



The Palestinian Electorate: “Islamists are more capable of leading the reform and state building process.”

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Hamas’s victory in the Palestinian legislative elections is primarily a popular choice to punish and defeat the discredited and fragmented Fateh movement. Corruption and growing insecurity were major motivations in voters’ choice, and Hamas was viewed as more able than Fateh to create clean government and to enforce law and order, two of the most important aspects of state building. The peace process was dealt a fatal blow with Israel’s resort to unilateral action and further discredited Fateh. Yet opinion polls continue to indicate that Palestinians subscribe to a peaceful settlement based on coexistence of two states. A Hamas-led government could result in improved governance practices and a more democratic and empowered legislative council but much depends on the attitude of Fateh, Israel and foreign partners and donors. Despite its specificity, the Palestinian experience carries important lessons for the Arab world.

The Hamas Movement realized a watershed victory in the 25 January 2006 Palestinian legislative elections. Its candidates won 74 of 132 seats, i.e., 56% of the Parliament’s seats. The ruling party, the Fateh Movement, received 45 seats (34%), while other party lists, such as the Popular Front, Independent Palestine, Al Badeel, and The Third Path, took nine seats (7%). Four independent candidates supported by Hamas also won (3%). This paper assesses the election results and their immediate and longer-term impact on the Palestinian political system as well as the future of democratization and political reform processes in

light of anticipated local and international developments, particularly those related to the peace process and Israeli-Palestinian relations.

Palestinian voters delivered a clear message: Islamists are more capable of leading the reform and State building process. Had the electorate’s objective been simply to punish Fateh, the voting results would have been different; those who reject Fateh could have voted for the nine other national-secular party lists participating in the elections. The voters, however, wanted to defeat, not just punish, Fateh, and judged that only Hamas was capable of accomplishing this defeat and leading the state building and reform processes.

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The general context of the elections

The second Palestinian legislative elections took place within a difficult and turbulent domestic political context. Polling took place just as Palestinian society was confronting a deep crisis in attempting to emerge from the second Intifada, with all the consequent internal conflicts and changes in leadership. Growing public insecurity, chaos and disorder expressed the depth of the social and political crises as the elections drew near, as did the emergence of militias or armed groups making only aesthetic and superficial efforts at institutional reform, while failing in their attempts to impose order and the Rule of Law. The failure to secure law and order came as a particularly hard blow for the Fateh Movement. Indeed, the citizenry's general sense of insecurity for themselves and for their families was aggravated because it was clear to them that the armed militias affiliated with Fateh were primarily responsible for that the breakdown in public safety.

At the same time, popular criticism of the spread of corruption was gaining momentum. This had already become evident in the municipal elections of 2005. Concern about corruption oriented voters' choices, resulting in successive defeats for Fateh candidates and electoral lists. The Palestinian Authority had demonstrated that it was incapable of dealing seriously with this issue, while the Islamic opposition, on the other hand, promised to tackle corruption as a top priority. The crisis of leadership took other forms, most notably in the struggle of forces between factions within the Palestinian Authority, particularly within the ruling party, i.e., Fateh, which had lost its historical leading role following the death of President Yasser Arafat in November 2004. Arafat's death coincided with renewed fighting between the "Old Guard" and the "New Guard," a clash that had escalated during the Second Intifada. Internecine squabbling nearly dealt Fateh a fatal blow when the New Guard of Fateh, under the leadership of Marwan Al-Barghuthi and Mohammad Dahlan, decided to form an independent electoral list named "The Future" just a few weeks before election day. Later, however, they decided to merge the two lists into one unified list.

The crisis was evident in the resurgence of competition and fighting between Fateh and the strongest opposition party -- Hamas -- over power and resources, as well as in the ruling party's efforts to postpone the decisive moment of voting

as much as possible, just as Hamas attempted to play a more prominent role in the management of the Gaza Strip's affairs after the Israeli withdrawal from Gaza, and in the context of all the attendant fears of bloody conflict between brothers.

Other dimensions of the leadership crisis were evident in Hamas' own ambiguous attitude about its role in the Palestinian political system as a legitimate player *versus* its role as a clandestine armed movement. Changing realities were forcing Hamas to choose between electoral participation and political legitimacy on one hand, or forming a parallel authority possessing a significant armed wing and revolutionary legitimacy on the other hand.

