarchical level of accountability from the local units to the central government ministry or agency which has been decentralised. Deconcentration can be seen as a first step in newly decentralising governments to improve service delivery.
- 5) Delegation: redistributes authority and responsibility to local units of government or agencies that are not always necessarily branches or local offices of the delegating authority. While some transfer of accountability to the sub-national units to which power is being delegated takes place, the bulk of accountability is still vertical and to the delegating central unit.
- 6) Fiscal Decentralisation: Cutting across all forms of decentralization, some level of resource reallocation is made to allow local government to function properly. . . . Arrangements for resource allocation are usually negotiated between local and central authorities and they are dependent on several factors including concerns for interregional equity, availability of central and local resources and local fiscal management capacity.
- 7) Divestment or Market Decentralisation: This form . . . is done in favour of non-public entities where planning and administrative responsibility or other public

functions are transferred from government to voluntary, private, or non-governmental institutions with clear benefits to and involvement of the public. This often involves contracting out partial service provision or administration functions, deregulation or full privatisation. (UNDP, 2003)¹⁹⁹

Currently, throughout the world there is a broad-based movement headed towards greater decentralisation because excessive centralism is antagonistic to healthy development. However, at the same time, there remains a real debate about whether decentralised governance can be an effective means of accomplishing the critical objectives of sustainable human development: improved and more equitable public access to services and employment, increased popular participation and enhanced government responsiveness.

‘There are a number of underlying principles and characteristics commonly associated with the concept and operational meaning of decentralisation or decentralised governance; (UNDP, 2003)

(1) Subsidiarity (2) Accountability (3) Participation (4) Ownership (5) Expectations (6) Strategic vision (7) Sustainability.

- 1) Subsidiarity; meaningful subsidiarity was in most cases diluted through varying means of continued State and central-level control.
- 2) Accountability; Clear-cut accountability and division of roles and responsibilities are key elements of decentralization.
- 3) Participation; the Participation a key success factor for decentralization.
- 4) Ownership; The success of decentralization may be jeopardized by the excessive dependency of local administrations on external resources and support.
- 5) Expectations; Of course, the reality is much different. the capacity, resource and administrative constraints that had existed at the central level more often than not carried over to the local level.

¹⁹⁹ - THE UNDP ROLE IN DECENTRALIZATION AND LOCAL GOVERNANCE:

A JOINT UNDP–GOVERNMENT OF GERMANY EVALUATION 28 February 2000 p32

Evaluation Team: Joern Altmann Ledivina Cariño Richard Flaman Manfred Kulesa Ingo Schulz

- 6) Strategic vision; The national governments and those charged with implementing decentralization initiatives did not have in place strategic.
- 7) Sustainability; long periods required to develop and maintain effective multidimensional capacities at both the local and central government levels combined with the continued local-level dependency on external resources posed serious risks to the success and sustainability of such initiatives. When long-term decentralization initiatives are dependent on externally funded donor projects, their long-term success may well be dependent on a long-term donor relationship and long-term availability of donor resources (rarely assured in the short-term project, programme and funding cycles and agreements of donors).

Federal decentralisation is an essential part of body politic of a country, recognised or created under constitution and law for the management of locales.

This study suggests six dimensions of Federal decentralisation;

Conceptually, Federal decentralisation is multi-dimensional. It is basically an organised social entity with a feeling of oneness. In political terms, it is concerned with the governance of a specific local area, constituting a political sub-division of a nation, state or other major political unit. In the performance of its functions, it acts as the agent of the state. In other words, the Local Government is an integrant of the political mechanism for governance in a country. Then, as body corporate with juristic person, it represents a legal concept (Muitali, 1982)²⁰⁰.

- ❖ Legal Dimension
- ❖ Political Dimension
- ❖ The Administrative Dimension
- ❖ Economic Dimension
- ❖ Social Dimension
- ❖ Geographic Dimension

- 1) Legal Dimension

²⁰⁰ - Muitali M.A. mentioned in his book 'theory of local government' same ideas 1982 p1

Federal decentralisation is a miniature body politic and a body corporate. it is the agent of state and, as such, represents public interest. In that capacity it exercises a part of the sovereignty of the state delegated to it within its geographical boundaries.

2) Political Dimension

The most important dimension of the concept of Federal decentralisation pertains to its political character. It has a direct bearing on the nature of Federal decentralisation. It is Federal decentralisation, like other levels of Government, sharing with them legal and political sovereignty, deriving authority directly from the Constitution.

3) The Administrative Dimension

The degree of confluence in the Federal decentralisation is of a unique character, not known at any level of Government. Nearly at all levels, whether at by-law-making level, planning or programming level, supervision or inspection level, execution or evaluation level, one notices them working as a team, each of them drawing upon the other's knowledge and experience. One may distinguish the convergence of the knowledge and experience of the politicians, administrators and technocrats at various levels of the organisation. Sometimes, one cannot make out when the political, organisational and technological processes begin and end and how they intermingle.

4) Economic Dimension

5) Social Dimension

An organised group of people residing within particular geographical bounds develops a feeling of oneness along with certain distinctive socio-economic features, and constitutes a distinct social entity. These features may be characterised tribal (Yemen is a tribal society), agricultural, rural, semi-urban, industrial, commercial, etc. Areas with each set of such socio-economic features may have a separate class of miniature government to suit their special socio-economic needs while as units of Local Self-Government, they have certain features in common with each other.

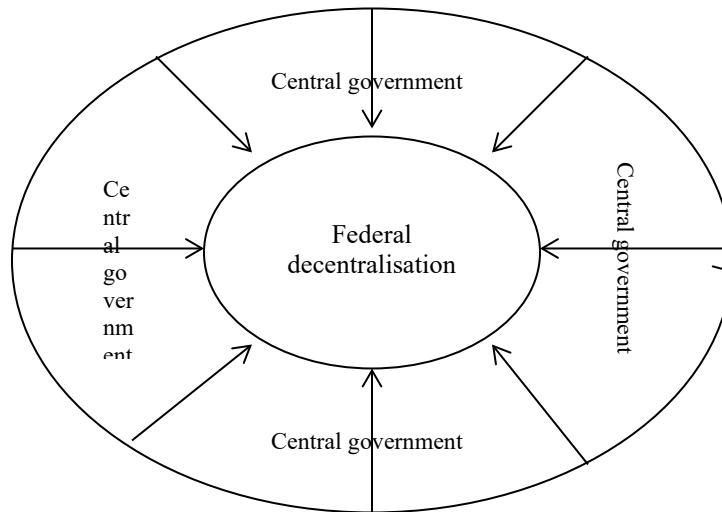
6) Geographic Dimension

The physiognomy of local authority presents the geographic dimension of its concept. With territorial jurisdiction over a particular human habitation, the Federal

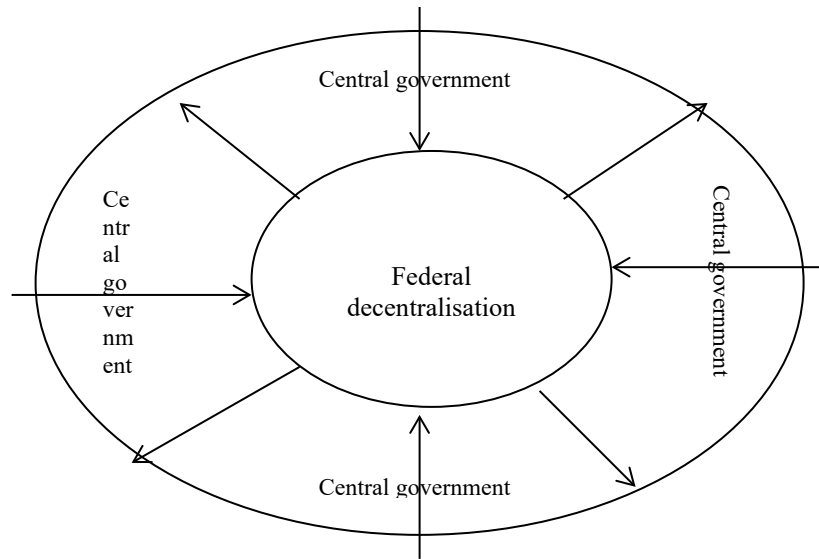
decentralisation may be conceptualised in geographic terms. The geography of a Federal decentralisation, that comprises physical, demographic and economic features, has had its influence on its policies, administration and law.

This study will recall four models of the relationship between central government and federal decentralisation.

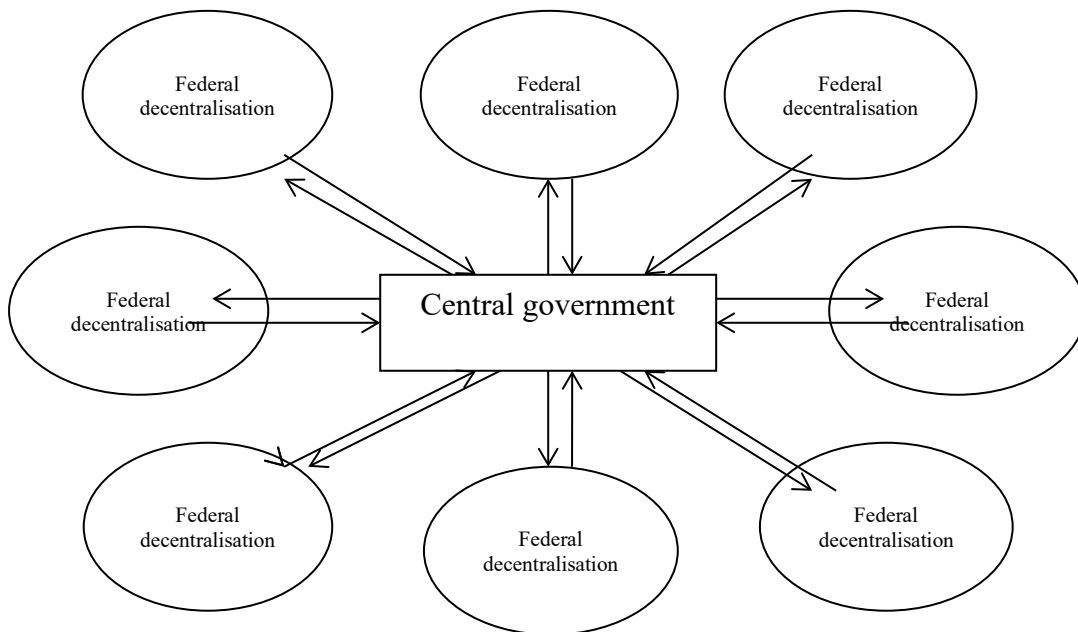
(1). Central government delegates some of its authority to a system of Federal decentralisation, so that Federal decentralisation is the puppet of central government. It merely implements central government policies.



(2). Central government exercises its sovereignty over Federal decentralisation so that Federal decentralisation implements its policies, but Federal decentralisation also exercises some autonomy over its own affairs, to the extent that it is able to advise and influence, possibly contribute to central government affairs.

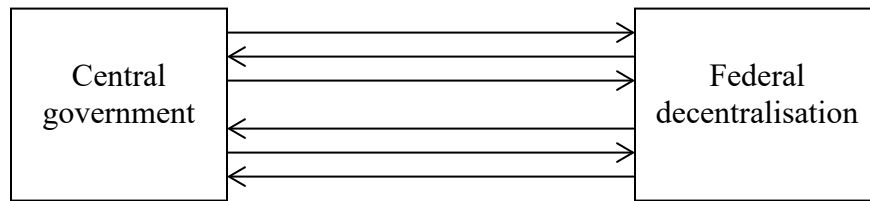


(3). Elected local government representatives are sent to constitute the central government which then determines the overall direction in which the country develops being also the channel through which local administration is undertaken.



(4). A true partnership between central and, Federal decentralisation central government

taking into account local aspirations and issues, Federal decentralisation taking into account national aspirations and issues, each in a sense executing its own sovereignty, and respecting the others.

