

Brynjar Lia

A Police Force

without

a State

**A History of the
Palestinian Security
Forces in the
West Bank and Gaza**

A Police Force **without a** **State**

*A History of the Palestinian Security Forces
in the West Bank and Gaza*

In memory of my father Olav Lia

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BRYNJAR LIA

ITHACA
P R E S S

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Glossary

AFP	Agence France Presse
AHLC	The Ad Hoc Liaison Committee, the main policy-making coordinating committee for international aid to the Palestinians, established in November 1993
AI	Amnesty International
AP	Associated Press
Black Panthers	Paramilitary resistance organization, primarily in the northern West Bank (Jenin, Nablus), linked to Fatah
B'Tselem	The Israeli Information Center for Human Rights in the Occupied Territories
CIA	(The US) Central Intelligence Agency
COPP	The Coordinating Committee for International Assistance to the Palestinian Police Force
CPRS	The Center for Palestine Research and Studies, Nablus
DCO	District (Security) Coordination (and Liaison) Office
DFLP	The Democratic Front for the Liberation of Palestine
DoP	The Declaration of Principles on Interim Self-Government Arrangements for the West Bank and Gaza Strip (known generally as the Oslo Accords)
DPA	Deutsche Presse-Agentur
Fafo	The Institute for Applied Social Science, Oslo
Fatah	The Palestine National Liberation Movement (<i>harakat al-tahrir al-wataniyyah al-filastiniyyah</i>)
Fatah Hawks	A paramilitary resistance organization, primarily in Gaza, linked to Fatah
FBI	US Federal Bureau of Investigation
FFI	The Norwegian Defense Research Establishment (Forsvarets forskningsinstitutt)
FIDA	The Palestinian Democratic Union
Force-17	The Palestinian security agency with primary responsibility for Chairman Arafat's security

GIS	(The Palestinian) General Intelligence Service (<i>al-mukhabarat al-'ammah</i>)
GSS	General Security Service (the Israeli internal intelligence agency), also known as Shin Beth or Shabak
Gush Emunim	(Lit. 'The Bloc of the Faithful') Israeli religious-nationalist settler movement which has spearheaded new settlement establishments in the Occupied Territories since the 1970s
Hamas	The Islamic Resistance Movement (in Palestine)
HRW	Human Rights Watch
IBA TV-A	Israel Broadcasting Authority TV (Jerusalem, in Arabic), via SWB
IBA TV-H	Israel Broadcasting Authority TV (Jerusalem, in Hebrew), via SWB
ICITAP	US International Criminal Investigation Training Assistance Program
IDF	The Israeli Defense Forces
IDF Radio	Israeli Defense Forces Radio (Tel Aviv, in Hebrew), via SWB
IMRA	Independent Media Review and Analysis, Aaron Lerner, Israeli right-wing media source
IPCRI	Israel/Palestine Centre for Research and Information, Jerusalem
IPR-SBID	IPR Strategic Business Information Database, via Lexis-Nexis
IPS	Inter-Press Service
IsrTV 1	Israel TV Channel 1 (Jerusalem, in Arabic or Hebrew), via SWB
IsrTV 2	Israel TV Channel 2 (Jerusalem, in Hebrew), via SWB
IsrTV 3	Israel TV Channel 3 (Jerusalem, in Hebrew), via SWB
JCSS	The Jaffa Center for Strategic Studies
JD	Jordanian dinar, the currency used in the Occupied Territories
JMCC	The Jerusalem Media and Communication Center, Shaykh Jarrah, East Jerusalem
JSC	(The Palestinian–Israeli) Joint Security Coordination Committee

LACC	The Local Aid Coordination Committee
LAW	The Palestinian Society for the Protection of Human Rights and the Environment
MECS	<i>Middle East Contemporary Survey</i>
MEED	<i>Middle East Economic Digest</i>
MENA	The Middle East News Agency, Cairo
MFA	Ministry of Foreign Affairs, (if not specified, it signifies the Norwegian MFA)
MOU	Memorandum of understanding
NGO	Non-governmental organization
NIS	New Israeli shekel, the Israeli currency
PA/PNA	The Palestinian Authority or The Palestinian National Authority
PASC	Palestine Armed Struggle Command (<i>qiyadat-al-kifah al-musallah</i>), the PLO's police in the refugee camps in Lebanon
PFLP	The Popular Front for the Liberation of Palestine
PFLP-GC	The Popular Front for the Liberation of Palestine – General Command
PHRIC	The Palestinian Human Rights Information Center
PHRMG	The Palestinian Human Rights Monitoring Group
PIJ	(Palestinian) Islamic Jihad
PLA	The Palestine Liberation Army
PLO	The Palestine Liberation Organization (<i>munazzamat al-tahrir al-filastiniyyah</i>)
PNC	The Palestine National Council
PNSF	The Palestinian National Security Forces (<i>quwwat al-amn al-wataniyyah</i>), the largest paramilitary police branch, corresponding roughly to the Public Security in the Oslo Accords
PPF	The Palestinian Police Force or the Palestinian Directorate for Public Security and Police (<i>mudiriyyat al-amn al-'amm wa'l-shurtah</i>)
PPP	The Palestine People's Party
PSA	(The Palestinian) Preventive Security Agency (<i>jihaz al-amn al-wiqa'i</i>), sometimes called the Preventive Security Service (PSS, PPSS) or the Preventive Security Force (PSF)

PS/Force-17 al-Qassam	Presidential Security/Force-17 (<i>amn al-ri'asah</i>) The 'Izz al-Din al-Qassam Brigades, Hamas's military wing
Red Eagles	The paramilitary resistance organization, linked to PFLP
RLeb	Radio Lebanon (Beirut, in Arabic), via SWB.
RMC	Radio Monte Carlo (Middle East, Paris, in Arabic), via SWB
SCNS	The Supreme Council for National Security
SSC	The State Security Court, established by the PNA in February 1995
SWB	BBC Summary of World Broadcasts
SWG	The Sectoral Working Group
SWG/PPF	The Sectoral Working Group for Police
TIP	The Temporary International Presence (for Gaza and Jericho)
TIPH	The Temporary International Presence in the City of Hebron
UD	The Royal Norwegian Ministry of Foreign Affairs (Utenriksdepartementet)
UD-RG	The Norwegian Representative's Office in Gaza
UD-TE	The Royal Norwegian Embassy in Tel Aviv
UD/TIP-files	Selected MFA correspondence on the TIP-negotiations, 1994–5
UNC	The Unified National Command of the Uprising, a PLO-led body directing the intifada from 1988 onwards
UNDPKO	The United Nations Department of Peacekeeping Operations
UNRWA	The United Nations Relief and Works Agency for Palestinian Refugees
UNRWA/ PPF-files	UNRWA correspondence and internal memos on donor payment of salaries for the Palestinian Police, 1994–5
UNSCO	The Office of the United Nations Special Coordinator in the Occupied Territories
UPI	United Press International
VOI	Voice of Israel Radio (Jerusalem, in Hebrew), via SWB

VOI-A	Voice of Israel Radio (Jerusalem, in Arabic), via SWB
VOI-E	Voice of Israel Radio (Jerusalem, in English), via SWB
VOI-Ex	Voice of Israel Radio, external service (Jerusalem, in English), via SWB
VOL	Voice of Lebanon Radio (Beirut, in Arabic), via SWB
VOP-A	Voice of Palestine Radio (Algiers, in Arabic), via SWB
VOP-J	Voice of Palestine Radio (Jericho, in Arabic), via SWB
VOP-R	Voice of Palestine Radio (Ramallah, in Arabic), via SWB
VOP-Y	Voice of Palestine Radio (via Yemeni Republic Radio, San'a', in Arabic), via SWB
Xinhua	The Xinhua News Agency

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Notes on Transliteration and Terms

With regard to the transcription of Arabic terms and names, I have made no distinction between emphatic and non-emphatic consonants; only ‘and’ have been used to indicate alif and ‘ayn. As I refer to many names that have no agreed English transcription, I have in general transcribed the names of people and the names of places according to how they are spelt in written Arabic. This means that a few names may not look familiar to all readers: for example, I have preferred Sari Nusaybah to Sari Nusseibeh and Sa’ib ‘Urayqat to Saeb Erikat. (I have admittedly deviated from this rule with regard to Yasir Arafat’s name (not ‘Arafat) and to widely known geographical names.) Regarding the Norwegian letters æ, ø and å, I have chosen not to transcribe them when used in names. (My experience is that non-Norwegian readers mispronounce such names anyway.) On the other hand, English translations have been provided in footnote references to sources in Arabic and Norwegian.

When the text or footnotes refer to the MFA, the Cairo Embassy, the Tel Aviv Embassy, the Gaza Office etc., they should be understood as the Norwegian MFA, the Norwegian Embassy in Cairo, the Norwegian Representative’s Office in Gaza etc.

A few terms require explanation. I have used the terms ‘police’ and ‘policing’ about activities which for many readers probably appear to be the exact opposite of the purpose of policing, namely fighting crime. The theoretical discussion in the Introduction will shed some light on the fascinating complexity of non-state policing and the blurred border between policing and dealing with crime in societies in conflict. I have used the term ‘paramilitary’ frequently, despite the fact that it is not commonly used in the Palestinian context. It has two meanings. First, as an adjective it refers to semi-military formations. Second, as a noun it refers in this study to members of groups or organizations that regard themselves as military formations, although they lack most of the formal

attributes of an army. They are usually armed or have access to weapons, and view violence as a legitimate means of struggle. Although elsewhere, the term may refer to counter-guerrilla militias, no such connotation is intended here. In this study, the term 'paramilitary' or 'paramilitaries' is often synonymous with 'street fighters', 'guerrilla', 'militant' and 'terrorist' as broadly defined. The term 'terrorist' has generally been avoided, except for contexts where the terrorism discourse itself is relevant, for the simple reason that it involves too many judgements about the legitimacy of resistance, targeting strategies and distinctions between civil and military targets etc., which in many cases are difficult to determine empirically and clearly fall outside the scope of this study. Again, this usage does not imply that a paramilitary cannot be a terrorist, only that the former term seems more adequate for explaining Palestinian policing. For the same reason, the term 'activist' has been avoided except where it refers to persons with a predominantly political and non-violent (or non-military) involvement.

The 'Palestinian Police' (with upper-case initial letters) is used as a generic term to refer to all Palestinian police organizations – from the Civilian Police and the National Security Forces to the various intelligence and security agencies – operating as part of Palestinian self-rule, but it excludes exile-based security organizations such as the Palestine Armed Struggle Command (PASC) in Lebanon. When referring to the blue-uniformed Palestinian Police, I prefer the term 'Civilian Police' although the Palestinian National Authority (PNA) often only use the term 'police' (*shurtah*) for these units. I have referred to Palestinian 'security forces' in contexts where army-like formations such as the Public Security (or National Security) Forces are involved, and I use the term 'intelligence' or 'security agencies' or 'security services' where typically plainclothes units are involved, such as the Preventive Security and the General Intelligence.

I refer to the 'Palestinian National Authority' (PNA), not the PA, as is the common term in Palestinian–Israeli agreements, because the former term is how the PNA refers to itself. For the sake of simplicity, I use 'the PLO' until May 1994, when the PNA Council was formed, and 'the PNA' at later stages, although I fully acknowledge that these two bodies were interwoven and that decision-making on the PLO level affected the PNA and vice versa. I use the term 'Fatah' about the majority mainstream wing of the PLO, although other common terms exist in English, such as Fath, Fateh or al-Fatah.

Foreword and Acknowledgements

I would like to thank Bjørn Olav Utvik at the University of Oslo for being my supervisor for the doctoral dissertation that became the basis for this book. Another person who deserves special mention is Annika S. Hansen, my colleague for many years, whose structured approach to security sector reform has been very helpful to me. Oren Barak, now at the Hebrew University in Jerusalem, also deserves special thanks for inspiring me during my sabbatical at Harvard University. I would like to mention too Otwin Marenin at Washington State University, Rex Brynen at McGill University, Paul Lalor and Jane Margaret Chanaa then at the International Institute for Strategic Studies, Gordon Peake at the International Peace Academy, Oxford University, Sara Roy and Lenore Martin at Harvard University, Lars Haugom at Oslo University, Bjørn Smørgrav and Police Major-General (ret.) Arnstein Øverkil at the Norwegian Ministry of Foreign Affairs, Nils Butenschøn at the Norwegian Centre for Human Rights, Hilde Henriksen Waage at the Peace Research Institute in Oslo, Beverley Milton-Edwards at Queen's University in Belfast, Richard Hooper, and Mark Taylor at the Fafo Institute for Applied International Studies in Oslo. They were all helpful with comments and constructive criticism at various stages of my research. I am also indebted to the librarians at the Harry S. Truman Research Institute in Jerusalem and at Orient House's library, especially Aron and Hani, who assisted me so generously during my research there in autumn 2000.

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would also like to thank the Norwegian Ministry of Foreign Affairs for allowing me access to its archives. Finally, my numerous interviewees and informants, many of whom cannot be named for various reasons, deserve my sincere thanks for their time, insights and knowledge which they shared with me in the course of my research. All errors and flaws in this work are of course my responsibility alone.

I have dedicated this study to my father Olav Lia, who died from cancer when this study was near completion and without whose encouragement and inspiration this and earlier studies would not have been written.

Brynjar Lia

1

Introduction

When the Palestine Liberation Organization and the State of Israel signed the Declaration of Principles (DOP), known more generally as the Oslo Accords, on the White House lawn on 13 September 1993, a process was set in motion that led to the formation of a Palestinian self-government authority and a number of Palestinian state-like institutions in the West Bank and Gaza. The largest of these were the Palestinian police and security organizations.

Despite the considerable academic literature on Palestinian–Israeli relations and the Palestinian self-rule experiment, little has been published so far on the Palestinian police and security agencies (hereafter ‘the Palestinian Police’ or ‘the Police’).¹ This is rather surprising given the relevance of the Palestinian case in understanding the role of the police in war-to-peace transitions. Also, the remarkable evolution of the Palestinian Police from its embryonic stage in 1992–3 to a force of 40,000 men four years later with jurisdiction over most of the Palestinian West Bank and Gaza population is an important part of contemporary Palestinian and Middle Eastern history. The paucity of academic studies on the Palestinian Police has a parallel in the dearth of studies on Third World policing, reflecting the tendency of police studies to concentrate on Western societies.²

In writing a history of the Palestinian Police, it seems natural to concentrate on the establishment phase, when the process of transformation and change was at its peak. Although this study traces the evolution of various Palestinian police institutions from the outbreak of the first intifada in 1987 through the Oslo peace process to the beginning of the al-Aqsa Intifada in late September 2000, it is the formative period from 1992 to 1996 that receives the most attention. This begins with the Palestine Liberation Organization’s (PLO) police preparations during the Madrid peace talks and ends with the Police’ deployment to most West Bank cities and the Palestinian elections, which closed the first phase of Palestinian self-rule.

An underlying theoretical issue in this book is how a police force is created without the framework of a state. Inspired by the theoretical literature reviewed in here the Introduction, this work attempts to address a fundamental question about policing and insurgent movements. How do insurgent groups, when transforming into state-like entities, shape their police organizations? To what degree were the Palestinian Police's institutions and performance coloured by the fact that its organizations were created by a national liberation movement in the wake of a violent conflict (the intifada). How did the Palestinian Police adapt to the fact that it was part of a non-state entity still under territorial dispute and facing a militarily superior hegemonic power? What were the Palestinian leadership's demands, priorities and constraints in relation to the formation of the new police forces?

At the time of the Oslo Accords, the PLO had long been a well-established national liberation organization with a history of informal policing in Palestinian refugee camps and with extensive experience of protecting PLO fighters, personalities and institutions worldwide. Therefore, the PLO was not a *tabula rasa* in the realm of policing; it possessed certain policing cultures. However, its emphasis on armed struggle, the protection of the PLO leadership and the prevention of infiltration and collaboration represented a typical insurgent policing model whereby the security needs of the resistance fighters, rather than services to the community were given priority. How did this policing legacy impact on the new police force? To what degree was the insurgent policing model adopted as the basis for the new police force? Did the PLO's preparatory efforts in 1993–4, for example its recruitment policies, strengthen or weaken the continuity between the intifada and the post-Oslo period in terms of policing?

