Helpdesk Research Report: Tribal Governance in Yemen
10.10.08

Query: Please identify literature on the role of tribal authorities in governance, conflict and development in Yemen. Please also identify academic experts, research institutions, and NGOs working in this area, including their specific research interests

Enquirer: DFID Middle East and North Africa Department (MENAD)

1. Overview

From the information that is readily and publicly available it seems that a great deal of research on tribal structures in Yemen was undertaken in the 1980s, and primarily from an ethnographic perspective. The research for this query was able to find far less recent work, especially being undertaken at an organisational level. However, there do seem to be a number of individual academics who have conducted fieldwork in Yemen in recent years, many on the issue of tribes, governance and conflict (please see the list of experts contacted in Section 5 below). It may be that contacting each of these researchers individually would yield a better picture of the research currently being undertaken.

In light of the paucity of information available, this query aims to highlight three research sources: relevant literature; research programmes and individual academic experts. The literature section prioritises more recent materials; however, where certain older, but important texts were recommended by experts, they too have been included. The list of experts highlighted is by no means comprehensive – it is based on the experts whose research interests and publications are publicly accessible, as well as those who responded to the researcher’s request for information.

The research that has been identified covers a range of areas: the relationship between the tribes and the state during various historical periods; tribal governance systems; the tension between state and tribal or customary justice systems; political participation by clans and tribes; conflict mediation; and the environment and natural resources.

2. Key Documents


In this chapter, the author argues that one of the biggest issues facing Yemen is the question of what are legitimate sources of political authority. In some parts of the country, there is still uncertainty over who—the state or the local tribe—exercises rightful control over territory and
natural resources, as well as over who has the “right” to use violence. This uncertainty has resulted from the tribes’ reluctance to cede their autonomy to the state, as well as the state’s manipulation of the tribal system to ensure a corrupt and malleable legal order that does not hold it accountable for its criminal actions. Phillips argues: “The relationship between the tribes and the state is, therefore, often contradictory with each at times increasing and at times diminishing the other’s power, but both reinforcing traits in the other that provide considerable obstacles to state building.” (p. 90) Crucially, “neither the state nor the tribes possess absolute power in the Republic of Yemen. The government must build alliances with the tribes to ensure its survival, but it is also threatened by the power that it cedes to those alliances and so works to undermine tribal power where possible. Yemen’s central government is weak, particularly outside urban centers where it does not always exercise unambiguous sovereignty, and Yemen’s tribes affect considerably the regime’s calculations. While perhaps only 20 percent of the total population considers their tribe as their primary unit of identity, the tribes factor heavily in political decision making.” (p. 92)

This book is available from University of Texas Press:
http://www.utexas.edu/utpress/books/weitri.html
A preview is available at Google Books:
http://books.google.com/books/utexaspress?id=4W3o6bUwCYEC&printsec=frontcover&sig=ACfU3U0TbOWhRTRvA3JejYOQY3OmrUUAQ&source=qbs_ViewAPI

This book describes the politico-legal system of Jabal Razih, a remote massif in northern Yemen inhabited by farmers and traders. Weir shows that the tribes of Razih have stable structures of governance and elaborate laws and procedures for maintaining order and resolving conflicts with a minimum of physical violence. Razhi leaders also historically cooperated with states, provided the latter respected their customs, ideals, and interests. Weir considers this system in the context of the rugged environment and productive agricultural economy of Razih, and of centuries of continuous rule by Zaydi Muslim regimes and, more recently, the republican governments of Yemen. The book is based on the authors’ extended anthropological fieldwork on Jabal Razih, and on her detailed study of hundreds of handwritten contracts and treaties among and between the tribes and rulers of Razih. Throughout the book, the author aims to address some fundamental questions of governance: What are the key political groups and how are they conceptualised? What accounts for their size and positions? How are power and authority distributed and exercised, and curbed and resisted? How are disputes settled and order restored, how effectively and in whose interests? And how are the institutions, principles, rules and procedures for maintaining law and order sustained and reproduced, or changed? The book includes chapters on the tribal system; the environment and economy; social and political inequality; tribal leadership; wider structures and relations; principles, rules and sanctions; conflict and violence; and the state–tribe relationship through various historical periods.

http://www.policy.hu/document/200808/asrar_f2j.pdf&letoltes=1

This paper argues that western-style democracy, as adopted in Yemen, has serious limits. In Yemen, it has served to marginalise a functional tribal system and weakened traditional values that could play a strong role in governance. The author argues: “Donors’ naiveté with regard to the existing social networks and political economy of the country, coupled with a fear of Islamic extremism, have often contributed to a weakening of the essence of democratic values in Yemen... A state monopoly over tribal politics is not conducive to positive social change; tribal politics need to become carefully integrated into the system in a
way that is recognized by all persons involved.” (p. 4) The paper concludes with a call for greater consolidated action by the Yemeni government and donors to bring together the various segments of society and provide equal opportunities for participation. It also calls for donors to be more pragmatic in their approach to governance - to recognize informal rules of governance and to endorse political reforms that go beyond traditional western systems and in the direction of Yemeni ones.

