

# Palestinian Municipal Elections: a Gradual Change

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After boycotting the Oslo Accords, which were signed in September 1993 as part of the Israeli-Palestinian peace process, the Islamic resistance movement, Hamas, decided to seize hold of the Palestinian political system via municipal elections. Ahmed Qurei, ex-Prime Minister of the Palestinian National Authority, declared 2004-2005 to be election year for Palestinians, due to the fact that in the course the year several types of election had to be held: municipal, legislative, presidential, and political elections for the Fatah movement, the party in power at the heart of the PLO, and the Palestinian Authority.

The question of elections was infinitely exploited, sometimes hoped for, even demanded by the USA, notably with the declaration of President Bush in June 2002, according to which the organisation of elections and the emergence of new leaders were a *sine qua non* condition for the creation of The Palestinian State. This idea of Hamas was abandoned when President Yasser Arafat, surrounded by Israeli tanks since January 2001 in the Mukataa at Ramallah, decided to organise general elections.

It should be remembered in this context that in 1976, when Israel wanted to discredit the PLO representative of the Palestinian people in Palestine, it allowed the organisation of municipal elections hoping to see emerging personal-

ities hostile or at least distant from the PLO. The effects produced were quite the opposite: the majority of those who won the municipal elections being very close to the Palestinian centre.

At this point the Israeli authorities resorted to the exile or imprisonment of its elected mayors, eventually allowing groups of fanatic Israelis to attack those elected by the Palestinians. Since then no election has taken place in the Palestinian territories other than those involving syndicates.

Since the return of the PLO in July 1994, a new dynamism has been developed, to the point that for the first time in the Palestinian territories, presidential and legislative elections were held in January 1996. But at municipal level, things were handled differently, through the nomination of municipal councils in the whole of the West Bank and Gaza territories. These nominations were controlled according to a system of regional and tribal balancing inserted in the Palestinian political system.

But this question of municipal elections was always at the centre of Palestinian internal political and social struggles and demands. Thus the first law passed by the Palestinian legislative council was precisely one for local communities. Nevertheless, President Yasser Arafat has always preferred to shelve this question for political reasons, which notably reveal the fear of the possible arrival of Hamas candidates at the head of municipal councils. But finally President Yasser Arafat was obliged to give in to the demands of the political parties and associated movements. This is how the Palestinian Authority decided, after the Legislative Council passed the law of proportional elections, to organise the first phase of municipal elections on 23

December 2004. This date was scrupulously adhered to, despite the death of President Yasser Arafat.

## **Election phases**

The law on local elections passed in December 1996 allowed the election of municipal council members to take place with voting for a single member in one round. The number of seats on the municipal council depends on the number of inhabitants entered on the electoral roll. As far as the voters are concerned, the law indicates that every person residing in the municipal territory is a citizen, whether it is their place of permanent residence or their place of work. But it did not give any explanation about the votes of refugees. An implicit agreement was made on this subject between the minister of local government and the associations for the defense of refugees in July 1997, which established a distinction between the West Bank and the Gaza Strip. Amendments to the electoral law of 1996 were introduced by the government shortly before holding the municipal elections of 2004/2005. The most important was that one establishing a minimum quota for the representation of women on municipal councils. This stipulated the election of at least two women per council, whatever the size of the considered conscription. A presidential decree of March 2005 equally established a denominational quota for some localities which were historically or in the majority Christian. For the poll of May 2005, this involved Bethlehem (where 8 out of 15 councilors had to be Christian) Beit Jala and Beit Sahour (7 councilors out of 13).

Furthermore, the high central committee of municipal elections decided to adopt a 5 stage process of elections across all of the Palestinian territories. The reason given for this progressive method was the stable state of public security in each Palestinian locality, in relation to the Israeli occupying forces. Thus, according to this logic, the elections had to take place for the first time in each locality under Palestinian control and not under Israeli military control.

### Rise of Hamas

The first phase was developed in two stages: a first election took place on 23rd December 2004; it involved 26 West Bank municipalities. A second election took place on 27th January 2005; it involved 10 Gaza Strip municipalities. It should be noted that this first election took place 40 days after the death of the President Yasser Arafat and a month before the presidential elections of 9th January 2005.

The second important factor in this Palestinian political scene was the participation for the first time of the Islamic resistance group, Hamas, even though this movement had been listed as a terrorist organization since September 2003. The other organizations opposing the Oslo Accords also took part in this election, with the exception of the Islamic Jihad movement.

In the first stage of the first phase on the West Bank, the Fatah movement won in

14 municipal councils, whilst Hamas took control of 9 councils. This was therefore the first penetration of the Islamic movement, which was to be followed a month later by a very significant victory by Hamas in the second stage on 27 January 2005, when Fatah only gained 2 out of 10 councilors in the Gaza strip.

The second phase of the municipal elections took place on 5th May 2005; it involved 84 municipalities (municipal councils, local councils, village councils) and villages in the West Bank (76) and the Gaza Strip (8). More than 400,000 electors were called to vote to elect 906 members of local councils.

The level of participation was 82% of some 400,000 people aged over 18 years and eligible to vote. Fatah won 55% of the 906 available seats compared to 34% obtained by Hamas. This result allowed Fatah to control some 50 municipal councils, compared to the 28 of Hamas, the rest going to independent or less important groups. However, in this election, Fatah instigated court proceedings over the proper conduct of the elections in certain polling stations and this led to the court's decision to nullify the results of 4 polling stations in the Gaza Strip and the West Bank.

The third phase was held solely in the West Bank, on the 29 September 2005, and the fourth, the most important one, was also held in the West Bank on the 15th December 2005, just a month before the second legislative elections when Hamas officially announced its participation.

In this fourth phase, which was held in 4 main towns in the West Bank, such as Ramallah, (centre of the Palestinian Authority) Hamas won a net victory of 73% of the electoral voice, which allowed the Islamist group to take control of 13 out of 15 municipalities.

It could be said that this stage was in some way a first snapshot of the Palestinian political landscape, since a month later the Palestinian people elected a strong Hamas majority to the legislative council, on 25 January 2006.

It should be noted that there was an important participation of international observers in the whole electoral process (there remains a 5th phase, which must take place in the month of August or September 2006, which will involve the rest of the large towns in the West Bank and Gaza, such as the towns of Hebron and Gaza).

All the reports of international teams indicated that the whole of the Palestinian election process, both the general and the municipal level, was carried out under democratic and transparent conditions despite all the difficulties, due mainly to the presence of the Israeli occupying forces.

It remains only to say that the results of these elections are the fruits of a certain number of factors, linked simultaneously to the Palestinian system itself, but also to the pursuit of the Israeli occupation, and the powerlessness of the international community to have international law respected.