The new political order created after the signing of the Oslo Accords was another major factor that affected Palestinian policing. As the occupying and colonial³ power in the West Bank and Gaza Strip, Israel viewed the Palestinian Police through the prism of its territorial interests in the Occupied Territories and the omnipresent threat of terrorism. The dominance of Israel over the Palestinian National Authority (PNA) in nearly every area of life made its preferences and policies a major determinant of the evolution of the Palestinian Police. This created a fundamental anomaly in Palestinian policing, as the Palestinian Police's main duty, according to the signed agreements, was the protection of

Israeli security and colonial interests in the Occupied Territories. How did this anomaly affect the Palestinian Police? How did the Police strike a balance between meeting popular expectations that it both confront the Israeli occupation and defend the Palestinian homeland but also abide by the Accords?

Policing by a non-state actor in a war-torn society is not unique to the Palestinian case, and I shall briefly review some of the recent literature devoted to this topic. Although not presuming to develop a general theory, this review will provide a broad background for understanding the Palestinian policing process and will allow us to identify its main themes and dilemmas in more detail.

The Police, Policing and the State

The creation of police forces in the wake of a national liberation struggle and under conditions of limited self-rule, not full state independence, forces us to rethink the concepts of the police and policing. When the formation of a police force precedes the establishment of a state, it turns our traditional thinking about police–state relations upside down.⁴ This necessitates more theoretical groundwork than is usually required in traditional historiography. In the following, I shall discuss briefly the concepts and definitions of the police and policing in relation to politics and the state while attaching particular importance to policing by actors other than the public state police, especially policing by insurgent groups.

What is the Police?

The relationships between a police force and the state, on the one hand, and the police and society, on the other, are complex and inherently difficult to define. One important factor is the police's function as the state and the government's face *vis-à-vis* the public.⁵ This is especially so in periods of great social change, when the police often play a more autonomous role as an actor in shaping the social and political order.

The 'police' have been defined as "people authorised by a group to regulate interpersonal relations within the group through the application of physical force", a definition that focuses on three fundamental aspects of the concept of the police.⁶ Policing is best described as "a persistent

effort by (somewhat) specialized personnel to reconstruct order in preferred forms of social arrangements, often by coercive means”.⁷

There are four core elements in this definition:

- (a) *Structure*. Policing requires separateness as a social institution and some continuity as a social practice.
- (b) *Specialization*. Policing is a specialized type of job whose specific structure and functions are defined for and by each society.
- (c) *Coercion*. The most distinct characteristic of policing is the delegated authority to use force, but what constitutes legitimate coercion fluctuates with social norms and the political setting.
- (d) *Social goals and collective authorization*. Policing is work done in pursuit of certain stated socially accepted ends and values. These social goals may vary but “their promotion is policing only when sanctioned by its relevant society”.⁸

These core characteristics constitute policing, and a specific arrangement of them may be called a ‘model of policing’. Different societies adopt different models of policing, shaped by a number of factors. David Bayley has identified four factors on elements: “sources of legitimacy, complexities of organisation, multiplicity of functions and societal consequences or outcomes of policing”.⁹ On the basis of comparative studies of policing patterns in different countries, there are now a considerable number of typologies of policing. One typology, for example, distinguishes between various forms of primitive and modern policing. The Anglo-American, Continental, colonial and the pervasive/comprehensive models (Japan, Cuba and China) are different forms of modern policing.¹⁰

Although these definitions and models may be satisfactory in a modern market democracy, there are clearly forms of policing which do not easily fit into any of them. In societies emerging from violent conflict, there is usually a mix of formal state-orientated and informal insurgent-based policing. The latter will usually have ill-defined missions, a secretive and fluid organization and weak legitimacy/‘collective authorization’. Insurgent-based policing will be dealt with in more detail below.

Policing and Politics

Since the establishment in London in 1829 of the Metropolitan Police,

widely considered to be the first modern police force in history, policing styles have changed as a result of societal and political changes.¹¹ The twentieth century witnessed the emergence of technologically driven policing and the more recent ‘post-modern’ police, with its heavy emphasis on image management and community policing. Political, economic and social developments have had a critical impact on police institutions and practices, but one duty appears to have remained constant throughout the history of policing: “to maintain the social order”.¹²

The involvement of the police in politics is often associated with autocratic forms of government. By contrast, the ideal police model in liberal democracies is that of apolitical or disinterested custodians of public order and the rule of law. But, as Brewer has observed, the police “occupy a strategic role in the regulation of political conflict”.¹³ He distinguishes between two main perspectives on policing: a liberal model that derives from a liberal view of the state, and emphasizes policing by consent; it is based on broadly agreed values and the neutral and equal application of rules. The second perspective is the radical view, which argues that the police act primarily as an instrument of coercion. The state is intrusive and expansive, functioning as a bastion whose primary purpose is to defend the interests of the powerful. In this context, the police serve as partisan enforcers of minority needs as well as agents of political control.

Within this typology, the police, in dealing with, for example, public disorder, can adopt a variety of political positions. The police can be mere ciphers and dutifully implement whatever strategy or combination of strategies the state has arrived at. They can be active and partisan supporters of the state against its opponents or autonomous agents working independently of the state either to undermine it as a whole or to advance a particular state elite competing for power. Although the police are a part of the state, “[they] are capable of relative independence from social forces and from state control as well. They are not simply unwittingly tools for the state but have a varying capacity for autonomous actions . . . Structural autonomy [of the police] tends to increase in a society that is fragmented into multiple and shifting power blocs.”¹⁴

Brewer et al. have identified a number of dimensions which define the police–politics relationship and which illustrate the continuum from weak to strong relationships between the police and politics. One of these dimensions is the way in which the conduct of the police affects

people's perceptions of the state and specific state institutions and thus influences politics indirectly.¹⁵ In an attempt to improve the image of the state, the police may try, for example, to manufacture positive images by careful presentation of their conduct and to avoid negative images arising from incidents of police abuse. There are many examples of the police as agents of political change. The policies of civilianizing of the Royal Ulster Constabulary and opening up police membership to blacks in South Africa illustrate how, on occasion, police policy can be deliberately used to try to affect the state–society relationship. In general, legitimization processes are major linkages between the state and society. The police may affect these processes in autonomous and subtle ways, de-legitimizing as well as legitimizing the state and specific state policies by their behaviour and their manner and priorities in enforcing law and order.¹⁶

A key aspect of the state–police–politics complex is the state's strategy for dealing with public disorder. Irrespective of the political or ideological character of the state, most countries legislate for public disorder in similar ways. The main differences are the frequency with which emergency regulations are invoked and the legal procedures governing the use of police powers. The militarization of the police and the use of the armed forces in public order maintenance are common state strategies for dealing with public disorder. In many countries, the maintaining of public order has been militarized either permanently or for more limited periods. This process can take different forms. For example, the police may have been provided with military equipment, arms and training by the military, and their way of thinking about their mission may have been imbued with the military ethos of fighting 'an enemy'. Or the police may be militarized in a second sense, in that they have strong links with the military, which directly aid them in their defence of public order. In post-conflict situations, the militarization of the police forces may also be the result of an influx of demobilized military officers into a newly established police core, resulting in a transplantation of the military ethos and military values and behavioural and organizational patterns into what is nominally a civilian police force.

Beyond State-centred Policing

The relationship between the police and politics becomes more complicated with the introduction of policing actors other than the state-centred public police, quite a common phenomenon in traditional societies outside the Western world. Findlay and Zvekic describe the policing styles of those societies as ranging along “a continuum from state-centred policing to community-based policing, each situated primarily in terms of its relationship with state bureaucracy”.¹⁷ Alternatives to state-centred policing may appear in a variety of ways and forms, and may co-exist or conflict with state-centred policing.

Private Policing

The issue of private policing has attracted the attention of academics in response to the proliferation of private protection services in recent decades. Sklansky warns against the societal and political consequences of such policing, which obviously affect the state’s ability to guarantee all citizens, regardless of wealth, the equal protection provided by the law.¹⁸ The growth of private policing has taken place within a relatively well-established legal framework in the market democracies of the northern hemisphere; but this is less the case in the developing world, where the phenomenon of private policing is spreading. Latin America has seen a real explosion in private policing, basically because state policing is ineffective and because of the immense gap in wealth.

The rise of private policing has been both dramatic and socially disruptive in many transitional societies. In both post-communist Russia and the new South Africa, there was a great proliferation of private security agencies during the 1990s. Their rise assumed additional significance by their recruitment of former (and current) military, intelligence and secret police officers, as this may in certain cases blur the distinctions between state policing and private policing. The economic weakness of states undergoing major upheavals and societal transitions may unwittingly force a degree of privatization on to the police. Mark Galeotti noted in 1995 that Russia, which then had some 6,500 private security firms, had also failed to fully cover the operational budget of many state security services. To deal with the shortfall, these state security services had to rely on a share of any unpaid taxes they could retrieve,

complemented by their own profit-making businesses.¹⁹ The Palestinian Police also faced the dilemma that underfinancing led to illegal revenue-gathering via extortion and private protection services in the second half of the 1990s.

Self-policing in Tribal Societies

Stateless societies, such as Bedouin communities, are a particularly interesting subject in the study of self-policing. The considerable influence of tribal or clan allegiances in the West Bank and Gaza Strip makes them a relevant issue for this study.²⁰ It may seem odd to extend the concept of policing to stateless Bedouin societies, which usually lack a separate public organization with a specialized function and delegated authority to use coercion. It remains true, nevertheless, that tribal societies systematically try to control violence and that cultural traditions and strategies are constantly mobilized by Bedouins to this end. In the absence of a legitimate state authority, violent ‘crimes’ are punished in accordance with detailed inherited tribal customs. These prescribe punishments ranging from ‘socially ritualized violence’, such as cutting off the culprit’s braids, representing social death exacted in theatrical ritual form, to the more well-known vengeance killing or feuding, which constitutes a deterrent against resort to violence.²¹ Characteristically, Bedouin societies conceptualize crime within the framework of kinship organizations, where co-liability and tribal cohesion are the prime vehicles for enforcing (customary) justice. How acts of crime are dealt with depends on whether tribal group interests or individual interests are at stake. Interestingly, what modern states regard as a criminal offence or public delict, such as homicide and theft, is in Bedouin societies often regarded as a private delict in which society at large has no immediate interest. Conversely, honour crimes, such as harassment or disrespect of women or elders, which may not even be punishable under modern law, may be regarded as serious offences involving society at large.²²

The progressive integration of Bedouins into their larger national societies has not eliminated the use of customary forms of justice. As Khalaf has observed in the case of Bedouins in Palestine/Israel, they have come to accept their incapacity to maintain the entire range of tribal customs for the settlement of violence, but they nevertheless “continue to view state court rulings and settlement in cases of homicide as partial

or, better perhaps, as half-settlements”.²³ Thus, the emerging picture of social change in present-day Bedouin societies is not only one of total transformation but also “one of an ongoing dialectic of continuity and change, an interplay between tradition and modernity”.²⁴ As I shall discuss in Chapter 2, this phenomenon of co-existing and interacting systems of crime prevention and conflict resolution is particularly relevant for understanding the social context of Palestinian self-policing.

Self-policing and Vigilantism by Insurgents

Vigilantism or self-policing by insurgent groups is an important but understudied form of policing.²⁵ Such policing is of considerable interest to students of police reform in war-to-peace transitions, not least because peace settlements ending civil war often lead to the recruitment of rebel group members into police forces.

De la Roche has defined vigilantism as one of four distinct forms of non-governmental collective violence that are intended for social control and that define and respond to conduct as deviant. Vigilantism, like the three other forms (terrorism, lynching and rioting), is distinguished by a system of victims’ liability (individual or collective) and the participants’ (higher or lower) degree of organization. As opposed to lynching, which is basically spontaneous, unorganized and performed by a mob, vigilante practices are planned, organized and occur over time. In contrast to rioting and terrorism, whose victims are often randomly chosen, the victims of vigilantism are specifically selected on the basis of their individual liability.²⁶ The terms ‘vigilantism’ and ‘self-policing’ are sometimes used interchangeably, although self-policing usually connotes “popular enterprises to which everyone can and should contribute” and vigilantism is usually associated with violence and usurpation of police authority by self-styled strongmen and local militias.²⁷ Vigilantism has often been associated with establishment violence or state-sponsored or state-controlled paramilitarism designed to counter dissident movements, but the term has also been applied to insurgent groups.²⁸

Self-policing and vigilantism by insurgent groups are at the end of Zvekić’s continuum, where neither the policing actors nor the authority to police derive from or are condoned by the state. Self-policing emphasizes the activity of policing rather than the police as such. It may be a state-sponsored strategy to decentralize policing duties to local communities.

Equally, it may be the strategy of an insurgent organization to encourage and force the population's disengagement from the incumbent regime and to supplant the authority of the state with its own. In the latter context, one may also talk of an 'insurgent state' or 'guerrilla state' entity in which the insurgents enjoy a degree of territorial control, offer services and protection to the population and command general obedience to such an extent that the incumbent regime's monopoly of legitimate violence has been lost. In some cases, only international recognition may stand in the way of such an entity becoming a state.

Vigilante policing may occur as a communal response to "the perceived shortfall in the maintenance of order in society".²⁹ It spreads wherever state authorities are undermined by inter-communal or ethnic conflict and where significant segments of the population are prevented from resorting to the police in order to resolve conflicts and deal with crime. The ethnic composition of the police forces, their policing style or both are key factors in the lack of trust in divided societies. Under such conditions, vigilantism by defenders of the state and self-help justice by insurgents ('insurgent vigilantism') may become dominant forms of policing.

Vigilantism is rooted in the traditions of popular justice in a number of countries. Fritz has demonstrated that perceptions of "popular sovereignty and vigilantism" were closely connected in nineteenth century America.³⁰ He and others have shown that lawyers in the late nineteenth century and the early twentieth century were more concerned with eliminating crime than observing due process, viewing "justice as a continuum with one end consisting of 'due process legality' and the other of 'crime repression extralegality'".³¹ Similarly, Sprinzak notes in his studies of settler vigilantism in the Israeli-occupied West Bank that the vigilantes do not necessarily perceive themselves in a state of principled conflict with the government or the prevailing concept of law, only with the alleged laxity in the government's enforcement of its laws. Vigilantism by insurgents is qualitatively different, however, as it is revolutionary and aims at replacing the existing state authorities with another state authority.

The vigilantism of the Republican paramilitary groups in Northern Ireland is an informative case study of this kind of policing. In his studies of paramilitary groups in Northern Ireland, Silke argues that vigilantism is a result of their efforts, first, to contain victimization among their own ranks and, second, to contain victimization among their communities.³²

Their vigilante campaigns served to consolidate their position of authority in the local communities after the ceasefire of 1994 because the end of armed struggle threatened to undermine their legitimacy and local standing.³³ Paramilitary vigilantism is about much more than a simple response to crime. By developing an extensive and organized vigilante network, the insurgent paramilitary group increases its control over a local population, making it more difficult for other organizations to continue to exercise authority in the area. An accessible vigilante network provides a ready alternative to the public police, and the paramilitaries back up such accessibility with an ever-present threat that anyone who does contact the police risks coming under suspicion of being an informer. Reduced contact between locals and the incumbent security forces benefits the paramilitaries and allows them to generate an impression of a coherent community resisting the incumbent regime. Moreover, it enables the paramilitaries to reduce greatly the opportunities for the security forces to gain intelligence.³⁴

The relative sophistication of the 'justice' system operating behind vigilante violence has often been overlooked. Most vigilante acts are neither indiscriminate nor haphazard. They are composed of a far richer range of measures than are the shootings and beatings that make newspaper headlines.³⁵ Silke's study identifies a graduated system of Northern Ireland vigilantism ranging from warnings, temporary curfews and fines or victim restitution to more serious punishments such as acts of public humiliation, punishment beatings, shootings, expulsion and execution.³⁶ But under conditions of intense inter-communal conflict, the insurgents are always at a disadvantage compared to the formal justice system in that they lack the resources needed, for example, to operate formal court systems or detention centres for convicted offenders.³⁷ As a result, the paramilitaries have generally had to resort to cruder, violent but less time-consuming methods of punishing a crime.

An interesting question in this context is why an insurgent paramilitary group established to fight a national liberation struggle should devote so much effort to policing the community. Clearly, paramilitary involvement in vigilantism is guided by security concerns. Acts that are policed by paramilitaries are seen as either directly or indirectly dangerous to them. Political offences, primarily collaboration with the regime's security forces, are directly dangerous to the paramilitary organizations. Civil offences, on the other hand, such as theft, robbery, drug-dealing,

joyriding, vandalism and muggings, are dangerous indirectly, as they can come to undermine the paramilitaries' community support should they fail to respond adequately.³⁸ The paramilitaries' allocation of resources to policing behaviour such as throwing litter in the streets may seem bizarre, but it has to be understood in the light of their strong interconnection with their local communities. Indeed, various attempts to end vigilantism in the 1990s have failed partly because vigilantism was popular among important segments of the population.

