

Parliamentary Development Initiative in the Arab Region

**Towards Developing the Internal Governance  
of Arab Parliaments**

**Focus Group Meeting**

**INTERNAL CHARACTERISTICS OF THE YEMENI PARLIAMENT**

**&**

**PARLIAMENT GOVERNANCE**

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## INTERNAL CHARACTERISTICS OF THE PARLIAMENT

A well-structured, well-equipped, and highly professional legislature provides effective participation in the policy process. However, as Olson and Norton argue, if a legislature is closely controlled externally, it does not matter how it is organised internally. But if there is some room for independent action, the ability of a legislature to benefit from this to promote its role is affected by its internal characteristics.<sup>1</sup> This paper, therefore, addresses the internal properties of the Yemeni Parliament, which are mainly measured by looking at MPs, parliamentary parties, the chamber, standing committees, and constituency relations.

### 1. The MPs

The Yemeni Parliament's output is the sum total of the action of its members, which stems from their background and environment. The MPs are motivated or constrained by different factors, *inter alia* their perceptions of their roles, their aspirations, and their careers.

#### 1.1 MPs' Social Background

A universal generalisation is that microcosm and macrocosm are never identical; the Parliament never mirrors the population at large. All research into the composition of Parliaments shows a discrepancy with the population that elects them.<sup>2</sup>

The backgrounds of Yemeni parliamentarians reveal over-representation of some social groups and under-representation of others; this is the outcome of the electoral system, the political culture, and the pattern of recruitment. The following indicators can highlight the distortion in representation.

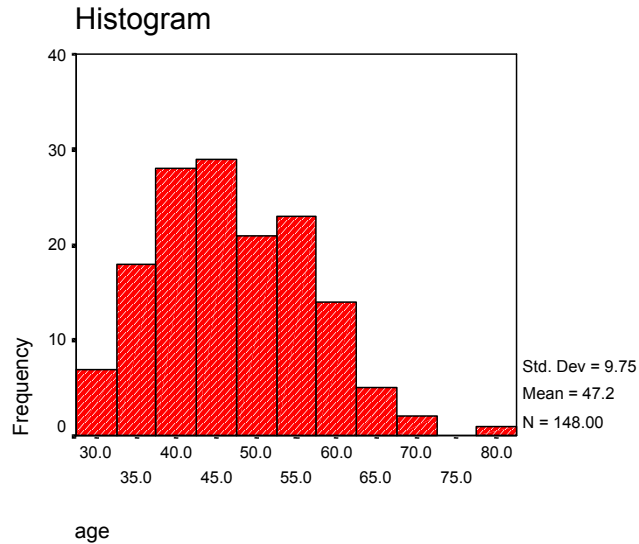
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<sup>1</sup> Olson, David M. and Philip Norton, 'Legislatures in Democratic Transition'. In David Olson and Philip Norton (eds.), 'The New Parliaments of Central and Eastern Europe', *Journal of Legislative Studies*, vol. 1, no. 1, Spring (1996) pp. 1-15, p. 9.

<sup>2</sup> See for example Blondel, J., *Comparative Legislatures*, New Jersey: Prentice-Hall, Inc., 1973, pp. 77-8, and Eliassen, Kjell A. and Mogens N. Pedersen, 'Professionalisation of Legislatures: Long-term Change in Political Recruitment in Denmark and Norway', *Comparative Studies in Society and History*, vol. 20, 1978, pp. 286-318, p. 286.

1. **Age.** On average, as shown in (Figure 1), Yemeni MPs are in their forties. However, 50.28 per cent of Yemen's population is less than 15 years old, 46.18 per cent is between 15 and 64 years old, and 3.54 per cent is more than 65 years old.<sup>3</sup>

Figure 1  
Distribution of MPs According to Age



Despite this, it is universal that MPs are older on average than the citizens they represent. For example, the average age in American and European legislatures is 50 because of the higher average life expectancies.

2. **Sex.** This is where the most extreme distortion in the representative process occurs. Whilst 48.8 per cent of the population are women,<sup>4</sup> only 1.3 per cent of the MPs are women. Again this is a universal feature of Parliaments, but it is exacerbated in Yemen by the strong traditional culture and misinterpretation of religious texts. Education is also a contributing factor. The illiteracy rate among the population is 56.49 per cent and the illiteracy rate of females is higher than that of males, 76.34 per cent and 36.65 per cent, respectively.<sup>5</sup> The demographic distribution of the population also contributes to under-representation of women. Since 76.5 per cent of the population lives in rural areas,<sup>6</sup> and given that in rural areas the educational infrastructure is ill-equipped and archaic and the

<sup>3</sup> The 1994 Census, quoted in Nasser, Abdo M. and Abdoraboh A. Garadah, *The Demographic and Social Characteristics of the Population in Yemen*, a paper presented at Conference on Yemen 'The Challenges of Social, Economic, and Democratic Development', University of Exeter, 1-4 April 1998, p. 1.

<sup>4</sup> Ibid. Loc. Cit.

<sup>5</sup> Ibid., p. 18.

traditional culture is stronger than in urban areas, political participation for women is quite difficult.

3. **Education.** It is a constitutional requirement that Yemeni MPs must be able to read and write.<sup>7</sup> However, the educational level of MPs varies from readers and writers to holders of doctoral degrees. The majority are aggregated in the middle, as illustrated in (Table 1). Those who had attended high school made up 31.5 per cent of Yemeni MPs and those who hold a BA degree accounted for 34.2 per cent. At the two ends of the scale, 15.4 per cent of MPs had no formal schooling and can only read and write, and only 2 per cent hold doctoral degrees.

Table 1

		<b>Educational level</b>		
		<b>Frequency</b>	<b>Percent</b>	<b>Cumulative Percent</b>
<b>Valid</b>	<b>read and write</b>	23	15.4	15.4
	<b>Elementary</b>	11	7.4	22.8
	<b>religious institute</b>	7	4.7	27.5
	<b>high school</b>	47	31.5	59.1
	<b>BA</b>	51	34.2	93.3
	<b>MA</b>	5	3.4	96.6
	<b>Ph.D.</b>	3	2.0	98.7
	<b>missing data</b>	2	1.3	100.0
	<b>Total</b>	149	100.0	

Categorisation of the MPs by political affiliation shows a correlation between educational level and degree of certainty of securing a seat in the Parliament. In the three Parliaments during 1990-99, 66.6 per cent of the independents, 66.6 per cent of the YSP, 65 per cent of the Islah, and 56 per cent of the GPC had no university degree. By contrast, all representatives of the Ba'ath, Nasserites, and al-Haqq parties held university degrees. Apart from the YSP, the first group represents the Islamic and traditional trends and this group is over-represented. The fact that the YSP falls in this category indicates that the selection of candidates within this group is not based on educational level. The common characteristic

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<sup>6</sup> Ibid., p. 4.

for parties of this group is that they had most of the parliamentary seats and shared the governmental and bureaucratic posts.

On the other hand, apart from al-Haqq (the Islamist party), the second group represents progressive and nationalist trends and this group occupies only a tiny portion of the parliamentary seats. Having al-Haqq within this category suggests that the small parties have been doing their best to secure seats in the Parliament. In doing so, among other efforts, they have paid attention to educational level when selecting their candidates. In general, a recruitment process that stresses social roots and kinship ties will inevitably produce a Parliament with a low educational level.

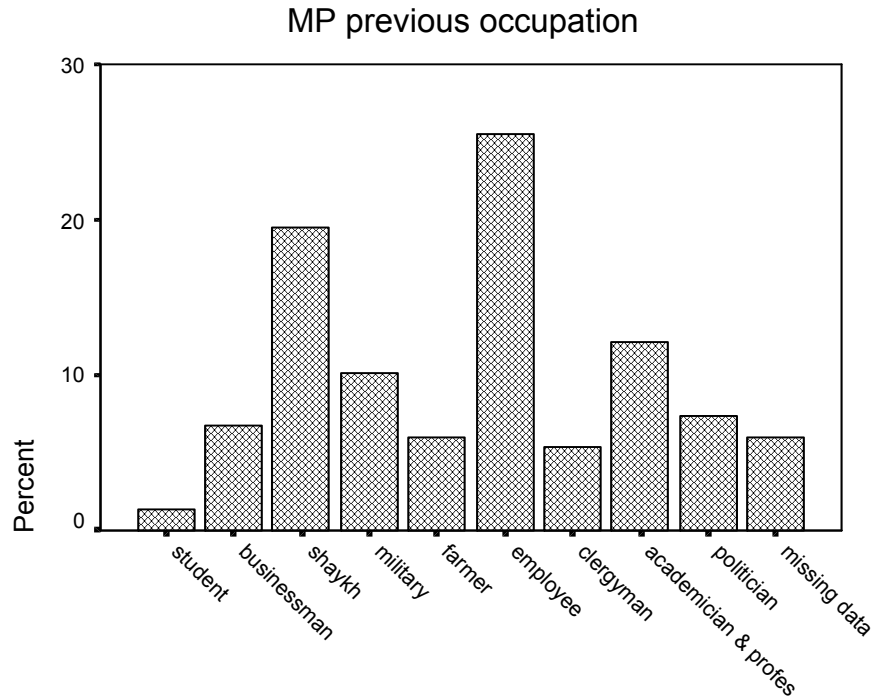
4. **Occupation.**<sup>8</sup> The main three groups are employees 25.5 per cent; *shaykhs* (tribal leaders), 19.5 per cent; and professionals 12.1 per cent (see Figure 2).

Figure 2  
MPs Occupations

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<sup>7</sup> The 1990 Constitution, Article 42 (3), and the 1994 Constitution, Article 63 (2C). Despite this constitutional stipulation, the researcher came across an MP who failed to fill in his copy of the distributed questionnaire because, as the MP simply admitted, he does not read or write.