This book is available for purchase from Amazon.co.uk: http://www.amazon.co.uk/Tribes-Government-History-Clarendon-Paperbacks/dp/0198277903
A preview is available at Google Books: http://books.google.co.uk/books?id=53FvdDBDRwC&printsec=frontcover&dq=Tribes,+Government+and+History%E2%80%99&source=gbs_summary_r&cad=0

This book combines ethnography with history to describe the system of tribes in Yemen over the past thousand years. The author examines the values and traditions that tribal communities bring to the contemporary world of nation-states. He also discusses the relation of the major tribes to pre-modern Islamic learning, the Zaydi Imamate, ideas of contemporary statehood, and the area as a whole.

*Recommended by Daniel Corstange

Note : This document is in French. A translation is available at: http://translate.google.co.uk/translate?hl=en&sl=fr&u=http://ema.revues.org/index694.html&s a=X&oi=translate&resnum=1&ct=result&prev=/search?q=Le%20Shaykh%20et%20le%20Procureur%3A%20Syst%C3%A8mes%20coutumiers%20et%20pratiques%20juridiques%20au%20Y%C3%A9men%20et%20en%20l%E2%80%A9gypte&source=bl&ots=nV5c7yFk3j&sig=ro574Z7OOGxG5Aa9Al4q5kD9z7U&ved=0ahUKEwilu7DZ67jgAhUX524KHfVtBd0QjAgIIjAA&usg=AOvVaw4:BZ4p9d_d4tVYq08HlC1jzJ38r
This volume aims to explore, through a comparative analysis of the contexts of Egypt and Yemen, the potential for conflict that occurs at the intersection between state judicial institutions and customary justice systems. It examines three main issues: The use of oral and written standards as a basis for settlement procedures, the interpretation of state law at local levels, and the tension between the plurality of norms and practices and the centralising programme of the state. One of the articles: Burgat, F., ‘Le Reglement de Conflicts Tribaux au Yemen’, argues that the definition of justice in Yemen, i.e. that which is universally applicable to the entire country, is perpetually contested by the norms of both tribal and state justice. This relationship requires further research based on case studies at the local level in different regions of Yemen.

This paper aims to explore the relationship between the state and the tribe in Yemen and to assess the constraints that the tribal structure puts on the country's political process. The author first looks at the primary issues pertaining to the historical background of Yemen and its tribal structure. She then describes the relationship between the tribes and the state
before and after the unification, and concludes with some implications of the state-tribe relations on statehood and nation-building.

*Recommended by Sarah Phillips*


This study aims to analyse the routes in and out of political violence in selected countries – Bolivia and Peru, Tajikistan and Yemen. The Yemen case study (pp. 54-61) includes sections on tribal divisions and the government's increasing use of tribal institutions, as a means of ensuring the regime's survival. The author notes that reportedly, tribal law has begun to usurp institutional legal codes in the south of the country, and revenge disputes (which were outlawed in 1968 in the PDRY) have reappeared in some areas since the end of the 1994 war. Tribal discourses, and even tribal poetic forms, have also gained popularity in parts of the former south.

*Recommended by Sarah Phillips*

**Miller, D. B., 2003, 'Demand, Stockpiles and Social Controls: Small Arms in Yemen', Small Arms Survey**

This paper addresses the dynamics of stockpiles and holdings, demand factors for small arms, and the significance of social controls on individual and community behaviour in Yemen. It finds that there are between 6–9 million small arms in Yemen. The authors find that tribal rules of behaviour, more than civil or international law, are the main determinants of weapons possession, use, and the consequences of use. In fact, tribal law proves to be a major socialising factor that governs the usually unwritten rules about intra- and inter-tribal relations regarding weapons use. “Indeed, state law is considered largely ineffectual, and somehow antagonistic to tribal traditions, and therefore often scorned or ignored. Instruction for the future is largely derived from the past, where Yemenis seek principles for the perpetuation and stabilizations of social life. This implies that researchers should not look to state law to understand the ‘laws’ that govern Yemeni life. It further implies that the location for understanding social rules of small arms use is in the lessons taught by fathers to their children, and the tribe to its members.” (p. vii)


This book is available for purchase from Amazon.com: [http://www.amazon.com/Political-Ecology-Role-Water-Environment/dp/0754609081](http://www.amazon.com/Political-Ecology-Role-Water-Environment/dp/0754609081)

A preview is available at Google Books: [http://books.google.co.uk/books?id=xLchmvBtfD0C&dq=tribe+yemen&lr=&source=gbs_summary_s&cad=0](http://books.google.co.uk/books?id=xLchmvBtfD0C&dq=tribe+yemen&lr=&source=gbs_summary_s&cad=0)