Vigilante policing by paramilitary insurgent groups may easily deteriorate into violence, which may alienate the paramilitaries from society. Silke observes that in Northern Ireland individuals were targeted after being involved in a dispute with a member of a paramilitary organization, even if the dispute were entirely personal in nature. The paramilitaries gave immense importance to protecting their authority. The standing an individual gains within the community on becoming a paramilitary member represents one of the most tangible rewards that members receive. Consequently, the paramilitaries are very protective of their status and can respond violently to any show of disrespect. One result of this is that "it is fairly easy to conduct personal vendettas under the guise of vigilantism".³⁹ A number of paramilitary vigilante groups in Northern Ireland, especially among the Loyalist paramilitaries, also degenerated into organized criminal networks involved in drug-trafficking, illustrating another of the many paradoxes in the dynamics of 'policing' by non-state actors in divided societies.

Insurgent movements have also devoted considerable attention to self-policing, especially after they have succeeded in acquiring state-like attributes, for example territorial control, taxation and international recognition. Still, as long as a conflict continues, a guerrilla movement will hardly manage to field a well-trained police force separate from its military and paramilitary units. Two recent examples of insurgent movements which were able to create their own territorial semi-states ('guerrilla states') for a period of time are the Eritrean People's Liberation Front (EPLF) and the Sudan People's Liberation Army (SPLA). The former maintained well-disciplined security forces and developed investigation and prison sections. At the time of its military victory in 1991, there was no separate police force, leaving law and order entirely in the hands of the EPLF guerrillas. The separation of the police from the military was slow; and continued tension in the region, including the resumption of

war with Ethiopia in 1998, ensured a high level of police militarization. The EPLF was reportedly “an extraordinarily well-organized” movement, but insurgent movements are liable to political fragmentation and infighting, which usually have a very direct and negative impact on the insurgents’ policing performance.⁴⁰ In some cases, the ‘disciplined fighter mentality’ may be a source of strength for a post-conflict police organization and its esprit de corps. At the same time, however, insurgent warfare usually entails internecine fighting and collaborator killings, producing scars in the social fabric that are difficult to heal and threatening the legitimacy of the new police.

Good policing is heavily dependent on a cooperative public. The SPLA paid close attention to maintaining good relations with the civilian population; and to this end, it formed a relatively well-functioning civil administration and justice system, curtailed local raiding and strove to maintain discipline within its ranks.⁴¹ In fact, a recent study attributes the SPLA’s remarkable revival during the 1990s to its attention to civil administration and maintenance of internal discipline and social order.⁴² The SPLA case also highlights the insurgents’ difficulties in forming a new formal court system and enforcing a new and unfamiliar penal code in times of civil war. This compelled them to revert to customary law and to co-opt the traditional chiefs into the SPLA’s military system so as to increase discipline among its cadres and improve military–civilian relations.⁴³ The problems of establishing effective and legitimate justice mechanisms under conditions of violent conflict were one of the foremost challenges facing the PLO in Lebanon during the 1970s and 1980s as well as during the first intifada in the Occupied Territories.⁴⁴

Police Reform in War-to-Peace Transitions

During the 1990s, the challenge of reforming brutal, corrupt or ineffective police forces or, alternatively, of creating entirely new police forces came to be accepted as one of the most central issues on the post-conflict rehabilitation agenda.⁴⁵ The argument was that states and societies emerging from civil war or protracted violent conflict suffer from a partial or total breakdown of elementary law enforcement and public order maintenance. This ‘security gap’ encourages crime, fuels discontent and heightens the risk of a resumption of hostilities.⁴⁶

In his case study on police reform efforts in post-conflict Mozambique, James L. Woods observes that Mozambique's cities, which were renowned for their lack of crime even during the height of the civil war, were caught up in a crime wave against which the local police seemed almost powerless. The surge in crime stemmed from a combination of factors, primarily the lack of employment opportunities for returning migrants, refugees, decommissioned soldiers and rebels and the lack of control over army and rebel guns that "began finding [their] way into criminal hands".⁴⁷ The existing police force was considered highly corrupt and incompetent, and the result was that citizens often took the law into their own hands, Woods notes. Alternatively, when the police did act, it was sometimes with such excessive force that suspects were killed, prompting bystanders and relatives to attack and even kill police officers in revenge.⁴⁸

Governments in conflict-ridden societies more often than not have lost control and oversight of the use of coercion and legal violence. In his study of disarmament and demobilization processes after civil wars in the early 1990s, Mats Berdal notes that "during periods of protracted conflict, powerful sections within the armed forces and the 'security establishment' have tended to find their tasks and responsibilities considerably increased".⁴⁹ The diversity of actors in the "bloated security establishment" of civil wars, their political power and their particular economic agendas were seen as dominant factors in sustaining the dynamics of internal wars.⁵⁰ In nearly all the cases examined in Berdal's study, the post-conflict security sector included a variety of actors "whose tasks, precise responsibilities and remit have been ill-defined. The distinction between the regular armed forces and police in particular has often been blurred in law and more seriously in practice."⁵¹ Insurgent militias, warlords, local paramilitary self-defence leagues, special counter-insurgency forces and secret police units often wielded considerable power alongside, or in conflict with, the official police.

The Goal of Democratic Policing

Democratic policing has been, at least in official rhetoric, the ultimate aim of most police reform efforts, and so also in the Palestinian Territories. What constitutes democratic policing is seldom clearly and unambiguously defined, however. Cottam and Marenin make a useful distinction between

the procedural and the substantive aspects of policing. In other words, policing can be democratic or undemocratic both in style and substance: “Procedural democratic policing abides by the norm that the police are subject to laws, rules, and professional codes and do not act arbitrarily, capriciously, corruptly, or brutally when they exercise power to coerce . . . Substantive democratic policing is defined by the range of social interests served and protected by the police.”⁵²

For policing to be democratic in style, it must be genuinely accountable for possible violations of citizens’ procedural rights. Such violations range from technical errors in filling out papers to torture and mistreatment.⁵³ The concept of legitimacy is often used to describe democratic policing. Reiner has suggested that policing should be seen as legitimate when “the broad mass of the population, and possibly even some of those who are policed against, accept the authority, the lawful right, of the police to act as they do, even if disagreeing with or regretting some specific actions”.⁵⁴

The discourse of legitimacy is complex, however, and there is no simple and clear-cut boundary between legitimate/democratic and illegitimate/non-democratic policing. In post-conflict societies, the challenge of re-establishing a relationship of trust between police forces and the population, one of the cornerstones of legitimate and democratic policing, is a daunting one. Precisely because of the deep-rooted wartime legacy of political violence, there is usually a profound sense of mistrust among the population about claims that law enforcement agencies are impartial and apolitical.⁵⁵

Civilian oversight and professionalism are key words in reforms promoting democratic policing. National police organizations and internal security agencies are often powerful institutions, and the development of adequate measures for civilian oversight is difficult. Wright and Mawby correctly point out that it is “not sufficient to simply use civilian oversight as a post hoc means of investigation and blame”.⁵⁶ A wide range of constitutional, legal and organizational mechanisms have to be in place and operate at a variety of levels. Achieving civilian oversight of policing, then, is seen as an ambitious project that aims at a dynamic interaction between police institutions and a whole range of actors, including state institutions, community groups, non-governmental organizations and the media.⁵⁷

For various reasons, civilian oversight is usually dependent upon the separation of internal and external security functions, i.e. of the police

and the army. Getting the armed forces back to their barracks is seen as a key precondition for democratic policing, and assumes particular importance in societies emerging from violent conflict.⁵⁸ A number of specific proposals have been advanced to promote this goal. These range from various military reform programmes to measures aimed at improving civilian control of the armed forces, especially through new budgetary practices and civilian control over business and enterprises owned and run by the military.⁵⁹

At its most basic, however, democratic policing is about the political will of the reconstituted national government and its law enforcement capacity and resources. A combination of these attributes will need to be in place in order to achieve democratic policing in post-conflict situations. First, the structural components of indigenous public security, the police, the judiciary or legal code and prisons, must achieve at least a basic ability to maintain law and order. Training must be sufficient to ensure an adequate level of competence and professionalism.⁶⁰ Second, and perhaps the most challenging, the structures and institutions of public security must be imbued with an ethos of public service and impartiality. This is what Hansen and Lia have termed “the behavioural reform” of the security sector.⁶¹ But this can happen only if political elites have the political will to bolster the political, judicial and societal mechanisms of accountability.

Effectiveness or Due Process?

Reinstating democratic policing in post-conflict societies is fraught with difficulties and dilemmas. One of the most pressing dilemmas is how to strike a balance between popular demand for police effectiveness, on the one hand, and the rule of law and human rights, on the other. The effectiveness versus constitutionalism dilemma facing a newly created police force in a post-conflict society will be more acute if crime rates and ethnic tensions are high and/or a culture of violence prevails. Popular norms in war-torn societies are often in strong conflict with both national legislation and international human rights standards. The legacy of war has usually produced vociferous demands for summary retribution against criminals and wartime collaborators. A study of policing in Papua New Guinea observes, for example, that victims of crime “often complain that police have neglected their duty if physical maltreatment

of suspects has formed no part of the interrogation".⁶² An Australian police expert who participated in the police reform programme in Somalia in the early 1990s noted the great satisfaction among local Somalis, community leaders included, when a wartime criminal was executed after a 30-minute popular trial.⁶³

Rama Mani reminds us that the choice of repressive policing may be seen as a "lesser evil" when more fundamental objectives (as perceived by the leadership) are at stake, such as avoiding a relapse into civil war, preventing genocide or achieving independence.⁶⁴ Also, reforming the police does not automatically translate into lower levels of crime and violence. In fact, the opposite seems true. In Latin America, Charles Call observes that "contrary to what one might expect, judicial and police reforms embedded in dramatic transitions from war to peace have coincided with *more*, rather than *less*, violence".⁶⁵

The effectiveness versus constitutionalism dilemma illustrates broader peacebuilding and state-building dilemmas facing societies emerging from violent conflict. Roland Paris has argued that the potential for economic liberalism and the rule of law in post-conflict societies is limited because the societal system it aims to create, a liberal democratic polity and a market economy, is ill-suited for war-torn states and ineffective for establishing a stable peace.⁶⁶ The introduction of a market democracy is accompanied by inherently destabilizing side-effects stemming from its competitive character. A post-conflict society cannot afford too much competition because it still contains strong internal conflicts and lacks institutional structures capable of peacefully resolving internal disputes. In the Palestinian case, the venerable objective of creating a rule of law was always measured against the need to subdue radical factions which aimed at "derailing the peace process" through political violence. Similarly, strong popular demands for 'swift justice' against informers, quislings and criminals prompted the Palestinian authorities to frequently ignore the basic requirements of due process. More generally, a number of studies indicate that post-conflict societies often experience a conflict transformation whereby new conflicts among former allies emerge, threatening both the civil peace and the peace settlement.⁶⁷ Thus, effective and authoritarian policing appears to be a necessary stopgap measure to contain the strong internal tensions and disputes in the post-settlement environment.

The problem with a developmental paradigm that emphasizes the importance of a strong state is that it requires that a determined

developmental elite, not a praetorian exploitative class, firmly holds the reins of power.⁶⁸ This is usually not the case, and hence it is reasonable to challenge the common assumption that as soon as internal order in states ravaged by internal conflict has been restored, democratization and economic prosperity will follow.⁶⁹ In fact, democratization often occurs as a result of internal crisis, when the ruling elites are forced to enter into a power-sharing arrangement after their attempts to repress popular unrest have proved to be futile.⁷⁰ Conversely, when the incumbent regime and its coercive apparatus become stronger relative to the country's civil institutions and 'street' level forces of popular mobilization, they continue to suppress perceived subversives and, as a result, political participation declines and the prospects for democracy diminish. Both Paris's argument and the counter-arguments illustrate some of the intractable dilemmas of police reform in post-conflict regeneration.

The Time Frame and Institutional Basis for Police Reform

One of the reasons why the effectiveness versus constitutionalism dilemma is acute in immediate post-conflict situations is related to the fact that rebuilding a professional police force is a time-consuming process. Informed estimates about the time required are bound to be uncertain and will depend on a host of uncertain variables. Halvor Hartz, a former head of the UN Civilian Police Unit at the UN Department of Peacekeeping Operations, has judged in a recent study that "at least five years are needed to create a new law enforcement agency from scratch, until it is fully operational".⁷¹ The entire recruitment process, involving announcing positions and selecting and vetting the candidates, would take at least several months. Then, a basic training course designed to give the selected personnel the absolute basic minimum knowledge of police techniques and the law would require between 6 to 12 months. At the very earliest, the first group of police officers would be ready for active policing one year after the first announcements were issued, according to Hartz's estimates. Similar estimates are found in the comprehensive study by Oakley et al., and were widely supported by police experts at a conference held in Washington, DC in October 1997 on the issue of peace operations and public security.⁷² There seems to be general agreement that judicial and penal system reform would take even longer than police reform.⁷³ For this reason, societies just emerging

from violent internal conflict will not have a system of professional law enforcement. Instead, police forces will be inexperienced, untrained and underpaid; they will operate without stringent judicial oversight and restraint. Even with the best of intentions, serious police abuses are bound to occur, provoking popular unrest and jeopardizing the legitimacy of the police.

Police reform alone is never sufficient in producing democratic policing. Of great importance are reforms of other state institutions, in particular the judicial and penal systems. The impact of police reform efforts will be jeopardized when the judicial process is corrupt and abusive behaviour is rampant within correctional institutions.⁷⁴ A case study of the establishment of a new independent police force in Haiti after the restoration of the Aristide government in 1994 argues that the relative success of the new force was reduced by the weakness of the judiciary and the prison system: “Police officers complained that when offenders were intercepted, they either evaded prison because the penal system was dysfunctional and inadequate, or escaped trial because the courts were too inefficient to try them or so corruptible that suspects could buy their freedom.”⁷⁵

Holiday and Stanley observe in their study of peacebuilding in El Salvador in the early 1990s that the most harmful defect of the peace accord was the lack of an international mandate to promote adequate judicial reforms, which stalled the progress made in reforming the police.⁷⁶ Studies have also shown that frustration within the ranks of reformed or newly created police forces often comes as a result of the incapacity of the courts and the prosecutors to deal with the huge backlog of cases, which in turn stem from the paralysis of the judicial system during the preceding conflict. Police involvement in and support for vigilantism have occurred in many post-conflict situations.⁷⁷

Ex-Combatants in the New Police Force?

The Recruitment Dilemma

The most critical security challenge to post-conflict societies is perhaps the process of demobilization, disarmament and the reintegration into society of former combatants.⁷⁸ The literature strongly emphasizes “the potentially destabilizing role” of disgruntled soldiers and ex-combatants, whose status in society has been reduced and who often face economic

hardship in the post-conflict environment.⁷⁹ They present a particular security challenge as they are potentially dangerous recruits to the world of organized crime and may easily instigate insurrection in the volatile post-agreement period.⁸⁰

International monitoring of compliance with a peace accord's provisions for demobilization and disarmament, combined with substantial aid packages to support long-term reintegration programmes, is often seen as the essential solution to the ex-combatant problem. An incentive structure must be in place for former soldiers and guerrillas, either in the civilian sector or in a reformed army and police. Rapid demobilization may prove counterproductive and may exacerbate the security dilemma by providing little safety for the disarming and demobilizing guerrilla movement. For the newly established or reconstituted police forces, the dilemma lies in the politics of recruitment. Procedures for screening the new forces so as to weed out unqualified and undesirable individuals are important, but are difficult to carry out owing to political constraints.⁸¹ Although a clear and workable separation of military and police institutions is judged to be an essential condition for democratic policing, the need to provide employment for demobilized combatants and militants, as well as the lack of other trained personnel, often dictates the inclusion of significant numbers of former guerrillas and military personnel into the police. Rama Mani has put it succinctly: "If ex-combatants trained for warfare are inducted into the police . . . precisely at the moment when the distinction between the military and the police is sought to be reinforced – will the police reform ever be possible? . . . doing so may reinforce the nexus between police and military doctrine, and thereby perpetuate the military's influence over the police."⁸²

As William Stanley points out in his case study of the El Salvadorian and Guatemalan police reform processes, the inclusion of members of old police structures in the new police force, the *Police Nationale Civil*, constituted a major obstacle to democratic policing. He concludes that new personnel are likely to produce better policing than 'recycled personnel' from the previous regime.⁸³ In the Palestinian case, the major recruitment problem was not personnel from a previous regime but the large influx of guerrillas and streetfighters with a history of vigilantism and political violence. Although their induction was politically important, their presence clearly had a negative impact on the policing culture of the new police.

