

Will the Palestinian Election Decree Produce Actual Elections?

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Jan 27, 2021

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Brief Analysis

Even if Fatah and Hamas somehow get past the same towering political obstacles that derailed past decrees, elections hold little prospect of reconciling their deeply entrenched leaders and institutions anytime soon.

On January 15, Palestinian Authority president Mahmoud Abbas issued a decree calling for two sets of elections this year: legislative on May 22 and presidential on July 31. He also asked that the Palestinian National Council be reconstituted on August 31. If the elections are held, they would be the PA's first since 2006. This is not the first time that such calls have been floated, but the new decree goes further than previous announcements.

Even so, current political dynamics raise serious doubt about whether the elections will actually be held. The PA and Hamas have offered no guarantees that the conduct of voting would be free and fair or that the outcome would be respected. Thus, instead of focusing on unlikely elections, the PA and other players should prioritize efforts to clarify Palestinian succession, undertake badly needed reforms, and reestablish Palestinian-U.S. relations.

More Posturing Than Breakthrough

After Abbas won the last Palestinian presidential vote in 2005, elections were held for the Palestinian Legislative Council a year later. Hamas prevailed in that contest, and its victory triggered a series of events that culminated in the terrorist organization violently taking over the Gaza Strip in 2007 and fracturing the Palestinian political system. A number of failed reconciliation agreements between Hamas and the Abbas-chaired Fatah movement have promised elections since then but never delivered.

As a result, no Palestinian national institution can claim electoral legitimacy today. Rather, Hamas and Fatah have

steadily consolidated control over their domains in Gaza and the West Bank, respectively. Both of their security services **have energetically cracked down (<https://www.washingtoninstitute.org/policy-analysis/state-no-army-army-no-state-evolution-palestinian-authority-security-forces-1994>)** on supporters of the other movement, and each has populated its bureaucracy and judiciary with loyalists. More than a decade later, the Palestinian split is no longer simply a political rift, but a deeply entrenched institutional fact.

Ending the split has consistently been a high priority for the Palestinian people, who blame both parties for its perpetuation in roughly equal measures. The two sides have signed numerous reconciliation deals in response to public pressure, yet all of them failed to resolve deep ideological disagreements and fundamental questions such as the fate of Hamas's armed militia, the fate of the thousands of civil servants it has appointed since 2007, and its future role in the overarching Palestine Liberation Organization (PLO).

The current call for elections did not stem from a breakthrough in any of these longstanding disputes, but rather from a familiar pattern of mutual posturing. In late December, Hamas announced that it would abandon its past demand that elections for the legislative council, presidency, and PLO be held simultaneously, instead accepting Abbas's demand that they be held consecutively. This highly publicized move painted Abbas into a corner, so he issued his January 15 decree to avoid being cast as the one impeding elections. Yet all of the aforementioned obstacles to holding them remain. And if elections do take place despite the long odds, both sides are already taking practical steps to shape the conduct of the vote and, possibly, annul the outcome.

Why the Decree May Fizzle Out

Hamas and Fatah publicly welcomed each other's announcements, but both have little to gain and much to lose by holding elections. They firmly control their respective territories, and neither has indicated any willingness to loosen its grip. Although Hamas has previously offered to give up some of its civilian control in Gaza, it remains inflexible about giving up security control under any circumstances, and has responded harshly to any elements that challenge its authority, from Fatah to civil society and Salafist groups. As for public opinion, Hamas still leads Gaza polls owing largely to PA sanctions imposed on that territory in recent years, but it is far from assured of an overwhelming electoral majority given longer-term dissatisfaction with its rule. Accordingly, significant voices inside Hamas—including senior official Mahmoud al-Zahar—have expressed misgivings about elections.

Likewise, Abbas has shown no willingness to give up power in the West Bank. Even if Fatah were to win the parliamentary election, it is unlikely to achieve the wide majority Abbas would need to renew his legitimacy, since polls consistently show the two sides running neck and neck in any vote. According to a December poll conducted in both territories by the Palestinian Center for Policy and Survey Research, 34 percent of respondents would vote for Hamas and 38 percent for Fatah. A close race would also endanger longstanding Abbas policies such as security cooperation with Israel and targeting Hamas terrorist infrastructure in the West Bank.

Elections could have implications for internal Fatah politics as well, with new factions forming among aspirants to succeed Abbas. Jibril Rajoub played a central role in reaching this month's understandings and is pushing for elections, but some of his competitors are opposed. Elections might also allow exiled Abbas rival Mohammad Dahlan to make a comeback. Although he is barred from running, the former Gaza security chief still commands significant support among Fatah activists in Gaza, partly because Hamas has allowed his backers more freedom of action than it has given to Abbas's faction. If jailed Fatah figure Marwan Barghouti decides to run—especially with Dahlan's support and in cooperation with an emerging faction led by Nasser al-Qudwa—a significant split within the party may ensue.

Perhaps most important, an election that brings Hamas back inside or atop the PA system could jeopardize Abbas's primary foreign policy objective: reestablishing relations with the United States. The Biden administration is

currently expected to reverse some aspects of Trump policy toward the PA by attempting to reestablish contact and, eventually, reinstate some economic assistance. Most of Abbas's actions since the U.S. election results became known have been geared toward quickly reengaging Washington when the time comes. Holding Palestinian elections would raise legal and political issues that vastly—perhaps prohibitively—complicate this process. It would also raise tensions with Jordan and Egypt, who regard Hamas with great suspicion and have expressed their misgivings about elections directly to Abbas.

For now, Hamas has insisted that its security forces will oversee any election process in Gaza, while Abbas issued decrees tightening his already considerable grip over the judiciary mere hours before the election decree. Such measures will likely be points of contention when Palestinian factions meet in Cairo early next month to discuss the conduct of the vote.

Another potential obstacle is securing cooperation from the Israelis, who would need to approve holding elections in East Jerusalem and refrain from operations against Hamas activists. Although the East Jerusalem issue was raised and resolved in previous elections, both matters remain highly contentious—even more so than usual now that Israel is gearing up for its own election in March.

Conclusion

The new decree has generated excitement in a society where at least three-quarters of the people reportedly desire elections, according to the Palestinian poll mentioned above. Yet similar initiatives failed in the past due to factors that remain unchanged today. As the parties move beyond general declarations and start grappling with modalities and conditions, their fundamental disagreements are likely to derail the process once again.

Even if elections do proceed, Hamas and Fatah's apparent unwillingness to cede meaningful power in their territories would likely deepen the ongoing Palestinian legitimacy crisis rather than resolve it. As the 2006 vote showed, elections held in a politically charged environment without clear terms of reference or strong institutions can do more harm than good.

Rather than focusing on elections, the United States should engage the PA and its regional allies on stabilizing the West Bank political scene while ensuring that Gaza's humanitarian situation does not deteriorate further. Clarifying Palestinian succession is a priority given Abbas's advanced age and **[the instability his sudden departure may trigger \(https://www.washingtoninstitute.org/policy-analysis/palestinian-politics-after-abbas-sudden-succession-essay-series\)](https://www.washingtoninstitute.org/policy-analysis/palestinian-politics-after-abbas-sudden-succession-essay-series)**. Moreover, poor governance and nearly universal perceptions of corruption have dramatically undermined the PA's domestic legitimacy. Washington should therefore look into leveraging aid—alone and in coordination with international donors—in a manner that fosters PA institutional reform. Finally, U.S. officials should encourage Israel and the PA to advance concrete measures on the ground that help maintain stability, rehabilitate the idea of cooperation, and begin rebuilding trust between the two sides.

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