<sup>8</sup> Businessmen are those who secure large commercial and industrial businesses; military men are those who are still ranking within the military forces but have suspended their status and will resume it after leaving the Parliament; employees include clerks and officials of the state and private sectors; professionals include lawyers, doctors, teachers, lecturers, and accountants; and politicians are full-time politicians. The *Shaykhs*, clergymen, and employees are intersectional groups and some MPs combine more than one occupation, but they were categorized based upon their primary occupation.



Two points are worth noting. The first is that this data was taken from the parliamentary records, which are based on information provided by the MPs themselves. Some groups, such as *shaykhs*, politicians, businessmen, and professionals are recognisable and can easily be verified, whilst other groups, such as employees and farmers, are hardly verifiable.<sup>9</sup> The second point is the intersectional grouping; for example, an employee who is at the same time a son or relative of a *shaykh* may owe his winning of a seat to his social status even though he is categorised as merely an employee. In sum, the non-or under-represented groups are the workers, peasants, and the marginalised outcast *Akhdam*.

Not surprisingly, there is a strong relationship between occupation and party more than that with educational factor (Table 2).

Table 2

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<sup>9</sup> A phenomenon in Yemen for unemployed people or those who never hold job to say they are either farmers or employees.

## political affiliation \* MP previous occupation Crosstabulation

Count	MP previous occupation											Total
	student	businessman	shaykh	military	farmer	employee	clergyman	academician & professional	politician	missing data		
political independent affiliation		2	4		2	4	1				2	15
GPC	2	7	19	9	3	20	2	10	5	5		82
YSP				5	3	10		2	6	1		27
Islah		1	6		1	1	4	6		1		20
Ba'ath [Arab Socialist]				1								1
Ba'ath [National Arab Socialist]						1						1
Unionist Popular Nasserite						2						2
Al-Haqq							1					1
Total	2	10	29	15	9	38	8	18	11	9		149

Businessmen as a group are looking for profit, protection, and preferential dealings with the state; it is therefore logical to find 80 per cent of this group affiliated with the ruling parties, the GPC and Islah. None of the businessmen were affiliated with the socialist or nationalist parties. Likewise, all politicians and military men were affiliated with the GPC and the YSP. They benefited from their proximity to the centre of power and from practising power from within state institutions. The majority 75 per cent of clergymen, as expected, came from Islamic-oriented parties. Farmers, employees, and professionals were distributed mainly between the three big parties, the GPC, YSP, and Islah. The *Shaykhs*, as cultural conservatives, were mainly distributed in the GPC 65.5 per cent, but the important point here is the ability of the GPC through rewards to recruit them after they won their seats. However, 20.9 per cent of the *Shaykhs* were still affiliated to the Islah party as genuine tribal/Islamist representatives, while 13.6 per cent maintained their independence as purely tribal representatives.

## 1.2 Stability and Representation

Eulau *et al.* designate three types of legislators: the trustee, who is concerned with issues of national scope; the delegate, who promotes strictly local issues; and the politico, who combines both styles.<sup>10</sup> Ainsworth argues that most new Parliaments produce legislators

<sup>10</sup> Eulau, Heinz, *et al.*, 'The Role of the Representatives', *American Political Science Review*, vol. 53, 1959, pp. 742-56.

who adopt the 'delegate' style of representation.<sup>11</sup> Personalism and localism in Yemen are the prevalent patterns in recruiting most of the MPs. Only 45.6 per cent of the MPs said they ran the election according to party instruction, whilst 78.5 per cent maintained that the major motive behind their candidacy was to serve their people, and this has an impact on their relations with their constituencies, as will be seen. 'Serving people' here means the general population and not a particular constituency, since only 18.8 per cent said their main concern was local. However, MPs may have given misleading responses to this question because they wanted to reflect their national roles.

With regard to stability, a lower turnover is useful for the new Parliament. This would lead to a larger number of full-time professional MPs with limited options for employment outside of Parliament and therefore, as Norton and Wood argue, these MPs will work more diligently.<sup>12</sup> Membership stability is measured either by turnover or by average number of years of service.<sup>13</sup> It has been found that 64 MPs had served since the pre-unification period and some of them were incumbent since the first Parliament in 1969. Sixty-seven of the 301 elected MPs in 1997(22 per cent) were related to one or more present or former MPs. The political base is easily inherited through family connections. Since the first Parliament of 1969 up to the current one, sons or relatives of deceased MPs filled most of the vacant seats caused by death.

Among the MPs there are 39.6 per cent incumbents and the higher incumbency rates were among independents (because of their established social power base) and ideologue parties (because of their internal rigidity) (see Table 3).

This means the turnover rate during 1990-99 was 60.4 per cent. By comparison, during the 1950s-60s the turnover percentage in the USA was 10-19 per cent, in Canada 20-25 per cent, and in Switzerland 28 per cent. The history of legislatures suggests that turnover tends to decrease over time.<sup>14</sup>

Table 3

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<sup>11</sup> Ainsworth, Scott H., 'Representation and Institutional Stability', *Theoretical Politics*, vol. 9, no. 2, April 1997, pp. 147-65, p. 148.

<sup>12</sup> Quoted in Michael L. Mezey, 'New Perspectives on Parliamentary Systems: A Review Article', *Legislative Studies Quarterly*, vol. XIX, no. 3, August 1994, pp. 429-41, p. 437.

<sup>13</sup> Squire, Peverill, 'Career Opportunities and Membership Stability in Legislatures', *Legislative Studies Quarterly*, vol. X111, no. 1, February 1988, pp. 65-82, p. 66.

<sup>14</sup> Blondel, J., *Comparative Legislature...*, Op. Cit., pp. 86-7.



### Incumbency by Political Parties

Count		Whether the member is incumbent or not			Total
		yes	no	missing data	
political affiliation	independent	8	7		15
	GPC	25	56	1	82
	YSP	15	12		27
	Islah	9	11		20
	Ba'ath [Arab Socialist]	1			1
	Ba'ath [National Arab Socialist]		1		1
	Unionist Popular Nasserite	1	1		2
	Al-Haqq		1		1
	Total	59	89	1	149

### 1.3 Members' Roles and Behaviour

The concept of role ascribes the predictable patterns of behaviour in certain circumstances. Wahlke *et al.* define role as follows: 'A coherent set of "norms" of behaviour which are thought by those involved in the interactions being viewed, to apply to all persons who occupy the position of legislator'.<sup>15</sup> The role assumes interpersonal relations based on the attitudes and preferences of members. The role is not purely personal, but is influenced by the internal institutional norms of the Parliament and by key figures within the Parliament, such as the Speaker and committee leaders. The role is also influenced by external actors such as party leaders and executives and by the political and economic situation in general. Moreover, again role is not necessarily always consistently a stereotype; rather it is probably deflected by sources of influence, which Muller and Saalfeld call 'stimuli' that cause role conflict. Role conflict arises when a source of influence asks an MP to act differently to the role conceived by the MP.<sup>16</sup>

In general, MPs act differently according to their individual style (trustee, delegate, or politico), their position in the Parliament (leader of a parliamentary bloc, committee leader, Speaker), and their aspiration-career typology. The role is recognised as essentially representational since each MP was elected for a defined constituency and is expected to

<sup>15</sup> Wahlke, J. C., *et al.*, *The Legislative System: Explorations in Legislative Behavior*, New York: Wiley, 1962, pp. 8-9.

<sup>16</sup> Muller, Wolfgang C. and Thomas Saalfeld, 'Roles in Legislative Studies: A Theoretical Introduction', *Legislative Studies*, vol. 3, no. 1 (Spring), 1997, pp. 1-15, pp. 7-8.

defend its interests. Despite this, the social background of the MPs, their careers, and the domination of loose party organisations have produced a mixed role of parochial representative and policy advocate.

The important point here is that the economic and political difficulties faced by the country have made MPs respond to media and popular grievances and incline towards advocating public policies. This indicates that if the country was stable economically and politically, then the MPs' role would be shifted more to parochial local concerns. This proposition is supported by the efforts of the MPs to secure construction projects for their constituencies, but from outside the Parliament through direct contact with the executives (as will be seen in Section 5). Therefore, the rise of the policy advocate does not reflect institutionalisation and in essence is merely a reflection of economic and political deterioration.

The role has also been influenced by the position of MPs within the Parliament. For example, *Shaykh* al-Ahmar, who at the time of writing this was the Speaker, projected a dominant presence due to his long standing as a Speaker during the pre-unification period, 1969-90, and after unity since 1993, and because of his social and political influence. Though al-Ahmar is the leader of the Islah party, the biggest parliamentary opposition party, his role can only be understood in the light of his position in the ruling establishment. Similarly, the leaders of parliamentary blocs have been more consistent in their behaviour than have other MPs and they reflect their parties' views.