The reason for the problem of reintegrating members of old police structures lies partly in the entrenched nature of police organizations and their cultures. Marenin writes: “the police are a resilient organization and occupation. Continuities in policing will span massive social and political changes, and can be disrupted and reformed only with great difficulty.”⁸⁴ Police cultures are strong and deeply entrenched. They are shaped largely by the contingencies of police work, not by training. In fact, formal training plays a marginal role in moulding police culture. Instead, the work culture is produced by the police themselves as they struggle to cope with the multiple pressures they find themselves under. Any reform effort which ignores the power of existing police cultures “is simply rhetorical tinkering and pious hope”.⁸⁵

Review of Primary Sources

Studies of contemporary police forces outside the Western world have often been hampered by the paucity of primary sources.⁸⁶ Fortunately, this study has benefited from a wealth of primary material, including the mass media, archival sources and interviews. The mass media, including wire reports, newspapers, periodicals, television and radio broadcasting, make up a significant part of the sources used in this book. Owing to the intense international, Israeli and Arab media attention surrounding the Palestinian–Israeli conflict, the extent of available information is prodigious. No other police force in the Arab world has been scrutinized by the media to the same extent as the Palestinian Police. Printed sources have also been made available by the Palestinian Police itself, as most of its branches published their own monthly journals during the mid- and late 1990s. A third type of published primary source originates from the very active and sizeable community of local and international human rights organizations. They have been heavily involved in monitoring the Palestinian Police’s performance and documenting abuses.

This study has benefited greatly from a nearly unlimited access to the relevant foreign office files at the Royal Norwegian Ministry of Foreign Affairs for the period between 1993 and 1997. Owing to Norway’s special role in the Oslo process in general and in the Palestinian police reform efforts in particular, this archive is an important source. Since late 1993, Norway chaired the main aid coordination committees

dealing with assistance to the Palestinian Police. It also participated actively in police donor efforts through the secondment of Norwegian police officers as advisers to the PNA and to the United Nations' activities in supervising donor-sponsored police training in the self-ruled areas.

I have also conducted more than 30 formal interviews and several dozens informal interviews in Gaza City, Khan Yunis, Rafah, Jerusalem, Tel Aviv, Hebron, Ramallah, Jericho, Cairo, Oslo, Lillehammer, Geneva, Boston and Washington, DC. Those interviewed include Palestinian Police commanders, foreign police advisers, foreign diplomats, UN officials, Palestinian politicians, local correspondents, human rights activists and former Palestinian paramilitaries.

NOTES

- 1 A number of smaller works have been published examining various aspects of the Palestinian Police. These include Edwards (1996), Edwards (1997), Edwards (1998), Grange (1998), Meyers (2000), Peake (1998), Usher (1996), Usher (1998), Luft (1998), Luft (2000) and Lia (1998). None of the above-mentioned studies has been based on the broad range of archival and other primary source material used for this study.
- 2 Marenin (1996), p. 8 and Hills (2000), pp. 2–3.
- 3 The term 'colonial' refers to Israel's policy of continuous and relatively rapid expansion of civilian settlements in the Occupied Territories throughout the entire Oslo process.
- 4 I am indebted to Professor Otwin Marenin for pointing out this paradox.
- 5 Charles Mwalimu has noted: "from the public point of view, police performance mirrors the functions and actions of the government. No other agency of the government influences the development of a sound constitutionalism more than the police." Mwalimu (1991), p. 222.
- 6 Bayley (1985), pp. 7, 10.
- 7 Marenin (1996), p. 7.
- 8 Who is eligible to sanction is an issue of controversy. Marenin (1996), p. 7.
- 9 Bayley (1985). Cited in Marenin (1996), p. 7.
- 10 Mawby (1990).
- 11 Edwards (1999), p. 24 and Barlow and Barlow (1999), pp. 646 ff.
- 12 Barlow and Barlow (1999), p. 668.
- 13 The following section draws primarily upon Brewer et al. (1988), pp. 214 ff.
- 14 Cottam and Marenin (1989), p. 593.
- 15 See Brewer et al. (1988) for the other dimensions.
- 16 Marenin (1985), p. 120.
- 17 Findlay and Zvedic (1993), p. 26.
- 18 Sklansky (1999). See also Shearing (1987).

- 19 Galeotti (1995), pp. 108–9.
- 20 For studies of tribal institutions in Palestine/Israel, see, for example, Ginat (1987); and Zilberman (1996).
- 21 Cited in Khalaf (1990).
- 22 Khalaf (1990); Bisharat (1989), pp. 39 ff; and Leach (1977), pp. 23–4.
- 23 Khalaf (1990), p. 241.
- 24 *Ibid.*
- 25 There is not much theoretical work on the phenomenon of vigilantism. Most studies are empirical and discuss vigilantism by state-sponsored or state-defending groups. See, for example, Kowalewski (1996); Fritz (1994); Weisburd with Vinitzky (1984); Abrahams (1998); Bukurura (1993); Huggins (1991); Sprinzak (1987); Sprinzak (1993); and Johnston (1996).
- 26 Senechal de la Roche (1996).
- 27 Cited in Brogden and Shearing (1993), p. 130 f. See also Hills (2000).
- 28 As D. Kowalewski (1996) has observed, vigilantism against political dissent is a common phenomenon throughout the world, and vigilantism by state-supported paramilitaries represents a common mode of regime response to insurgencies. See Johnston (1996) for a discussion of definitions. For studies on insurgent vigilantism, see Silke (1998) and Silke (1999).
- 29 Abrahams (1998), p. 169.
- 30 Fritz (1994), p. 53.
- 31 According to Fritz (1994, p. 54), they justified their support for vigilantism (and even participated in extralegal activities) because they felt that there were weaknesses in the criminal justice system, and they “found corroboration within the American constitutional tradition”.
- 32 Silke (1998), p. 122. See also Hillyard (1993).
- 33 Silke (1998) and Silke (1999).
- 34 In Northern Ireland, security forces have often offered to drop charges against criminals if they agree to act as informers. Therefore, the paramilitaries prefer to deal with the criminals themselves.
- 35 But for some categories of vigilantism, there are “no reliable statistics, official or unofficial whatsoever”. Statistics on beatings, shootings and assassinations are plentiful, but for the rest, frequently almost nothing is known. Silke (1998), p. 123.
- 36 For a review of the different types of punishment and sanction, see Silke (1998), pp. 125–33.
- 37 According to Silke, the paramilitaries can and have held individual prisoners, often for long periods of time, but the effort involved is so great that the practice is used only in isolated and exceptional cases. In short, no one is held prisoner purely as a form of punishment. *Ibid.*, p. 131.
- 38 *Ibid.*, p. 134.
- 39 According to *Ibid.*, pp. 138–40, “both loyalist and republican paramilitaries have tried to install safeguards to prevent such abuses of the system, . . . [yet] every year a significant proportion of vigilante attacks are carried out for purely personal reasons”.
- 40 Cited in Hills (2000), p. 118.
- 41 Local raiding was contained partly through the establishment of special SPLA courts as early as 1985 and partly by manning a string of border police posts along the Upper Nile Lakes–Bahr al-Ghazal border. Johnson (1998).

- 42 Ibid.
- 43 Even SPLA soldiers accused of crimes against civilians were increasingly tried according to customary law, not the SPLA's own penal code. Johnson (1998), p. 69.
- 44 For more on this issue, see Chapter 2 of this book.
- 45 Eide and Holm (2000) and Oakley et al. (1998).
- 46 The term 'security gap' was introduced in Oakley et al. (1998).
- 47 Woods (1998), p. 145.
- 48 Ibid.
- 49 Berdal (1996), p. 55.
- 50 Ball and Halevy (1996), p. 23 f. and Hansen and Lia (1998). For economic agendas and the political economy of recent civil wars, see Berdal and Keen (1997) and Griffiths (1999).
- 51 Berdal (1996), pp. 55–6.
- 52 Cottam and Marenin (1989), p. 592.
- 53 Ibid., pp. 592–3.
- 54 Reiner (1992), p. 5. Quoted in Wright and Mawby (1999), p. 338.
- 55 Berdal (1996), p. 57.
- 56 Wright and Mawby (1999), pp. 338, 340.
- 57 The balance between government control and police independence is a fine one. In democratic countries, the government usually has a role in (a) the police's financial accountability, (b) the legislative basis of its formal accountability procedures and (c) the appointment of the chief of police, but the government should not have operational control. Although the independence of the police as a body is to be valued, strong police independence may itself create a policing problem. Some police studies have pointed to the potential for police abuses in democratic societies when chief officers of police are beyond the control of the government. Edwards (1999), pp. 180, 186.
- 58 Ball (1998); Berdal (1996); and Chalmers (2000).
- 59 For example, retraining soldiers for conventional warfare, the development of a professional military ethic within the newly integrated forces and securing the loyalty of high-ranking officers to democratic institutions and practices. Berdal (1996), p. 56 and Ball and Halevy (1996), pp. 74 ff.
- 60 Bayley (1995) and Wright and Mawby (1999).
- 61 Hansen and Lia (1998).
- 62 Edwards (1999), p. 187
- 63 Presentation at the conference on "Policing the New World Disorder: Peace Operations and Public Security", Washington, DC, National Defense University, 15–16 September 1997.
- 64 Mani (2000b).
- 65 Call (2000), p. 15.
- 66 Paris (1997). For a similar debate, see Frisch and Hofnung. They discuss the balance between state-building versus economic development in international development aid policies and conclude that "the lesson is that first, the legitimate monopoly over use of force must be secured, then the building of state capacity, followed by a selective development strategy. Only then may considerations of broad based and diffuse economic welfare be taken into account." Frisch and Hofnung (1997) p. 1253.

- 67 Stephen J. Stedman argues that almost every peace process ending civil wars faces the challenge of radical factions aiming to destroy the alliance between the parties to the peace settlement. Stedman (1997). See also Atlas and Licklider (1999).
- 68 Frisch and Hofnung (1997), p. 1244 f.
- 69 See, for example, Shirley (1997).
- 70 An acknowledged theorist of democratization processes, Dankwart Rustow, has pointed out that democratization may often be the by-product of stalemated struggle in which the main protagonists may seek democracy as a second-best choice. According to Rustow, democracy is not necessarily established by committed democrats but may come “as a fortuitous byproduct of the struggle [to] get rid of tangible evils”. Rustow (1970), p. 353.
- 71 Hartz (2000), p. 33.
- 72 This author attended the Washington conference. The contributions to this conference were subsequently published in Oakley et al. (1998). The authors argue that “reformation of the police force alone is normally at least a five year proposition”. (Ibid., p. 526).
- 73 Oakley et al. concluded that “compared to policing, judicial reform takes longer and is even more difficult because of its intimate connection with national sovereignty and the distribution of power in any regime”. Ibid., p. 511.
- 74 The interdependence of police reform efforts and other peacebuilding efforts and the necessity of “reforming all parts of the security sector triad” are therefore a major topic in the literature on police reform and post-conflict peacebuilding. Eide et al. (1999), p. 19. See also Mani (2000a) and Eide and Holm (2000).
- 75 Cited in Mani (2000a), p. 16.
- 76 Holiday and Stanley (1993) and Stanley and Loosle (1998), p. 135.
- 77 Stanley refers to the involvement of El Salvador police officers in the Black Shadow vigilante organization. Stanley (2000), p. 123.
- 78 Demobilization refers to the process of reducing the number of military personnel in national or irregular armed forces. Reintegration is the process of assimilating demobilized personnel into the economic, social and political life of the civilian community. Definitions are taken from Chalmers (2000). For studies of demobilization and disarmament after civil wars, see Berdal (1996); Ball and Halevy (1996); and Spear (1999).
- 79 Berdal (1996), pp. 54 ff. and Spear (1999), pp. 5 ff.
- 80 Spear (1999), p. 6; Oakley et al. (1998), pp. 521–2; and Woods (1998), p. 145 f.
- 81 Berdal emphasized the need to monitor those bodies previously associated with the secret security and intelligence agencies particularly closely. Berdal (1996), p. 53.
- 82 Mani (2000a), p. 15.
- 83 The new PNC included personnel with no previous police training, retrained personnel from the old police structures, as well as two special units that were transferred directly into the PNC. Of these groups, those without any previous training performed best, according to their advisers, because they, unlike the units they replaced, were committed to carrying out effective investigations. Transferring already existing units proved to be highly problematic: these units performed badly, and some of their members were engaged in criminal activities, including the contract murder of a prominent opposition member. Stanley (2000), p. 119.

- 84 Marenin (1998a), p. 160. See also Bayley (1985); Bayley (1995); and Wright and Mawby (1999).
- 85 Marenin (1998a), p. 159.
- 86 See, for example, Hills (2000), p. ix. For an in-depth discussion of the primary sources used in this study, see Lia (2003), pp. 42–50.

PART I

THE PLO

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2

Guarding the Revolution: Palestinian Self-Policing and Vigilantism before Oslo

This [the popular trial] shows what the Fatah Hawks are capable of doing to those who commit crimes in Palestinian society. We meted out justice in front of our people. We proved that we are the true Palestinian police.¹

Taysir Burdayni, Fatah Hawks commander, Gaza, October 1993

It is impossible to make a police force under occupation.²

Taysir Abu Khusah, Fatah activist, Gaza, June 1992

Self-policing by non-state actors in a hostile environment is an almost impossible mission, as guerrilla warfare and its requirements prevent the rise of permanent institutions with physical infrastructure. Self-policing by insurgents easily deteriorates into brutal vigilantism and arbitrary violence because the resistance movement tends to respond to reversals on the battlefield by imposing excessive measures on suspected defectors. Such measures, however, can undermine the very legitimacy of the insurrection. This dilemma was a recurrent theme in Palestinian self-policing before Oslo, and it was never fully resolved despite the accumulation of considerable experience in this field Oslo. The failure to come to grips with the problems of internal discipline and cohesion under extremely adverse conditions of continued armed conflict was perhaps the most important legacy of the various and mostly short-lived Palestinian guerrilla-state entities before 1993.

This chapter explores patterns of Palestinian self-policing during times of revolutionary upheaval and resistance, when state authority was sufficiently weak to allow for the emergence of a de facto Palestinian policing authority on the ground. It offers examples from the Arab Revolt in the late 1930s and from Jordan, Gaza and Lebanon in the late 1960s and the 1970s and an in-depth analysis of Palestinian policing during

the first intifada, from 1987 to 1993. Although patterns of resistance-based policing receive the most attention, it is important to note that Palestinian self-policing also included tribal or customary mechanisms of adjudication and enforcement of social order, based on kinship or village allegiances. These experienced a revival in times of profound societal upheaval. Customary law was not eradicated or superseded by the rise of the guerrilla organizations, but instead interacted and intermeshed with the new resistance-based authority, filling an important role in resolving social and non-political disputes and policing crime.

Palestinian policing during the intifada has not received much attention in academic literature.³ The excellent 1994 B'Tselem human rights report *Collaborators in the Occupied Territories* is one useful source, containing dozens of extensive testimonies of Palestinian paramilitaries. Other useful sources are the Unified National Command of the Uprising (UNC) and Hamas communiqués. The intensive foreign press coverage of the intifada also includes numerous reports on vigilante practices between 1988 and 1993. Finally, my own interviews with former members, including one commander, of paramilitary groups affiliated with the three PLO factions, the Fatah, the PFLP and the DFLP, are particularly relevant.

From the Arab Revolt to the 'Fakahani State'

The Arab Revolt, 1936–9

During 1936–9, the so-called Arab Revolt in British-ruled Palestine erupted and developed into an extensive rural insurgency. British military forces and the British-controlled Palestine Police temporarily ceded areas to bands of Palestinian guerrillas.⁴ The Palestinian rebels set up 'provisional Arab governments' in rebel-held areas, where taxes were imposed, stamps were issued and a degree of rudimentary internal justice was exercised.⁵

The institution of the Court of the Revolt formed by the rebels in 1936 is an interesting example of how rebel movements strive to impose order and justice on their men and the population they control.⁶ During 1938–9, the Court became particularly active. Rebel commanders responded to popular demands for such a court because many Palestinians were afraid of resorting to the official legal system.⁷ The Court, which dealt with all criminal, civil and personal matters, operated relatively

successfully in the early stages. The various rebel factions, and even the rebel commanders themselves, heeded its decisions; and partly owing to its early success, rebel commanders decided to urge the population to use only the Court of the Revolt, and threatened those who approached the official courts. Courts of the Revolt were established at a lower level, to reduce the huge workload of the main Court, but this contributed to corrupting them, as they became dependent upon the whims and preferences of local rebel commanders.

