

Palestinian Elections and the Need for Political Change

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Brief Analysis

After more than a decade of feuding, Palestinian factions face an opportunity for change.

On January 15, 2021, Palestinian Authority (PA) President Mahmoud Abbas issued a presidential decree ordering three successive rounds of Palestinian national elections for the PA's legislature and presidency and the Palestine Liberation Organization (PLO). Palestinian elections—which according to Palestinian Basic Law must be convened every four years—have been long overdue, with the last legislative elections held in January 2006.

In those elections, Hamas candidates won a landslide victory that enabled Hamas to dominate the government at the expense of its rival, the Fatah movement, and a Hamas government was sworn in after Fatah and several other factions refused to form a national unity government. Yet this Hamas-led government was faced with the Quartet three principles—recognizing Israel, renouncing terrorism, and accepting previous agreements between the PLO and Israel—and its refusal led to an international boycott and the isolation of its government.

Tensions between Fatah and Hamas subsequently exploded into a civil war in 2007, leading to a bloody struggle for control of the Gaza Strip. Fatah lost and was largely expelled from the coastal enclave to the West Bank, where it resumed leadership of the Palestinian Authority. The political division between the West Bank and Gaza allowed Hamas to govern the poor enclave, home to more than two million Palestinians.

Since then, many regional players have tried unsuccessfully to broker deals between the two adversaries, with these deals all failing the implementation test. Yet Abbas's election decree encouraged Cairo to sponsor a new round of Palestinian dialogue, held between February 8-9, 2021, and the fourteen Palestinian factions attending the summit have announced that they have reached a new agreement that would set the guidelines for the first Palestinian national elections in nearly fifteen years.

Contrary to previous agreements, this latest one focuses on the technical tools to secure free and democratic elections in the midst of internal division and the absence of mutual trust; Egypt has used its leverage to conclude a

new roadmap agreement towards that end. The agreement calls for the formation of an election court which will be solely responsible for following up on the electoral process and its results. It also calls for comprehensive political freedoms and the right to participate freely in these elections. International and regional observers are also invited to monitor these elections. The agreement is further bolstered by a new presidential decree issued February 20 that spells out the release of all political prisoners in the West Bank and Gaza. However, the ultimate success of the agreement depends on the behavior political will of Fatah and Hamas to conclude this process successfully.

The new agreement states that the PLO is the sole legitimate representative of the Palestinian people, an indirect way of reaffirming the PLO's commitments to previous agreements with Israel. While Hamas is not yet a member of the PLO, Hamas would join at the conclusion of all three successive rounds of elections under the new agreement.

Meanwhile, many Palestinians are skeptical that the vote will be held at all, as election promises have fallen through in the past. Abbas has vowed to hold elections several times since his four-year term expired in 2009. However, repeated attempts to hold votes for president and parliament have collapsed, largely due to the mistrust between Fatah and Hamas.

Presidential Outcomes

Mahmoud Abbas, the 85-year-old president of the PA is too unpopular to lead Fatah in the upcoming legislative and subsequent presidential elections—surveys say two thirds of the Palestinian public desire his resignation. According to a December poll by the Palestinian Center for Policy and Survey Research, Abbas would lose to Hamas chief Ismail Haniya in presidential elections, raising the question of Fatah's popularity in legislative elections as well.

Even so, both Fatah and Hamas are trying to engineer the next legislative elections so that there are no big surprises as there were in 2006. Fatah senior leader Jibril Rajoub and deputy Hamas chairman Saleh al-Arouri have acknowledged their interest in a joint list for the legislative elections, which they claim would allow them to form a new government acceptable to the international community and the region and bypass the quartet three conditions.

The electoral system will be based solely on proportional representation, in contrast to the 2006 hybrid proportional/district model, which will deprive any single Palestinian faction from winning the majority of seats in the legislature and forming the next government individually.

Even so, Fatah is not prepared for the legislative elections. The party is disorganized and faces corruption charges in the West Bank. Above all, Fatah suffers from the deep split between Fatah leader Mahmoud Abbas and its exiled leader Mohamed Dahlan, who has lived in exile in the UAE since 2011 and is seen by many Palestinians as the mastermind behind normalization between the Gulf country and Israel.