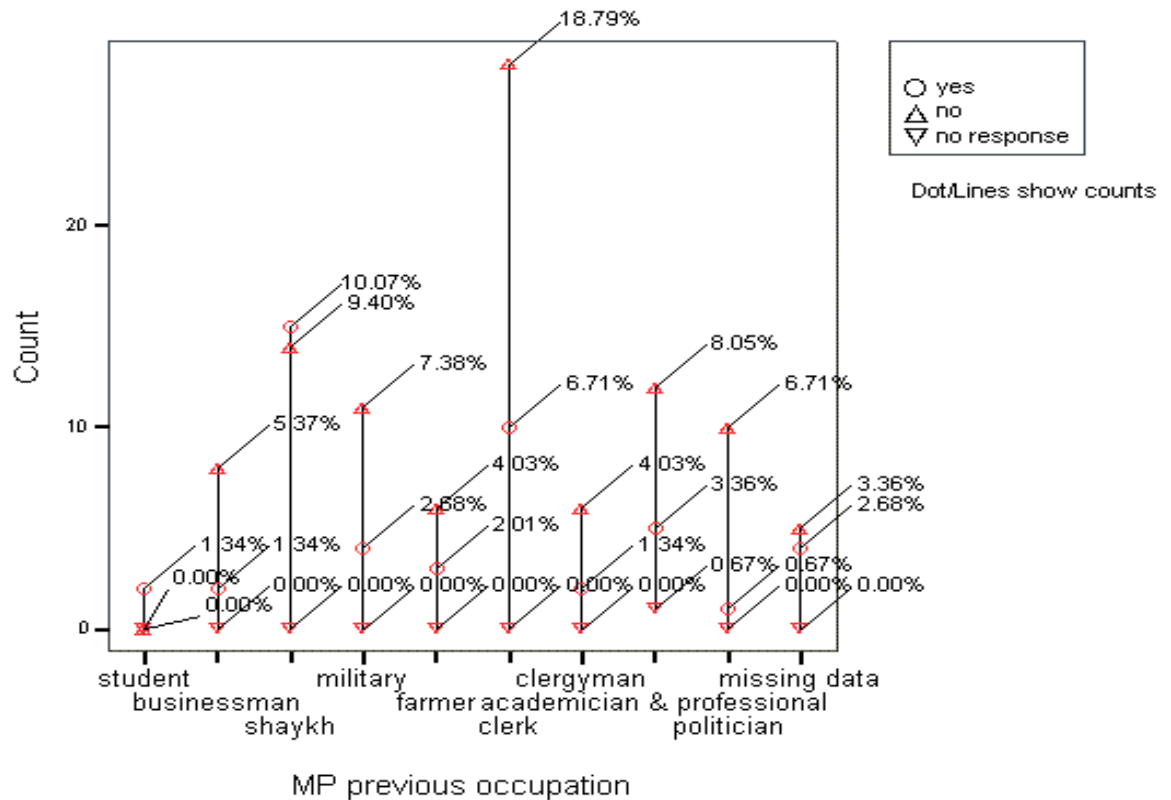
Ministers in Yemen are not necessarily MPs; they are usually chosen from outside the Parliament. In the 1997 Parliament there were only five ministers, but MPs who aspired to ministerial office constituted 42.3 per cent. Most of these aspirants were from the parties experienced at ruling: 51 per cent of the GPC MPs, 48.1 per cent of the YSP MPs, 30 per cent of the Islah MPs, and 13.3 per cent among independents. In contrast, there were no aspirant MPs from parties that have not ruled, which is expected since parties experienced at ruling have more or less established power and existence in state agencies. Independents on the other hand have the flexibility to affiliate with any party and easily shift their allegiances depending on cost-benefit calculations.

However, the high percentage of aspirants means that there is a need for coherent and disciplined MPs, which has not been the case in strict terms. The explanation for this is

the loose and fragmented party organisation and the strong social background of most aspirants MPs (see Figure 3). The highest portion of aspirants comes from tribal leaders (10.07 per cent). This again supports a policy-advocate orientation since those aspirants are not re-election motivated. On the one hand, they seek ministerial office. On the other, regardless of what they provide to their constituencies, their re-election is guaranteed because of their kinship ties and local status. Although they are not re-election motivated, but for cultural reasons they do provide some services on a personal basis to their constituents. Again, because of their social status they free themselves from strictly following their parties whilst at the same time, based on their relations with the ruling establishment, they still have a good chance of being nominated for executive posts.

Figure 3

## Corelation of Aspiration with Social Status



The final category is the MPs who are looking to build their careers as full-time legislators and have limited options for employment outside of Parliament. These MPs are assiduous in handling constituency work and are re-election-motivated. (Table 4) shows that 57.7 per cent of all MPs intend to compete in the next election.

Table 4

## Potential Competition in Next Elections

		Frequency	Percent	Cumulative Percent
Valid	yes	86	57.7	57.7
	no	41	27.5	85.2
	do not know	1	0.7	85.9
	no response	21	14.1	100.0
	<b>Total</b>	149	100.0	

The real percentage is probably 71.8 per cent if we add the silent portion of 14.1 per cent, which mainly represents the MPs of the YSP, who refrained from giving their answers because of the party's situation after the 1994 war. The high percentage of re-election-motivated MPs consolidates the position of policy advocates and this explains their resistance to government policies although the government has a majority in the Parliament. This tendency would shift overtly to parochial local interests if the influence of economic and political setbacks were removed.

Career, however, is based on provision of MPs for long service in the Parliament with good pay and allowances. The payments and benefits received by Yemeni MPs are among the highest in Yemen and an MP can consider full-time parliamentary service a good choice. The majority of the MPs (77.9 per cent) expressed their satisfaction with services and facilities, including allowances provided to them, and 74 per cent were satisfied with the pay. Despite this, MPs found themselves in continuous need of money to meet the high expenditures required to host the continuous visitors from their constituencies. When constituents travel to Sana'a to press for their own personal demands, they ask their MPs for help and until they achieve their demands, they are by traditional habit and custom given free room and board in the MPs' homes. Apart from financial matters, many MPs complained about poor office facilities, inadequate secretarial and professional staff, limited office space, and poor equipment.

#### 1.4 Assessment

The Yemeni Parliament is dominated by poorly-educated, middle-aged, upper and upper-middle strata males. Personalism and localism predominate; however, because of economic austerity and political instability, national issues appear to be pre-eminent. Parochial characteristics are represented by the inherited political base and by the serving of local communities from outside Parliament through personal connections with bureaucracy.

Regarding MPs' behaviour, the Parliament is divided into two main groups, with a small third portion (8 per cent) seeing themselves as being frustrated and expressing dissatisfaction with their work as MPs. The first main group consists of those MPs who aspire to ministerial or high-ranking office. These MPs view the Parliament as a springboard to secure a political future and regard the Parliament as a transitional bridge. In

general, this behaviour has not produced government supporters, due to the strong social status of the MPs, which has given them relative autonomy and enabled them to resist government and party policies.

The second main group comprises career MPs, who view the Parliament as full-time employment for financial benefits and the channel of access it provides to state agencies. These MPs prepare themselves for long service and are therefore conscientious about serving their constituencies in order to be re-elected. Both main groups produce an increase in voting independence that consolidates the position of the policy advocate.

However, cross-voting has less effect because of the size of the government's overall majority, especially in the third Parliament, and the influence of external characteristics. Another feature is that members of these two groups, through web-like kinship networks, have established good ties with ministers and high bureaucrats but have also to some degree maintained their autonomy over the issues that do not affect the direct interests of the ruling establishment.

## **2. Parliamentary Parties**

Four characteristics are especially important in formulating the main pattern of parliamentary parties: the number of parties in the Parliament, their origins, their internal unity and cohesion, and the electoral system.

In all the three Parliaments during 1990-99, only eight parties have had representation out of fifteen existing parties. Three parties are distinguished in terms of number of MPs and the role they play in politics: the GPC, the YSP, and the Islah. The remaining five parties were represented in total by only twelve MPs in the second Parliament, by five in the third Parliament, and by none in the first Parliament. The conventional hypothesis supposes that less party discipline and more parties in the Parliament are associated with a more prominent Parliament.<sup>17</sup> The low number of representatives of these parties has substantially reduced their effect. Thus, for simplification, analysis will mainly be confined to the three major parties.

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<sup>17</sup> See Mezey, Michael L., 'New Perspectives on Parliamentary Systems: A Review Article', *Legislative Studies Quarterly*, vol. XIX, no. 3, August 1994, pp. 429-41, p. 436.

Both the GPC and the YSP organised outside Parliament and sought to control the government from outside the legislature before unity. In contrast, the Islah party was founded in 1991 to control or share control of the government through Parliament. For historical, political, and social reasons in terms of discipline and central organisation the YSP comes at the left, the GPC at the right, and the Islah at mid-point between the left and right.

Finally, the Yemeni electoral system is based on the single-member district, which deprives parties of a powerful device for candidate selection and for imposing ideological and policy conformity on their MPs. This has resulted in the domination of traditional kinship preferences, which has led to the reproduction of the dominant social groups within the Parliament.

## 2.1 Party Leadership

All Yemeni parties stipulate that party leaders have to be selected by a bottom-top process that culminates in a national convention, in which the election of leaders takes place. In spite of the fact that all parliamentary parties had convened their conventions after unification, it was only the Popular Unionist Nasserite Organisation that elected a new leader. Other parties either experienced the persistence of the same leaders or the leaders were changed by dissidence, such as in the YSP and the Ba'ath parties.

Apart from al-Ahmar, the leader of the Islah party, party leaders did not compete for parliamentary seats. The constitution does not stipulate that the Prime Minister and ministers must be MPs. Also, party leaders refrain from running for Parliament out of fear of failure, which would destroy their public images. Moreover, this reflects the political culture and the perceptions of party leaders that their roles are superior to the roles of the MPs. In some parties, MPs are automatically promoted within the party organisation.

The MPs have little say in the selection of their party leaders and usually a party leader's power increases when he occupies an executive position. In this case the leader becomes strong enough to settle disputes that arise between MPs and party bodies. For example, the Islah top leadership decided not to nominate a candidate for the presidential election of 1999; instead, they supported the nomination of the incumbent president, A. Salih. The MPs of the Islah party rejected this decision and asked their party to enter a

candidate representing their party. The dispute between the party leadership and its MPs was settled by the mediation of the party leader, al-Ahmar, who used rewards and sanctions to persuade the MPs to obey.