The internal justice system formed during the Arab Revolt collapsed as a result of the deterioration of the insurgency, caused by splits along clan lines and the socio-economic conflict between Palestinian landowners and impoverished farmers. Compared to the intifada in the late 1980s, it was an “unsystematic, undisciplined, and unstable insurgency, often prone to anarchic lapses”.⁸ The anarchy and internecine violence that characterized the last stages of the Arab Revolt became a powerful warning of the inherent dangers of a misguided revolt.⁹

More recent examples in which Palestinian self-policing has emerged as a challenge to state policing include the short-lived Palestinian guerrilla-state entities in Jordan in 1968–70, in the Gaza Strip in 1970–1 and in Lebanon since 1969. For shorter or longer periods, Palestinian guerrillas managed to win for themselves significant internal autonomy and state-like powers, albeit far more so in Lebanon than during the short-lived insurgency in Gaza.

The defeat of the Arab conventional armies in the 1967 war offered increased latitude for the Palestinian guerrilla organizations, which experienced a dramatic rise in popular and financial support. The ranks of the guerrillas, or *fidaiyyun*, quickly expanded from 500 to well above 5,000 full-timers, with an additional popular militia of 20,000–25,000 men.¹⁰ The very presence of such large militias inevitably created a host of new public order and law enforcement problems for the host states and the Palestinian political leadership alike, forcing them to find ways of policing the guerrilla forces and regulating interaction with local communities.

The Insurgency in Gaza, 1969–71

In the wake of the 1967 war, Palestinian guerrillas offered the Israeli military considerable resistance in the Gaza Strip. After a lull in the wake

of the first Israeli crackdown in early 1968, a long period of violent confrontations began, reaching its most intense stage between 1969 and 1971. The PLO had a sizeable guerrilla force in the Strip, owing to Egyptian-sponsored recruitment, training and arming of Palestinian regular forces (the Palestine Liberation Army) and irregular forces (such as the Popular Resistance Militia Battalions) prior to the 1967 war.¹¹ The guerrillas targeted mainly Israeli military personnel, vehicles and employees in the military administration, as well as suspected Palestinian informers. The armed resistance was augmented by a systematic civil disobedience campaign, including strikes, boycotts and protest marches.¹² By 1970, the Palestinian guerrillas reportedly “‘held the Gaza Strip by night’ and exerted significant control over the daily lives of the Gazans, resolving social disputes and convening secret tribunals to judge misdemeanours or try suspected informers”.¹³

The short-lived guerrilla-state entity in Gaza dealt with social deviance (crime), civil disputes and political crimes, in particular suspected collaborators, signifying the rise of a resistance-based policing authority in the Palestinian community. That authority was enhanced by the absence of local political leadership in Gaza, as the Egyptian military administration had striven to prevent such a leadership from emerging. The Gazan guerrilla success had flaws, however, as the pursuit of suspected informers got dangerously out of hand. Palestinian employees in the Israeli-run administration and Palestinian workers in Israel were branded ‘collaborators’ and attacked.¹⁴ Moreover, the lack of international support and the socio-economic split between the landowning elite and the guerrillas, recruited from the destitute refugee camps, weakened the resistance.

After 1971, the policing authority of the guerrillas was much reduced, as the Israeli Defence Forces (IDF) gradually subdued the resistance. The pacification of Gaza was mainly the work of Ariel Sharon, who became chief of the IDF Southern Command in 1970. Between July 1971 and February 1972, he had much success as a result of his harsh and brutal measures, for which the Israeli Army Command subsequently reprimanded him. By early 1972, the Israeli army had assumed control over the refugee camps.¹⁵ Only in the late 1980s did the Palestinian resistance re-emerge in Gaza in full strength.

The PLO in Jordan, 1968–70

The Israeli occupation of the West Bank in 1967, the influx of a new wave of Palestinian refugees into the East Bank territory of Jordan and the continuation of cross-border raids and reprisal attacks shattered the internal order in the small Hashemite Kingdom. In the wake of the famous battle of Karamah, which boosted the status and self-confidence of Palestinian guerrilla organizations tremendously, the presence, visibility and authority of the guerrillas grew exponentially.¹⁶ As a result, post-1967 Jordan witnessed the emergence of ‘a duality of power’ in which Palestinian organizations “set up autonomous governmental institutions of their own in all spheres – military, political and social” – and in which the guerrillas “shared almost equally with the regime in the execution of laws”.¹⁷ The Palestinian flag flew at the entrance of the refugee camps, which were commonly referred to as ‘the Palestine Republic’. Important de facto policing powers passed to the guerrilla organizations, especially in the field of internal order and discipline in the Palestinian refugee camps and guerrilla bases. The guerrilla groups largely ignored orders to pass persons in their custody (such as suspected Israeli agents, guerrilla members violating discipline or apprehended criminals) to Jordanian courts, and instead tried them in their own popular tribunals. The *fida'iyyun* also began establishing civilian militias in the refugee camps and other areas, reflecting their conviction of the need to “arm the masses”.¹⁸

In the short period from 1968 to 1970, the Jordanian government appeared to abandon its ambition to uphold full jurisdiction over the population on its territory, attempting primarily to confine the guerrilla organizations’ military and political activities to the Palestinian ‘autonomous zones’ in the Jordan Valley and Jordan’s refugee camps. After heavy Israeli shelling of guerrilla bases in Jordanian border areas, however, the vast majority of the guerrilla groups moved back to the hinterland of Jordan, to Amman, Irbid, Zarqa and other cities, exposing the country’s population centres to a heavy *fida'iyyun* presence and aggravating the problem of policing. The guerrillas were not disciplined military forces acting under a unified command but semi-autonomous organizations with different aims and allegiances, partly reflecting the rivalry between the Arab states for influence over the Palestinian resistance. The unruly militiamen posed a threat to the social and political order in Jordan. The “streets of Amman suddenly belonged to the Fedayeen, who ... careered about in Jeeps, breaking traffic regulations as

the police looked on”.¹⁹ Palestinian militiamen defied the Jordanian army, occasionally kidnapping, arresting and detaining its soldiers and security personnel. Several PLO–Jordan agreements for regulating *fida'iyyun* activities in Jordan failed to have a restraining effect.

In a soul-searching lecture in 1972, the Fatah military commander Abu Jihad recalled about this period that “every sector commander considered himself God, the intelligence resembled a state, the militia – a state, everyone set up a state for himself and whatever he pleased”.²⁰ Although the PLO leadership and its largest faction, Fatah, did much to avoid clashes with the Jordanian government, the mere existence of a dual power structure was bound to lead to a confrontation.²¹ On 1 September 1970, King Husayn’s entourage was ambushed, three international airliners were hijacked and radical Palestinian factions began calling for the toppling of the Hashemite throne. A showdown finally ensued in mid-September, when the king declared military rule and ordered the Arab Legion to dislodge the Palestinian guerrillas and round them up, with the result that 1,300 Palestinian guerrillas and 5,000 civilians lost their lives in the armed confrontations between September 1970 and July 1971.²² In the wake of this defeat, which went down in Palestinian history as ‘Black September’, the remaining *fida'iyyun* units relocated to Syria and later to Lebanon, where they enjoyed less restriction and rapidly expanded into what became the hitherto largest and longest-lived Palestinian guerrilla-state entity.²³

The ‘Fakahani State’ in Lebanon, 1969–82

The Palestinian guerrilla state in Lebanon, the so-called ‘Fakahani State’ (named after a West Beirut city quarter where the PLO had its headquarters) who was hitherto the most extensive and state-like territorial entity under Palestinian control. Its origin went back to the late 1960s when the tight surveillance and control exercised by the Lebanese police and military intelligence (the Deuxième Bureau) over the Palestinian refugee camps was gradually weakened in the face of fierce resistance from an increasing number of Palestinian guerrillas. In 1969, after a series of bloody clashes, de facto control over the camps “passed from the Lebanese police to the *fida'iyyun*”.²⁴ In contrast to the situation in Jordan, the Palestinian guerrilla presence in Lebanon gained a certain international (Arab) recognition through the so-called Cairo Agreement

in 1969, obtained through Egyptian mediation. Although the agreement obligated the PLO to recognize the requirements of Lebanese 'sovereignty and security', it also permitted the Palestinian resistance considerable freedom of movement and action.

In the early 1970s, the Palestinian guerrillas fended off repeated attempts at reintroducing a Lebanese police presence in and around the Palestinian refugee camps, declaring that such a presence could be established only outside the camps and demanding that police activities must be coordinated with PASC, the PLO military police (see below). The 'Milkarts Protocols', signed after several rounds of confrontations and escalations of force between the Palestinian guerrillas and Lebanese security forces, confirmed the residents' right to maintain local self-defence militias and limited the deployment of Lebanese police to outside the camps.

The formation of Lebanese right-wing militias, the escalation of Israeli raids into Lebanon, the outbreak of the Lebanese civil war in 1975 and the Syrian-led intervention the following year altered the environment in which the Palestinians policed their community and the territory under their control. In response to the more hostile environment, the camps were fortified, the popular militias were strengthened and Palestinian refugee society generally became more militarized, with nearly every family armed. As a result, conflicts between members and their families had the potential to turn into bloody clashes.

Measures to establish more formal policing institutions focused on the Palestine Armed Struggle Command (PASC, or *qiyadat al-kifah al-musallah*), which had evolved into a supra-factional PLO military police force.²⁵ In addition, individual guerrilla factions, customary mediation institutions and the popular committees established in the camps came to exercise varying degrees of policing powers over their personnel and constituencies in a multifaceted system of self-policing.

According to an anthropological field study undertaken by Julie Peteet in the early 1980s, three types of institution had emerged, responding to the need for social control and law enforcement in the camps.²⁶ First, PASC served as a local police force in the camps and urban areas where the Palestinian guerrilla movements had some following, ensuring basic public order and detaining offenders. PASC's main focus, however, was to maintain discipline among the Palestinian guerrilla organizations. Second, the popular committees in each camp operated

as municipalities by maintaining elementary public services, including the handling of small disputes by arranging mediation and reconciliation, the so-called *sulhab* institution (see below). The committees included representatives of each political faction in the PLO, as well as representatives of popular organizations, village elders and independents. Their powers were primarily political and moral, with no powers of arrest or executive law enforcement. The PLO Revolutionary Court, established in 1972 to promote order and discipline among the various guerrilla factions, represented the third leg of the justice system in the camps.²⁷ The Court was in principle empowered to discipline armed guerrillas who abused their powers, to adjudicate serious crimes committed by Palestinians and to hear treason cases on 'crimes against the PLO'. Still, the enforcement of its verdicts depended on PASC and, by extension, the individual guerrilla faction's willingness to accept its authority. Frequently, the armed groups and their political organizations had their own internal disciplinary mechanisms and themselves arrested, tried, sentenced and punished their own members.²⁸

The multiplicity of authority centres made the institutionalization of policing difficult and underscored the need for flexible responses to crises in the social fabric of the camps. Hence, the variety of dispute settlement forums and social control mechanisms interacted and adapted to each other. One of the criteria guiding the selection of a social control mechanism was the level of violence. A high level of violence, coupled with the potential for a cycle of vengeance, usually excluded the use of customary kinship institutions and determined the intervention of the guerrilla-based institutions. In these cases, the guerrilla movements acted in a manner reminiscent of newly consolidated states in their search for a monopoly on the means of violence. Their authority contributed to diluting kinship and patron–client ties in the extended families (*hamulah*) and, consequently, according to Peteet (1987), the authority of customary law.

This did not mean that the authority of the village elders was insignificant, however. The mainstream and conservative Fatah's policy was in fact to reinforce the leadership role of the elders, including the building of village *diwan*, where the elders could meet and mediate disputes.²⁹ The guerrilla movements often allowed the disputants, in cases of murder, the customary option of settling the problem at the family or community level, but 'retained control over forum, procedures

and outcome' except for cases of violent incidents involving the threat of communal or intercommunal violence.³⁰ The interaction between the emerging authority centres embodied in the guerrilla movement and the ancient customary institutions of mediation and conflict resolution based on kinship and village organization illustrate the intermeshing of tradition and modernity in the informal policing structure in the Palestinian camps.

The 'excesses': manifestations of dysfunctional policing

By the late 1970s, the PLO experienced mounting public relations problems in Lebanon, caused to a considerable extent by the behaviour of Palestinian guerrillas towards the Lebanese population. In 1977, even traditional supporters of the PLO in Lebanon voiced strong concerns about the behaviour of Palestinian fighters, accusing them of taking the liberty of "bearing arms as they choose and policing certain important points of access to the capital"; they barred access to senior Lebanese officials and administrators, arresting and imprisoning citizens as well as foreigners solely "on the hue or false pretext of [them] having posed a threat to the Palestinian revolution".³¹

Obviously, the Palestinian guerrilla state had allowed itself to expand its jurisdiction outside the camps. This was partly justified in the light of real security concerns and partly a product of the self-interest of a minority of Palestinian guerrilla leaders who exploited the collapse of the Lebanese state to enrich themselves.³² Although most Palestinian organizations condemned looting, smuggling and extortion practices, a few Palestinian guerrilla organizations, al-Sa'iqa in particular, joined Lebanese militia officials in their efforts to translate de facto control over Lebanese territory into personal enrichment. These practices became known as the 'excesses', or *tajawwuzat*, and added to the suffering of the civilian population from militia infighting and Israeli raids and destruction.

The PLO made several attempts to halt and reverse the political damage caused by the 'excesses', and issued repeated declarations in support of Lebanese sovereignty, promising to deal with violators and undisciplined elements in its ranks.³³ In May 1978, for example, the PLO promised to strengthen the powers of the PLO Military Prosecutor, its revolutionary courts and PASC, its police force. In December 1979, new PLO regulations prohibited commercial activities by PLO employees and illegal acquisition of property. The PLO pledged to reduce its presence

outside the camps and withdraw its armed men from the streets. Despite numerous solemn declarations of this kind, most announced measures were rarely implemented; and by the early 1980s, the 'excesses' had become the "single most demanding Lebanese issue facing Fatah/PLO decision-makers".³⁴

Several factors worked against the PLO's intention to reduce friction with the Lebanese population and rein in the guerrilla organizations. First of all, the relatively loose command structure of the PLO, its multiplicity of organizations and occasionally poor command and control at the local level prevented it from imposing stricter control.³⁵ Given the exigencies of the civil war and the confrontation with Israel, long prison sentences, thorough investigations and protracted court hearings were not practical solutions. Instead, justice was dispensed according to the imperatives of war, the balance of power between the factions and family connections.³⁶ A second important reason for the failure to impose stricter control over the guerrillas was that such measures reinforced the very impression the PLO leadership was seeking to avoid: that the Palestinians considered themselves a 'state within a state'. The expansion of the PLO's military and social infrastructure in Lebanon since the early 1970s had fuelled Lebanese fears, especially among the Maronite elites, that it was building an 'alternative homeland' (*watan badil*) in their country.³⁷

The Palestinian guerrilla state in Lebanon faced an irreconcilable dilemma as domestic opposition to its presence mounted and coincided with increased outside military pressure for its removal. The 'excesses' were admittedly inextricably tied to the PLO's military situation, and military imperatives always prevailed over the requirements of internal policing. The PLO/Fatah military commander Khalil al-Wazir (Abu Jihad) noted in retrospect that "part of our mistake [in Lebanon] was a lack of strong control over our Palestinian organizations and their way of dealing with the people in a part of Lebanon".³⁸ He also pointed to the lack of unity: "every organisation was free to do whatever they could".³⁹ As each of the guerrilla organizations had its own internal security department and in principle took upon itself to discipline its own cadres, too little authority was vested in cross-factional institutions of internal policing, such as PASC. Moreover, the need for consensus-building within the PLO, and within Fatah in particular, assumed particular importance in Lebanon in view of the degree of interference in Palestinian resistance activities by Arab regimes and their proxies there. To maintain organizational

cohesion in this inhospitable environment, the PLO leadership was prepared to ignore corruption and ill-disciplined behaviour by Palestinian guerrillas in the interest of power and consensus-building.⁴⁰

In 1982, the Israeli invasion of Lebanon and siege of Beirut forced most of the PLO's military forces out of Lebanon and put an end to the PLO's Fakahani state. The Palestinian refugee camps continued to enjoy a degree of autonomy, however. In part, this was a result of the gradual reassertion of a Palestinian armed presence. The PLO lost no time in smuggling fighters back into Lebanon and re-establishing covert networks of armed supporters in the camps, in addition to an overt military presence wherever possible.⁴¹ After the end of the civil war, the refugee camps were disarmed of heavy weapons, yet Lebanese police forces remained outside the camps. They allowed the guerrilla commanders to retain de facto police authority in the camps, although this autonomy was contingent on their ability to impose order there.