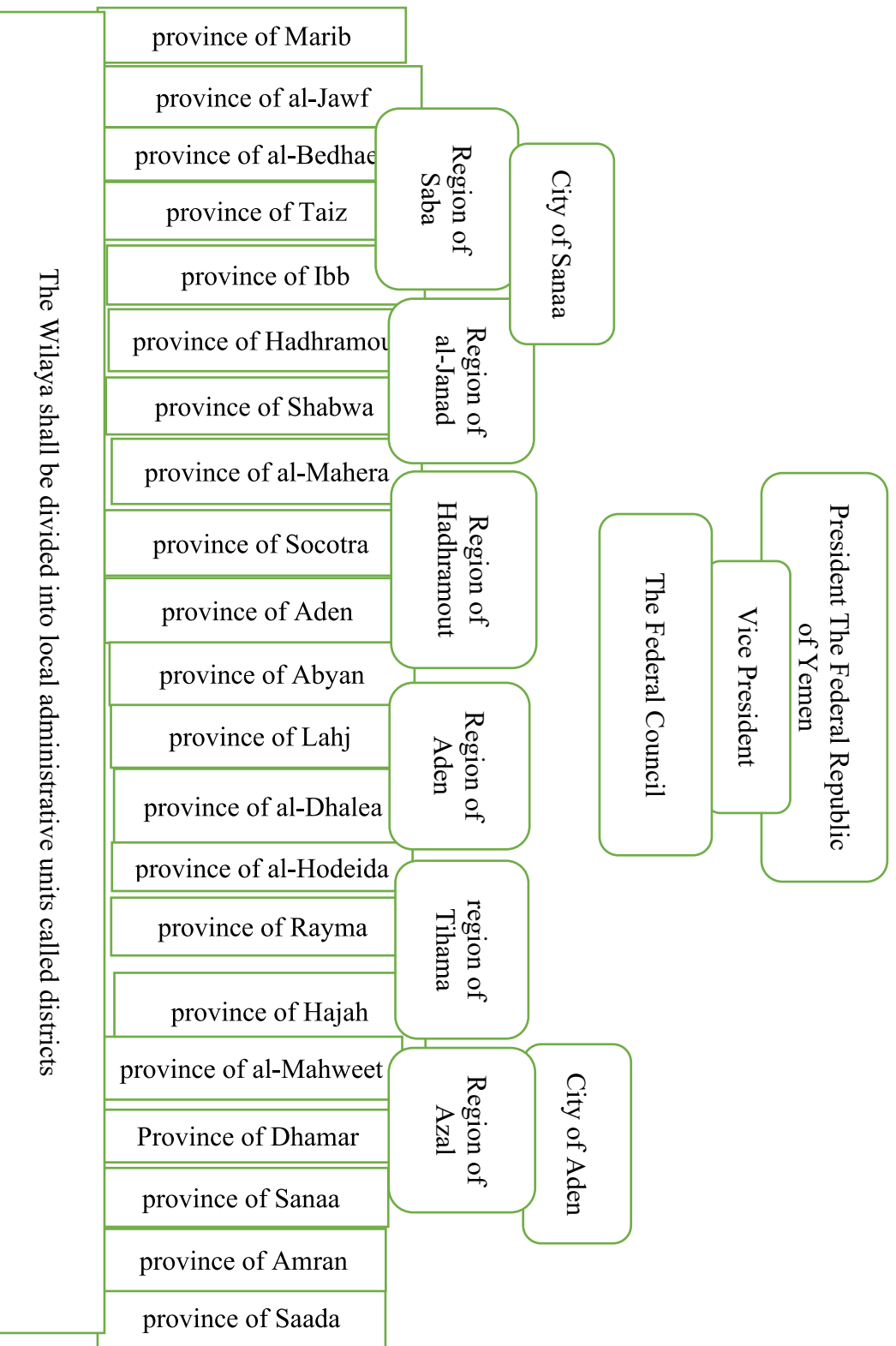


The sharing of powers between several levels of authority, a principle which forms the institutional basis for federal State. Also dispersion of power can also lead to fragmentation in weaker states.

In most entrepreneurial organisations, however, we usually found at least six simple common-sense principles in practice. Local government is in essence a method of getting various services run for the benefit of the community.

1. Catalytic Government
2. Competitive Government
3. Mission-Driven Government
4. Results-Oriented Government
5. Customer-Driven Government
6. Enterprising Government

Figure 47. shows the project structure of the administrative units for the Federal republic of Yemen ‘the suggested’.



On February 10, 2014, the committee, headed by President Abd Rabbuh Mansour Hadi, endorsed dividing Yemen into six regions: Hadhramout (with al-Mukkalah as capital and covering the provinces of Hadhramout, Shabwa, al-Mahera, and Socotra); the Saba region (with Marib as capital and covering the provinces of Marib, al-Jawf, and al-Bedhae); Aden (with Aden as capital and covering the provinces of Aden, Abyan, Lahj, and al-Dhalea); al-Janad (with Taiz as capital and covering the provinces of Taiz and Ibb); Azal (with Sanaa as capital and covering the provinces of Sanaa, Saada, Amran, and Dhamar); and Tihama (with al-Hodeida as capital and covering the provinces of al-Hodeida, Rayma, Hajah, and al-Mahweet). This division conforms with the joint proposal

put forward by the General Popular Conference and the Yemeni Rally for Reform to the focus group on the issue of the South. The only difference being the inclusion of province of Dhamar in the Azal region rather than al-Janad.

As of February 2004, Yemen is divided into twenty-one governorates (*muhafazah*) and one municipality the population of each governorate is listed in the table below.

Governorates of Yemen (Arabic names)

Division	Capital City	Population 2004 Census	Population 2006 est.	Key
<u>'Adan</u>	<u>Aden</u>	589,419	634,710	1
<u>'Amran</u>	<u>'Amran</u>	877,786	909,992	2
<u>Abyan</u>	<u>Zinjibar</u>	433,819	454,535	3
<u>Ad Dali</u>	<u>Ad Dali'</u>	470,564	504,533	4
<u>Al Bayda'</u>	<u>Al Bayda'</u>	577,369	605,303	5
<u>Al Hudaydah</u>	<u>Al Hudaydah</u>	2,157,552	2,300,179	6
<u>Al Jawf</u>	<u>Al Jawf</u>	443,797	465,737	7
<u>Al Mahrah</u>	<u>Al Ghaydah</u>	88,594	96,768	8
<u>Al Mahwit</u>	<u>Al Mahwit</u>	494,557	523,236	9
<u>Amanat Al Asimah</u>	<u>Sanaa</u>	1,747,834	1,947,139	10
<u>Dhamar</u>	<u>Dhamar</u>	1,330,108	1,412,142	11
<u>Hadramaut</u>	<u>Al Mukalla</u>	1,028,556	1,092,967	12
<u>Hajjah</u>	<u>Hajjah</u>	1,479,568	1,570,872	13
<u>Ibb</u>	<u>Ibb</u>	2,131,861	2,238,537	14
<u>Lahij</u>	<u>Lahij</u>	722,694	761,160	15
<u>Ma'rib</u>	<u>Ma'rib</u>	238,522	251,668	16
<u>Raymah</u>	<u>Raymah</u>	394,448	418,659	17
<u>Sa'dah</u>	<u>Sa'dah</u>	695,033	746,957	18
<u>Sana'a</u>	<u>San'a'</u>	919,215	957,798	19
<u>Shabwah</u>	<u>Ataq</u>	470,440	494,638	20
<u>Ta'izz</u>	<u>Ta'izz</u>	2,393,425	2,513,003	21

The governorates are subdivided into 333 districts (*muderiah*), which are subdivided into 2,210 sub-districts, and then into 38,284 villages (as of 2001).

10.4 Obstacles affecting the modernization process.

Today, the exchange of information and analysis of the events and news and the exchange of experiences across the different cultures of the world is accessible and available to millions of people who in the past were separated by natural barriers such as language and geography, as well as artificial barriers set up by the dictatorship and totalitarian regimes.

Contemporary Globalisation has put all nations and governments on a big challenge, requiring improving the performance of the central and local powers devices. To the point that some of the interested public administration reform, demands for a review of the role of the state or re-invention of state and government. Contemporary globalisation has a major factor that influence on the process of modernisation.

The changes that accompanied the contemporary globalisation such as the scientific, economic and cultural changes, have imposed new patterns of governance leading to the inability of the central authority to maintain the tradition coordinated by the administration.

This has affected the shape, structure and method of making and management of public policy. For example, State and its institutions in Yemen have become increasingly exposed to the pressure on the domestic and international levels in the direction of the call for further reform and development of the organs of public administration.

There are a number of obstacles that still prevent the process of decentralization in the Yemen from taking the range, as the main concern of government in the region is to ensure national security and political and economic stability.

Yemen governments are hesitant about the transfer of power and sometimes argue that such transfers may undermine national unity or threaten the integrity of national territory. Where the legislative system of center and local authority in Yemen also suffer from a clear weakness is the instability of legislation and the frequent amendment.

For example, after after emergence of the republic, specifically in the period 1962-2008, the Yemen witnessed the emergence of more than ten laws of municipal organization and local. This indicates the intensity of the municipal legislation adopted by the Yemen State, which is more than the rate of international regulation Administration.

The system of local authority must have a constitutional or legal structure or system that means clarifying the various aspects of political, administrative and financial decentralization that are supposed to be implemented in the country. It has caused a severe confusion in application due to a lack of clarity between local governance and local administration.

As a result of the weakness of the legislative system of local administration in Yemen the central government continues to infringe upon the powers of the municipalities and beyond it by an unjustified guardianship, and the government is trying to transfer some municipal activities to central bodies or privatize them without the law regulating their relations with municipalities. And monitoring and monitoring of its activities in a clear and transparent manner.

In general, municipalities and local administrations in the Yemen have limited powers to make decisions that are of interest to local governments. The central government monopolizes many aspects in this area, such as the ability to restrict the freedom of local authorities to act on local budget provisions.

The local councils' in Yemen functions are limited and limited to traditional services, without extending to many important services, which is a departure from good practices at the international level.

In many cases, the central government interferes with the powers of local councils by using the authority to ratify most of the decisions that may be taken by these councils.

In many cases, central governments circumvent the powers of local councils through the establishment of national public bodies that exercise certain prerogatives already granted to local units.

Most of the terms of reference for local councils are limited to supervision or supervision of some services and collection Zakat.

Several of the new tasks of governance in the era of globalisation request the central and local organisations to abandon outdated bureaucratic methods and to work effectively towards decentralisation, financial and administrative reforms carried out by different

countries along with the followers of methods and means of new public administration central and local levels envisages openness and adaptability, flexibility, diversity and responsiveness to the needs and aspirations of renewable citizens at all times. (Al-Akwaa, 2007)

10.5 The mechanics of modernisation.

When I refer to the mechanics of modernisation I mean the use of key leverage points to make fundamental changes that ripple throughout the bureaucracy.

Commonly used the concept of reinventing the government to do government agencies at central and local levels to deal efficiently and effectively with the requirements of the current circumstances experienced by the world.

This term has appeared in the United States in 1992 following the publication of David Osborne & Ted Gaebler, famous book "reinventing government" which offers the ideas and the following innovations, which make up a whole features and characteristics of Government in light of the contemporary concept of management of globalisation.

the importance of what came in this important book, we are here, we will provide a brief overview of the most important aspects of this author's ideas: (Osborne & Gaebler, 1993) Reinventing public institutions is Herculean work. To succeed, you must find strategies that set off chain reactions in your organization or system, dominoes that will set all others falling. In a phrase, you must be strategic.