Dahlan has invested a significant amount of money and resources in the Gaza Strip and refugee camps in the West Bank and Lebanon. Most recently, Dahlan delivered 20,000 UAE-funded coronavirus vaccine doses to Gaza. These activities in Gaza are well coordinated and approved by Hamas, which sees Dahlan's activity as a way to exploit the animosity between Dahlan and Abbas for its own electoral interests. Public opinion polls have indicated that if Dahlan and his faction form their own election list, it will damage the chances of Mahmoud Abbas's faction.

But that is not the only threat facing Fatah in the legislative elections. Marwan Barghouti, who is serving five life sentences in Israeli prison, has also threatened to form his own election list unless he is granted veto power over candidates in the official Fatah list. Hussein Sheikh, the PA Minister for Civilian Affairs and an ally of President Abbas, visited Barghouti in an Israeli prison on February 11 in what was seen as a bid to dissuade him from running against Abbas in the subsequent presidential elections scheduled for July 31. The results of the elections will largely hinge on Fatah unity and the ability of third parties to convince the electorate that they can provide them better

future than Hamas or Fatah.

By contrast, and despite some factional and personal quarrels, Hamas is a better organized and more disciplined group that will not tolerate internal divisions in an electoral context. But Hamas will have to face a very discontented constituency in the Gaza Strip, representing 42 percent of total eligible voters, who have suffered enormously from poverty, unemployment, blockade, and absence of basic services over the past fourteen years. Public opinion polls have indicated that Hamas popularity has dropped to about 20-25 percent in Gaza, compared to 44 percent in 2006.

The Potential for Broader Impact

The new agreement has emerged in part due to the emergence of the Biden administration in the United States. The new administration, keen on democracy and free elections, is understood as being committed to restoring relations with the Palestinian Authority and helping the Palestinian people. For its part, Israel has not yet spoken on the Palestinian elections, though it is clearly watching the ongoing dialogues. Palestinians are concerned that Israel will obstruct voting in East Jerusalem, which has been recognized by Former President Donald Trump the eternal capital of Israel.

Palestinian leadership is also under extreme pressure given the broader regional developments suggesting that Arab and Islamic countries will not wait for Palestinian leadership as they did in the past. With the UAE, Bahrain, Sudan, and Morocco having already normalized their relations with Israel, it is likely that others are on their way to do so, shifting the equation of any negotiations between Israel and Palestine.

The next Palestinian election could determine not only the future of Palestinian politics, but also the future of Israeli-Palestinian talks. On the one hand, negotiations for a full peace are not imminent and do not seem an immediate priority of the new Biden administration, which is already facing enormous domestic pressures. Yet a newly elected Palestinian parliament could inject new life into the stalled peace negotiations.

A successful election has the potential to reunite the Palestinians again under one government and, if Hamas commits to peace, will deprive Israel of its accusation that there is no credible peace partner among the Palestinians. To this end, the PA very recently sent a letter to the Biden administration affirming that all Palestinian factions—including Hamas—are committed to the two-state solution and to non-violent, peaceful resistance. This letter has so far not received any public response from Hamas.

The Palestinian leadership can seize the opportunity of a friendly U.S. administration and the political developments from Hamas to move toward peace negotiations with Israel. A prisoner swap between Israel and Hamas will most likely be impossible until after Israel's March elections, but such a move would pave the road for a stabilized ceasefire in what is currently a volatile political environment. Moreover, Palestinians also remain concerned about Israel's earlier movements to annex parts of the West Bank and are looking for international assurances that Israel will not renew this policy.

But such developments depend on the results of elections in both Israel and Palestine as well as the ability of the United States and the international community to bring both sides to the negotiating table. Israel is facing its own electoral challenges, with Prime Minister Benjamin Netanyahu facing corruption charges in the midst of a fourth election campaign in two years.

Palestinian elections can similarly lead to a variety of outcomes; they may be a moment of reckoning for Palestinian strategy or simply represent a factional shift that maintains the broader status quo. Much will be decided through future negotiations, and the fourteen factions returning to Cairo in March are hoping that this agreement will be a new chapter in Palestinian internal relations. Even so, such commitments are achieved through deeds, not words. ❖

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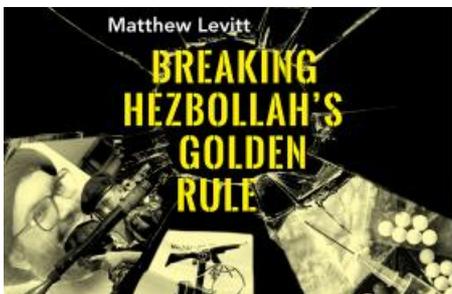
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