The threat of Lebanese military intervention became more real in the wake of protracted and bloody feuding between pro-PLO Fatah forces and the notorious Abu Nidal/Fatah Revolutionary Council in the early 1990s. In mid-1992, for example, after a savage feud between pro-PLO Fatah forces and the Abu Nidal faction killed more than twenty people over a five-month period, the Lebanese government threatened to send troops into the camps and impose order. The Fatah forces responded quickly by detaining some 62 suspected Abu Nidal guerrillas in their prisons in the 'Ayn al-Hilwah refugee camp. Subsequently, they were convicted before a 'court of revolutionary justice' presided over by a senior Palestinian military officer. Many of them were apparently pardoned a year later. In other cases, people were handed over to Lebanese authorities. In February 1995, for example, after Lebanese military intelligence personnel were shot at and wounded during a botched arrest attempt of a member of a Sunni Muslim radical group at the entrance of the 'Ayn al-Hilwah camp, the Fatah forces and the supra-factional People's Committee in the camp scrambled to capture the fugitive and hand him over to Lebanese authorities.⁴²

At the time of writing (2002), in the largest Palestinian camp in Lebanon, 'Ayn al-Hilwah, the Fatah-dominated PASC was still the formal police force, organizing guards for schools and social institutions, regulating traffic and investigating petty crime. In the face of 18 or so different armed groups active in the camp, each providing security for

its own leaders and headquarters, PASC's policing authority was still diluted, despite PLO efforts to make it "the only security reference point" in the camp.⁴³

The policing culture that developed in the Palestinian 'guerrilla state' in Lebanon was shaped by the military and political imperatives of the resistance. Against the background of a multiplicity of power centres, overlapping and competing legal traditions and security agencies, and a continuous situation of civil war and military intervention, the policing efforts were aimed primarily at providing some elementary discipline and social cohesion at a time of emergency and upheaval. That these efforts often failed and that summary revolutionary 'street' justice and outright gangsterism prevailed was perhaps more an outcome of the structural determinants of the guerrilla state itself than of a deliberate policy by the PLO leadership.

With the outbreak of the Palestinian uprising in the Occupied Territories, a new chapter was opened in the history of Palestinian insurgent self-policing. Compared to the Lebanese situation, however, the Palestinians now encountered much fiercer resistance in their attempts to set up a guerrilla-state entity, failing to physically dislodge the Israeli colonial power from potential liberated areas such as the refugee camps. This made Palestinian self-policing in the Territories much different from the Lebanese experience.

Self-Policing during the Palestinian Uprising, 1987–93

The Palestinian uprising profoundly changed the patterns of policing in the Occupied Territories.⁴⁴ It began in December 1987 as a spontaneous reaction against the increasingly desperate situation inside the Territories and quickly developed into a mass mobilization of nearly all sections of Palestinian society aimed at boycotting Israeli institutions and instruments of control.⁴⁵ It became known as the intifada ('shaking off') and was directed and coordinated through a vast network of neighbourhood or popular committees under the overall guidance of a PLO-led body, the Unified National Command of the Uprising (hereafter UNC).⁴⁶ During the first two years of the intifada these bodies "exercised a state-like authority over the Palestinian inhabitants in the West Bank and Gaza Strip".⁴⁷ At the core of the new guerrilla-state entity was the emergence of new agencies for Palestinian self-policing.

Self-policing embodied the aim of creating alternative state structures that would eventually force the Israeli occupation to withdraw. Indeed, the UNC explicitly stressed that the revolt and the establishment of 'national government' institutions under the PLO's leadership must go hand in hand.⁴⁸ The UNC in general presented itself as the "fighting arm" of the PLO or as "the executive arm of the PLO in the State of Palestine" after the PLO's Declaration of Independent Palestine in mid-November 1988.⁴⁹ Although it acted less as a political-military command and more as 'a moral guidance' for the intifada via its numerous leaflets or communiqués, the growing number of paramilitary groups, the so-called strike forces, assumed the role of the "combat arm of the UNC", acting as enforcers of UNC directives *vis-à-vis* the public.⁵⁰ In this way, the expansion of self-policing became an integral part of the consolidation of the PLO's authority on the ground.

The Israeli Police under Siege: Mass Resignations of Palestinian Policemen

In paving the way for independent policing structures, the UNC strove to break the authority of the Israeli-controlled police. This was done in two ways. First, the widespread rioting and attacks called for in UNC communiqués contributed to the growing fortification of Israeli police stations, resulted in cutbacks on patrolling and isolated the police from the public, which in turn reduced its legitimacy as a public service organ.⁵¹ These delegitimizing efforts were aided by the fact that police stations were typical targets of mass protests and violence by Palestinian demonstrators. Palestinian officers in the Israeli police had long been an object of ridicule and contempt owing to their inability to address local grievances, such as settler violence and illegal land confiscations; and their association with the Occupation and its secret services made Palestinians increasingly reluctant to turn to them for help.

Against this background, the UNC went a step further and ordered that Palestinians resign from the Israeli police. UNC communiqués Nos. 9 and 10 of early March 1988 issued a call to all policemen to "resign immediately".⁵² Within three or four days after the second communiqué was issued, some 350-500 Palestinian police personnel, nearly half the Israeli police force in the Occupied Territories, had quit, including 95 per cent of all Palestinian police personnel in Gaza.⁵³ The almost

unanimous decision to resign was partly the work of a committee of 14 senior Palestinian officers who had met after UNC communiqué No. 9 was issued and decided that if the UNC repeated its demand for their resignation, they would do so out of “national duty”.⁵⁴

The remaining Palestinian policemen came under intense pressure. UNC communiqués repeatedly called for stepping up “the blows against those who deviate from the people’s will [by not resigning from] the police”.⁵⁵ Graffiti outside the homes of chief police officers carried the same message: “Don’t dare to ignore the national committees’ decisions.”⁵⁶ Those who still remained on duty were threatened, and some were killed. On 8 March 1988, Palestinian paramilitaries stabbed and beat to death a Palestinian policeman in ‘Aqabat al-Jabr refugee camp near Jericho. Although he was apparently a known informer, the incident drove the message home. One policeman conceded, “It made me decide very quickly.”⁵⁷ The UNC promised financial compensation for those who resigned.⁵⁸

The UNC’s order was not unanimously welcomed by the mainstream Palestinian police. For example, senior Palestinian police officers in Bethlehem and Ramallah were surprised by the resignation order and hoped that the UNC would reverse its decision. They felt that they served the people by fighting crime and that the Palestinian public had pragmatically accepted the need for a police service even during the height of the early intifada.⁵⁹ Shopkeepers, businessmen and local municipal authorities were also critical of the resignations, fearing that Israel would withdraw public police services from their areas.⁶⁰

Israel attempted to play on these fears, warning that the Palestinians would only hurt themselves. To make that point, it initially announced that police reinforcements would not be sent to replace those who resigned and that “in the future there would be no investigations of crimes, including rape, murder, housebreaking and robbery”.⁶¹ Israel also tried to halt resignations by Palestinian policemen, offering them a pay rise, improved life insurance, pensions, personal weapons and Israeli army protection.⁶² When these inducements proved to be ineffective, pressure was applied, including threats to deprive them of pensions and compensations.⁶³

A small minority of Palestinians remained with the Israeli police; and with the dwindling of the intifada’s mass character in 1989–90 and increased economic hardship, more Palestinian policemen reportedly

trickled back to their jobs. They incurred significant risks, however. It was not unusual for Palestinian guerrillas to target policemen on the grounds of ‘collaboration’.⁶⁴ According to the renowned human rights organization B’Tselem, at least seven Palestinian policemen were killed during the course of the intifada on such charges.⁶⁵ Several of these incidents appear to have occurred in the wake of Israeli successes in enlisting more Palestinians to the Israeli police.⁶⁶

The mass resignation of Palestinian policemen deprived Israel of a potent symbol of cooperation with the Palestinians, signalling an expansion of the revolt from physical clashes to a fundamental challenge of authority. Although the UNC was successful in undermining the Israeli police, it faced a far more difficult task in creating alternative police structures. Israel for its part was adamant that it would “strongly resist any attempt by the Palestinians to form their own police force”.⁶⁷ A dual power structure in the Occupied Territories emerged as the Israeli government and the UNC competed in imposing their respective coercive systems to further their claims for loyalty and obedience.

The Popular Committees and Self-Policing

The resignation of most of the Palestinian police officers and the contraction of Israeli public police services in the Occupied Territories did not lead to an immediate surge in crime and a breakdown of the social fabric of the Palestinian community. The vacuum was quickly filled by an expansion of customary forms of self-policing and by paramilitary groups, who gradually took it upon themselves to police Palestinian society. Initially, the popular committees and their guard committees operated the new informal policing mechanisms.

In early 1988, the UNC leadership called for the formation of local popular committees (*lijan sha’biyyah*), to direct the uprising at the local level.⁶⁸ A part of their activities was to take charge of a number of policing and protection functions in the absence of a police force. For these purposes, the so-called guardian or security committees were formed and entrusted with various responsibilities, such as organizing guard duties for every neighbourhood and watching for army or settler raids. Many guardian committees went on night watch and neighbourhood patrol to prevent and investigate petty crimes; they ensured law and order during peaceful demonstrations and marches, organized traffic and

provided elementary judicial services.⁶⁹ During the frequent commercial strikes, the forced opening of shops by the Israeli army ironically stimulated the need for the guardian committees to prevent pilfering from them.⁷⁰

Palestinians often referred to the guardian committees as the 'youths' (*shabab*), and knowing reliable members of a guardian committee was an essential asset if one ran into problems. A witness's account from early 1990 relates how two Gazan women who had been harassed by three young men in Gaza City's busy market "call[ed] their local committee's *shabab*, who located one of the three men who had threatened the women. He was interrogated and his accomplices found. They were 'tried' by a popular committee and sentenced to apologize and pay a fine of JD3,000 (\$4,500) to the women and their families."⁷¹ The effectiveness of the guardian committees varied, and depended greatly on the authority vested in the new popular organizations. According to R. Hunter, the popular committees "became the authorities in their localities" and gained sufficient authority to mediate disputes.⁷² Their organizational strength and discipline were also aided by the fact that most popular committees were supra-factional.⁷³

In August 1988, Israel banned the popular committees, threatening up to ten years' jail for offenders. Henceforth, they had to operate more clandestinely. The fact that the UNC repeatedly issued new calls for establishing more popular committees, urging activists to "entrench them, stiffen their backbone and expand their ranks", strongly suggested that the extent of their authority was far from complete.⁷⁴ By 1990, the mass mobilization for the intifada was waning, and the popular committees also declined.

In their place smaller, faction-based resistance groups played a growing role in directing the uprising at a local level.⁷⁵ The crystallization of a hard core of intifada activists manifested itself in the proliferation of small paramilitary groups which gradually asserted themselves as policing agencies in local communities. Their role will be reviewed below, but first I shall explore a second dimension of Palestinian self-policing during the intifada, the revival of customary law and tribal adjudication.

The Revival of Customary Law and Tribal Adjudication

The crisis of the local court system

The delegitimization of institutions associated with the Israeli occupation was not confined to the Israeli police; it was extended to the judiciary, which was intimately linked to the military administration in the Occupied Territories. Prior to the outbreak of the intifada, several types of court operated in the Occupied Territories.⁷⁶ These included local civil courts and Islamic courts.⁷⁷ None of them could act independently of the military authorities, which operated two distinct sets of military courts (military courts and appeal courts). Judges in the civil courts were Palestinians from the Territories. They could be dismissed by the Israeli military governor, and were empowered to deal only with civil suits and with crimes committed by Palestinians and not of a security nature. The military judicial system, on the other hand, was a branch of the IDF. Its judges were usually Israeli military officers, who did not always have legal training.⁷⁸

Like Palestinians working for the Israeli police in the Territories, judges, lawyers and court personnel faced a legitimacy crisis during the 1980s. At the beginning of 1985, a number of judges in the local judicial system were tried and convicted of accepting bribes and of perversion of justice. The crisis had deeper roots than occasional corruption, however. Over the years, the civil justice system was strangled by a lack of resources and inadequate administrative management. More importantly, the Israeli-run military court system made heavy inroads into the civil courts' jurisdiction, manipulating their ability to enforce their verdicts and rendering them more and more impotent in delivering services and defending Palestinian rights, especially with regard to land confiscations and settler violence.⁷⁹ After the outbreak of the intifada, the civil courts were virtually paralysed, not least because of the difficulty in bringing detainees to trial and subpoenaing witnesses and respondents and the lack of enforcement capacity after the resignation of most Palestinian policemen.⁸⁰

Reviving customary law practices

At the beginning of the intifada, a rudimentary popular justice system was established by appointing popular judges and holding local courts to arbitrate and mediate local disputes. These were often called 'reform committees' or 'reconciliation committees' (*lajnat al-islam*, pl. *lijan al-islam*,

or simply *sulhab*, ‘reconciliation’). The idea of making customary law the cornerstone of the Palestinian legal system was not entirely new. After the 1967 war, West Bank lawyers had launched the idea of transforming tribal or customary law (*al-qada’ al-‘asha’iri*) into alternative courts as part of their boycott of the Israeli-controlled justice system. These proposals were shelved owing to the absence of effective enforcement mechanisms.⁸¹ Customary law was still practised throughout the Occupied Territories, in parallel with the formal justice system. It drew upon a combination of Islamic law and tradition, or *‘urf*, the latter being traditional oral customs and norms that stressed conciliation, mediation and family honour. Kinship and lineage organizations were the key components that made customary law work. The power of the mediators flowed from the support and cohesiveness of their clans.⁸² A detailed exploration of customary law practices in the Occupied Territories is outside the scope of this study. What concerns us here is the role and function of the customary mediation system within the broader efforts of Palestinian self-policing during the intifada.

The strength of customary law and adjudication was its general acceptance and the speed of its procedures, resolving petty disputes on the spot, with a respected elder acting as an ad hoc ‘tribal judge’ (*qadi ‘asha’iri*, pl. *quda*) mediating a resolution based on a mixture of customs, legal knowledge, Islamic law and a general notion of justice. Even Palestinian officers in the Israeli police acted as tribal judges, demonstrating wide acceptance of the informal practices of maintaining social order.⁸³

George Bisharat, who did extensive fieldwork in the West Bank during the mid-1980s, has estimated that there were several hundred men who performed ad hoc *qadi* services on request. In addition, there were two higher levels of customary law: (i) *manqa’ al-dam*, whose competence extended to dealing with cases involving death, whether by murder or accident, usually by determining the amount of *diya*, or blood money, and (ii) *manshad*, the highest level of tribal adjudication. This in principle dealt with all kinds of cases, but in particular with intractable cases of ‘honour’ such as offences against the chastity and purity of women.⁸⁴

Ifrah Zilberman, in his study of customary law practices in Jerusalem and the southern West Bank, has observed that the choice of arbitrator often depended on the nature of the case. A key factor was the arbitrator’s capability to enforce judgments and impose a decision.⁸⁵ The *shadad*

al-ujja, for example, in Hebronite customary law practice had the authority to enforce punishment in cases involving the failure to honour co-liability for family members' conduct.⁸⁶ At the popular level, then, the customary law system involved a strong element of self-policing. Indeed, it was the authority of the extended family and clan leaders that ensured that verdicts were implemented and order was restored. Another customary institution, the *tahkim* (arbitration, appraisal), also entailed coercion, and was often paid for in cash. The fact that some *tahkim* arbitrators commanded a large fee gave rise to criticism that customary law tended to dispense justice to the powerful families and injustice to the smaller and less cohesive clans.⁸⁷

The revival of customary law during the intifada was accompanied by a transformation of its form and character, because of a shift in power towards the resistance organizations and their leaders whose legitimacy and standing derived from their nationalist credentials rather than their family, wealth or religious learning. (As I have explained above, a similar transformation of authority also took place in the Palestinian camps in Lebanon.) In the Territories, customary law arbitration by traditional community leaders lost ground to faction-based reconciliation committees. Whereas customary judges used to be drawn from the traditional notable families or influential Bedouin tribes, during the intifada young resistance leaders began to fill the seats of the reconciliation committees. This was especially true for the committees dealing with cases in which families claimed that their members had been wrongly accused and/or punished for collaboration.⁸⁸ In some areas, in particular Bayt Sahur in the West Bank, reconciliation committees expanded their role and became parallel municipal authorities with responsibility for coordinating all activities of the entire community.⁸⁹

Academic works on the Palestinian uprising have tended to downplay the importance of customary law and tribal policing, stressing instead the progressive character of the popular committees.⁹⁰ Such an emphasis may be misplaced, as customary law practitioners interacted with the popular committees and the Palestinian political-military factions. Hillel Frisch has observed that tribal law practices became so prevalent during the intifada that "progressive Palestinians have portrayed customary law as an integral part of Palestinian culture that must be cultivated and utilised in building a new social order".⁹¹ Many Palestinians nonetheless criticized customary law, seeing it as only a temporary stopgap

measure for the intifada period, and not as a basis for the new state.⁹² As an indication of its continued importance, customary law has experienced a second revival during the recent al-Aqsa intifada after Palestinian law enforcement was crippled by the Israeli military campaign.