Reinvention is large-scale combat. It requires intense, prolonged struggle in the political arena, in the institutions of government, and in the community and society. Given the enormity of the task and the resistance that must be overcome, the reinvention challenge is to leverage small resources into big changes. Being strategic means using the levers available to you to change the underlying dynamics in a system, in a way that changes everyone's behavior. In this situation, the solution is genetic engineering: change the system's DNA. Our research tells us that the most fundamental pieces of public sector DNA are a system's purpose, its incentives, its accountability systems, its power structure, and its culture.

Successful re-inventors have all stumbled across the same basic insights: that underneath the complexity of public systems there are a few fundamental levers that make institutions work the way they do; that these levers were set long ago to create bureaucratic patterns of thinking and behavior; and that changing the levers rewriting the genetic code triggers change that cascades throughout the system.

We have grouped these fundamental levers of change into five basic strategies, each of which includes several distinct approaches and many tools. For each lever, we have designated a strategy. And to help people remember the strategies, we have given each one a label that begins with the letter C' (Osborne & Gaebler, 1993).²⁰¹

 The Five C's Lever	 Strategy	 Approaches
Purpose	The Core Strategy	Strategic Management Clearing the Decks Uncoupling
Incentives	The consequences Strategy	Managed Competition Enterprise Management Performance Management
Accountability	The customer strategy	Customer Choice Competitive choice Customer Quality Assurance
Power	The Control strategy	Organizational Empowerment Employee Empowerment community Empowerment
Culture	The Culture Strategy	Changing Habits Touching Hearts

The Core Strategy

The first critical piece of DNA determines the purpose of public systems and organizations. If an organization is unclear about its purpose or has been given multiple and conflicting purposes it cannot achieve high performance. As Yogi Berra is reputed to have said, "If you don't know where you're going, then any road will take you someplace else'.

²⁰¹ -7h Global Forum on Reinventing Government Building Trust in Government 26-29 June 2007, Vienna, Austria David Osborne p2-3

We call the strategy that clarifies purpose the core strategy, because it deals with the core function of government: the steering function. While the other four strategies focus more on improving rowing, the core strategy is primarily about improving steering—about doing the right things, not doing things right. At the most fundamental level, it is about creating clarity of purpose. When everyone in a public organization or system is clear about its fundamental purpose or purposes, improving performance is far, far easier'.²⁰²

The Consequences Strategy

'The second key piece of DNA determines the incentives built into public systems. Bureaucratic DNA gives employees powerful incentives to follow the rules and keep their heads down.'²⁰³

The Customer Strategy

The next fundamental piece of system DNA focuses primarily on accountability: specifically, to whom are the organizations accountable.

The Control Strategy

The fourth critical chunk of DNA determines where decision making power lies. In bureaucratic systems, most of the power remains near the top of the hierarchy..... In developing nations, leaders must decentralize control with great care. First they need to concentrate on establishing some basics: the rule of law, an independent judiciary, hiring based on merit, and financial controls, audits, and transparency. These are the most important steps they can take. Then, as they begin to loosen the old systems of control, they should construct new systems in their place—management information systems, systems that impose consequences, auditing systems, and systems that will prosecute corruption. When they cannot use market competition to create consequences, perhaps

²⁰²-Ibid p4

²⁰³ -7h Global Forum on Reinventing Government Building Trust in Government 26-29 June 2007, Vienna, Austria David Osborne p6

their best option is to grant flexibilities only as organizations prove they can handle them'.²⁰⁴

The Culture Strategy

Finally, the last critical piece of DNA determines the culture of public organizations: the values, norms, attitudes, and expectations of employees. Bureaucratic systems use detailed specifications functional units, procedural rules, and job descriptions to mold what employees do. They make initiative risky. As employees become habituated to these conditions, they become carriers of the culture. They become reactive, dependent, fearful of taking too much initiative themselves. In this way, bureaucratic DNA creates cultures of fear, blame, and defensiveness. Culture change is slow work. This involves getting people to let go of their assumptions; introducing them to new assumptions; earning their trust; and providing safety nets so they will take the risk of using the new assumptions. We described this process of shifting paradigms in *Banishing Bureaucracy* (Osborne & Gaebler, 1993)²⁰⁵.

Reconstruct the Yemen State so that it takes the needs and the objectives of the population more into account and give impulse to the decentralization process of the country through the promotion of local participation and local strengthening. Contribute to the strengthening of local institutional capacities.

'Interrelationships among the sectors of society and all those involved in a particular model of decentralized governance are important in programme design and implementation. Such relationships may consist of combinations of the following: contract (social and legal), partnership, participation, consultation, communication, coordination, and so on' (UNDP, 2003).²⁰⁶

In addition, the following are a set of mechanics or factors favourable to get rid of the old styles in governance:

- ❖ Emphasis on taking political consensus or majority in decision-making.

²⁰⁴-Ibid p11

²⁰⁵ 7h Global Forum on Reinventing Government Building Trust in Government 26-29 June 2007, Vienna, Austria David Osborne p13

²⁰⁶ The UNDP Role in Decentralization and Local Governance P36

- ❖ Strengthening steering functions at the centre.
- ❖ Devolving authority, providing flexibility.
- ❖ Guaranteeing performance, control, accountability.
- ❖ Encouraging participation in development planning and decision-making with local citizens.
- ❖ Refining the management of human resources.
- ❖ Optimising information technology.
- ❖ Developing competition and choice.
- ❖ Improving the quality of regulation.
- ❖ Providing responsive service.

Generally, federal and quasi-federal systems, local government are typically a state matter, so that the law establishing and controlling federal decentralisation and local government is state law, and the administrative control that may be exercised over federal decentralisation and local government is exercised by state ministers and officials. There may of course be some overriding provision in the constitution giving some power to the federal government or limiting the powers of the states. There must be benefit from recommendations of UNDP, International bank, and all international organisations that have spoken about the mechanics of modernisation.

Chapter eleven: The overall Conclusion and recommendations the study

11.1 CONCLUSION

The study makes an original contribution to literature related to the different administrative systems in Yemen over course of the twentieth century. It managed to access a wide range of sources located in different places and synthsised these to draw out insights into the administrative systems and their impact on the stability and development of Yemen. The study investigated the impact of the frequent changes in policies made by different administrative systems in Yemen over the period of instability. It explored the main political governance models over this period and the dynamics behind their emergence and decline in Yemen. To do this, the study examined the historical developments from the administrative perspective and the changes that coincided with the trajectories of various political and administrative regimes that were implemented in Yemeni society.

The research carried out identifies how the political instability has led to poor central and local governments and, in turn, poor administration, development, and many of the appearances of a good government. The study has revealed that political instability and deterioration of administration are the main problems in Yemen as a result of the absence of peaceful transfer of power and lack of equitable distribution of wealth. Yemen is the poorest country in the Middle East, lacking state control and rule of law in vast areas. It is burdened with broken institutions, has deeply divided internal politics, and faces a significant transnational terrorist problem. During the twentieth century, Yemen has been racked by political instability, violence and it has witnessed several political bloody coups and revolutions. Yemen has recently attracted attention of the world, mainly because of the growing fear within the West that the country is becoming a safe-haven for 'radical Islamists' who are posing a threat, not only for the region, but for the wider world.

This study shows the administrative development in Yemen depends on an interrelated cluster of Factors, firstly the political stability, then regimes and their power bases, courts, legal systems, policing, and related questions of constitutionalism and the role of various judicial philosophies public infrastructure and finally, economic resources available for various sorts of public, private, and voluntary sector investment.

However, a close historical examination will reveal that most of the political and economic challenges facing the country have their roots deep in the political developments of the past century. Yemen witnessed diverse forms of political and administrative systems during the 20th century. At the start of the 20th century the Ottoman and Imamate regime (al-Mitwakillya Kingdom) ruled Yemen in the North while the British ruled in the South and PDRY, (the only Marxist regime in the Arab world). This followed a geographical and political division of the country into North and South that was later reunited into one country in 1990. The structure of administrative units laid down by the Ottomans and British are still present in its general outline even today (with some modification), and based on this we can say that the Ottomans and British had a considerable influence on the administrative divisional structure in Yemen.

In addition, the creation of the Yemen Republic (YR) occurred in the 22nd of May 1990, this unification of Yemen was believed to be a new history of political pluralism, freedom, democracy and party competition. But unfortunately, it ended with political crisis which led to the civil war that ended in the summer of 1994, then a civil war of 2015, after Houthi rebels, 'a Zaydi Shia group' took control of state institutions by force of arms. It is important to consider past examples of instability. For example, the civil war between the Ottoman Empire and the al-Mitwakliyya Kingdom when imam Yahiya and Ahmad were assassinated; the civil war between republicans and royals (Imamate followers) from 1962 until 1968. In addition, the ousting of president al-Sallal and al-Iryani from state baskets through a bloodless coup as well as civil conflict and wars between north and south of Yemen. The president Al-Hamdi was assassinated followed by the assassination of president Al-Ghashmi and Ali Abdullah Salih. This took place in North Yemen. Although more severe and more numerous victims were from north

Yemen, the situation in People's Democratic Republic of Yemen (PDRY), the southern part of Yemen, was no different in (Anqlabat) political and bloody coups, and between the members of the same Marxist party, the blood was shed on streets.

Furthermore, the Yemen Arab Republic (YAR) lived 27 years and eight months, from 26/9/1962 to 22/5/1990. The YAR was ruled by five heads during this period, these were, Abdullah al-Sallal, Abd al-Rahman al-Iryani, Ibrahim al-Hamdi, Ahmad al-Ghashmi and Ali Abdullah Salih. They were all from the military except for Abd al-Rahman al-Iryani who was from the civilians. During this period 26 Governments were formed. In the sense that every year a government was formed as a result of instability. During the tenth and eleventh governments, Al-Sallal occupied the position of President of republic, Prime Minister and Foreign Minister. There was also widespread dissatisfaction at the prevalence of corruption and inefficiency, as well as, political problems, the government's budget deficit, a torrent of loans and many differences, which had preoccupied them. In the pace of state building and modernisation for the future bribery became more necessary than ever to persuade officials to perform their duties. There was spread of favouritism, and the bribe and the corruption of the financial, administrative and inefficiency of performance in addition the financial crisis, and the political crisis.

Where the legislative system of center and local authority in Yemen also suffer from a clear weakness is the instability of legislation and the frequent amendment. For example, after emergence of the republic, specifically in the period 1962-2008, the Yemen witnessed the emergence of five constitutions three in north and two in south, and many laws of municipal organization and local. This indicates the intensity of the municipal legislation adopted by the Yemen State, which is more than the rate of international regulation Administration. theoretically well but it does not actually exist unfortunately.

Clearly, there was no administrative, political and economic stability. The instability of central government in Yemen resulted in poor performance and the volatility of the environment of central and local administration. In most cases, the head of state is the

owner of the commands and prohibitions in all authorities, and the Yemen and Yemenis are still suffering even today from this problem. This is because there is a strong correlation between modernisation and development with administrative, political and economic stability. It is no surprise to observe that the Yemeni public has quickly embraced the wider popular Arab protest movement, demanding that real democracy and rule of law should be established in the region. However, the shift to a democratic polity in modern Yemen necessitates a close analysis of the political changes that have occurred in the country during the last century and this is what I analysed in my thesis. This transition calls for entrenchment of the principles of reconciliation and a true partnership in building the new Yemen and in providing the necessary guarantees to the various forces by creating the enabling environment; government reform, laws and even constitutional amendments, capacity building and developing participation and accountability.

Through my work in the government of Yemen for almost thirty years, as well as my research and my readings in the history of administration in Yemen, I found that there is a strong linkage between the political stability and administrative development. This study suggests that the administrative development in Yemen depends on an interrelated cluster of factors. Firstly, the political stability, the regimes and their power bases, courts, legal systems, policing, and related questions of constitutionalism and the role of various judicial philosophies public infrastructure and finally, economic resources available for various sorts of public, private, and voluntary sector investment. The research in this study indicates that the solution to Yemen stability is to follow the democratic path through local and national election. Yemenis must be convinced of the choice of democracy for Yemen via an option and a strategic decision by all Yemenis (state, political parties, tribes and civil societies) through the exercise of popular participation in government. We must also spread the culture of peaceful circulation between the governors and governed and benefit from the modern experiences of democratic countries. It is important to note that the first democratic experience in Yemen "nation and local" was in 1993, after the unity between the north and south Yemen. This period is

most important in the YR because the central government implemented the democratic process even though it was simple, incomplete and many times deformed.

