

# How to Judge the Palestinian Elections

by [Ben Fishman \(/experts/ben-fishman\)](/experts/ben-fishman), [Mohammad Yaghi \(/experts/mohammad-yaghi\)](/experts/mohammad-yaghi)

Jan 24, 2006

## ABOUT THE AUTHORS



[Ben Fishman \(/experts/ben-fishman\)](/experts/ben-fishman)

Ben Fishman is a Senior Fellow in The Washington Institute's Program on Arab Politics.

[Mohammad Yaghi \(/experts/mohammad-yaghi\)](/experts/mohammad-yaghi)

Mohammad Yaghi is a research fellow and program manager at the Konrad Adenauer Foundation, specializing in social and Islamic movements and the Gulf states.



Brief Analysis

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## Ahead of January 2006 Palestinian legislative elections, Western officials are underestimating the risks of a Hamas victory and violence.

**O**n Wednesday, January 25, Palestinian voters will elect a new Palestinian Legislative Council (PLC) for the first time since the initial PLC was elected ten years ago. The participation of Hamas in the elections marks a turning point in Palestinian politics; the group boycotted the original 1996 ballots as part of its rejection of the Oslo process. Ensuring a smooth transition from elections to the seating of the new PLC will require passing several hurdles, not the least of which is protecting balloting and vote-counting from violent disruptions. Assuming election day proceeds without incident -- no small matter given the level of domestic lawlessness over the last several weeks -- Palestinian Authority president Mahmoud Abbas will then face the challenge of selecting a prime minister to form the next government. What remains unknown is precisely how well Hamas will finish in relation to Abbas's own Fatah party, and whether a tight race will lead Abbas to include Hamas as an active partner in the next Palestinian government -- or, indeed, whether a poor Fatah showing might prompt Abbas to resign.

## The Threat of Violence

**G**iven the increasing state of lawlessness in the West Bank and, especially, Gaza, it will be no small accomplishment if elections proceed without further violence. In the numerous elections Palestinians have held in the past year for the presidency, municipal councils, and Fatah's primaries, only the January 2005 presidential election took place in a state of calm. Throughout the subsequent voting, armed gangs often disrupted balloting, seized election offices and polling places, threatened election officials, or violently protested outcomes to dispute results. Because balloting for the PLC depends on national voting, those interested in sabotaging the elections have

only to create similar anarchy in one district or even one polling station potentially to jeopardize the entire electoral process.

Abbas has staked his own authority as a national leader on the peaceful conduct of the elections. He announced in a January 16 interview with local media that the security services will protect balloting and that gunmen will not be allowed in polling stations, not even official bodyguards. "If they try to enter by force," Abbas said, "force will be used against them." Arrangements were made for security forces to vote prior to January 25 so that they will be able to deploy on election day. The elections thus present a public test to Abbas and the Palestinian Authority to enforce security that has been lacking in previous months. Hamas and Fatah have agreed not to include weapons in campaign related activities and are committed to protecting the voting from violence, but the real threat will come from armed gangs and members of Fatah's own al-Aqsa Martyrs Brigades who are most responsible for past lawlessness and who have functioned as agents of those seeking to delay or permanently postpone elections. Palestinian security must also ensure the safety of the hundreds of international election monitors who have received numerous threats but whose presence will help ensure that voting proceeds freely and fairly.

The January 19 suicide bombing in Tel Aviv by Islamic Jihad represents another type of threat to elections. Israeli defense minister Shaul Mofaz warned the Israeli cabinet that further attacks may be planned with the aim of provoking an Israeli response that would disrupt voting. Consequently, the role of Palestinian security services in the coming days should not just be to guard polling stations from immediate violence, but to act especially vigorously against any planned terrorism against Israel, and to ensure calm as the results are tallied and negotiations proceed to form the next government.