Generally, the parties have little say in the nomination of their candidates for Parliament. The social structure and electoral system decrease the efficacy of tools available to a party in controlling the selection of its candidates. Moreover, in the case of availability of a role for a party, the local party organisation has leverage in selection over the national party organisation. The MPs maintain a great influence over party organisation at the local level.

## 2.2 Interactions on Policy Making

Within the same party, public office holders differ from MPs in approaching policy matters. Those in office have the basis for policy-making authority and are accountable for outcomes before different bodies such as the Parliament, the president, courts and so on. By contrast, MPs base their claim on responsibility to their electorate. These two different bases and views may conflict, not over ideological or normative questions of control, but over specific policy issues and opinions.

The patterns of recruitment and selection of MPs contribute to either widening or bridging the gap between the MPs and their party colleagues in the executive. For example, the ideological parties such as the YSP experienced less conflict between their MPs and external party bodies because recruitment to the party and selection of candidates for Parliament is based on ideological persuasion. This congruency is most likely. Conversely, the GPC, for example, tends to recruit into the party and select for the Parliament influential local figures, regardless of their conformity with the party ideologically and programmatically. The GPC aims to expand its dominion over society and to ensure the winning of seats in the Parliament. A large number of members affiliated to the GPC, in contrast, want either to use the GPC's power base for their own political ambitions and to build up their influence through access to public offices, or to use their relations within the GPC to facilitate and maximise their commercial business.

It was found that the MPs of the GPC were extreme critics of the GPC's policies in the Parliament. The policy agenda of the GPC was mainly drawn up by its top leadership



(the General Committee or *politburo*), and its MPs and other party bodies ratified the agenda only in the national convention. That is why many MPs of the GPC complain that the party and the government have ignored them when making policy, thus, MPs do not commit themselves to supporting the government in Parliament.<sup>18</sup> The GPC has mitigated the opposition of its MPs by different means. It provides facilities through state agencies for business groups, development projects to constituencies for career groups, and preferment promises and financial handouts for aspirants.<sup>19</sup> In addition, the GPC threatens its dissident MPs. However, because of the MPs' social background this tactic is only partially successful.

The opposition is crippled by two factors. The first is the GPC majority in the Parliament, which occurred after the 1994 war, and which minimised the number of opposition parties in the Parliament. The second factor is the passive opposition role played by the Islah party in the Parliament. Islah is the largest opposition party in the Parliament, but it has been affected by two factors, the role of its leader as a partner in the ruling establishment, and the privileges the party gains by acting the role of passive opponent. The Islah party finds it politically advantageous to share a part of the GPC's governing power without being burdened by the responsibility of governing. Paradoxically, the behaviour of GPC MPs is one of vociferous opposition, so it appears that the GPC governs and opposes at the same time. Meanwhile, the bloc of small parties and independents becomes effective whenever they co-operate over certain issues or policies with the GPC backbenchers and/or sometimes with the MPs of the Islah party.

### **3. Committees**

Over a century ago Woodrow Wilson stated, "It is not far from the truth to say that Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work".<sup>20</sup> A mass meeting of MPs is not the optimum place to get things done; parliamentary committees on the other hand provide a specialised and

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<sup>18</sup> Interview with Ahmed al-Kuhlani, a GPC MP and the rapporteur of the Public Services Standing Committee, Sana'a, 17 December 1998.

<sup>19</sup> For example, the chairman of the Financial Standing Committee (GPC) has been rewarded by being appointed the governor of Lahij province for his efforts to pass the state budget 1998-99.

<sup>20</sup> Wilson, Woodrow, *Congressional Government*, Gloucester, MA: Peter Smith, [1885] 1973, p. 69.

institutional context in which to work on different issues. Eulau and Mccluggage define legislative committees as:

Institutionalised, specialised, interactive, interstitial, and structurally more or less similar collective units of action that intervene between the individual member, the legislator in committee, and the larger 'whole', the legislature, of which both the individual member and the committee are parts.<sup>21</sup>

In the Yemeni Parliament, there are nineteen standing committees (SCs). All bills, presidential ordinances, loans, and parliamentary statements have to be referred to the SCs after first reading. Moreover, the state budget, Parliament's budget, and government programmes have to be referred to special (ad hoc) committees. Thus, the workload is mainly laid on the SCs. As (Table 5) demonstrates, parliamentary activity revolves primarily around the committees.

Table 5  
Parliamentary Activity in the Chamber and the SCs (May 1990 - October 1998)

Parliaments			
Number of Sessions Held			
Location	The First, 1990-93	The Second, 1993-97	The Third, 1997-Oct. 98
In Chamber	317	481	247
In SCs	1'959	2'932	1'740

The average of hours spent per session in both chamber and SCs is roughly the same, about 2.5.

### 3.1 SC Membership

Eulau defines the assignment process as “the interaction between leaders and their strategies and members and their career aspirations.”<sup>22</sup> There is no rule of seniority by which committee membership is awarded to members with long-standing service in the Parliament. Despite this, there are two patterns of assignment to SCs. The first is

<sup>21</sup> Eulau, Heinz and Vera Mccluggage, 'Standing Committees in Legislatures: Three Decades of Research', *Legislative Studies Quarterly*, vol. 1X, no. 2, May 1984, pp. 195-270, p. 196.

<sup>22</sup> Eulau, Heinz, 'Legislative Committee Assignments', *Legislative Studies Quarterly*, vol. 1X, no. 4, November 1984, pp. 587-633, p. 599.

assignment based on party preference, by which a party's most loyal members compete for committees that are perceived to be important by the party.<sup>23</sup> For example, the GPC has ensured that its loyal members control the SCs of Defence, Finance, and Foreign Affairs. The Islah, by contrast, has ensured its members are assigned to the Education, Constitution, Justice, and Islamic Codification SCs.

The second pattern of assignment is based on member preference. For instance, for each committee session each attending member receives YR 2,000; therefore, MPs incline to SCs that hold more sessions, such as Finance, Economic and Development, and Trade. Some MPs prefer the prestigious committee of Foreign Affairs, in which they can enjoy both frequent travel and generous allowances. Yet, the committees most preferred by MPs are still the Public Services and the Local Governance SCs, not only for their numerous sessions but also for the frequent contacts with state agencies that enable MPs to form connections to garner construction and developmental projects for their constituencies.

By dividing SCs into technical committees, such as Public Services and Transportation, and more political committees, such as Foreign Affairs and Defence, the pattern of assignment becomes clear. Findings show that party preference assignment goes mostly with political committees, whereas member preference assignment mostly goes with technical committees. The explanation is simply that the outcomes of technical committees have a direct impact on constituents' demands, whilst outcomes of political committees tend to deal with more abstract policies that have a less direct impact on constituents' demands and involve policy choice reflecting the political division in the country.

The trend among the MPs is that aspirants are inclined to political committees, whilst career and re-election-motivated MPs are inclined to technical committees. Bargains and compromises are usually applied in order to meet freshmen's first preferences and seniors' transfer requests. Most seniors, professionals, and socially notable individuals were found in the outstanding SCs. This means assignment is determined informally by seniority, professionalism, and personal status.

Chairmanship of SCs depends on the proportion of party seats won in the election, and choosing which SCs to preside over is negotiable. In general, the length of legislative service for committee chairmen is higher than for other committee members. However,

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<sup>23</sup> The party parliamentary bloc plays a crucial role in this regard.

emphasis is placed on acquiring political support from the parliamentary bloc, and in this regard acquiring political skills is more important than technical expertise. Apart from committee chairmanship, parties have little direct influence over committee work and personal relations predominate within committees.<sup>24</sup> Nevertheless, external political tension affects the SCs' production.

### 3.2 Dynamics of the SCs

SCs cover all government departments and they are permanent throughout the duration of the Parliament. The effectiveness of any committee should be judged by the nature of its task and the way in which it fulfils its mandate. For example, the committee of Petitions and Complaints has no legislative function and all it has handled is public issues and overseeing. Another example is the special (ad hoc) committees, which are created to deal with particular issues and dissolved after they complete their tasks.

SCs are not allowed to work while the chamber is in progress; therefore, SCs hold their sessions between 3 and 6 p.m. Each committee's members gather whilst chewing *qat*.<sup>25</sup> Many MPs said this friendly atmosphere frees them from political affiliation and strengthens their personal relations. This has created informal rules or norms for interaction between members that has weakened the parties' control over committees and enhanced committees' contribution to the output of the Parliament. For instance, the Bill of Judicature caused political controversy in 1991. The Constitutional and Justice SCs worked out an acceptable version, which was later passed into law, by using the personal relations of their members to bridge the gap.

From the referred measures to different committees shown in (Table 6) the domination of institutional issues in the first Parliament and of constitutional issues in the second Parliament, where political rivalry was reflected in the composition and outputs of SCs. Although the parliamentary by-law clearly states that committee membership should

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<sup>24</sup> This phenomenon was emphasized by a number of interviewees from different political parties: Yasin Sa'id Numa'n (YSP), Speaker of the Parliament 1990-93, Abu Dhabi, 6 December 1998; Abdullah al-Ahmar (Islah), Speaker of the Parliament 1993-2001, Sana'a, 9 December 1998; Ahmed Sharaf-al-Din (Islah), chairman of the Trade & Industry SC, Sana'a, 21 December 1998; and Muhsin R. Abu-Luhum (GPC), chairman of the Public Services SC, Sana'a, 2 January 1999.