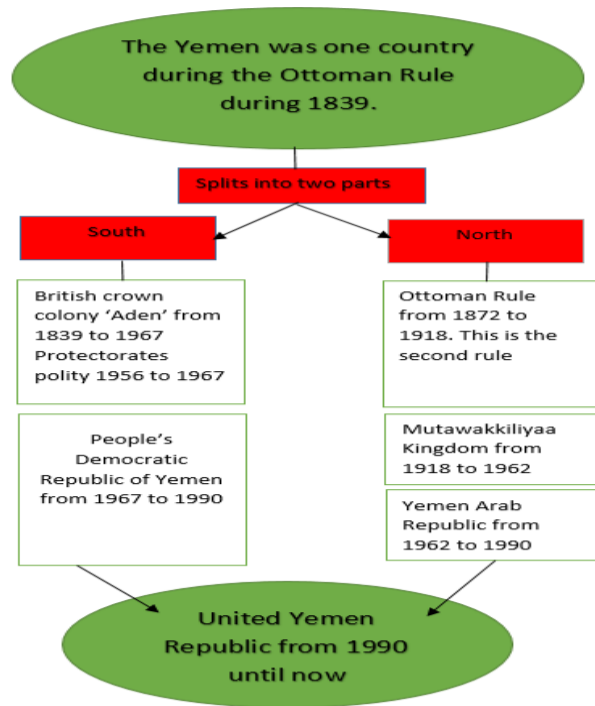
The extent and range of activism in Yemen challenges stereotypes of inherent conservatism usually attributed to tribalism. Comprehensively, the solution for Yemen depends on political stability, democratisation, peaceful transfer of power, economic development, and better delivery of services. As well as, educating the population on legal culture, respecting the law and spreading the culture of coexistence between the citizens of one country and spreading advance democratic values. Yemen is suffering from widespread poverty and illiteracy, tribal influences (The society of Yemen is tribal par excellence), as well as a heavily armed citizenry, and the continuing internal tensions, in addition to the threat of 'Islamic' radicalisation (Extreme Shiite and Sunnis). The worst kind of regimes resulting in radicalisation are autocracies, dictatorships and anti-democratic.

This study shows that the appropriate system to Yemen in order to achieve political and administrative stability is to divide the Yemeni land into six administrative regions on the basis of decentralised federal system. In addition, the city of Sana'a and city of Aden have a special economic and administrative status. The agreement aims to divide Yemen into six regions: Hadhramout (with al-Mukkalah as capital and covering the provinces of Hadhramout, Shabwa, al-Mahera, and Socotra); the Saba region (with Marib as capital and covering the provinces of Marib, al-Jawf, and al-Bedhae); Aden (with Aden as capital and covering the provinces of Aden, Abyan, Lahj, and al-Dhalea); al-Janad (with Taiz as capital and covering the provinces of Taiz and Ibb); Azal (with Sanaa as capital and covering the provinces of Sanaa, Saada, Amran, and Dhamar); and Tihama (with al-Hodeida as capital and covering the provinces of al-Hodeida, Rayma, Hajah, and al-Mahweet).

From the findings of this study, the answers to the research questions were attempted through using official documents preserved in the central and local government archives, such as the Ministry of Local Administration, and several books. The original archival

materials are: 1 Central and Local governmental decisions. 2. Constitutional texts. 3. All law to the formation of the administrative system 4. Official documents from the Ottoman, British and Yemeni government that is specific for Yemen. These have contributed to answering the research questions. In addition, websites that offer online access to the relevant historical material, newspapers during that period and some historical books that discusses the general history of Yemen were used to address the research questions.

1. What were the main political governance models and their emergence and decline in Yemen during the 20th century?



The image above shows the main political governance models and their emergence and decline in Yemen during the 20th century.

2. To what extent did the culturally specific factors of Yemeni society have a direct bearing on the performance of local administrative systems during the 20th century in Yemen?

The Yemeni society and culture reflect a very strong traditional interpretation of Islam (“traditional”) and the Yemeni community is primarily a tribal society. This had a direct bearing on the performance of local administrative systems during the 20th century in Yemen to a large extent. There is a culture of strong tribal loyalties as well as positive and negative impacts of traditional practices. Positive tribal traditions contribute to the stability of the country, such as the central state's support for the extension of security and the prevention of crime, and to help encourage members of society to educate and maintain public services. But there is a negative tradition of the tribe which has recently spread to Yemen. Negative impacts such as the destruction of public services of the state in order to claim rights, abduct foreign tourists, cut off the highway or use weapons against the central state and local. All this contributed to the instability, which led to the lack of development. Also the poor education and the spread of illiteracy in the tribal society contributed to the spread of such actions which led to the lack of development and stability. Yemen is suffering from widespread poverty and illiteracy, tribal influences (the society of Yemen is tribal par excellence), as well as a heavily armed citizenry, and the continuing internal tensions, in addition to the threat of ‘Islamic’ radicalisation (Extreme Shiite and Sunnis).

3. How did the frequent central policy changes impact on the functioning of the local administrative systems during the 20th Century in Yemen?

The result of the frequent central policy changes largely impacted on the instability of the functioning of the local administrative systems during the 20th century. There were powers from the central state to the localities during the British rule in South Yemen. The central government connected the local authority through the ministry of local administration. This led to poor development, poor services, and poor civil participation. The local authority and local administration were poor in terms of authority. Except for the British empire, which gave some authority to the local government in south Yemen. In addition, the Ottoman empire in North Yemen and also in the Yemen Republic after the unity between YAR and PDRY gave some authority . kkkk

The Suggested map into six administrative regions under Federal State of Yemen



Although there is great benefit from the federal decentralisation, there will certainly be challenges facing the state of Federal Yemen. The following are challenges and difficulties that may accompany the application of system Federal decentralisation or decentralised management method in the state:

The first challenge:

The practice of a decentralised system in an uncontrolled manner may raise some problems, as it may lead to severe consequences. For example, the local independent bodies by law to implement its powers and prerogatives are incompatible with the interests of the country and the principles of the nation, and thus threaten national unity and social cohesion.

Decentralisation can threaten territorial integrity if it gives rise to separatist demands and, especially when financial oversight of local officials is weak, it can lead to increased

corruption. Local service delivery may deteriorate where financial and administrative capacity is weak. But also decentralisation can provide an opportunity to deal with issues of ethnic or religious difference by providing a political framework for possible resolution of these issues.

The second challenge:

There is a gap between the reality and the goal. The underlying reasons or factors that might affect decentralisation performance either positively or negatively are not clear and require exploration.

The third challenge;

Proven experiences in the countries that follow the Federal decentralisation and local governance, initiatives that are subject to rigorous ongoing monitoring and evaluation have a greater likelihood of viability and of capacity to respond to shifting priorities and other changes in the external environment.

The fourth challenge

From amongst the challenges that Yemen will face in the future is to reform the Yemeni state because it suffers from institutional crisis that had long paralysed the functioning of the central government; a legitimacy crisis that had created a large chasm between the populace and the government. a strong decentralisation policy seems to have been made necessary by civil conflict and/or political and economic crisis. Taking into consideration the National bureaucratic resistance, if not properly managed, can impede significantly the progress and success of decentralization initiatives.

Today, throughout the world there is a broad-based movement towards greater decentralisation. At the same time, however, there is still a real debate about whether decentralised governance can be an effective means of achieving the critical objectives of sustainable human development (improved and more equitable public access to services and employment, increased popular participation and enhanced government

responsiveness). Finally, after many crises and many civil wars, the Yemenis are in need of goals that lay the foundations for:

- Modern state institutions
- Civil state
- Rule of law
- Equal citizenship
- Protection of public rights and private property
- Safeguarding the rights and freedoms of citizens and human dignity
- The preservation of homeland security, stability and unity

The above is important to strengthen the existing democratic approach on the rules of participation, transparency and accountability. Allowing Yemen to rise with confidence, drying up the sources of corruption and preventing all forms nepotism. It is also important to promote positive values among members of society, to lay hope in them, restore the principles of justice, equity, merit, equal opportunities, and to strengthen the bonds of love and tolerance in their midst. Therefore, deepening the understanding of the right of freedom with justice, as well as raising awareness on the correct exercise of pluralism.

11.2 Recommendations

This study's recommendations are aimed at four parties that have the greatest impact in Yemen: its people, society and state':

Firstly, To the Leaders of the State of Yemen

Secondly, To Leaders of Gulf States especially (the Kingdom of Saudi Arabia)

Thirdly, To the International Community

Fourthly, To the intellectuals, elites, Islamic scholars and tribal leaders Yemeni.

- The stability in Yemen lies in the peaceful transfer of power and the fair distribution of wealth. And must use two systems: centralisation system for central government and decentralisation system for local government, also the continuous pursuit to access of good governance, these are the characteristics of good governance (1. the State of law and institutions 2 The existence of a clear strategy and flexible development plans. 3. Provide participation component 4. Sovereignty and the rule of law. 5. Provide transparency component 6. Provide accountability component 7. The Justice and providing the needs of the citizen 8. Equality and equal opportunities 9. Reward and punishment law 10. The Decentralisation.

As well as, educating the population on legal culture, respecting the law and spreading the culture of coexistence between the citizens of one country and spreading advance democratic values. Yemen is suffering from widespread poverty and illiteracy, tribal influences (the society of Yemen is tribal par excellence), as well as a heavily armed citizenry, and the continuing internal tensions, in addition to the threat of 'Islamic' radicalisation (Extreme Shiite and Sunnis). The worst kind of regimes resulting in radicalisation are autocracies, dictatorships and anti-democracy.

- That the embodiment of the concepts of good governance has in fact been considered essential by international organizations and wealthy donor countries to

achieve sustainable development and justice for society. This may seem more important and necessary in developing societies, especially in Yemen, which are in dire need of good governance, which is a major challenge and offers great opportunities for the development of communities .

- Yemen has unique constitutions but it is not implemented in reality. Further research is required to understand the reasons behind this theoretical excellence but poor implementation. In addition, Yemen had six regimes that had different administrative systems that were implemented, therefore research is required to understand the causes for not implementing the current constitutions.
- This study reached the conclusion that the stability of Yemen lies in the peaceful transfer of power and the fair distribution of wealth. This is what must be convinced by who wants to rule Yemen. Yemeni society is a tribal society that carries arms, and a society in which there are many complexities, it can not govern except by participation, with various political and social forces in society. Therefore, education and the dissemination of a culture of peaceful co-existence should be the most important for the future of Yemeni society.
- The instability of Yemen and the weakness of the Central State in Yemen lead to the emergence of violent and terrorist groups who find it a fertile breeding ground and threaten local, regional and international security. The weakness of terrorists in Yemen lies in the establishment of a strong central state and political stability emanating from a sound democratic process, economic development and the fight against ignorance and poverty. This is can only be done through assistance and cooperation from the International Community and leaders of gulf states especially (the Kingdom of Saudi Arabia).
- The form of the federal decentralisation system as stipulated in the comprehensive national dialogue is best suited, and that the central must be embodied in the unity of the highest political leadership of the country and its interest in foreign policy and affairs, national defence and the provision of financial resources of the federal state and the promotion of national unity, that manages the local communities and local affairs on their own in a fair and transparent distribution of power and wealth.

