

## **‘Legitimacy’ Protecting Yemen’s President Complicates Process of Replacing Him**

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Finding an acceptable process to install a new transitional leader is hard; finding a person with the requisite legitimacy to play that role may be harder still.

With Yemeni President Abdo Rabbu Mansour Hadi’s health and popularity in constant question, the succession issue in Yemen remains a source of intense, whispered speculation. Names of potential successors ebb and flow with the changing political dynamics, but the more critical conversation is about the legal process. There are two basic scenarios to explore: If a president were removed due to unpopularity, how would that occur? If a president were to exit suddenly from the scene, what is the process for selecting his replacement?

A critical element to the succession question lies in the concept of legitimacy, which has been central to the coalition’s *raison d’être* for war. In 2015, when the war began in Yemen, Hadi quickly became the symbol of “the legitimacy”—the term used to refer to the internationally recognized government of Yemen. The Saudi-led coalition regularly asserts that its intervention in Yemen is entirely at the request of the internationally recognized Yemeni government. This legitimacy argument is critical for the Saudis, who want to avoid any impression they are a colonizing power. As a result, they have remained steadfast behind this justification, even when Hadi has defied their preferences and as his popularity has declined among both Yemenis and the coalition partners.

Such unwavering support for the recognized government may provide a pretext for the coalition’s role in the eyes of international law, but it has also boxed in negotiators, who are constrained by this need to protect the concept of legitimacy manifested in Hadi. Negotiators, even before the war, have long sought a transitional presidential council. In 2016, when talks between the warring parties looked promising, the Houthis were adamant that Hadi had to go because he had come to symbolize the war. Many involved in negotiations agreed. To both replace Hadi and maintain the perception of legitimacy, rumors percolated that then-Vice President Khaled Bahah might be installed as a compromise candidate for either a transitional presidency or as a member of a council presidency. Hadi, perhaps seeing the writing on the wall, unceremoniously fired Bahah shortly before talks were to begin in Kuwait. Furthermore, he appointed Ali Mohsen al-Ahmar, a man reviled by many in Yemen and within the coalition, as vice president. In effect, by trading a second-in-command who was more popular than him for one who was less so, Hadi had secured his position as president, and the 2016 talks ultimately failed.

Some believe the coalition may at some point be able to convince the president to replace the vice president or appoint a second vice president, thus opening up the option of a council presidency again and avoiding a situation wherein Ali Mohsen becomes president, even temporarily. Constitutionally, if the president passes from the scene, the vice president takes the reins for up to 60 days while elections are held. Ali Mohsen is an untenable long-term option for many stakeholders, including the United Arab Emirates (UAE), the United States, southern Yemenis and the Houthi movement. Such a scenario might put the coalition in quite a bind, which may explain occasional rumors of alternative VP candidates.

Another commonly cited scenario suggests interested parties may try to develop alternative, “legitimate” Yemeni power centers. The meeting of the parliament last year—elected in 2003, so long ago that its own legitimacy is questionable—is cited as one example. Credible sources suggest that Saudi Arabia pushed for that meeting. Yet, if this was a ploy to develop a surrogate “legitimacy” in Yemen, it is not clear how this would legally work. According to the Yemeni constitution, the head of parliament rules Yemen only if both the president and vice president depart the scene at the same time.

In an ideal scenario, the next Yemeni leader would possess legitimacy, popularity with the Yemeni people across the political spectrum and a commitment to peace. Such a figure would also be sensitive to southern demands and northern grievances. Finding a process to install a new legitimate president is hard; finding a person who fits the bill may be harder still.

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