<sup>25</sup> *Qat* is a mildly narcotic plant. The vast majority of Yemenis chew *qat* and extract its emulsion in social sessions lasting for a few hours. No one can socialize in Yemen unless he participates in *qat* sessions. Each

not exceed seventeen MPs, to meet rival parties' demands in the first Parliament, the Defence and Security SC was assigned eighteen members. The controversial political issues between the YSP and the Islah party found an outlet after the share of the YSP was diminished in the second Parliament. This caused an increase in the passage of the disputed issues in the following SCs: Higher Education and Youth, Justice and Religious Endowments, and Islamic Codification. In spite of its importance, the committee of Local Governance produced the lowest output throughout the three Parliaments, because the three big parties perceived local governance as a threat to their power at the centre. Apart from the committee of Petition and Complaints, the three favoured committees of Economic Development and Oil, Finance, and Public Services scored the highest rate of sessions held.

A prominent statistic is the high rate of absenteeism. The average rate of attendance for the SCs during 1990-98 was 47 per cent. The explanation lies in the timing of sessions. Most MPs come from the countryside and they spend two weeks of every month in the Capital. So, they tend to use their time in the afternoon (committee meeting time) to contact state officials for their own demands and/or for the demands of their constituents. Also, afternoon time in Yemen is usually devoted to socialising, which discourages many MPs from attending committee sessions.

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SC has a room devoted to *qat* sessions. For cultural reasons the only two female MPs have been exempted from attending these sessions and they have agreed with receiving full attendance allowances.

Table 6

## Standing Committees' Activities

Standing Committees	First Parliament, 1990-93					Second Parliament, 1993-97					Third Parliament, 1997-Oct.98				
	members	% of attendn.	No. sessions	referred issue	passed issues	members	% of attendn.	No. sessions	referred issue	passed issues	members	% of attendn.	No. sessions	referred issue	passed issues
Constitutional	12	58	149	14	7	15	60	225	34	30	15	45	85	20	14
Econ. Dev & oil	13	65	238	29	23	15	45	243	37	30	17	56	126	32	22
Trade & Indust.	9	55	91	11	8	15	41	140	11	9	16	59	121	11	6
Finance	17	51	347	29	18	16	37	227	53	32	15	54	137	37	12
Education	15	39	96	3	3	14	52	120	4	3	15	64	114	10	6
H. Edu.&Youth	12	36	93	5	5	15	45	172	18	18	15	52	87	6	3
Inform. Culture	9	57	14	3	1	14	35	102	8	7	14	63	122	9	5
Public Services	14	32	146	25	15	15	29	298	32	28	15	71	124	25	10
Health & Envir.	Did not Exist					Did not Exist					13	Newly Created			
Transp. & Com.	Did not Exist					Did not Exist					13	Newly Created			
Agriculture	14	39	139	9	4	15	34	65	8	6	15	42	99	18	13
Workforce	11	41	106	9	4	14	41	127	18	16	14	58	94	15	11
Foreign Affairs	14	53	50	5	4	15	42	63	3	2	15	45	36	8	3
Justice	10	47	73	2	1	15	33	287	18	10	15	49	130	11	5
Islamic Codific.	7	58	21	8	1	11	61	194	28	22	15	52	99	16	11
Defence, Securi.	18	44	80	19	10	16	39	90	16	14	15	48	80	12	6
Local Governm.	16	28	30	2	1	14	46	57	3	1	15	58	48	3	-
Petition, Comp.	16	19	231	990	990	15	26	426	1916	1916	15	50	150	762	762
Human Rights	12	41	55	6	5	16	41	96	7	5	15	51	88	4	3
Total	219	45 %	1'959	1'169	1'100	250	41.6 %	2'932	2'214	2'149	282	54 %	1'740	999	892

Another significant statistic is the increase in number of sessions, referred measures, and passed measures over the three Parliaments as illustrated in (Table 7).

Table 7

## Average Activity of SCs (per month)

Category	First Parliament	Second Parliament	Third Parliament
No. of Sessions	54	61	96
No. of Referred Measures	32	46	55
No. of Passed Measures	30	45	49

Table 7 reveals the correlation between the activity of SCs and the external political environment. Increasing stability of the political system leads to increasing SC production.

Measures are commonly referred to a single committee. Multiple referral, however, is used and the most frequent multiple referral type is the sequential, where a measure reported to a committee is then assigned to one or more additional committees. Joint referral is mainly used when assigning a bill related to more than one committee and this type is less frequent, while split referral is rare. The committee of Constitutional Affairs is the one that most often receives multiple-referred measures because of its broad jurisdictional mandate. The chances of passage for multiple-referred measures were less than for single-referred measures because of the use of the multiple referral mechanism as a tool to defeat, modify, or delay the measure. For example, the Finance committee received a loan agreement between Yemen and the International Development Agency in December 1998, and it happened that the committee chairman (GPC) and other GPC members in the committee were absent. The members of the Islah party in the committee decided to refer the agreement to the committee of Islamic Codification, which ruled that loans with interest are forbidden based on the Islamic definition of usury. Consequently, the loan agreement was terminated.

The other statistic of note is the type of sessions held. SCs are expected to perform a variety of functions ranging from scrutinising legislation to overseeing of the government. However, they perform four major functions. The first is to scrutinise a bill and report on it to the floor. The second is to provide an opinion on a measure under consideration in the chamber. The third is to provide an opinion on a measure under consideration in another committee. The fourth is to examine and oversee a policy and gather facts on it. Findings suggest that activities of the SCs consisted of 65 per cent legislation, 20 per cent overseeing, and 15 per cent policy sessions. The predomination of legislative sessions means the SCs have been diverted from other functions. This also reflects MPs' perception of their function: 85 per cent of them said legislating is the most important function they perform. In addition, 75.2 per cent of the MPs believe legislation is the area in which the Parliament has achieved the most success. The rise of legislative activity is simply because nearly all legislative bills originated at the highest levels of the bureaucracy and the government, and they were ratified by the Parliament. By contrast, 67.7 per cent of the MPs

believe the Parliament has failed significantly in oversight. The committees have no formal sanctions to force the government to act on their recommendations.

### 3.3 Assessment

The committee system in Yemen enjoys little party control because of the prevalence of personal relations among MPs and weak party cohesion. This gives SCs room to do most of the work of the Parliament. However, although congenial personal relations are commonplace, personal influence is sometimes applied to redirect a committee's output by using rewards and sanctions. For example, businessmen in SCs have exercised great influence over their colleagues by using financial rewards. Influence sometimes may take the form of threats, as happened in November 1998 when an MP with a strong personality obstructed the submission of the report of an investigatory committee to the floor because the report involved his father (a tribal chieftain) who had disturbed the peace.

Assignment to committees follows two patterns. The first is party preference, which concentrates on political committees. The second is member preference, which concentrates on technical committees. Aspirant MPs preferred the first pattern, while career MPs preferred the second pattern.

In spite of the abundant resources enjoyed by the Parliament,<sup>26</sup> SCs have been suffering from financial shortages, in particular when forming sub-committees for investigation and fact-finding.<sup>27</sup> In addition, the MPs' perception of their roles has affected their oversight function. Another factor that has affected the committees' work is the high rate of absence. Timing of sessions is one reason for this, but additionally some members are not satisfied with their assignments, and therefore boycott committee sessions.<sup>28</sup> Moreover, participation of some active committee members in the special and sub-committees has a great impact on committee efficacy.<sup>29</sup> A low level of education and lack of specialist knowledge in most SCs has also contributed to decreased committee effectiveness.

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<sup>26</sup> The budget of the Parliament in 1999 reached 1'742'838'000 Yemeni Riyals (\$ 11'629'000), which is a huge amount in the Yemeni standards. See the 'Parliament's Budget for the Fiscal Year 1999' Sana'a, parliamentary records, 30 September 1998, p. 1.

<sup>27</sup> Interview with Ahmed Sharaf-al-Din (Islah), chairman of the Trade & Industry SC, Sana'a, 21 December 1998, and Muhsin R. Abu-Luhum (GPC), chairman of the Public Services SC, Sana'a, 2 January 1999.

<sup>28</sup> See the report written by Yahya al-Sharki, the Director of SCs Administration, to the Speaker of the Parliament about activities and obstacles of the SCs, parliamentary records, 5 January 1998.

<sup>29</sup> Ibid.



Finally, there are many deferred bills and presidential ordinances and the committees have brought them from one legislative cycle to another and from one legislative term to another. Al-Sharki points out that deferment occurred because the government did not rush these measures and the parliamentary presidium did not follow up the SCs.<sup>30</sup> However, most of the neglected measures are controversial and some are very sensitive to the government, such as the Bill of Local Governance and Presidential Ordinance No. 37/1991 for the maritime borders and continental shelf with Saudi Arabia. Another possibility is that the government submitted some measures either to enhance its negotiation power with external parties, such as with maritime borders, or to influence domestic politics and mobilise people. In contrast, the government always rushes through oil agreements and loans.

In conclusion, the activity of SCs is proportionate with the political stability of the country. Political tension existed during the first Parliament and the first cycle of the second one. The number of sessions held, number of referred issues, and number of measures passed were higher in the third Parliament and lower in the first one. This illustrates the impact of the external political arena on the SCs, and they have not yet freed themselves from the effects of external political reflections.

#### **4. The Chamber**

##### **4.1 Type of Chamber**

The chamber's activity is governed by rules of procedure that are stated in the Parliament's by-law. Parliamentary procedure governs a variety of businesses such as passage of legislation, allocation of debating time, voting, oversight of the government, and methods of raising grievances. Rules also ensure that the rights of all members are protected. The nature of the political system and the degree of its stability have, however, influenced the procedure and the chamber's output. Parliamentary business to a great extent still reflects politics external to its precinct. The electoral and party systems have also influenced the chamber in terms of making it fluid or disciplined, and balanced or unbalanced. In the light of the short tenure of the Parliament since its establishment in 1990, the parliamentary

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<sup>30</sup> Interview with Yahya al-Sharki, Director of SCs Administration, Sana'a, 3 January 1999.

procedures and practices have not yet been institutionalised to what can be called a tradition or common consensual law of the Parliament.