Added to the general framework described above was the failure of Leftist and "third way" forces to unite so as to compete effectively against both the ruling party (Fateh) and the opposition (Hamas). This failure reflected the absence of a sturdy and united political vision as well as a lack of readiness at the leadership level to accept internal political competition and negotiations as mechanisms for settling organizational disputes. Thus, the smaller parties neither appreciated nor realized their actual political strength and standing amongst the electorate. Their lack of vision and strategy resulted in the emergence of nine "third" lists, five of which failed to get beyond the threshold percentage of two percent, and thus did not win any seats either at the national or the district levels in the respective constituencies.

All of these internal developments took place against the background of a general political immobility in the peace process. The terms of the peace process required that the Palestinian Authority and its leadership deal with unilateral Israeli actions, as exemplified in Prime Minister Ariel Sharon's plan to disengage from the Gaza Strip, without setting conditions because of international desires to ensure the success of this Israeli endeavor. This scenario caused the Palestinian public to lose confidence in the peace process. Instead, many began to put more trust in the capacity of the armed resistance to impose a *fait accompli* on the occupying force. This marked a significant ideological and political turning point: Fateh had lost one of its main leverage mechanisms over Hamas, the capacity to achieve, through negotiations, a peaceful settlement that would put an end to the Israeli occupation.

Why did Hamas win and Fateh lose?

Three factors played decisive roles in the defeat of Fateh in favor of Hamas:

- 1.) The Palestinian electorate no longer believes that the peace process can decisively end the occupation;
- 2.) Growing public doubts about the feasibility of the State building process, particularly given the spread of corruption, nepotism, and insecurity over the last decade and the failure of the Fateh-led Palestinian Authority to undertake effective political reforms; and
- 3.) Fragmentation within the Fateh movement as well as the visible absence of any true leadership of the Movement in the post-Arafat era.

Lack of public trust in the peace process:

The stagnating peace process, since the failure of the Camp David initiative in July 2000, has undoubtedly eroded Fateh's status since the ruling party tied the success of its national State-building project and the end of the occupation to the success of the peace process. Israel's decision to disengage from Gaza five years after the outbreak of the Second Intifada helped convince much of the Palestinian public opinion that armed resistance is more effective than diplomatic action in achieving Palestinian rights.

Last year, polls showed that most Palestinians were no longer optimistic about the success or the viability of the peace process. Polls also showed that the Palestinian public feels that armed struggle is more efficient than negotiations. On election day, the number of those choosing the revitalization of the peace process as their first concern did not exceed nine percent.

However, this does not mean that the voters rejected the fundamental underpinnings of the peace process. On the contrary, polls showed that, during the last few years, Palestinian public opinion has gradually become more accepting of moderate peaceful settlements that are also acceptable to the Israeli majority. On election day, those who defined themselves as being opposed to the peace process did not exceed 17%, while nearly 60% declared their support for the peace process. Furthermore, a narrow majority of voters (51%) asserted that they wanted the new

Parliament to implement the Road Map, whereas only 39% opposed its implementation.

Moreover, 49% of the voters wanted the new Parliament to draft laws requiring the disarming of all factions and groups, while 26% desired laws allowing these factions to keep their weapons. Only 21% did not want the Parliament to intervene in this issue. As far as any "permanent solution" is concerned, 49% of voters supported a proposal based on the establishment of a Palestinian State next to Israel on the basis of a mutual recognition of Israel as a State for the Jewish people and Palestine as a State for the Palestinian people. Those opposed to this proposal constituted 48% of voters.

Results also showed that some aspects of the peace process were supported by a majority of Fateh voters (between 60% and 70%), a majority of the other national-secular factions (50% to 63%) and more astonishingly by almost two-thirds of the Hamas voters.

In other words, one third of Hamas voters chose this movement's electoral lists *despite* their disagreements with its stances toward the peace process. This result supports the above-mentioned conclusion that a vote for Hamas was not automatically a vote against the peace process, but rather, an index sign of the Palestinian public's loss of confidence in the credibility and efficacy of this process.

Fateh's failure in reform and state-building processes:

The Palestinian Authority and the ruling Fateh party foundered in the pre-elections period on the two issues of administrative corruption and public insecurity. The PA's failure in these two crucial areas was simply a reflection of wider failures in a number of other governance fields, such as building public institutions, imposing law and order ensuring political reform and promoting democratization. The vast majority of the Palestinian public (87%) believes that corruption is endemic to the PA; a similar proportion (75%) feels that security and personal safety for citizens and their families are dangerously lacking.

The numerous successes that Hamas enjoyed in the run up to the January elections may have helped to tie the issues of corruption and lack of public safety more closely together in voters' minds.