- The administrative development in Yemen depends on an interrelated cluster of Factors, firstly the political stability, then regimes and their power bases, courts, legal systems, policing, and related questions of constitutionalism and the role of various judicial philosophies public infrastructure and finally, economic resources available for various sorts of public, private, and voluntary sector investment.
- Leaders of Yemenis must decentralise control with great care. They need to concentrate on establishing some basics: the rule of law, an independent judiciary, hiring based on merit, and financial controls, audits, and transparency. These are the most significant steps they can take. This needs to be followed by understanding the problem before designing and implementing solutions. federal decentralisation system, in whatever form, is very complex. Therefore, considerable time and effort are required to define and understand the problem. e.g. Address issues of relative distribution of powers, the balancing of functions, the delivery of services, and the carrying out of activities across different layers of the national and subnational levels, and/or between the public sector and civil society/private sectors.
- The trend towards decentralisation and the adoption of mechanisms of local authority or local contemporary government, requires creation of new relationships based on the direct responsibility of the masses in decision-making and strengthen the gains of sustainable human development, as well as to strengthen the material and moral potential for all citizens without discrimination or exclusion.

Through this research which focused on the impact of frequent central policy changes on the administrative systems in Yemen during the 20th century, I have found that Yemen needs the following development objectives in-order to stabilise and take into consideration the prevalent social and cultural structures of the Yemeni society:

- ❖ To reconstruct the State (through the system of Federal decentralisation), so that it takes the needs and the objectives of the population more into account.

- ❖ To enhance political stability, and cooperation with the regional states and international community to avoid potential conflict and with through:
 1. Peaceful transfer of power and equitable distribution of wealth
 2. Promoting democratisation
 3. Institutional reform to bring about more participation and accountability
 4. Promoting economic growth and federal decentralisation
 5. The National Partnership for Reinventing Government, with the aim to activation the role of State institutions and improving their performance and administrative environment.
 6. Working on non-concentration of power and wealth.
 7. Alleviating poverty
- ❖ Of the main goals that should be pursued includes creating:
 1. A strong state and government with capacity
 2. A well-developed civil society
 3. An organised political force, such as a Parties.
 4. Strong social movement characteristics such as a civil society organization .
- ❖ To concentrate on establishing some basics and cooperation with the intellectuals, elites, Islamic scholars the locals and tribal leaders Yemeni, such as:
 1. The rule of law
 2. An independent judiciary
 3. Hiring based on merit
 4. Financial controls, audits
 5. Transparency
- ❖ To contribute to the enhancement of local institutional capacities and cooperation with the intellectuals, elites, Islamic scholars, the locals and tribal leaders, the following needs to be achieved:
 1. Strengthening the capability of citizen's groups and local authorities

2. Supporting people's participation, at the promotion of participatory planning as part of local capacity-building activities
3. Focusing on the goal of creating an enabling environment for sustainable human development
4. Seeking to strengthen the social cohesion
5. Creating national Participation and citizens' influence on central and local government decisions
6. Modernising infrastructure, and improve the efficiency of the public sector
7. Expanding the awareness and understanding of decentralized governance
8. Maintaining neutrality of public administration and managerial control.
9. The inclusion of nongovernmental organizations community-based organizations and civil-society organizations or the private sector in the decentralisation process.
10. To promote urban development and rural-urban relations and develop the delivery of public services.
11. To improve harmonisation between key national ministries to guarantee coherence between sectoral decentralization, local planning and budgetary mechanisms.
12. To possess the capacity to detect and control corruption, patronage, and political manipulation of employees. Sectors of Yemeni society must be empowered to participate in formulating a new vision for the future of the country.
13. To support local legal, institutional and regulatory environment that enables participation of marginalised and vulnerable groups and civil society organization.

Finally, future research could explore a number of related areas where there is a gap in our knowledge including how the positive contributions of the different administrative systems could assist in improving governance today.

findings of this study show that future research undertaken should make the most of Yemen's three long-standing systems that ruled Yemen in the 20th century: The Ottoman and the rule of imams in the North, the British Empire and Marxism in the south. Future research should benefit from the Ottoman rule in terms of the administrative division of Yemen and benefit from the British rule in terms of democracy and representation of the minority and the effectiveness of the judiciary. It is important for further research to also benefit from the rule of imams in the prestige of the state and the benefit from the Marxist system in the firmness and respect for laws. The virtue is that we take advantage of the previous systems pros and leave the negatives.

This study opened the horizon for researchers to dig more to understand the most serious problems that caused conflicts and wars in Yemen. It is well known that the Yemeni community is a tribal society par excellence and a people carrying arms and there is widespread poverty and ignorance. Until conflicts and coups are stopped, a problem of power and wealth must be solved through the contribution of enhancement of local institutional capacities and cooperation with the intellectuals, elites, Islamic scholars, the locals and tribal leaders, the following needs to be achieved as mentioned above, as well as the participation of the local and the central government.

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Appendix chapter four

The Administrative vision of Al-Ahra'r Movement (Resistance Movement during the period Mutawakkiliyya kingdom)

Al-Ahra'r Movement believes that decentralisation system is the most suitable administrative organisation for Yemen. Furthermore, the problem of the governance and management in the Mutwakkilyaa Kingdom is that the authorities are grouped in the hands of one individual, the Imam, who is the top head of the state. The Ahra'r movement requires the distribution of competences between the central government and local bodies through the application of decentralisation system.

Advantages of decentralisation:²⁰⁷

One of the most important advantages of decentralisation for the development of Yemen and deepen the sense of unity of the people and remove the psychological, administrative, social and religious and tribal causes that have grown because of the absolute power under the central government that tore apart Yemen.

If the pillars of decentralization and local interests of a particular minority interest alone without other regions for example local people (Aahli) each region know their own interests and more achievable than others and that the disparity in the regions of nature and climate and its consequences of disparity in population and tradition of mixing and desires .. The incumbent leaving local affairs in each region to manage their own population and their freedom under the guidance and supervision of the central government in the eradication of what might arise between the administration and personnel disputes.

It is better to refer to here as a result of decentralization of the benefits do not materialize in the central so that the population of each province is trying to make their activity and effort advancement in all respects, which leads to the race between regions in terms of physical matter who pays the state in quick steps forward.

Finally, decentralization in Yemen should be the elimination of injustice, hatred and

²⁰⁷ - alsahwa- Yemen. net 26/5/2008* Ahmed Mohamed al-Noman & Mohamed Mahmoud al- Zubairi In 1956

grudges influence and planted by absolute power in the system of governance, and exit the country to an era dominated by freedom and brotherhood, equality and justice, and what stood in the eras of tyranny without it.

The foundations of decentralisation:²⁰⁸

The decentralization on the basis of local interests by local bodies under the supervision of the state and this means that public interests are either national interest to the nation in defense groups or local self-interest territory, and therefore Decentralization left in the hands of National Affairs, the Central Government and Parliament of the National Assembly and gives local affairs to local authorities.

There is no fixed standard to take the distribution of competences between local authorities and central government, therefore, is left to organize the distribution of competences of the legislation and that it was possible to recall a mere reference to the nature of public utilities are:

- 1 - Public facilities belonging to the nation as a whole does not accept the partition nature of the defense and foreign affairs for example, and these terms of reference of the central government.
- 2 - Facilities of interest to particular regions and those left to the local government's fisheries Alta'hamah and planting trees in the mountains for example.
- 3 - Facilities require direct supervision is not possible for the central government carried out and those left to the local government cleaned up the cities and fire power and extending the water pipes.
- 4 - To participate utilities up between local authorities and central government such as education, health and security of each of them to leave a portion of them as determined by the legislation governing the management and governance.

As the local authorities to do their work at the heart of public services within its terms of reference specified by the Constitution and legislation thereto, it requires that these authorities have a personal moral sense be relevant administrative and financial independence, and the members of these bodies are elected by the population does not recruited.

²⁰⁸- alsahwa- Yemen. net 26/5/2008* Ahmed Mohamed al-Noman & Mohamed Mahmoud al- Zubairi In 1956

Summarized the main lines of the decentralized system in the following:

A - The central government and the National Assembly (parliament) in the capital.

B - Local governments and regional bodies are elected by the people and bodies include the following:

First: The Council of the brigade, composed of representatives elected by the entire population brigade who have the right elections and the appointment of Major General Council of the Executive Council of the brigade.

Second: The municipal councils: There are municipal councils in every city, whether or eliminate the capital brigade or status or hand the capital of the state and local council members elected by city residents who have the right to vote and municipal authorities are limited to the city and may suffer from the suburbs.

Third: Village Council: Consists village council election and each village or group of Villages Council villager and the village council powers exercised within the limits of legislation governing local governments.

Financial local governments:²⁰⁹

Already talking to the local bodies financially and administratively autonomous and administrative autonomy achieved the fact that members of these bodies elected by the population either financial independence verifies the existence of financial tailored to each body.

The income of local bodies of two routes:

1 - taxes imposed by these bodies and levied under the authority described the legislation Organization and the non-public taxes that are central government budget but is like a tax to be taken to the municipal fund and charities.

2 - Subsidies provided by the decentralization of government bodies such as these bodies play improved public services by the nation as a whole in the end.

To the people:

Al-Ahra'r Movement has struggled towards the restoration of constitutional Constitution sons live in the shadow of Yemen free loved ones.

The belief in people's right to life is the constitutionality of the only power that will bring

²⁰⁹ -alsahwa- Yemen. net 26/5/2008* Ahmed Mohamed al-Noman & Mohamed Mahmoud al- Zubairi In 1956

this demand national representation.

It was therefore our national demands will be announced by you we are working vigorously to your faith to achieve it without the update call.

God is great, and Yemen is above all not only the rule of the people.

Ahmed Mohamed al-Noman and Mohamed Mahmoud al- Zubairi In 1956.

Appendix²¹⁰ chapter five

The letter documented in the book «Nakxat al-Thowra' setback of revolution» of the Abdul- almalak al-Tayyib. The letter was addressed to Abdullah al-Sallal President of the Republic from Muhammad M. al- Zubayri.

- الشهيد الزبيري مخاطبا رئيس الجمهورية السلال
- انتهكتم حرمة الميزانية العامة للدولة وخرجتم على قواعد النظام القديم والحديث وخلقتم الفوضى والارتباك في -1 الشئون المالية بسبب التصرفات والتحويلات المالية بأموال الشعب طبقا لرغباتكم الشخصية حتى كأن أموال الشعب إنما هي أموالكم الخاصة ورتتموها من الآباء والأجداد على أن الوارث المسرف السيئ التصرف بماله يحجره الحاكم الشرعي ويمنعه من التصرف بماله الخاص وقد كان الإمام الطاغية يتستر بمثل هذه التصرفات ويحرص على المال العام ويصونه ولكن الشعب لم يكن راضيا عنه وكان يلومه ويلعنه لأنه احتفظ لنفسه بحق السيطرة على أموال الدولة. والآن أفلسست الجمهورية وتعطلت خزائنها وأنتم المسؤولون لأنكم أنفقتم أموال الدولة بقصد الحصول على تأييد شعبي لشخصكم ومنصبكم وشراء الذمم والضمان لتبقى رئاسة الجمهورية حقا أبديا في (آل السلال) وقد كان من الممكن أن تبقى لكم أعواما طويلا لو أنكم لم تطلبوها بمثل هذه الوسائل.
- ومثل الإسراف بالأموال كان الإسراف بالأرواح والدماء والأعراض فألبير الرهيبة ترمى فيها الضحايا أحياء -2 والإعدام الجزافي بلا محاكمات والغدر بمن عاهدتموه أو عفوتم عنه واختطاف المواطنين من الشوارع ومهاجمة الأمنيين في بيوتهم وقتل الناس بالسهم بعد العفو عنهم وإعطاء اليهود لهم والزج بالمواطنين في السجون بصورة فوضوية وبغير عدل ولا حق ولا محاكمة وإطلاق السجناء كذلك بغير تدبر ولا تعقل وبصفة شخصية حتى كأن المواطنين ثروة أخرى تملكونها شخصيا كما تملكون خزنة الدولة.
- فالقتل والعفو عن القتل والسجن والإطلاق من السجن مثل التحويلات المالية حق شخصي لكم. -3 وأشد من ذلك كله وأنكي إعلان الحرب على القوى الأمنية نساء وأطفالا وكبارا وصغارا قبل البحث عن حالتهم وحقيقة أمرهم واستخدام التفاهم أولا قبل استخدام القوة فإن كثيرا من الحروب الطاحنة كان التفاهم يغني عنها، وكثيرا من القبائل تمردت برغم أنفها ورغم إخلاصها للجمهورية وذلك لأنها تعرضت للاستفزاز والهوان وسوء المعاملة حتى فضلت الموت بعد يأسها.
- ولو أنكم جعلتم الأمر إلى من يثق الشعب بوجههم من مشايخ القبائل والعلماء والوجهاء وتركتم تدبير التفاهم إليهم وجعلتموهم واسطة التفاهم كما يقضي بذلك دستور مجلس الشيوخ الأعلى لما احتاجت الجمهورية إلى استخدام الحرب إلا في النادر القليل.
- ولكنكم جعلتم الحق كله لكم ووزعتم المسؤوليات على من تريدون من الأفراد ثم ضاع الأمر كله من أيديكم وأيدينا جميعا وأصبحنا ونحن في بلادنا لا نعرف من يعلن الحرب ومن يعلن السلم؟! -4 شجعتهم المفسدين وأكرمتهموهم ورفعتموهم فوق رؤوس المكافحين المجهريين فأطلمتم في عمر التمرد وقويتهم المتمردين وأضعفتم عزيمة المجاهدين من المشايخ الأحرار.
- رفضتم تكوين جيش دائم من القبائل المجهرة يردع المتمردين ويمنع الحرب قبل وقوعها وذلك لأنكم لا تثقون -5

