

Post-Arafat Transition: Upcoming Palestinian Elections

by [David Makovsky \(/experts/david-makovsky\)](/experts/david-makovsky)

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ABOUT THE AUTHORS



[David Makovsky \(/experts/david-makovsky\)](/experts/david-makovsky)

David Makovsky is the Ziegler distinguished fellow at The Washington Institute and director of the Koret Project on Arab-Israel Relations.



Brief Analysis

As the Palestinians seek to sort out the post-Arafat succession, ostensibly the first order of business is presidential elections. The Palestinian Authority (PA) has said it would hold presidential elections on January 9, 2005. However, making the election successful may require prior commitment to a cease fire, which in turn requires understandings among Palestinian factions accepted by Israel; this would be necessary to ensure peaceful conditions on the ground and the absence of Israeli military interruption during the election itself and the preceding campaign. According to the London-based Arab daily al-sharq al-Awsat, Mahmoud Abbas (a.k.a. Abu Mazen), former Palestinian premier and newly named chairman of the Palestine Liberation Organization drove home this point in two rounds of talks with Palestinian rejectionist groups over the last week. Abu Mazen is quoted as saying, "We need a safe, secure and calm internal situation, so we can hold elections. There is no possibility of holding elections while we are in a state of war and violent struggle. Elections need a secure environment that will allow for it to be done in a free and fair manner. Elections require freedom of movement and transportation to reach the ballot boxes and ensuring the participation of citizens." Indeed, there have been a variety of quotes from rejectionist leaders saying they may be willing to adhere to a unilateral ceasefire, but so far, there has been no definitive word from the main rejectionist group, Hamas. There have been a variety of reports that Hamas would agree to a ceasefire, but it seems that it will only if Israel accepts it as well. Israel may respect a truce brokered by Egypt among the Palestinian factions just as it consented to one during the summer of 2003. At the same time, it will be concerned that its acceptance not be exploited by undisciplined radicals in a way that ties Israel's hands and makes it vulnerable to attack. The last ceasefire fell apart because of differing understandings of its terms among the key protagonists. Unless that lesson is learned another truce is likely to fall apart, too.

Another prerequisite for elections is that Abu Mazen needs to receive the nomination of the dominant Fatah party. Abu Mazen's nomination could easily be a formality, since so far, there is no real opposition. Yet, Fatah elections, while recognized by many as necessary, might be resisted by an Old Guard seeking to preserve its power. The issue of Fatah elections has been a dominant motif of the Young Guard. They believe that a combination of elections on all levels will have the cleansing effect of ridding the PA of old cronies of Yasser Arafat, who were beneficiaries of corruption. Moreover, it will inject new blood into a calcified system. Elections with or without Hamas?

As it stands, the plan is for presidential elections to be held on January 9, 2005. Abu Mazen reportedly favors parliamentary elections to occur within a subsequent five-month period, believing that an election for eighty-eight seats in the Palestine Legislative Council (PLC) is too complex an undertaking to occur in such short order. In order to allay suspicions, Abu Mazen needs to persuade everyone that presidential elections will not come at the expense of legislative elections, but there is a fixed timetable. In what seems to be a clear break from the only other PA election, which was held in January 1996, Hamas spokesmen make clear they would welcome parliamentary elections, even if they boycott the presidential election. During the previous election, Hamas boycotted the balloting completely. At the time, the group asserted that its participation would be tantamount to accepting the Oslo Accord, since the rules of the Palestinian elections were set forth in the September 28, 1995, Oslo II agreement with Israel. Hamas's signaling that it would probably contest the parliamentary elections demonstrates that they no longer want to be on the sidelines and want to enhance their political clout. However, the latest poll by the Ramallah-based Palestinian Center for Policy and Survey Research puts Hamas strength in the West Bank and Gaza at only 22 and 30 percent respectively, indicating that there seems to be little danger that Hamas could dominate a future PLC.

Moreover, Hamas seems prepared to play an opposition role. Both Abu Mazen and other senior PA officials publicly ruled out this week the possibility that Hamas would be considered for a coalition government with the leading Fatah party unless they recognize a two-state solution with Israel. Leading Palestinian political analyst Khalil Shikaki explained Hamas's differentiation between presidential and legislative elections as follows: "Hamas seeks to hold legislative and local elections and does not care about the presidential elections. It does not want to govern; it wants to demonstrate its popularity and hopes to play a strong opposition role." So will any other candidate contest Abu Mazen? So far, he faces only token opposition from two far lesser known figures. The one figure who would present a serious challenge to him is popular young Fatah leader, Marwan Barghouti, who sits in prison convicted by Israeli courts for committing five murders during the intifada, and therefore the possibility of his candidacy seems symbolic, rather than real. Palestinians close to Barghouti say he is unlikely to run. Shikaki agrees, believing the "Young Guard will seek to make a deal with Abu Mazen and they are using the Barghouti candidacy as a bargaining chip."

Lessons from the 1996 Elections

So long as Arafat was alive, both the Bush administration and the Sharon government opposed elections that could be viewed as a relegitimization of his leadership. With Arafat's death, it is clear that both parties are unqualified supporters. For the Bush administration, such elections might not only legitimize a more moderate leadership but also fit within a broader framework of President Bush's focus on democratization: elections in Afghanistan in October, and elections in both Iraq and the West Bank/Gaza areas in January. The Bush administration clearly hopes that cumulative impact of all three elections will burnish its democratization agenda in the Middle East.

For Israel, one potential stumbling block seems to have been removed during the last few days. Prime Minister Ariel Sharon has made clear he will not seek to overturn a delicately reached compromise that exists in Oslo II, namely the voting rights of East Jerusalemite Palestinians. Israel does not consider East Jerusalem to be part of the West Bank, especially since Israel annexed the territory after the 1967 war, but the Palestinians do. Interestingly, the first compromise plan involving East Jerusalem representation was made by the government headed by Likud's Yitzhak Shamir in the early '90s. He consented to East Jerusalem representation in the delegation involving Palestinians at the Madrid peace conference, so long as the delegate had a second address in the West Bank. This approach evolved by the time the Oslo Declaration of Principles (DOP - Annex I, Paragraph 1) were signed on the White House lawn in 1993, as the DOP explicitly states that East Jerusalemites may vote in Palestinian elections. The modalities for voting were codified in a creative compromise in the Oslo II agreement (Annex II, Article 6). According to the agreement, Palestinians would vote at Israeli post offices in East Jerusalem. Given the venue, Israel could therefore claim the

votes were absentee ballots. Indeed, the 1996 elections occurred without any major incident.

In 1996, as mandated by Oslo II, it was the European Union that monitored the elections. The elections were witnessed by 650 observers representing seventeen governmental and nongovernmental delegations from a wide variety of countries, including Arab states. It is possible that this time the Palestinians will seek the involvement of the UN. It should be pointed out the 1996 elections were held without major friction. There was concern that violence between Palestinian militants and settlers would break out on the roads and elsewhere, but this did not occur. It may be pointed out that the 1996 elections occurred on the Jewish Sabbath, when the settlers stayed in their homes.

David Makovsky is a senior fellow and director of The Washington Institute's Project on the Middle East Peace Process. ❖

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