Since these issues were given top priority by Hamas, it is not surprising that the Islamic resistance party defeated Fateh. A poll taken on Election Day revealed that a vast majority (71%) of those who considered corruption their top concern voted for Hamas, whereas a very small minority (19%) concerned about corruption voted for Fateh. The poll also indicated the same voting phenomenon among those who put public security and personal safety at the top of their priority list as they headed for the voting booths.

Additional fragmentation within Fateh:

Although Hamas achieved a stunning victory in the Palestinian legislative elections, it has still not won over most voters' trust. In other words, Hamas achieved a crushing victory in terms of number of seats with a wide majority (56%), yet it still did not win the majority of votes. The votes were divided at the national level between Hamas (44%), Fateh (41%) and the nine other lists (15%). At the level of the constituencies, meanwhile, Hamas candidates gained 41% of the popular votes (*not* of the seats) against 34% for the Fateh candidates and 25% for all the other candidates, including Fateh's "independent" candidates.

How, then, did Hamas manage to convert these qualified statistics into a clear majority at the Parliament? The answer is very simple: each Hamas candidate had to face six candidates from Fateh, the other lists and the independents. Fateh entered the districts elections (covering sixty-six seats) with at least 142 candidates and was thus in competition not only with the Hamas and other candidates, but also with its own candidates. Had the Fateh performance in the respective districts been more disciplined or the electoral system based on proportionality only (instead of adopting a mixed system), Fateh might have been able to form the Palestinian government by creating alliances with the other lists.

It was the dispersion of the Fateh votes that dealt the ruling party a fatal blow at the polls, despite the great popularity attained by its candidates (formal and independent) in the districts. This popularity could easily have been converted (had Fateh united its forces) into an additional number of seats, perhaps as many as 16, resulting in a hypothetical 33 seats for Fateh against 33 for Hamas. The decisive contributing factor ensuring Hamas' victory was not public attitudes for or against the peace process, but rather, conflict and contention

between the Old Guard and the New Guard within Fateh during the Intifada, especially in the post-Arafat era. The formation of a new Fateh list ("The Future") by members of the New Guard signaled the depth and extent of the crisis within the Ruling Party.

The significance of the Hamas victory for the Palestinian political system

The Palestinian political map is divided in three main sectors. To the right stands the Hamas Movement (along with Islamic Jihad and Islamist independents), which is now the major political force in Palestinian society. Hamas' ability to assuage the Palestinian need to retaliate against Israeli policies over the last five years of the Al-Aqsa Intifada doubled the support it had enjoyed before the outbreak of the Intifada. In the middle stands Fateh which has controlled the Palestinian Authority since its formation, and which enjoyed the trust of the majority of the Palestinian public until the second legislative elections in January 2006. To the left stands a disparate group of national-secular forces, of which four succeeded in gaining seats in the second Parliament.

Hamas' boycott of the first legislative elections in 1996 enabled the Fateh Movement to win decisively and to achieve an overwhelming majority in the first Parliament, thus guaranteeing Fateh an automatic mandate to construct whatever political system it desired. In light of the administrative and historical legacy of the PLO, this meant that a historical leader, i.e., Yasser Arafat, could create an authoritarian regime lacking accountability, a regime in which not only Parliament, but also the judiciary and other public institutions and public institutions could be marginalized. In such a setting, there were no real and meaningful mechanisms of institutional control over the security apparatus or public funds.

The results of the January 2006 elections have radically changed this picture, however. Changing power through the peaceful means of free elections gives the democratization process in Palestine a strong push. Having Fateh and four other small party groups forming the new opposition, which is probable though not yet certain, may well strengthen the role and efficacy of the Parliament in the Palestinian political system, particularly in terms of rendering the Executive (to be represented by Hamas) more accountable. Enhanced oversight

and accountability could mean improved performance by Palestine's executive power. Since the president of the Palestinian Authority comes from the opposition, a balance between the Presidency on one hand and the Cabinet and Parliament on the other would gradually crystallize. Such a balance might help to strengthen the judiciary, which would then be empowered to play the key role of arbiter between the two sides.

This optimistic scenario is not a given, however. The next Hamas Government could well confront intractable internal and external obstacles that could hinder its ability to enact the reforms it has promised the Palestinian electorate. The Fateh movement may have designs to return to power as quickly as possible through new elections, which it could call for once it has learned the necessary lessons, unified its fraying ranks, and formed solid alliances with other national forces in key constituencies.