²¹⁰ - The letter documented in the book «Nakxat al-Thowra' setback of revolution» of the Abdul- almalak al-Tayyib. The letter was addressed to Abdullah al-Sallal President of the Republic from Muhammad M. al- Zubayri.

- بالشعب ورجاله ولا تريدون تكوين جيش شعبي من الأحرار القبائل خوفا على منصبكم، وبذلك أضعفتكم الجمهورية وعرضتموها للحروب والخراب الرهيب وسفك الدماء الغزيرة ولو كان للجمهورية جيش من أحرار القبائل لما أقدمت القبائل الأخرى على التمرد.
- لم تقبلوا مصالح الشعب ولا نصائح المخلصين لا في مؤتمر عمران ولا في غير مؤتمر عمران وكنا ننتظر وأنتم -6- من الثوار ومن الشعب أن تستجيبوا لإرادة الشعب لاسيما وأن هذه الإرادة ظهرت في شكل منظم سلمي واتفق عليها الشعب كله فرفضتم هذه الإرادة منفردين ووقفتم ضد حق الملايين وضد كل إصلاح حقيقي للجهاز الحكومي.
- خلقتم الارتباك والاضطراب في الجهاز الحكومي وذلك بالتناقص في الأوامر ذلك لأنكم تريدون أن يكون كل -7- شيء مسيرا بجرة قلمكم وأن تكونوا الكل في الكل.
- أخلفتم الوعود حتى ضعفت ثقة الناس بوجه الجمهورية والأمثال كثيرة ونضرب لذلك مثلا واحدا هو وعودكم -8- بالموافقة على إجابة مطالب عمران وتحريركم الأوامر بتولية النواب ثم تحريركم الأوامر أن لا يقبلوا أوامرهم.
- جعلتم التولية والعزل حقا شخصيا لكم ترفعون من تشاءون وتخفضون من تشاءون وذلك حتى تكسبوا تأييدا -9- شخصيا لكم وكان ينبغي أن يكون التوظيف والعزل على قدر الاستحقاق ولن يكون ذلك إلا بوضع القوانين والالتزام بها مع مشاورة أهل الرأي.
- الإذاعة لسان الثورة وملك الدولة ولكنكم جعلتموها ملكا شخصيا لكم ولهدف الدعاية الشخصية ثم لم تأمنوا على -10- أحد من أبناء الشعب إلا على ولدكم يتصرف كأنه سيف من سيوف الإسلام ويسخر أموال الدولة وإذاعة الدولة لمدح والده وهذا لا يليق برئيس جمهورية تائر.
- منحكم الشعب هذا المنصب العظيم والشرف الكبير والأمانة العظمى بناء على أنكم من الثوار الأحرار وإنكم ضد -11- الفردية والاستبداد فكان المنتظر منكم أن تكتفوا بالرئاسة الرمزية وأن تبتعدوا عن الاحتكاك بالمشاكل وتتركوا الشعب يختار له على الأقل رئيسا للوزراء يتحمل المسؤولية وأنتم مصنونون على النقد ولكنكم أخذتم الرئاسة والسيادة كلها ثم تدخلتم في كل صغيرة وكبيرة ودخلتم في خصومات شخصية ونفيتم من البلاد رجلا صالحين وسجنتم آخرين وسرتم في الطريق لإمامي حتى كأن النظام الجمهوري لم يغير إلا الملابس والألفاظ.
- أبحتم لأنفسكم حق التهديد والوعيد لكل من تكرر هونه بصفة شخصية وتوعدتم الشعب في كثير من خطبكم وقتلتم -12- إنكم ستملئون الميادين بالرؤوس وهذا هو أسلوب الإمام أحمد.
- استخدمتم وسيلة التفرقة بين المواطنين وأثرتم فتنة الفرقة الشافعية والزيدية بشكل صريح واضح وهذا ما لم -13- يجرؤ الإمام أحمد أن يفعله ولم تكتفوا بذلك بل أخذتم تنثيرون الخصومات بين كل الفئات بين المدنيين والعسكريين والقبائل وكلما اجتمعتم بفئة لعنتم أختها حتى انكشف الأمر للجميع في مدة قصيرة.
- أهنتم شرف الشعب بتذللکم لأصغر المسؤولين المصريين وتنازلتم عن حقوق الدولة لهم وشجعتهم على حكم -1- المناطق والسيطرة عليها دون أن تشاوروا أحدا.
- سلمتم إليهم التسلسل على الوزارات والتحكم في اقتصاديات البلاد حتى ركعت الجمهورية عاجزة ذليلة. -2-
- تركتهم لهم الاتصال بالقبائل وصرف الأموال بلا حساب ولا دراية أو حكمة. -3-
- تركتهم لهم التصرف بكل شئون الحرب دون مشاركة اليمنيين فوقعوا في الأخطاء لجهلهم بالبلاد وبذلك صار -4- المتمردون يعتقدون أن اليمن لم تعد لأهلها بل وصار العالم كله يعرف أن اليمنيين لا وجود لهم وأن الجمهورية ليست إلا شخصا اسمه السلال وحفنة من الرجال معه يعيشون جميعا في حماية الدبابات العربية

Appendixs

Appendix²¹¹ Chapter Ten

Yemen's draft constitution that was finalized on 15 January 2015 by the Constitutional Drafting Committee. The draft includes ten Chapters that contain 446 Articles.

The importance of the draft constitution of Yemen, which was issued by the Drafting Committee in the National Dialogue Conference in 15/1/2015, this research will mention, some of the provisions of the Constitution with regard to state-building.

Mentions in Chapter I: General Foundations

Section I: Political Foundations

Article (1) The Federal Republic of Yemen is a federal State, civil, democratic, Arab Islamic, independent and a sovereign country; based on the will of the people, equal citizenship and the rule of law. It is one indivisible country and no part thereof may be ceded. Yemen is part and parcel of the Arab and Islamic nations.

Article (4) Islamic Sharia is the source of legislation. Interpretation of the codification of Sharia provisions shall be assigned exclusively to the Legislative Authority.

Article (5) Power belongs to the people and the people are the source of power. The people shall exercise power directly through referenda and general elections, or indirectly through the legislative, executive and judicial institutions.

Article (6) The people are free to determine their own political stature and free to peacefully pursue the attainment of economic, social and cultural development through institutions of governance at every level, in accordance with the provisions of this Constitution and international conventions ratified by Yemen.

Article (8) The political system shall be based on: 1. Separation of powers, political pluralism and the peaceful transfer of power. It shall be prohibited, under any circumstances, to change the political system or to endeavor to achieve political, economic, social or cultural aims through violence, by force or by military coups. 2.

²¹¹ - This is an unofficial translation of Yemen's draft constitution that was finalized on 15 January 2015 by the Constitutional Drafting Committee. This unofficial translation was carried out by the United Nations and reviewed by International IDEA (www.idea.int).

Ensuring political participation as required by representative, participatory and deliberative democracy.

Article (11) The State undertakes to combat terrorism of all forms as a national policy.

Article (13)

1. Political parties and organizations are the mainstay of democracy and contribute to the embodiment of the political will of the people. 2. The freedom to establish political parties and organizations shall be guaranteed according to the law and they may be established by mere notification. It is impermissible to intervene in their affairs; nor to stop their activities or dissolution thereof unless by a final court ruling.

3. In their internal regulations, political parties and organizations shall adhere to the principles of democracy and good governance, and shall provide public financial statements on sources of funding, assets and methods of management thereof.

4. Parties shall take care to ensure the representation of women and youth in their leadership bodies. 5. It is prohibited to establish political parties and organizations on the basis of racial, sectarian or doctrinal grounds. It is also prohibited to: a. Prejudice the Republican and Democratic System. b. Receive foreign funding. c. Exploit religion for political ends.

Article (14) No party, group or individual may establish military or para-military formations, squads or organizations. Any breach therefore is considered an act of aggression against the safety, security and unity of the Republic and shall be punished according to the law.

Mentions in Section II: Economic Foundations

Article (15) The national economy is a free social economy, the ultimate goal of which is to achieve economic and social development, increase production and promote social welfare. It shall be based on the following foundations: 1. Freedom of economic activity. 2. Social justice. 3. Diversity of private, public, mixed and cooperative economic sectors as well as freedom of competition between the sectors. 4. Strengthening of public-private partnerships to achieve economic and social development. 5. Transparency and good governance in the performance of all economic sectors.

Mentions in Section III: Social and Cultural Foundations

Article (43) The State shall ensure healthcare of high quality to all citizens without discrimination, by building adequate infrastructure and providing training and care to medical professionals, allocation of a specific percentage from the general budget to the health sector, encourage the contributions of private sector and civil society organizations in this field and the creation of a comprehensive health insurance system.

Article (44) Education is the foundation of progress and advancement of society. It shall aim at building a sound personality of an individual, religiously, psychologically and emotionally, and develop talents and scientific competences of the individual, and promote a scientific approach to thinking, criticism and analysis. It shall also seek to instill values of virtue, tolerance, good citizenship and respect for the principles of human rights to ensure integrated and comprehensive development of the individual's personality, respond to labor market needs and the building and development of modern sciences.

Article (45) Education is compulsory in its basic and secondary stages and free of charge in all State educational institutions. The State shall be committed to provide the necessary basic infrastructure, and to the development of the professional and scientific skills of teachers, and to ensure their material and intellectual rights.

Article (46) The State shall ensure the provision of university education in line with global quality standards.

Article (47) The State shall ensure the financial and administrative autonomy of the universities, apply good governance therein, build capacities of the faculty staff; develop their competences and support their material and intellectual rights.

Article (56) The State shall endeavor to promote the values of brotherhood, tolerance and coexistence, and the renouncement of the culture of hatred and glorification of war, doctrinal, sectarian and regional incitement, and shall criminalize the act of accusing Muslims of not being members of the Islamic faith, whether they are individuals or groups. Libel of Islam and all divinely revealed religions and insulting prophets shall be considered a criminal offense.

Mentions in Chapter II: Rights and Freedoms

Article (72) The right to dignity is a right of each human being, and shall not be prejudiced or derogated. The State shall be committed to ensuring respect and protection of such rights.