There are no detailed studies of the transformation of customary institutions during the first intifada and their interaction with the politico-military organizations. The following account therefore relies partly on interviews conducted by this author. In a long interview, Shaykh Abu Nabil, a village headman (*mukhtar*) in Rafah and a longstanding member of a reconciliation committee there, recollected that upon the outbreak of the intifada, leading members of the Rafah community came together to discuss ways of finding alternatives to the Israeli police and court systems.⁹³ A new reconciliation committee was then created to solve conflicts and disputes on the Palestinian scene and to deal with crime. The committee formed in Rafah was, according to Abu Nabil, the first one to be created in the wake of the intifada in the Gaza Strip. Within the next year, the phenomenon had spread to most of the Strip, inspiring the creation of some twenty new committees. They also gained 'jurisdiction' over a broader range of cases, from contract issues between businessmen, interfamilial feuds, trespassing and other land matters to personal injury, honour crimes and homicide. (Theft, robberies, drug abuses and prostitution were often investigated and punished by the paramilitaries.) Sometimes, issues related to collaborators were mediated, especially in cases involving mistaken identity. Settlements included business closure, exile of family members from the village and *diya*, or blood money.

In principle, the reconciliation committees became involved only if the parties called upon their services, but the social pressure to resort only to institutions approved by the intifada leadership greatly strengthened their authority. As a rule, the parties were usually families and clans (*hamulah*), although individuals with varying degrees of family backing could also be claimants. Frequently, the reconciliation committee would meet in the area where the conflict had taken place or the affected parties would come to the *diwan*, the committee's meeting place, and present their grievances. Their testimonies were heard but not always written down. Depending on the nature of the dispute, testimonies by other witnesses and others involved were also presented. After some discussion among the committee members, a verdict was passed, usually

through reaching consensus. Minor cases could be dealt with in the course of half an hour; the most serious cases, especially those involving homicide and land, could last for more than a year.⁹⁴ The procedures for solving disputes in Rafah and the southern Gaza Strip varied greatly, but usually there was a three-day cooling-off period, a truce, agreed rituals of visits and petitions for forgiveness, usually ending with a monetary settlement and a public announcement of the verdict, often in the local press.⁹⁵

During the uprising, the reconciliation committees in Gaza continued to base their verdicts on a combination of Bedouin customary law and Islamic law.⁹⁶ Efforts to replace customary law by Islamic law were not particularly successful, and even the Islamist organizations came to reconcile themselves with customary law practices as an autonomous system, which promoted social order and contributed to disengagement from the Israeli occupation.⁹⁷ Islamic law and Bedouin tradition were for the most part in conformity, with the notable exception of cases involving honour crimes, where contradictions were considerable and where Bedouin tradition prescribed harsher punishments.⁹⁸

The reconciliation committees and the resistance organizations

The relationship between the reconciliation committees and the resistance-based organizations was complex and varied greatly from one area to another. There was obviously a generation gap, as the local resistance consisted of youth activists while the reconciliation committees were often headed by elderly respected people such as the village *mukhtar* or public figures associated with the PLO and the new public elite. The prominent role in customary adjudication of Faysal al-Husayni, Fatah's leader in the West Bank, was a case in point. On the other hand, the principle of co-liability within the kin-group, the very pillar of customary law, lost some of its potency during the intifada, and authority gradually passed to the political factions and their paramilitary units. It illustrated the more general phenomenon of power diffusion and transformation in armed insurgencies when "light weapons proliferation among warring factions not only undermines central authority, but also the traditional foundation for order, the clan and tribal leaders".⁹⁹

The shift in authority manifested itself on several levels. For example, the UNC leadership made efforts to assert control over the reconciliation committees, for example by distributing lists of politically

reliable mediators/judges to local activists and by calling for the formation of new committees on a national basis.¹⁰⁰ The nationalist mobilization during the intifada made it less likely that the killing or punishment of alleged collaborators would lead to customary adjudication or blood vengeance involving the victim's family. One reason for this was the fact that even if some paramilitary groups were heavily recruited from one local clan, more often the presence of collaborators and resistance members cut across clan divides and family lines. The Ikmayl clan of the West Bank village of Qabatiyyah was a case in point. The well-known Black Panther (Fatah) commander Ahmad 'Awwad belonged to this particular clan, but there were also a number of Hamas activists as well as at least seven suspected collaborators in it. Two of 'Awwad's cousins were in fact executed on collaboration charges in August 1992.¹⁰¹ Torn between conflicting political loyalties, clans could no longer provide security to their members based on kinship co-liability.

In the field of policing, there appears to have been a division of labour between the reconciliation committees and the paramilitary groups and a substantial degree of coordination. Whereas the former mediated disputes, investigated certain crimes and passed verdicts in social 'non-security cases', the latter were called upon to intervene if the perpetrator or one or both of the parties to the dispute did not acquiesce in the verdict. The paramilitaries acted as a sort of 'executive arm' for the committees.¹⁰² The pervasive sense of fear during the uprising ensured that verdicts passed by the reconciliation committees were usually followed promptly.¹⁰³ Individual reconciliation committees were not bound to deal with a particular paramilitary faction, and in principle served the entire population. In practice, however, they often became aligned with one or other of the factions.

The reconciliation committees' relationship with the Israeli authorities was ambiguous. The IDF did not usually interfere much in their work, although members were sometimes arrested for six months on suspicion of having contact with the paramilitaries.¹⁰⁴ The committees had to strike a fine balance between avoiding suppression by the IDF on the one hand and their dependence upon the resistance for protection and legitimacy in the local communities on the other.

A number of cases never appeared before the reconciliation committees because they were dealt with directly by the paramilitaries, in particular cases involving drugs, prostitution, vice, adultery, theft and,

most importantly, collaboration. These cases were perceived as crimes against Palestinian society or as ‘security cases’, threatening the ‘internal front’.¹⁰⁵ These crimes necessitated a more immediate and harsh response. In these cases, but first and foremost in cases involving informers, the PLO’s Revolutionary Penal Code was invoked rather than customary and Islamic law.¹⁰⁶

Interestingly, the paramilitary factions utilized customary law to settle disputes that erupted between group members.¹⁰⁷ In the latter part of the uprising, when contentious issues such as Palestinian participation in the US-sponsored peace talks and the question of collaborator killings divided the factions, these mechanisms for mediating inter-factional disputes came under pressure. The adopted custom was to transfer the file of a collaboration suspect to his own faction, to conduct the investigation there or to form joint investigation committees from his own faction and the other factions involved. There were several occasions when that rule was violated, for example when rival factions executed activists without any coordination.¹⁰⁸

The active utilization and adoption of customary institutions for maintaining social control and cohesion at a time of upheaval illustrated an important facet of the transformation of policing in Palestine during the uprising. The expansion and adaptation of customary justice bestowed the uprising with a cultural authenticity that the faction-based organizations could not provide. It also strengthened the ‘internal front’ by resolving non-political or non-security-related crimes. With the elapse of time and the contraction of the mass character of the uprising, the issue of collaboration with the enemy moved to the forefront in the conceptualizations of crime. And the policing of such crimes was the domain of the paramilitaries.

The Strike Forces: The Enforcers of the *intifada*

Insurgents often devote considerable resources to policing and crime fighting in communities under their control and discourage and punish recourse to state-controlled law enforcement. The reason for this is not only security concerns such as deterring and preventing collaboration; effective policing by insurgents supports their legitimacy as an alternative to the regime. The claim to be the only ‘police’ highlights their ambition to supplant the incumbent regime as the sole provider of basic services

and the only agent of legitimate violence. Creating proper agencies and accountability for policing under conditions of armed conflict is inherently difficult, and abuses and excessive violence may easily undermine the very purpose of insurgent-controlled law enforcement. This dilemma was evident during the intifada, as will be seen in the following section.

In the wake of criminalization of the local popular committees in mid-1988, underground paramilitary groups increasingly took it upon themselves to police Palestinian communities, in particular the refugee camps. Their activists, often recruited from among students and/or former prisoners, were usually associated with one or other of the PLO factions or the Islamic movement and were labelled 'shock squads', 'strike groups', 'strike forces' or 'strike committees' (*al-firaq al-daribah*, *al-majmu'at al-daribah*, *al-quwat daribah*, *al-lijan al-daribah*). In early studies of the intifada, they have been portrayed as "the organizational, ideological, and operational infrastructure of the revolt". Later studies have adopted a more critical position, owing to the many excesses that were attributed to them.¹⁰⁹ Their formation reflected a new phase in the struggle. As the uprising steadily exacted a heavy toll on the population in terms of casualties and economic hardship, the UNC leadership called for yet greater sacrifices. The strike forces enabled it to apply the threat of coercion more effectively and bring pressure upon those who refused to abide by its orders.

The establishment of the strike forces was officially announced by the UNC in June 1988 as it increased pressure on those who refused to resign from the Israeli-controlled civil administration.¹¹⁰ The UNC attributed special importance to these squads, calling for more units to be established and lauding them as "the magnificent arm of the Uprising" and "its weapon in withstanding the enemy".¹¹¹ Their identification as the main policing agency of the uprising was made explicit in a number of UNC communiqués.¹¹² Furthermore, their members obviously saw themselves as the new police: "we are the internal security forces, we don't terrorise people; we are here to help people".¹¹³

The strike forces undertook a wide range of enforcement activities on behalf of the UNC. In some localities, they collected fees from Palestinians who continued to work in Israel in defiance of UNC orders. In other places, they set up checkpoints, examined vehicles and turned back those that were carrying workers to Israel.¹¹⁴ Occasionally, they

threatened to set on fire any car transporting goods to local workshops that manufactured products for Israel. A UNC communiqué designated special days for ‘punishing’ those who distributed Israeli merchandise.¹¹⁵ Auditors’ officers, taxation officials and other employees in the civil administration were intimidated into resigning. Appointed mayors and members of local and municipal councils were asked to resign or else face “the severest blow by our masses”.¹¹⁶ Collaborators mentioned by name were warned and were increasingly subjected to corporal punishment and execution. The political ambition of disengagement from Israel dictated an aggressive enforcement strategy against all manifestations of Palestinian cooperation and collaboration with the Israeli occupiers. Policing that disengagement became the leitmotif of the strike forces, with the collaborator–loyalist dichotomy constituting the basic framework within which policing was conceptualized and enforced.

Militarizing the resistance? The Popular Army and ‘Independent Zones’

The struggle against the Israeli occupation and internal policing became two sides of the same coin. Throughout the intifada, there were calls, especially by the more radical factions, to escalate the struggle, moving from civil disobedience and stone throwing to an armed intifada. This process was accelerated by the strike forces’ policing efforts, especially the use of violence against collaborators, which led to increased suppression and forced upon them more clandestine forms of organization. Hence, the initial supra-factional strike forces gave way to the proliferation of paramilitary squads linked to the Palestinian factions, weakening the authority of the UNC. (I refer to both generically as paramilitaries or paramilitary groups.)

The dominant paramilitary groups were the Fatah-affiliated Fatah Hawks and Black Panthers, the PFLP’s Red Eagle Group, the DFLP’s Red Star Fighters and Hamas’s ‘Izz al-Din al-Qassam’s Brigades. Alongside these were numerous sub-groups and cells with no less colourful names.¹¹⁷ Their primary function was to fight the Israeli occupation, as they saw themselves as the armed wing of their respective political faction. The formal links between the paramilitary organizations and the political factions of UNC or Islamist organizations were not always clear, and allowed for a large degree of discretion on the part of the paramilitaries.¹¹⁸ Their organization usually consisted of three levels:

(i) armed paramilitaries; (ii) secondary activists ready to replace them in the event of their capture, flight abroad or death; and (iii) assistants who provided the first category with food, shelter and some protection.¹¹⁹

In part, the gradual militarization of the strike forces was a result of PLO policies during the intifada. Consistent with the stated ambition to supplant the Israeli military government, the Palestinian leadership took steps to establish new symbols of Palestinian sovereignty in the Occupied Territories. The formation of the Palestine Popular Army was one of these measures.¹²⁰ Its creation provoked much criticism, however, in particular because the new ‘army’ would not be supra-factional but subordinated to Fatah’s Force-17. Critics also faulted the idea because it could give an erroneous image of the intifada as a struggle between two ‘armies’, not as an unarmed population trying to throw off a military occupation.¹²¹ To be sure, the ‘militarization’ was constrained by Fatah’s ban on the use of firearms against the IDF and Israeli settlers. Although the Popular Army failed to become a significant factor in the uprising, it had some importance in the symbolism it invoked, namely “the bolstering of the independence concept”, as one UNC leaflet put it.¹²² The ‘popular armies’ held marches through the main streets of Palestinian towns and villages, accompanied by declarations of ‘independence’ and calls “to defend the liberty of the village and block the charging soldiers”.¹²³

The IDF’s crackdown on independent villages was swift and devastating, effectively preventing the emergence of permanently liberated areas.¹²⁴ But by mid-1989, a degree of territorial control was nevertheless achieved. An Israeli study acknowledged, for example, that the reduced IDF presence enabled “many localities to function as independent zones”.¹²⁵ In the West Bank village of Salfit, one eyewitness noted, “there is no regular Israeli presence”, and its authority was reduced to that of “raiding parties from a hostile neighbouring tribe”.¹²⁶ Most state attributes, such as the exercise of legitimate violence, public services and taxation were in the hands of the popular committees. And yet the UNC was unsuccessful in dislodging Israel completely as the focus of state authority. Incumbents and rebels remained bogged down in a perpetual struggle for the population’s obedience. In this situation, the cycle of violence could easily spin out of control as both attempted to outbid the other in applying harsh sanctions in order to prevent defections.¹²⁷

Categories and conceptualizations of crime and collaboration

The concept of collaboration formed the focal point of Palestinian policing during the intifada. A collaborator is usually defined as a person who “co-operates with or willingly assists an enemy of one’s country and especially an occupying force”.¹²⁸ Before the intifada, the common understanding of ‘collaborator’ included, first and foremost: (i) intelligence informers;¹²⁹ (ii) Palestinians who were publicly known for their relationship with the IDF and who had been armed for self-defence; and (iii) land dealers (*simsar*, pl. *samasirah*), who facilitated the transfer of land to Israelis.¹³⁰ The number of Palestinian collaborators during the intifada is unknown; estimates range from 4,000 to 10,000.¹³¹ Informers were thought to provide vital intelligence to the occupation on the resistance organizations, and the UNC attached great importance to investigating and deterring such collaboration. Before the intifada, many collaborators conducted open relations with the Israeli security branches in the Territories and saw that relationship as a source of power and enrichment. The lynching of an influential armed collaborator in February 1988 marked a significant shift in popular perceptions of collaborators and lessened the intimidation that had previously been exerted by them.¹³²

The strike forces began to enforce punishments for a number of other collaborationist or security-related crimes, thereby essentially expanding the concept of collaboration. For example, they began pursuing ‘intermediators’ (*wasit*, pl. *wusata*), Palestinians who had good contacts in the Israeli security branches and were able to facilitate various forms of permits and services that many Palestinians had been denied. This often happened through bribes, and the extent of this black economy was reportedly considerable.¹³³ Another category of person who came under increased pressure was the village headman (*mukhtar*, pl. *makhatir*). Although headmen were usually not considered collaborators, their sensitive position as the main liaison between the authorities and local camp or village residents implied that they were hard pressed to resist pressure to divulge sensitive information to the occupation. Although none of the UNC or Hamas communiqués attacked the *makhatir* in general, at least ten were killed for collaboration during the intifada.¹³⁴

Another category of government appointee who increasingly became associated with collaboration was the Israeli-appointed members of village and municipal councils. As they were the only legal political leaders in the Occupied Territories, their role in representing the public

was important, and for this reason they became an object of intense PLO–Israeli competition. The UNC urged them to resign, calling for sanctions such as confiscation of property, surveillance, social isolation and even the death penalty.¹³⁵ A number of attacks against those who refused to resign were recorded.