Israel and the International Community, led by the United States, can hinder the development of a positive scenario by rendering Hamas incapable of being either an arbiter of the Palestinian political process or capable of paying the monthly salaries of approximately 150,000 employees in the public sector. (The Palestinian monthly payroll comprises an estimated USD\$120 million, most of which is derived from Israeli financial transfers or grants from donor countries, and thus leaves the Palestinian economy profoundly vulnerable to political influences.)

As far as public services and administration are concerned, Hamas will find itself at the mercy of Israel's daily bureaucratic practices and the vagaries of collective punishment policies, which will prevent Hamas from providing basic services such as water, electricity and fuel, as well as health care and other services, such as free movement, transportation, travel, applying for IDs, passports, registering newborns, repairing streets, etc. An international boycott of the Palestinian Authority could lethally undercut its ability to provide services at home or to represent Palestinians abroad, all of which would quickly incapacitate Hamas' governing abilities and functions.

Internally, Hamas will confront significant obstacles in controlling the Palestinian Authority's bureaucracy, especially its security services which have always been under the control of leaders and cadres affiliated closely with Fateh. Fateh is likely

to view any political reform processes and anti-corruption campaigns as thinly veiled attempts to purge its personnel from the security services and civil bureaucratic bodies, and to place Hamas loyalists in the Palestinian governance structure at Fateh's expense. This could easily spark a fierce conflict between the two parties, and could even degenerate into internecine violence.

If Fateh realizes that it lost power because of the mixed nature of the electoral system, which in effect punished Fateh for its lack of internal discipline, and not because the electorate was fiercely opposed to Fateh's stances, some Fateh leaders might feel emboldened to place obstructions in the path of the new Hamas Government in an attempt to go to new elections. Fateh can make it impossible for the Hamas Government to enjoy a peaceful internal security situation, simply by keeping its armed militias just as Hamas did in a successful bid to undermine the Fateh Government.

Should this dire scenario unfold, it will mean not only the failure of the Hamas Government to impose law and order, but it will also foster an environment in which armed operations against Israel will continue, and in a possibly less predictable fashion. Hamas will not be able to halt such operations if Israel insists on building settlements and the segregation wall, imposing closure and geographical isolation and perpetrating abductions and assassinations.

Lessons learned from the Palestinian electoral experience

Despite the uniqueness of the Palestinian experience (exemplified by the fact that the Palestinian political regime is emerging and evolving under a military occupation that forces Palestinians to rely entirely on the occupying State as well as on assistance from various donor States, to manage, its administrative, financial and social obligations), the main lessons of the January 2006 Palestinian elections may well be applicable to other Arab political systems in the region.

The first lesson for Palestinians as well as for other Arabs is that the democratization process, including peaceful transfers of power, does not necessarily mean that political, economic and social problems will subside. To the contrary, the dynamics of a democratization process can make

such problems even more complicated in the short term.

Indeed, a political reform process can even be more difficult in the context of a democratization process. In spite of all this, a peaceful transfer of power in the Palestinian Territories was the only option given the worsening of internal conditions, the chaotic security situation and the rise of militias, all of which could have easily led to a long and bloody intra-Palestinian conflict. Lacking any mechanisms to make changes through peaceful political means, Palestinians would have recourse only to violence in the short- and the long-term.

The second lesson is that a peaceful transfer of power through institutionalized elections will probably result in a triumph for Islamists, especially in authoritarian regimes that have successfully weakened and disabled any countervailing national and secular opposition forces. The weak position of national and secular political opposition forces relative to the Islamists means that they cannot be as attractive for voters who want significant change, i.e., voters wanted to defeat, not simply weaken, the ruling regime. The process of political reform in the Arab world must begin with a thoroughgoing reform of the party system, with a view toward promoting civil and political freedoms, creating an atmosphere of competition and political participation. This may ensure that the electorate will have a choice that is not limited to voting for a deficient incumbent government, or a reformist religious opposition.

The third lesson centers on Western reactions to the Palestinian elections results: Western calls for reform and democracy in the Arab world are not based on a Western commitment to the democratization process regardless of its results; rather, these calls aim to achieve very specific, and not necessarily democratic results. In the Palestinian case, the democratization process strongly encouraged by the West was meant to improve the chances of the peace process succeeding, not to instill democracy. The relatively negative Western reaction to the Palestinian election results will only deepen the gap between the democrats of the Arab World on one hand and the West on the other. The United States tried, in proposing its reform and democracy initiative in the region, to separate this initiative from regional political realities, chief among which is the Arab-Israeli conflict. Ultimately, however, the Palestinian elections' key lesson was that the continuation of the Israeli-Palestinian conflict will only hinder and thwart aspirations for democracy throughout the region.

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