Article (73) Everyone has the right to life; and the law shall protect this right.

Article (74) The people are equal before the law.

Article (75) Citizens shall have equal rights, freedoms and public duties without discrimination due to sex, skin colour, race, origin, religion, sect, belief, opinion, economic or social status, disability, political or geographical affiliation, occupation, birth, or any other considerations.

Article (79) Personal freedom is guaranteed for everyone, in accordance with the provisions of the Constitution and the law.

Article (82)

1. Everyone has a right to freedom of belief, conscience, thought and opinion in a manner that does not contravene the Constitution. Imposing any opinion, thought or belief on anyone by force shall be criminalized. 2. Practicing religious rituals shall be a guaranteed right for every individual.

Article (83) The right to express political opinions and choices, through public assemblies and marches, demonstrations, strikes, pickets and all forms of peaceful protests, free of weapons; and only by prior notification, provided that no damages is caused to public or private property and the rights of others is guaranteed for all. Obstruction of these rights or derogation thereof in any form shall be prohibited.

Article (84) Freedom of expression, freedom to access information or ideas and freedom of literary, artistic and cultural creativity, freedom of scientific research and freedom to criticize the performance of State institutions shall be guaranteed for every person.

Article (87) All citizens, whether male or female, have the right to active participation in political life, stand for public office and to vote in all elections and referenda.

Article (90) A person's private life is inviolable and has sanctity, and privacy is guaranteed. No monitoring or access to postal and e-mail correspondence, wire-tapping of telephone conversations and other means of communication, except by a causal judicial warrant, for a specific period of time and in cases prescribed by law.

Article (92) No person shall be arrested, detained, searched or have their freedom restricted unless in cases of flagrante delicto or by a causal judicial order required by an investigation in accordance with the law. The person shall be immediately informed of the reason for the restriction of their freedom, be shown the judicial order and allowed to contact relatives or a lawyer and must be informed of his or her right to remain silent and not to make any statements or confessions that may be used as evidence against them. No questioning of the person shall commence unless in the presence of a lawyer. If the person does not have a lawyer, one shall be appointed. The person shall be treated with respect in a manner that protects their dignity during arrest and during restriction of their freedom. The person may not be detained unless in places specifically designated for this purpose, which shall be decent and appropriate for human dignity and not harmful to a person's health.

Mentions in Chapter III: Federal Authorities

Section I: Legislative Authority

First: House of Representatives

Article (138) The House of Representatives shall consist of 260 members to be elected through a general, free, secret, direct and equal vote under the closed proportional list system.

Article (139) After the first legislative cycle, the south (the regions of Aden and Hadhramout) shall be represented in the Federal House of Representatives based on the land and population formula at a share of 40%. This share may be reviewed, under the land and population formula, after two subsequent electoral cycles by a law to be passed with the approval of two thirds of the representatives of the south in the Federal Council.

Article (140) The House of Representatives shall assume the following functions:

1. Proposal and discussion of federal Bills and initial adoption of such Bills.
2. Discussion and adoption of the federal public budget.
3. Discussion and adoption of closing accounts of the State.
4. Proposal of constitutional amendments.
5. Approval of borrowing.
6. Approval of international agreements and treaties.
7. Oversight over the performance of the federal executive authority and independent institutions as set forth in the Constitution.
8. Any other functions pursuant to the provisions of this Constitution or a federal law.

Article (141) The Federal Council shall consist of 84 members; 12 from each region, 6 members representing the city of Sana'a and 6 members representing the city of Aden. The members are to be elected through general, free, secret, direct and equal vote under the proportional list system in each of the regions.

Article (142) The Federal Council shall assume the following functions: 1. Discussion and approval of Bills adopted by the House of Representatives. 2. Confirmation of appointments of senior civilian and military leadership, including: Ministers, the Governor of the Central Bank, the Public Prosecutor, heads and members of independent institutions, the chief of staff, deputies and aids, head of the General Intelligence Service, commanders of military branches, ambassadors of Yemen to other nations and delegates to international and regional organizations. 3. Suggests constitutional amendments. 4. Approval of the size of the armed forces. 5. Any other functions pursuant to the provisions of this Constitution or a federal law.

Article (143) Decisions in the Federal Council shall be taken by majority, unless two thirds of the representatives of the South (the regions of Aden and Hadhramout) oppose the decisions concerning the following vital interests of the south: 1. Modification of electoral constituencies in the elections law. 2. The Natural Resources Revenue Division Act, including oil and gas. 3. The shape of the federal State. 4. Mechanism for delineating the boundaries of regions in the Local Authority Law. 5. The special status of the city of Aden. 6. Constitutional amendments relevant to the representation of the South.

Article (144) The National Assembly shall be composed of the joint session of the House of Representatives and the Federal Council.

Article (145) The National Assembly shall have the following functions: 1. Approval of declarations of war, conciliation and declaring a state of emergency according to the law. 2. Approval of the sending of armed forces abroad. 3. Any other functions pursuant to the provisions of this Constitution or a federal law.

Article (146) The speaker of the House of Representatives shall preside over National Assembly sessions with the assistance of the speaker of the Federal Council who will sit for him when absent. The National Assembly shall convene on invitation by the Speaker's Office of either the House of Representatives or the Federal Council, or both,

or by the President of the Republic. The National Assembly shall develop its own internal procedures to manage its affairs.

Mentions in Second: The Executive Authority

Article (179) The President is the head of the State, and the symbol of its unity. Executive powers shall be vested in the President on behalf of the people to exercise it with assistance of the Vice President and ministers. The President of the Republic shall maintain the interests of the people and shall preserve the independence of the country, its territorial unity and integrity. The President shall comply with the provisions of the Constitution and the laws, and shall exercise the mandate and competences as stipulated in the Constitution.

Article (180) The President and Vice President shall be elected together in a single ticket, provided that they must not be from the same region.

Article (181) The President of the Republic shall be elected for a period of five calendar years starting from the date of the swearing of the Constitutional Oath, in general, direct, secret and competitive elections, and may only be re-elected one time.

Article (182) Every citizen has the right to run for the offices of President or the Vice President, and candidates shall be required to meet the following qualifications:

1. Shall be Yemeni, Muslim, born to Yemeni parents, and must not be, nor may their spouse be, a holder of foreign citizenship.
2. Enjoys full political rights.
3. Must not be less than thirty five years old at the time of candidature for the Office.
4. Must not have assumed the Office of the President for two presidential terms.
5. Must not be associated with any military, security or intelligence institution, unless he or she has quit the position in any of these institutions at least ten years prior to running for the Office.
6. Must be of good conduct, maintains religious rites, and should not have been sentenced, in a final judgment in crimes involving moral turpitude, fidelity or corruption, or for any other grave crime or violation of human rights or International Humanitarian Law. The person selected by the President to be the Vice President shall meet the same qualification requirements.

Article (183) The candidate for the Office of the President of the Republic must be endorsed by 5% of the members of the House of Representatives or the Federal Council, or by signatures of six thousand voters from a majority of regions, with a minimum of

500 voters from each region. Members of the legislature or citizens may not endorse more than one candidate.

Article (184) The candidates shall submit applications for candidature to the National Elections and Referendum Authority. The Federal Elections Law shall specify the procedures for candidature and elections.

Article (185) A person who obtains more than half of the valid votes of voters who participated in the voting shall be deemed the winner and the President of the Republic.

Article (186) If no candidate obtains more than half of the total number of votes in the first round, a second round shall be conducted within twenty days between the two candidates who obtained the highest number of votes. The candidate who obtains a majority of valid votes of the electorate shall be deemed the winner and the President of the Republic. In the event of the death of one of the candidates in the first round; or one of the two candidates who won the highest number of votes in the runoff, another round of nominations shall be announced and dates of elections shall be rescheduled within a period of no more than forty days.

Article (193) The President of the Republic may not occupy any partisan office or exercise partisan tasks and activities during tenure.

Third: The Judiciary

General principles

Article (206) The Judicial Authority is independent. It shall assume the administration of justice; guarantee the supremacy of the Constitution, the application of the law and the protection of rights and freedoms.

Article (207) Interference in the affairs of the judiciary is a crime punishable by law and a lawsuit thereon is not subject to the statute of limitations.

Article (213) Judges are independent and are not subject to any authority other than the law in issuing their judgments.

The Supreme Federal Judicial Council

Article (218) The Judiciary Authority shall have a supreme council to manage its affairs and embodies its autonomy.

Article (221) Membership in the Council is for a term of four years renewable for a second term only.

Section II: Authorities of the Regions

First: Legislative Authority

Article (230) The Regional Parliament is the legislative authority in the region and shall be composed of no more than 80 members to be elected by general, secret, free, direct and equal vote under a proportional list system at the regional level, in a manner that ensures fair representation of the wilayas.

Article (232) The term of the regional Parliament shall be four calendar years commencing from the first session convened by the Parliament. Invitation to elect a new Parliament shall be made at least sixty days before the expiration of the term of the current Parliament.

Second: Executive Authority

Article (239) The executive authority in the region is made up of the Governor of the region and the Government.

Article (240) The Governor of the region shall preside over the Government of the region and shall be elected by a majority of two thirds of the House of Representatives of the region. If the House of Representatives fails to elect the Governor within sixty days from the convening of the first session, the House of Representatives shall be considered dissolved and a call for new parliamentary elections shall be made.

Article (241) The Governor of the region is the top executive official in the region and shall assume the implementation of the Constitution, the laws and public policy within the scope of the region.

Article (241) The Governor of the region is the top executive official in the region and shall assume the implementation of the Constitution, the laws and public policy within the scope of the region.

Article (242) The Governor-elect of the region shall present a list of nominees for the Government of the region to the House of Representatives to obtain confidence by a majority of the House.

Article (243) The Governor of the region shall perform the Constitutional Oath within a week from the election date before the region's House of Representatives. Members of

the Government shall perform the Constitutional Oath before the House within a week from the date they are granted confidence.

Article (244) The Governor of the region shall exercise the following functions: 1. Appointment of senior regional government civilian and police staff. 2. Enactment of laws, decrees and regulations. 3. Concluding agreements and ratification of cooperation and investment agreements approved by the House of Representatives. 4. Any other competence provided in the Constitution and the law.

Article (245) The Government of the region shall exercise the following competences: 1. Formulation and implementation of the region's public policies. 2. Propose draft laws and regulations. 3. Presentation of the socio-economic development plan to the region's House of Representatives. 4. Presentation of the regional draft Public Budget for the next fiscal year to the region's House of Representatives. 5. Presentation of the annual Closing Accounts for the previous year to the region's House of Representatives. 6. Any other competence prescribed in the Constitution or the Law.

Article (246) The Government of the region shall be collectively and individually accountable before the House of Representatives. Each member of the House of Representatives may request the questioning of a minister in the region on issues that fall under their powers. The questioning shall take place seven days after the submission of the request.

Article (247) Confidence may be withdrawn from a member of the Government or the entire Government by a majority of the House of Representatives. In cases where confidence in the Government has been withdrawn, the Governor of the region shall form a new Government and seek the confidence of the House.

Article (248) The House of Representative in the region may withdraw confidence from the Governor by a two-thirds majority. The decision to withdraw confidence must include the election of a new Governor for the region.

Article (249) The regional Constitution shall determine the perpetual mechanism for the selection of the regional Governor after the first electoral cycle.

Section III: Powers of the Wilaya and District

First: Power of the Wilaya

Article (250) The Wilaya enjoys a legal personality and financial and administrative independence, and shall have legislative and executive authorities within the scope of its competence.

Article (251) The Wilaya Council shall consist of representatives of the districts councils in the wilaya at a minimum of one representative for each district.

Article (252) The Wilaya's Council shall elect a President and a Deputy from amongst its members in the first session it convenes.