## Consequences of the Election Results

**T**he latest round of polling suggests that Fatah and Hamas are in a heated race, but polling even at this late stage is unreliable since it only effectively measures national popularity, not the standing of individual candidates running for seats in constituent districts. At a national level, Fatah holds a lead over Hamas of between 2 to 7 percent in various polls. But Fatah is especially vulnerable in the districts where Hamas has had recent success in municipal elections, and dozens of independent candidates who are Fatah members threaten to split the Fatah vote. The latest poll by Khalil Shikaki indicates that Fatah and Hamas are running evenly in the districts, with as many as thirty seats too close to project.

Most observers of Palestinian politics expect Fatah to finish ahead of Hamas but with only a narrow plurality and not the majority of sixty-seven seats needed to form a government on its own. There is even the chance that Hamas may win more seats than Fatah, though it too will fall short of a majority. For Fatah to be able to lead a coalition, it would have to win something approaching fifty-five or even sixty seats on its own, or 42-45 percent of the vote, and rely on another seven to twelve sympathetic independents. However, with its likely national coalition partners polling at only 3 percent nationally, and with Fatah-leaning independents not expected to do well in the districts, such a pool of viable independents is unlikely to be elected. Alternatively, Fatah may be able to forge an alliance with its old partners in the Palestine Liberation Organization (PLO), whose lists together could win ten to fifteen seats. In either case, Fatah will hardly represent a unified voting bloc, and it will be extremely difficult to preserve a Fatah-led coalition with only a narrow majority even if it manages to approve a government.

In the event Fatah is unable to win sixty-seven seats on its own or together with allied independents, Abbas may choose to join a coalition with Hamas to gain the necessary votes to endorse the next government. Fatah members themselves seem resigned to this reality; with only few exceptions, most prominently Mohammad Dahlan, Fatah candidates are not attacking Hamas during the campaign. On the contrary, Marwan Barghouti, who heads Fatah's national list, urged the formation of a "government of national unity" in a January 22 interview from prison. For his part, Abbas declared on al-Jazeera that the basis for a party's participation in the next government should be its

acceptance of Oslo and the Roadmap. However, Hamas is unlikely to accept such conditions, let alone take specific measures that would force it to change its core identity by recognizing Israel's right to exist, renouncing terrorism, or abandoning its independent armed capability.

As to whether Hamas itself wants to join the government and assume ministries and the ensuing responsibility of governance, the organization's candidates have sent mixed signals. Hamas will wait until the results of the elections to decide its ultimate policy, but Ismail Hanneyya, who tops Hamas's "Change and Reform" list, has declared, "Hamas aspires to form a political national coalition grouping all winning camps in the elections in order to shoulder the national duties."

## Conclusion

Unless Fatah and its allies are able to exceed 50 percent of the vote in the elections, Hamas will likely be in a strong position to influence the composition of the next Palestinian government. Even if an agreement is reached whereby Hamas does not assume ministerial positions, but agrees to vote in support of the government, Hamas's influence will be substantial so long as its votes are required to sustain the government. Regardless of the precise nature of Hamas's role, it will be impossible for Abbas to pass legislation disarming militias, including Hamas -- a measure he pledged to enact during his October visit to Washington. Moreover, Hamas will not be the only party opposed to disarmament, as Fatah and its allies also claimed the mantle of resistance during the campaign.

Without an election day surprise and a sudden resurgence of Fatah, it is unlikely that Abbas will be able to form a government that adopts his current program of disarmament, renouncing terrorism, and pursuing a two-state solution through negotiations and the Roadmap. This reality may cause Abbas to resign, and it will certainly force the international community to reconsider the policies it has pursued toward the Palestinian Authority since the adoption of the Roadmap in 2003.

*Ben Fishman is a researcher and special assistant at The Washington Institute. Mohammad Yaghi, a Ramallah-based Palestinian political analyst, is executive director of the Palestinian Center for Mass Communication, a columnist for al-Ayyam, and a project manager for the Konrad Adenauer Foundation.*



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