This book discusses water resource allocation and management. It focuses in particular on the socio-economic and political contexts, which influence approaches to and determine practices of water management. Taking the example of the tribal communities of the Sa’dah basin in the northern Yemen, it analyses the politics of environmental change, with particular reference to groundwater resource degradation, within the conceptual framework of political ecology.
3. Research Programmes

**National Democratic Institute (NDI)**

*Contact:*  
Leigh Catherine Miles, Senior Programme Officer – cmiles@ndi.org

*Research programme:*  
**The Tribal Conflict Mitigation programme:** Launched in June 2005 to assist Yemen tribal leaders in their efforts to resolve long-standing conflicts, this programme works alongside Yemeni tribal leaders and influential tribal social figures that approached NDI for assistance. The programme has the following objectives:  
- Gather input from community leaders on how conflict impacts the community and perceptions of how tribal conflict should be mitigated;  
- Analyse strategies and procedures used and individuals involved in the establishment of peace treaties between conflicting tribes;  
- Analyse strategies and procedures used and individuals involved in the establishment of safe havens; and  
- Develop comprehensive maps of the three targeted governorates and a corresponding data base of information incorporating the geographical, structural and functional relationships amongst tribal areas, local government institutions and Civil Society Organizations (CSOs).

*Publications:*  
Please see attached: ‘NDI’.

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**International Development Research Centre (IDRC)**

*Contact:*  
Murad Gharati, Yemen Observatory for Human Rights, Yemen – mgharati@gmail.com; Dr Adel Mugahid Al-Shargabi, Yemen Observatory for Human Rights, Yemen; S Kamel, IDRC Egypt – skamel@idrc.org.eg

*Research programme:*  
**Political Role of Tribes: Analysis of Tribalism, Islamism and Gender in Iraq, Jordan and Yemen:** This project aims to understand how clans and tribes act as political units and how their participation in the political system promotes or impedes good governance and the sense of active citizenship. It will also look at the relationship between tribes and Islamism, and the impact of tribes on the participation of women in policy processes. The study is expected to result in practical recommendations for integrating tribes into a modern political system.

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**Islamic Relief**

*Contact:*  
Abdul Aziz Saeed, Islamic Relief, Yemen

*Research programme:*
Conflict Transformation: Started in 2007, this two-year programme aims to reducing violent conflict in Yemen through what it calls “the mainstreaming of conflict transformation and the promotion of responsible citizenship”. The programme offers participation in workshops for 665 individuals in the governorates of Saada, Lahj, Aden and Sanaa. These include representatives from tribal leaders, imams, teachers, local NGOs, refugees, army and police officers, government officials, and members of local courts and judges. They meet to discuss the causes and effects of conflicts, and explore methods to mitigate the effects of this on individuals, families and communities.

4. Academic Experts

Paul Dresch
Position: Fellow in Social Anthropology
Organisation: St John’s College, University of Oxford
Email: paul.dresch@anthro.ox.ac.uk
Areas of research: Comparative historiography, politics, and (lately) law in the Arab world, mainly Yemen
Selected publications:
- 2006, ‘The Rules of Baraat: Tribal Documents from Yemen’, Centre Français d’Archaeologie et de Sciences Sociales, Deutsche Archaeologisches Institut, Sana’a

Sarah Phillips
Position: PhD candidate and consultant
Organisation: Australian National University, National Democratic Institute
Email: sarphil@gmail.com
Areas of research: Yemeni politics, political participation, democratization and reform in the Arab world, and the role of Islamists in these processes.
Selected publications:

Dr Shelagh Weir
Position: Research Associate
Organisation: SOAS
Email: sw41@soas.ac.uk; shelaghweir@btinternet.com
Areas of research: Anthropology of the Middle East, especially Palestine, Jordan and Yemen. Costume, material culture, economic development, consumption, tribal politics, law and documents, and dialect study.
Selected publications:


Daniel Corstange
Position: Assistant Professor
Organisation: University of Maryland
Email: dcorstange@gvpt.umd.edu
Areas of research: ethnic and religious politics, the political economy of development, quantitative research methods, and the politics of the Middle East

Selected publications:


Notes: Dr Corstange is currently working on a paper on Yemeni tribes and the rule of law.

6. Additional information

Author
This query response was prepared by Seema Khan: seema@gsdrc.org

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Tim Morris, Independent Consultant
Laurent Bonnefoy, Universite d’Aix-en-Provence
Gregory Johnsen, Princeton University
Nagi Khalil, Adventist Relief and Development Agency (ADRA), Yemen
Dr Elham Manea, University of Zurich

Websites visited

About Helpdesk research reports: Helpdesk reports are based on 2 days of desk-based research. They are designed to provide a brief overview of the key issues; and a summary of some of the best literature available. Experts are contacted during the course of the research, and those able to provide input within the short time-frame are acknowledged.

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