Therefore, we have seen three different chambers distinguished from each other by political changes that took place externally and also by the internal characteristics of each chamber. The first chamber, 1990-93, was balanced in terms of the size of majority, whereby a minor defection from the majority would lead to defeat. This chamber was also to some extent disciplined because of the features of the YSP MPs. This impeded the work of the government and reduced the chamber's production (see Table 8). The executive tended therefore to take the initiative through compromises and bargaining outside the chamber. But with the fragmented executive coalition between the GPC and the YSP, compromises were often fruitless. So, in several incidents whenever a party took unconstitutional steps that dissatisfied the other party, the other party used Parliament to deny and illegitimise such action. The balance of power between the two parties and the need for legitimacy had to some degree maintained the strength of the chamber against the executive and thus it was able to protect the minority's rights.

In contrast, the 1993 election also produced a balanced chamber, but the introduction of the Islah party to the Parliament as an ally for the GPC created a pro-system opposition. This enabled the coalition of the GPC and Islah to pass a considerable amount of their desired legislation with less effective resistance from the YSP. This slightly increased the chamber's output, as shown in (Table 8). Not only was the parliamentary size of the YSP decreased but also its political and military powers were mitigated. This made external compromises and bargains less desirable from the GPC and the Islah, and within the chamber the minority rights of the YSP became less protected. With power sharing shifted in favour of the GPC and Islah, the YSP became more vulnerable and that led to the 1994 war.

The 1997 election and the results of the war produced an unbalanced and fluid chamber with a vast majority to the GPC such that even a substantial defection from the majority would hardly affect the outcome. That is why this chamber has had the highest production (see Table 8).

Table 8  
Chamber Production

Measure	First Chamber, 1990-93		Second Chamber, 1993-97		Third Chamber, 1997-Feb. 99	
	Total	Per month	Total	Per month	Total	Per moth
bills and presidential ordinances passed	71	1.97	150	3.13	75	3.4
bills and presidential ordinances rejected	25	0.69	2	0.04	1	0.05

Parliamentary production can be measured by the number of bills and presidential ordinances passed or rejected. Table 8 indicates that the lowest number of passed bills and presidential ordinances occurred in the first chamber and the highest in the third chamber. By the same token, the highest number of rejected bills and presidential ordinances occurred in the first chamber and the lowest number occurred in the third chamber. This means the first chamber was the least productive and the third chamber was the most productive, while the second chamber falls between the other two.

#### 4.2 Chamber's Traditions

The chamber has held its sessions regularly since the establishment of the Parliament. For the period from May 1990 to February 1999, it held 1045 sessions and worked approximately 120 days each year.<sup>31</sup> In spite of this, there is a modest accumulated parliamentary tradition of practising business in the chamber. Despite the presence of the parliamentary standing order and by-law, and the efforts made by some MPs to encourage the adherence to these rules for the creation of common traditions, the achievement of this is still below the desired level. There are many informal practices irrelevant to the nature of parliamentary business or even to the democratic norms. Some of these violations have been generated by the MPs themselves and others by the government.

<sup>31</sup> By comparison, the average number of days of sittings per annum in the British House of Commons (1962-69) was 160, the US House of Representatives (1968) was 139, the French National Assembly (1966) was 75, and the Lebanese House of Representatives (1966) was 38. See Blondel, J., *Comparative Legislatures*, Englewood Cliffs, N. J.: Prentice-Hall, Inc, 1973, p. 156.

For example, the Speaker, al-Ahmar, has established a powerful personal role for himself based on his political and social status.<sup>32</sup> He exercises unusual discretion; for instance, he refused to submit a report to the chamber about his formal mission to Saudi Arabia that resulted in the signing of the Understanding Memorandum between Saudi Arabia and Yemen on 26 February 1995.<sup>33</sup> He has also treated the MPs extremely roughly and in a sternly paternalistic style.<sup>34</sup> In another incident, he saw that he could maintain his tribal parochial interests by impeding a government bill that called for banning arms in the main cities. The government submitted the bill to Parliament, which referred it to the Defence and Security committee. The committee approved the bill, but the committee has been influenced by the Speaker to withhold it.<sup>35</sup>

The MPs themselves contribute to transgression of the parliamentary rules. A small number of MPs pay attention to discussion on the floor, while the majority are usually distracted by bilateral chatting or reading. When a minister attends a session many MPs exploit this opportunity to get the minister's signature on official documents beneficial for themselves or for their constituents.<sup>36</sup> The high rate of absence also affects the work of the chamber to the extent that sessions were cancelled on some occasions for lack of a quorum.<sup>37</sup> Absence, however, is not caused by any political reasons, such as threats, and is a purely personal choice.<sup>38</sup> Based on the parliamentary record (Table 9) the attendance for the period of time between May 1997 and May 1999 shows poor attendance.

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<sup>32</sup> *Shaykh* al-Ahmar is the paramount tribal chieftain of the strongest tribal confederacy in Yemen and has acquired an extreme political influence.

<sup>33</sup> *Al-Wahdawi*, issue 174, 25 April 1995, p. 3.

<sup>34</sup> For example, see *al-Wahdawi*, issue 175, 2 May 1995, p. 1, and issue 177, 30 May 1995, p. 1. For comparison with presiding officers in other countries see Georges Bergougnous, *Presiding Officers of National Parliamentary Assemblies*, Geneva: Inter-Parliamentary Union, 1997, especially pp. 65-79.

<sup>35</sup> The Minister of the Interior accused the Speaker of the Parliament of obstructing the bill because an arms ban would decrease the Speaker's tribal power. See *al-Hayat*, 30 October 1999.

<sup>36</sup> These are the researcher's observations while attending some sessions while conducting the fieldwork during December 1998 and January 1999. The researcher was told these practices always happen.

<sup>37</sup> For example, the chamber failed to hold its sittings because of absenteeism three consecutive times during November-December 1994; see *al-Wahdawi*, issue 158, 5 December 1994, p. 1. In sessions of 2 December 1995, and 13 June 1999, the chamber held its meetings without having the required quorum; see *al-Wahdawi*, issue 200, 5 December 1995, p. 1, and issue 375, 15 June 1999, p. 1.

<sup>38</sup> Interview with Abdul-Karim Hassan, Director of the Session's Management, Sana'a, 18 January 1999.

Table 9

Attendance of MPs as a Ratio of Total Session for the Period (May 1997- May 1999)<sup>39</sup>

% to the Total Session Held	Attended Members out of 301 MPs
90-100	68
80-90	71
70-80	47
60-70	46
50-60	27
Less than 50 %	42

However, there was attendance as low as 5 per cent of the total sessions and the overall average level of attendance for the chamber was 62 per cent for the above-mentioned period of time.

On the other hand Government practices that affect institutionalisation and accumulation of tradition are normally expected. For example, it has happened quite often that an official attending to be questioned in the chamber insists, against parliamentary rules, in switching off the television cameras and clearing the public balcony. This has mainly happened when the issues raised concern either relations with neighbouring states or domestic security.<sup>40</sup> Another example is that, according to parliamentary by-laws, the government programme must be referred to a special committee. Nonetheless, the programme of the al-Iryani government in May 1998 was not referred and was discussed in, and approved by, the chamber over four sessions.

#### 4.3 Legislative Production

The dynamics of the legislative process comprise three related actions: discussion on the floor, billing, and voting. Voting comes at the last stage of legislation and will be discussed in the next section. Discussion and billing involve interaction because a bill is submitted to the chamber for the first reading and is processed through committees until its submission for voting. This process includes contributions from three actors – the chamber, the

<sup>39</sup> The Parliament does not have attendance records for the two previous chambers.

<sup>40</sup> For example, on the session of 17 December 1998, the MPs, in accordance with the by-law, refused the request of the Minister of Interior to switch off the TV camera and evacuate the public balcony, but the Speaker ordered this to be done.

committees, and the government – and hence probably requires that a bill is referred more than once between the chamber and committees. Discussion involves many speakers but the main ones are usually the bill's sponsor and the leaders of the parliamentary blocs, and in following reading(s) these speakers are joined by the chairman and rapporteur of the relevant standing committee. Protecting the rights of the minority here by giving them room to raise their points is important. Regardless of the rules, the Speaker in this respect plays a major role in protecting or violating these rights.

Though the length of time allocated for an individual speaker is considered reasonable (89.9 per cent of MPs said it was about right), it is not the same for discussion. Amongst the MPs 51 per cent expressed dissatisfaction with the management of discussion on the floor. The Speaker controls the debate in different ways. For example, there is a microphone on every MP's desk and a computer centrally controls all of these microphones. The Speaker has turned off the power to a particular microphone to cut off an MP who is speaking.<sup>41</sup> The Speaker has also often ignored an MP raising his hand for a point of order.<sup>42</sup> Moreover, the Speaker has suspended sessions on his own discretion and against MPs' will.<sup>43</sup>

For billing, on the other hand, the legislative procedure and time spent to pass a bill are significant. Since rules govern the conducting and pathway of parliamentary business, legislative procedures have been handled satisfactorily. Among the MPs 87.9 per cent expressed their agreement with legislative procedures. On the one hand, this could indicate, though it is still early, that some degree of institutionalisation is in progress. But on the other hand, this does not account for the problem of legislative duration.

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<sup>41</sup> Researcher's observations from the public balcony of the chamber during December 1998 and January 1999.

<sup>42</sup> Ibid.

<sup>43</sup> Abdullah Mahdi Abdo, leader of the Independent parliamentary bloc, pints out that on 24 April 1995, the government's MPs withdrew from the chamber and the opposition then requested to vote in confidence, but the Speaker refused and suspended the session. Interview, Sana'a, 20 December 1998. See also *al-Wahdawi*, issue 175, 2 May 1995.