Article (253) The Wilaya's Council is the legislative authority of the Wilaya in the sphere of its competences set forth in the Constitution. The Council shall exercise control, hold to account and oversee the performance of the Executive Council of the Wilaya. It shall have the power to raise taxes in accordance with the law and service charges for services provided by the Wilaya and fines relevant thereof and all other resources within the limits of its constitutional powers. It shall have the right to mandate the district councils on any of its competences and the law shall determine other competences of the Council.

development of the draft socio-economic development plan, draft budget, closing accounts, coordination of performance of executive organs, oversight over activities of the Wilaya and necessary actions to deal with natural disasters. The law shall determine other competences of the Council.

Article (257) The Wali and members of the Executive Council shall be responsible to and accountable to the Wilaya's Council.

Second: the Districts

Article (258) The Wilaya shall be divided into local administrative units called districts enjoying a legal personality and financial and administrative autonomy.

Article (259) Districts shall have elected councils, chosen by universal suffrage in direct, free and secret vote under a proportional list system. The district shall assume the legislation of bylaws and shall exercise control over the performance of executive agencies within its jurisdiction.

Article (260) Each district shall have a Director elected in a secret vote by district councils. The law regulates candidature and election procedures. The District Director shall be accountable to the District Council.

Article (261) Each district shall have an Executive Council composed of the District's Director as chairman, and membership of the executive organs in the district. The law shall define the competences of the Council.

Article (262) A regional law shall define the exclusive powers of the districts within the competences mandated to the Wilaya and localities in this Constitution in a manner that ensures efficient and effective service delivery by the level closest to the people.

Article (263) A federal law shall determine the standards by which the cities shall have a legal personality and financial and administrative independence. A regional law shall determine their exclusive powers within the scope of the powers assigned to wilayas and localities in this Constitution.

Section IV: The Cities of Sana'a and Aden

First: The City of Sana'a

Article (264) The city of Sana'a is the capital of the Federal Republic of Yemen and is a Federal city not subject to the authority of any of the regions. It shall embody national unity and cultural diversity. It shall have a special status to guarantee its autonomy and neutrality in a manner that ensures that federal organs and institutions are functioning efficiently and effectively.

Article (266) The city of Sana'a shall have legislative and executive powers performing the competences entrusted to the regions, wilayas and districts as prescribed in this Constitution.

Article (267) A federal law shall define provisions of public safety and security of the city of Sana'a, in consultation with the City Council.

Article (268)

1. Legislative powers of the city of Sana'a shall be vested in the City Council elected through universal suffrage, secret, free and direct vote, according to the proportional list system. 2. The term of the council shall be four years and the number of its members shall not exceed 40 and shall be regulated by law. 3. A candidate for membership of the Council shall, in addition to requirements for the membership of the Federal House of Representatives, be a registered voter in the city, have maintained a permanent domicile in the city or have been a resident for at least three years.

Article (269) The executive authority in the city of Sana'a consists of a Mayor, and the Executive Council of the city.

Article (270) The Mayor of the city shall be elected through a general, free and direct vote for a period of four years. The Mayor may be re-elected only for a second term. The law shall regulate the terms of candidature and termination of the term in office.

Article (271) The Mayor shall appoint members of the Executive Council from amongst persons of competence and integrity after the approval of the city council.

Article (272) A federal law shall define the geographical scope of the city of Sana'a to ensure accommodation of federal institutions and population growth.

Second: The City of Aden

Article (273) The City of Aden has a special economic and administrative status within the region of Aden. It shall enjoy autonomous legislative and executive authorities.

Article (274) The city of Aden shall have the same powers and responsibilities entrusted to the regions and the wilayas in this Constitution, including the powers to enact legislations relevant to the special economic and financial system and the ratification of economic and trade agreements. A federal or regional law may grant the city additional powers.

Article (275)

1. The legislative authority in the city of Aden shall be entrusted to the City Council elected by universal suffrage, secret and free vote according to the proportional list system. 2. The term of the Council is four years. The Council shall be composed of no more than 40 members and regulated by the law. 3. A person wishing to run for membership of the Council shall, in addition to conditions prescribed for members of the Federal Parliament, be a registered voter in the City's voters register, have a permanent domicile in the city or have been a resident for at least three years.

Article (276) The executive authority in the city of Aden shall consist of a Governor and the Executive Council of the city.

Article (277) The Governor of the city shall be elected through general, direct and free vote for a four year term. The Governor may be re-elected for a second term only. The Law shall regulate terms and conditions for candidature and termination of tenure.

Article (278) The Governor shall appoint members of the Executive Council from among qualified persons with integrity after approval of the city council.

Article (279) The Federal Government shall be committed to support and promote the special economic status of the city of Aden by including it in the national economic policy priorities, support for special investment and tax and customs systems for the city and development of its infrastructure.

Article (280) Specialized courts shall be established in the city of Aden to adjudicate on economic, financial and investment disputes.

Article (281) A regional law shall establish the borders of the city of Aden to be enacted in agreement with the Legislative Council of the city.

Section V: Independent Institutions and Specialized Councils

General Provisions

Article (282)

1. Independent institutions and specialized councils shall embody the will of the entire society in the affairs they administer, enjoy a legal personality, financial and administrative autonomy, independent budgets, exercise their competence and perform their functions in accordance with the principles of good governance, and shall only be subject to the Constitution and the Law. 2. It is impermissible to combine membership of independent institutions with any other office. 3. The duration of membership in an independent institution shall be one nonrenewable term. A midterm renewal system shall be adopted and the stability of representation in accordance with standards shall be ensured. 4. Membership shall be conditional on compliance with the standards of specialization, competence, integrity and experience. 5. It is not permitted to remove members of independent institutions unless by approval of the Federal Council in accordance with the Law.

Article (283) Independent bodies shall be composed of an appropriate number of members from the various regions, provided that they meet eligibility criteria regarding specialization, competence, integrity and experience. Members are selected by the Federal Council by a majority of at least two third of the members. Due consideration shall be given to the representation of women in the composition of these bodies and the law shall regulate election and appointment procedures thereof.

Elections and Referendum Authority

Article (289) The Independent Elections and Referendum Authority is a national body specializing in the administration and organization of referenda and general elections in the Republic. It shall call for elections and referenda on appointed deadlines and shall oversee and monitor the elections and announce the results thereof. It shall have the competence of receiving notifications for the establishment of political parties and the results of the elections of bodies thereof. It shall have branches in the regions and the wilayas and a general secretariat to function under its supervision. The staff of the secretariat shall be selected on the basis of precise eligibility criteria regarding competence, integrity, independence and impartiality as well as proportional representation of the regions.

Anti-Corruption Authority

Article (292) The Anti-corruption Authority is an independent national body that works to combat corruption and abuse of power and to promote the values of transparency, integrity and good governance. The law shall define its composition, authorities and powers, terms and conditions for membership, and the rights and obligations of its members. It may establish branches in the regions.

Human Rights Commission
Article (293) The Human Rights Commission is an independent national institution with a focus on the protection of public rights and freedoms through the following: 1.

Monitoring the extent to which human rights, established in the Constitution, laws, treaties and conventions ratified by the State are respected in public and private institutions of the State. 2. Monitoring all violations of human rights and freedoms, accepts complaints from individuals, groups and organizations, investigation thereof and referral to the competent authorities and the judiciary. 3. The provision of legal and judicial assistance to anyone whose rights have been violated. 4. Promotion and dissemination of a culture of human rights within society, and responsible organs and institutions of the State, in particular: the police organization, the prisons administration and public services departments in all institutions. 5. Any other competences and powers stipulated in the law. The Commission may establish branches in the regions.

The Audits and Control Authority

Article (294) The Audits and Control Authority is an independent national institution specializing in the following: 1. Audits of accounts, financial statements and financial management of all institutions, organizations and organs of the State at the various levels of government and presents reports on such audits. 2. Realization of effective control over public funds and ensures good management in terms of efficiency and effectiveness. 3. Contribution to the development of performance of organs and institutions subject to its control, particularly in financial and administrative spheres. 4. Any other function prescribed by law.

Chapter IV: The Constitutional Court

Article (327) The Federal Constitutional Court is a judicial body, financially and administratively independent, and shall assume the following competences: 1. Monitoring the constitutionality of laws, regulations and resolutions. 2. Adjudication of conflicts of jurisdiction between judicial bodies. 3. Adjudication of cases of conflict arising from the issuance of two final contradictory judgments by the ordinary judiciary and administrative judiciary. 4. Interpretation of the Constitution, laws and regulations. 5. Adjudication on conflicts over jurisdiction between the various levels of Government. 6. Examining the constitutionality of draft laws relevant to elections and the fundamental rights and freedoms of citizens before and after enactment. 7. Presentation of draft laws relevant to the affairs of the Constitutional Court to the legislature. 8. Monitoring the constitutionality of procedures followed in amending the Constitution. 9. Ensuring the consistency of regional constitutions with the Federal Constitution. 10. Any other competence under the provisions of this Constitution or a federal law.

Article (328) The law shall define the procedures and conditions for raising direct claims (lawsuits) by individuals and bodies, defences, referral, challenges and procedures to be followed before the court.

Article (329)

1. The Constitutional Court shall be composed of fourteen members, consisting of senior judges, lawyers and law professors in universities, who are highly qualified and persons with integrity and experience representing the various regions and taking into account the representation of women. 2. The President of the Republic shall nominate half of the members and the Supreme Judicial Council, universities and the Bar Association shall

nominate the remaining half. The law shall determine the selection mechanism for the list of nominees for each group. 3. The President of the Republic shall issue a decree appointing judges to the Court following confirmation of the Federal Council by three-fifths of the members.

Article (330) Membership in the Court shall be for a ten-year non-renewable term.

Article (331) Half of the members shall be replaced mid-term and shall be succeeded by new members for a ten-year term and by the same previous appointment modality.

Article (332) Rulings and decisions of the Constitutional Court are binding for everyone and on all State authorities, have force of res judicata and shall be published in the Official Gazette. The law regulates the consequent implications of the judgments regarding the unconstitutionality of any piece of legislation.

Chapter VI: Public Administration

Article (349) Public administration at all State institutions and at every level of governance shall adhere to democratic values and the principles of good governance, including: 1. Standards of quality, transparency, accountability and responsibility. 2. Standards of professionalism, integrity, honesty and good conduct. 3. Engagement of citizens in the process of policy and decision making, through transparency, consultations and regular reporting. 4. Equality among citizens, both women and men, in access to public sector jobs to ensure the accommodation of the different groups and constituencies of society. 5. Hiring and promotion through clear, substantive and impartial procedures and standards; and the creation of equal opportunities and fair competition. 6. Efficient, effective and economic use of public resources. 7. Good management of human resources and professional development. 8. Provision of services to the citizens in an ongoing, effective, fast and equitable manner, which is responsive to their needs. 9. No citizen shall be deprived of the right to assume a job in the public sector because of ideological, partisan, doctrinal or regional affiliation.

Article (350) In order to promote the efficiency of public administration, commitment to the following principles shall be considered mandatory: 1. Neutrality of public offices and the prohibition against using them for partisan and factional objectives or private purposes. 2. The prohibition of double employment in public administration and office. 3. All public institutions at all levels of Government shall be subject to controls, assessment

and accountability. 4. Adoption of a job description system for all public offices of the State and at all levels of governance.

Article (351) A public employee shall adhere to the provisions of the Constitution and the laws in force and the implementation of all decisions and shall perform the work with integrity and protect public and private funds.

Article (353) Senior office holders in the public administration shall present financial disclosures in accordance with the determination of the law.

Article (354) The President of the Republic, the Vice President and holders of senior offices shall be prohibited from engaging in commercial or business activities or any other private profession. Each, either personally themselves or through intermediaries, shall be prohibited from buying or renting any State property, or from any public legal persons, or public or private enterprises, or sell, lease or barter to the State any of of their property. Any such acts shall be deemed null and void.