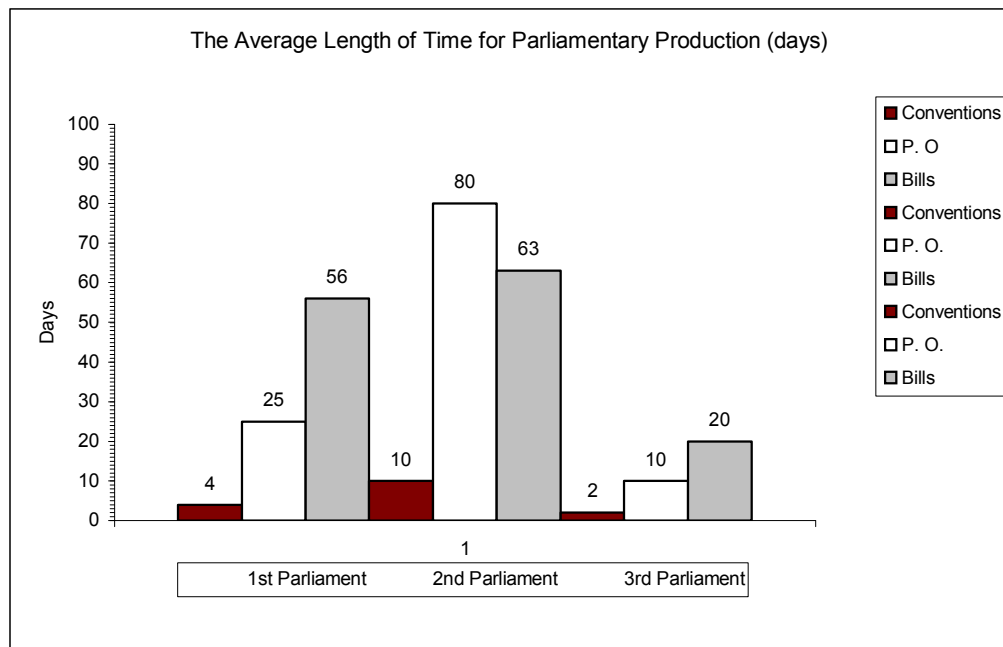
Table 10  
The Average Length of Time for Parliamentary Production (days)

Parliaments	Presidential Ordinances	Bills	Conventions	Average
First	25	56	4	28.4
Second	80	63	10	51
Third	10	20	2	10.6
Average	38.33	46.33	5.33	30

With regard to (Table 10) it is worth noting that taking the average duration of the outputs is not very reliable, because some outputs were produced very quickly, requiring only one day, such as the legislation for the Flag, National Anthem, and National Day. By contrast, more complicated legislation took longer, such as the Law of Education, which took 341 days. To avoid a misleading evaluation it would be necessary to single out each piece of legislation, which is beyond the scope of this research.

Nonetheless, (Table 10) is still informative. The variation of legislation time between the three Parliaments shows that the problem is not technical. Otherwise, legislative duration would steadily improve through accumulated experience from the first chamber to the latest and in (Figure 4) the curve representing the second Parliament would fall in between the curves of the other two Parliaments.

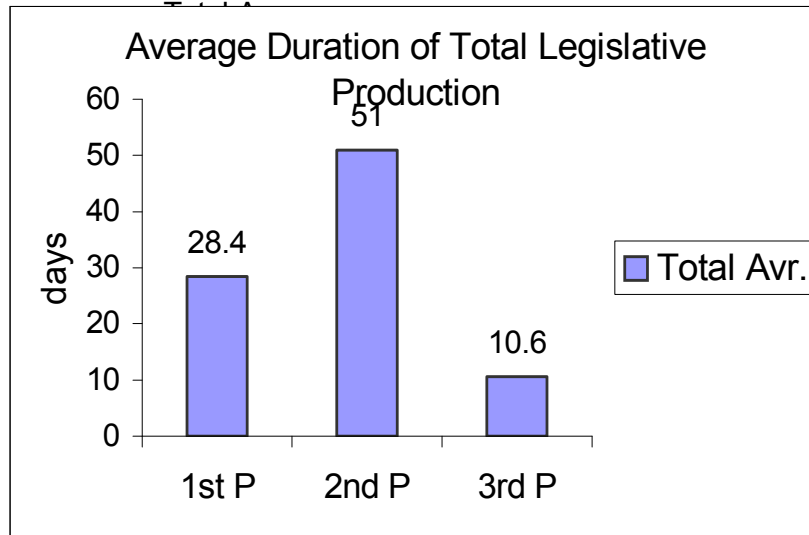
Figure 4



In terms of professional MPs and their levels of education the first chamber is more qualified than the last one (see Section 1.1), which would suggest less time spent in the first than that in the last, but (Figure 4) says the opposite. This leads to the conclusion that the problem of duration is mainly political rather than technical. To elaborate further, for example, 143 of the 150 pieces of legislation of the second Parliament were produced after the 1994 war.

The total average of legislative production of the three chambers takes the form of a curve and its peaks with the second chamber (see Figure 5).

Figure 5



The curve tendency in (Figure 5) can be explained by looking at the contexts in which the three Parliaments worked. The curve corresponds to the development of politics and struggles outside the Parliament. Looking at the duration time for each category of the presidential ordinances, bills, and conventions in (Figure 4), the conventions took the least time. Conventions mainly related to loans and oil agreements and they were less controversial because all of the rival parties needed money desperately to buttress their supporters and to alleviate economic difficulties; therefore, conventions have tended to be easily produced in a short period of time.



Presidential ordinances come in second in terms of time consumption. Two factors account for this. The first is the nature of ordinances, which are decreed by the president during the parliamentary recess. During this time the MPs get acquainted with the contents of the ordinances from the media, parties, and other sources and go back to the Parliament with a clear idea of their political repercussions. The second factor is the influence of the presidency over the MPs and the continuous pressure applied on the MPs by the presidential office to get the ordinances done. The second Parliament was exceptional for presidential ordinances taking the longest time. This was because escalated political tension had created three levels of bargaining. The first level took place between the rival ruling coalitions within the executive. The second level was between different tendencies within the Parliament, and the third level was between the executive and the Parliament. This prolonged the legislative process.

The third category of legislative output is bills, which have consistently reflected the external environment. Bills have always taken a long time to be passed. In the second chamber bills did not take a short time but this was the effect of delaying presidential ordinances. The reason behind the lengthy process has been in part whether the bill is controversial. On some occasions the government was required to provide written answers to the chamber and frequent attendance for further elaboration at both the chamber and committee level. The government was also responsible for the long duration of the parliamentary stage by frequently submitting and withdrawing the same bill. Moreover, the government deluged the Parliament with bills, and on several occasions when a bill was about to be submitted for voting, the government either withdrew it or requested a delay. The government hastily drew up the bills that later required several amendments. On the other hand, the government probably aimed to keep Parliament busy solely with legislation, thereby distracting it from other functions, in particular oversight. For example, the bill on local governance, which was submitted and withdrawn more than four times, each time consumed a considerable amount of parliamentary working hours. Another example is the Bill on Finance, which was submitted and withdrawn several times by the government. Moreover, even after the bill had been passed into law as Finance Law No. 8, the government requested amendments on six separated occasions.

MPs' perceptions of their role contributed to the predominance of the legislative function. Among the MPs 75.2 per cent believed legislation was the most important and successful function that the Parliament had achieved. Over-concentration on legislation is an indicator that the government indirectly dictated the parliamentary agenda, by necessity at the expense of other parliamentary functions. Of the MPs, 47.7 per cent admitted that the Parliament had failed significantly in oversight, 18.8 per cent in conflict management, 16.1 per cent in making decisions, and 11.4 per cent in goal setting.

#### 4.4 Flow of Information and Voting Behaviour

The flow of information is important in influencing MPs' behaviour. Since the newly-created Parliament has an unsophisticated mechanism for providing information to MPs and given the low educational level of the MPs, they lack any reliable source of information and the ability to decide on voting independently.

Table 11  
Sources of Information by Order of Importance

<b>Factor</b>	<b>Degree of Importance</b>	<b>Mean</b>
Committee reports	Extremely important	2.43
Academic works	Very important	5.81
Official reports	Quite important	6.15
Political parties	Important	8.42
Administrative agencies	Not very important	9.21
Media	Not important	9.92
Parliamentary staff	Quite unimportant	11.31
Constituents	Very unimportant	40.49
Public Opinion	Extremely unimportant	41.09

Table 11 suggests the MPs were highly dependent on their fellow members in committees to get information to decide on voting. This means the MPs did not have the time or expertise to become familiar with the details of all legislation. Technical bills, in particular, became especially complex, such as financial bills containing a lot of statistics. MPs tended therefore to rely upon summaries or evaluations of their colleagues.

Academic works and official reports were given the second and third sources, but considering the external influence exerted on specialists in committees, who in turn influenced non-specialists MPs, the importance of sources needed to be re-ordered. Thus, administrative agencies and political parties would more or less influence specialist MPs through lobbying. Because of this, many MPs have voted irrationally for bills they did not understand under the persuasion of their specialist fellows. Most blind voting took place on technical bills, which are more difficult to understand than political ones.

Constituents and the man in the street were rated the least reliable sources of information. This, however, is misleading because it ignores the type of bill. The MPs have paid more attention and given priority to constituents and the street whenever the bill under consideration has had a direct and clear impact on people.

In sum, there have been two main channels for information flow. The first is the internal direct channel through influence between MPs and this runs mainly from specialist to non-specialist MPs. The second is the external indirect channel through lobbying and influencing of the specialist MPs by external actors. The specialist MPs in turn influences their non-specialist colleagues. The flow of information has had great importance in determining voting behaviour in the chamber.

Another factor has also contributed to voting behaviour: the self-interested, rational calculation. Self-interested MPs behave to maximise their chances either of re-election or of assuming an executive post. These MPs seek to exchange interests and trade votes. The re-election-motivated MPs usually do not look for projects for their constituencies that are implemented over a long time. Rather they look for quick projects, small in size and low in cost, such as schools, clinics, agricultural equipment, road paving and so on. These projects are usually implicitly included in the national development plans that extend over five-year intervals. Thus, MPs have tended to go directly to executive agencies to secure such projects for their constituencies, ignoring scheduled development plans and operating outside the Parliament.

The aspirant MPs and party leadership in the chamber take charge of mobilising votes. But the lack of party cohesion and the fluidity of the chamber permit a free ride for MPs who do not commit themselves to vote, although they still share collective benefits provided to all party members. However, there was no clear-cut distinction for voting

behaviour. Although cross-voting occurred, it varied among different groups of MPs and no clear pattern emerged because of the social background of the MPs, party organisation, and the dynamics of the political arena outside the chamber.

#### 4.5 The Principle of Discontinuity

In the legislative process, only presidential ordinances can remain pending; all other parliamentary business lapses at the end of the four-year parliamentary term. All lapsed bills or conventions have to be reintroduced to the next Parliament. The advantage is to clear the accumulated work in the chamber from time to time and to prevent one Parliament from influencing the next. The point here is the waste of time involved in starting all over again.

Lapsing puts the chamber under pressure to speed up the legislative process. The means that has been used in the Yemeni Parliament for limiting the loss of time is using a shortened procedure for reintroduced bills. The government also deems reintroduced bills as urgent and they are debated first. In this way the government influences the parliamentary agenda. Paradoxically, discontinuity did not speed up bill legislation as was presumed. On the contrary, discontinuity led the government to increase the number of bills presented and to draft them hastily. This created a poor quality of legislation that led the government frequently to withdraw a bill for further deliberation. Another consequence was that MPs in some cases did not start working on bills because they thought they would not finish them in time. So, in the end the legislative process took longer than necessary.

#### 4.6 Assessment

The chamber was affected by exogenous and endogenous factors that reduced its autonomy and efficacy. Some practices of both the parliamentary presidium and the MPs have impeded the creation of common parliamentary traditions. The weak party organisation and the pattern of recruitment to the Parliament provided little help in forming distinct parliamentary blocs. Consequently, it was difficult to predict the voting. Though this allowed room for individual discretion, it deprived the MPs of the power of collective bargaining against the government.

The pattern of information flow also enabled the government to influence MPs indirectly through influencing the committee specialists, whom their colleagues depended on as the major information source.

In terms of legislative production and duration of billing, the chamber showed a strong co-relation with the political situation external to it. Susceptibility of the chamber to external influences enabled the government to influence the setting of the agenda, which hindered the chamber from conducting balanced functions, in particular oversight. MPs cited government intervention, the fragile opposition, and their low professional levels as the top three factors that have impeded the role of the chamber.

### **5. Constituency Relations**

Constituency relations consist of demands and responses. This mechanism is not systematic in terms of an input-processing-output procedure; rather it consists of formal and informal demands and responses. Deviation from a systematic flow is determined by political context, the electoral and party system, MPs' conception of their roles, and the citizenry's awareness of policies.

With regard to the fragmented party system and single-constituency electoral system, some candidates with strong social ties have been unrivalled and have not been worried by re-election uncertainty. Thus, those candidates were not concerned about providing projects for their constituencies. Other constituencies, by contrast, were contested between partisans and less socially influential candidates, where the securing of a seat by a particular candidate was not certain. Therefore, providing projects and services to constituents was important for re-election.

For example, looking at two adjacent constituencies, numbers 144 and 141, the former was won by an aristocratic MP who regarded politics as a sideline and had other interests to pursue. He practised his parliamentary work part-time and his attendance rate was 36 per cent of the total sittings held. He did not provide benefits for his constituency since his re-election was virtually guaranteed because of his social status. By comparison, the representative of constituency number 141 was from a humble social stratum and won his seat by the support of his party, the Islah. He was very assiduous and scored 90 per cent in attending parliamentary sittings. Because he was not certain of his re-election he secured

for his constituency six schools and one clinic through personal contacts with different state agencies.

In general, it has been found that incumbent MPs were less active in securing projects for their constituencies since they have established their political status based on either local or party support. Similarly, the aspirant MPs had fewer motives for serving their constituents. However, for cultural reasons all MPs served people who came to the capital city and helped them to achieve their demands.

Two factors are particularly important: the perception MPs have of their roles and citizens' political awareness. One aspect of MPs' roles is the interpersonal relations between individual members and political outsiders. The other aspect is their representational role in serving their constituents. Whilst all MPs play a representational role, 78.5 per cent reported that serving people was among the major motives for their candidacy. Because the organised interests are weak and the country is in a transitional political and economic situation, linkage with constituents becomes important for local support. There were 41.6 per cent of MPs who communicated with their constituents frequently and 58.4 per cent did so often.

On the other hand, the majority of the public showed minimal policy awareness. A small portion of the population was interested in policymaking, but the majority was aware of individual local interests; therefore, individual casework represented the common demand. It rarely happened that a collective demand was raised and pressure exerted on an MP to act on such a demand. Collective demands were usually created by street demonstrations in the main cities and addressed to the Parliament as an institution. Individual MPs thus felt that they were personally concerned. This meant that individual demand was most likely personal and service casework responsiveness was the major means of linking citizens with the government.

Table 12  
Frequent Means of Communication

<b>Means</b>	<b>% of MPs who used this Channel</b>
Regular Visits	89.9
Telephone Calls	80.5
Meetings	71.1
Letters	28.2
Local Office	6.7
Personal Staff	3.4

MPs may use one or more means simultaneously.

Demands were channelled through different methods. In an underdeveloped and traditional society such as Yemen it is normal to find much emphasis placed on personal contacts for communication. As (Table 12) demonstrates, the major channels were meetings, regular visits, and telephone calls. Since most demands were personal, communication was mostly arranged on a one-to-one basis. Illiteracy, lack of staff, and limited resources contributed to decreasing the importance and adopting of other means of communication. Additional channels for communication were either to write directly to the Speaker of the Parliament or to submit grievances and/or demands to the standing committee of Petitions and Complaints.

Responsiveness to demands varied, however, according to the importance of the applicant and the nature of the case. Most influential local figures and prominent popularly supported cases receive a high degree of response. The irony is that once an MP is elected, constituents cannot recall him from the office for his performance. Despite this, constituency-based MPs were mainly parochial representatives and inclined to maintain a good link with citizens; even those who were partisans were also to some extent constituency-based.

In Yemeni society reputation is based on generosity and helping others; therefore, MPs have paid attention to their images. Accordingly, 73.2 per cent of the MPs said citizens are able to exert pressure on them through defaming and distorting their images within their local community by accusing an MP of being helpless, stingy, and selfish. For cultural reasons, it is normal to find an MP's house in Sana'a filled with his constituents who continuously arrive to press for personal demands and who settle in the MP's house as guests. Since most demands were personal, MPs used informal channels. Because MPs have easy access to governmental departments, they dealt with such demands by making personal visits to ministers, bureaucrats, and government agents. MPs developed their role as intermediaries between citizens and the state bureaucracy and served their people from outside the Parliament. In some cases the MPs worked as brokers to bridge the gap between the government and local groups over the disputed issues.<sup>44</sup>

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<sup>44</sup> This has happened quite often; for example, the MP al-Barakani brokered the armed clashes in al-Odain province between the government and some local tribal leaders in October 1999. See *Asharq al-Awsat*, issue 7636, 25 October 1999.

MPs devoted a significant amount of their time to constituency activities. Lack of staff contributed to this, but this also reflects the parochial representation which has affected MPs' parliamentary duties: as was seen, it contributed to absence from committee sessions. Also because MPs have frequently needed the government for providing services and projects to their constituents, this has decreased MPs' autonomy, which in turn reflected on their behaviour within the Parliament. Allocating of projects and providing services have been among the tools the government used to influence MPs.

## **6. Conclusion**

The Yemeni Parliament consists mainly of middle-aged and minimally-educated men who mostly represent the upper and upper-middle social strata. The fluid nature of parties within the Parliament and the electoral system have made the MPs incline to personalism and localism. However, because of economic setbacks and political tension in Yemen the MPs have been motivated to advocate national policies.

The committees were established by standing order, and represent a prominent feature of the Parliament. They enjoy relative freedom from party control due to the predominance of personal relations between committee members. Committees therefore have flexibility to handle most of the parliamentary workload. There were two patterns of membership assignment to committees. Party preference targeted the political type of committees, which were preferred by aspirant MPs. The second pattern, member preference, concentrated on technical committees, which were preferred by career and re-election-motivated MPs. The information flow showed a great dependency by MPs on their specialist fellows in the committees; therefore, the government influenced the MPs indirectly by influencing the specialist MPs.

The link between the MPs and their constituents is based in essence on cultural and social principles that transcend and precede the Parliament. Historically, social figures used to act as intermediaries between citizens and the government. Since most MPs have a distinguished social or/and political status, they have continued to play the same role that they had before becoming MPs. Most demands were personal and responses to them were through informal channels via personal contacts with government officials outside the



Parliament. The MPs have reproduced the traditional social and political intermediary role between the state and society.

Nonetheless, there is a degree of institutionalisation in the Parliament through a slow but steady accumulation of experience, procedures, and norms. The major impediment is the instability of the political system, which has reduced parliamentary production and prolonged the legislative process.