Interestingly, not all officials in the Israeli-controlled civil administration were threatened with resignation. The UNC focused mostly on taxation officials, in addition to Palestinians employed in the Israeli police, explicitly making an exception of officials in health and education departments.¹³⁶ The focus on these two functions – taxation and policing – was a direct attempt to deprive the Israeli occupation of its most potent symbols of state authority while avoiding the disruption of important public services.

An interesting aspect of Palestinian policing early on in the intifada was the expansion of the collaborator concept to non-security-related deviant behaviour. The term ‘collaborator’ was applied to people who were perceived as threats to the Palestinian social order. Violation of the basic norms of family honour, prostitution or extramarital relations, drug trafficking and addiction, purveying pornographic materials and thefts, burglary and other non-political crimes were all conceptualized as variations of collaboration and therefore within the paramilitaries’ domain. A Hamas communiqué, for example, urged its forces to pursue “all the opportunists and traitors, enemies of the people, such as thieves, drug dealers, prostitutes, collaborators, and spies, who have sold their souls to the devil”.¹³⁷ Both the UNC and Hamas expanded the concept of collaboration to the economic and political sphere, referring to merchants who violated strike orders or even political opponents as collaborators. UNC communiqués used the term ‘political collaborator’ for those who “served the political machinations of the enemy ... all the while presenting this [activity] in a patriotic light” or “those collaborators who hide behind the mantle of religion”, the latter an obvious reference to Hamas, its main Palestinian rival for influence.¹³⁸

In the early years of the uprising, when collaborator executions were relatively few, UNC and Hamas communiqués provided little specific guidance on how collaboration should be investigated, corrected and punished, and often issued contradictory guidance on a variety of issues. Israeli-issued communiqués in the UNC’s name also compounded the difficulties of guiding the strike forces. In the absence of clear

directives, the paramilitary groups became the only law. These young men conceptualized crime, deviant behaviour and political opposition within the framework of a simple security ideology, usually referred to as ‘the security of the revolution’. Increasingly, crime, immorality and social deviancy were ‘securitized’, elevated to high politics and placed under the paramilitaries’ jurisdiction.¹³⁹ Their conflation of non-political crime with collaboration did not imply that every perceived transgression was to be punished by capital punishment, but it certainly increased the chance of severe corporal punishments and executions for offences unrelated to resistance activities.

Policing morality in Palestinian society

Palestinian paramilitaries justified inflation of the term ‘collaborator’ by arguing that immoral and deviant behaviour inevitably weakened the resistance and offered new possibilities for the Israeli occupation to exploit internal differences and to recruit informers. Weak individuals were particularly prone to Israeli blackmail, the paramilitaries argued. The concept of *isqat* (literally knocking down) and *mutasaqit* (one who has been knocked down, who has fallen) encapsulated the paramilitaries’ thinking on morality and collaboration. *Isqat* was a loosely defined term focusing primarily on the deliberate discrediting of Palestinian women with a view to recruiting them as informers. An Islamist paramilitary defined the term as “leading women astray to engage in prostitution, and men to engage in collaboration and drug dealing”.¹⁴⁰ B’Tselem’s study on collaborators found little evidence that *isqat* was a systematic and widely used instrument by the Israeli occupation to force Palestinians into collaboration. Nevertheless, it did represent a major theme in the paramilitaries’ rhetoric on collaboration.¹⁴¹

The expansion of the collaborator concept had several important implications. By securitizing morality and crime, the Palestinian paramilitaries took it upon themselves to act as the ultimate authority in the local communities, dealing with almost every facet of life. By moving into the domain of morality and family honour, they challenged the extended family/clan (*hamulah*) as the source of authority and power in family issues. Hence, the paramilitaries’ policing efforts not only expanded so as to supplant the authority of the occupation but also weakened traditional sources of authority. The example below illustrates how the paramilitaries thought of themselves as the new protectors of ‘honour’:

Mustafa Baroud, 25, said reports had reached him that his brother was making forward remarks to women passing on the street and other, unspecified 'immoral actions.' The older Baroud is a member of the Fatah Hawks ... Mustafa made his younger brother Ahmed, 21, kneel on the ground in the main square of the camp and shot him once in each leg. ... Baroud told the crowd of people who gathered to watch the punishment [that] 'I decided to do it to prove to the people that Fatah Hawks are fair and do not discriminate among people'.¹⁴²

Morality and family issues gradually acquired national significance as the intifada leadership and the paramilitaries laid down rules and enforced them. The position of women in society, their appearance and behaviour in public and their dress code were increasingly regulated and enforced by the paramilitaries. Both Fatah and Hamas paramilitaries were actively enforcing morality codes. The Islamist factions were more preoccupied with morality policing than their secular counterparts, and embarked on frequent forced veiling campaigns in Gaza and threatening and sometimes vandalizing video stores, cinemas etc.¹⁴³ Although the Islamists far from monopolized this aspect of policing, the issue of the Muslim veil and to what degree the paramilitary groups should police veiling divided the PLO-loyal and Islamist factions. After the end of the Gulf war, the paramilitaries faced increased popular pressure to ease up on revolutionary discipline, such as the ban on entertainment in Gaza, and the enforcement of an Islamic dress code.¹⁴⁴

Paramilitary punishments for violating norms of morality were brutal. More than a hundred executions of women were recorded during the intifada, according to a study by B'Tselem.¹⁴⁵ The justification for such stern punishments for immorality (for example: "a woman who betrays her husband will also betray her nation") illustrated that the distinction between the private/familial sphere and the societal and national spheres was becoming blurred, a typical feature of revolutionary insurgent movements in which all aspects of life are subordinated to the imperatives of the resistance.¹⁴⁶

Implicit in these attempts to penetrate the private, familial field of authority was a state-building ambition, the construction of a guerrilla-state authority that was impenetrable and steadfast *vis-à-vis* the Israeli occupation. A Red Eagle squad member put it succinctly: "We feel that it is our right and duty to do this. We are the authority government."¹⁴⁷

And yet, Abu Jihad's criticism of the PLO in Jordan that "every commander set up a state for himself" also seemed dangerously valid for the latter part of the intifada when it fragmented into isolated paramilitary groups. The weakness of political guidance and the legal framework and the absence of accountability mechanisms led to excesses. Increased paramilitary policing was also flawed as a state-building strategy because it shifted power away from the seemingly most effective part of the uprising, the civil disobedience campaign, and the more widely organized popular committees.¹⁴⁸

Authorization and legitimization: the 'popular trials'

Popular endorsement and legitimization stand out as a particular challenge for insurgent policing, as the formal judicial and legislative mechanisms for the delegation and supervision of policing authority are either weak or absent. The 'popular trials', which undoubtedly violated each and every norm of a formal judicial process, nevertheless fulfilled the important function of popular legitimation under the extreme conditions of violent conflict.

The 'popular courts' were established at the request of the UNC in January 1989 to "try and punish thieves, collaborators, and land dealers, who are violating which is sacred to the people".¹⁴⁹ Although underground tribunals were reportedly set up to gather evidence, the 'popular trials' were basically public displays of the suspect after the paramilitaries had interrogated him/her and concluded their investigation. When crimes had been announced, the surrounding crowd was often asked to give their opinion about a suitable punishment, although the paramilitaries did not necessarily obey the popular will.¹⁵⁰

There are dozens of examples of executions following such trials, mainly in the Gaza Strip and a few in the Nablus casbah. (In fact, the regional differences were profound: Gaza, Nablus and the Jenin area account for a disproportionately large share of collaborator killings.) Many refugee camps in Gaza had 'red squares' where 'popular trials' took place. The publicity of the trials was deliberate, to maximize their deterrent effect, but it also highlighted the need for authorization, popular endorsement and legitimation. In the Nablus casbah, the Black Panther paramilitaries used megaphones and loudspeakers in order to give a five-minute address to the crowd preceding the execution.¹⁵¹ More often, however, the paramilitaries simply dragged the accused to a

crowded public square or alley, shooting in the air to attract attention. Sometimes, the suspect was “paraded around the square” before execution, obviously to deter but also to seek the crowd’s approval.¹⁵² The paramilitaries’ use of tape recordings to document the suspected collaborator’s confession and, more rarely, their video recording of ‘popular trials’ in paramilitary hideouts, reflected the same dual concern of popular legitimacy and deterrence.¹⁵³

The authorization process varied greatly, and only some 20 per cent of executions in Gaza were public, reflecting the paramilitaries’ concern for their own security.¹⁵⁴ Ideally, the ‘verdicts’ were passed either by the superiors in the political factions or by a reconciliation committee, especially in the case of disputes between families or between factions. Frequently, however, circumstances made it necessary to delegate authority to the most senior person present at the time of apprehending the suspect. These were usually the ‘pursued’ or ‘wanted’ men (*mutarad*, pl. *mutaradun*, or *matlub*, pl. *matlubun*) or ‘wanted fugitives’ in Israeli parlance; they occupied the most senior positions at the local and regional levels in the paramilitary organizations. As opposed to most paramilitaries, who covered their face during operations and were called the ‘masked’ men (*mulaththam*, pl. *mulaththamun*), the ‘wanted’ men did not. Their name and identity had already been revealed, and they figured on Israel’s most-wanted lists. As a rule, at least one *mutarad* took part in the interrogation of the suspects and was usually present during the ‘popular trials’.¹⁵⁵

Revolutionary justice

The laws and rules that guided Palestinian policing were in principle the Revolutionary Penal Code of the PLO, which was decreed by the PLO’s leader Arafat in July 1979 in an effort to unify the penal codes for all guerrilla organizations in the PLO.¹⁵⁶ The penal law was a comprehensive document of more than 350 articles and was considered a law of the revolution to be applied for the period of revolutionary struggle for national liberation.¹⁵⁷ It “applies for all crimes, perpetrated on the land where the Palestinian Revolution is”.¹⁵⁸ According to the Code, cases to be prosecuted included “crimes perpetrated against the security, safety, and interests of the Forces of the Revolution”.¹⁵⁹ In principle, it offered some protection to the accused, for example that “nobody should be sent to court in a criminal case without prior issuing of charges”, that

the accused was to receive the charges and a list of witnesses “at least three days before the trial” and that he was entitled to a defence, if necessary at the court’s expense.¹⁶⁰

Clearly, these laws were not strictly abided by or even known by the young paramilitaries, and a former Fatah paramilitary commander explained to this author that “there were some formal differences between the Inside [i.e. Palestine] and the Outside [the Palestinian diaspora] regarding the application of laws”, i.e. between the Occupied Territories and the exile.¹⁶¹ According to an internal PLO document, entitled “Crimes against the Security of the Revolution”, which most probably is an adapted version of the Revolutionary Penal Code, a wide range of acts detrimental to the Palestinian revolution are deemed punishable by death.¹⁶² The list is sufficiently comprehensive and the definitions so vague that they suggest that any act that might be interpreted as even remotely beneficial to the enemy could in principle lead to execution, although it states that “the Revolution will forgive a partner in [these] crimes provided that that person divulges information about the crimes before they cause harm or if they fail to occur”.¹⁶³

The paramilitaries interpreted the Code in accordance with the simple basic principle of an eye for an eye or “one who kills shall be killed” (*al-qatil yuqatal*).¹⁶⁴ In principle, the seriousness of the collaboration should determine the punishment. A stiff warning sufficed for a minor collaborator who had merely got in touch with the Israeli military authorities. In more serious cases of collaboration, but which did not involve the death of any Palestinians, various forms of corporal punishments were applied, such as kneecapping, shots in the legs or beatings. A collaborator about whom it was judged that ‘there was no return’ would be executed.¹⁶⁵ Other paramilitaries made a clear distinction between ‘collaborators’: there were those “such as drug addicts and people guilty of immoral behaviour” who were in principle amenable to reform. On the other hand, Palestinians involved in spying for the IDF and responsible for the killing of other Palestinians would be executed, but only “on evidence”, the paramilitaries claimed.¹⁶⁶ Some paramilitaries were lenient only with those collaborators who could provide useful counter-intelligence; otherwise, “those whom we considered to have harmed the national interest, we despatched with forthwith”.¹⁶⁷ The PLO spokesman Bassam Abu Sharif, defending the PLO’s policy on collaborator executions, also stressed that its prosecution of collaborators

followed a “strict system”.¹⁶⁸ This reportedly included at least “two warnings”, a “local court” trial after the second warning and, in case he was found guilty, the death sentence, which was final only after authorization from Tunis.¹⁶⁹ These restrictions came at later stages of the uprising, when collaborator killings were spiralling out of control, and were not issued consistently from the beginning of the intifada.

In general, the kind of policing undertaken by the paramilitaries reflected the extraordinary situation in the Occupied Territories. Under conditions of military occupation, they had no opportunity to secure a legal process that would satisfy modern standards of policing and law enforcement. The apprehension of a suspect usually took place in their home or work place by a small group of paramilitaries, most of them masked. On rare occasions, to demonstrate the reach of their power, the paramilitaries even imitated Israeli tactics by sealing off entire city quarters or refugee camps and combing the area for suspected collaborators.¹⁷⁰

When a suspect had been apprehended, the ‘legal process’ was extraordinarily speedy. The same paramilitary would simultaneously serve as policeman, prosecutor, judge and executioner, if necessary. Although the interrogation of suspects could often last several days or even weeks and commonly included mistreatment and torture, the ‘popular trials’ did not last long. Sentences were often passed and carried out within minutes. No opportunity for defence was given. Detention in makeshift prisons was not an option, and the punishment was therefore usually corporal. The omnipresence of the Israeli occupation and its professional assassination squads created an environment in which only speedy ‘legal’ processes were possible. All interviewees for this study considered that while undertaking ‘police operations’, their chances of being summarily shot and killed on the spot if discovered by Israeli undercover or regular military units were very high.¹⁷¹

Despite this hostile environment, Fatah commanders stressed that their intelligence-gathering and investigations, especially in cases involving collaboration, were nevertheless thorough and painstaking. The Fatah Hawks had special units assigned to surveillance of suspected collaborators, and files were compiled in these cases. According to one former Fatah commander, “these activities occupied a large part of the Fatah Hawks’ activities and the apparatus dealing with policing and internal security matters was one of the largest departments of the Fatah organization”.¹⁷²

As the largest, oldest and most developed faction in the Occupied Territories, Fatah devoted more resources to policing the internal front than did the other factions.¹⁷³ Hamas's military wing, the Palestinian Mujahidin Group (later the 'Izz al-Din Qassam Brigades) also had a separate security agency, termed the Majd Group, responsible for intelligence-gathering and the elimination of collaborators, criminals and other elements who allegedly "corrupted" Palestinian society.¹⁷⁴

Other sources underscore Fatah's commitment to intelligence-gathering and investigation. According to Yusuf al-'Urjani, who headed the Fatah Hawks in 1992–3, their intelligence apparatus was elaborate. Much information was retrieved from Israeli jails, where the use of collaborators was common, and through the work of Fatah's own intelligence agency, the Revolutionary Security Apparatus (*jihaz al-amn al-thawri*), which was responsible for interrogating apprehended collaborators. Palestinian prisoners released after a short term were usually placed under surveillance. The same applied to persons who suddenly spent more money than usual, persons entering the civil administration or police offices at unusual hours etc. After initial intelligence-collection, usually through surveillance, the suspect would be taken away for interrogation. Confessions were the main source of information about other collaborators, yet surveillance activities and double agents also yielded information. The intelligence archives of the Revolutionary Security Apparatus constituted an important part of the Fatah Hawks' police work. In late 1993, the B'Tselem organization was shown, in hiding places in Rafah and Khan Yunis, selected parts of the intelligence archive, which contained hundreds of files on suspected collaborators covering the period 1987–93. The archive was obviously far from a full-blown professional police intelligence archive, and did not contain sufficient evidence to achieve convictions in a formal civil court.¹⁷⁵ But the mere existence of organizational structures for handling investigations, intelligence-gathering, interrogation and the punishment of collaboration and crime nevertheless demonstrates that the paramilitary groups devoted considerable resources to policing in order to make it more effective.

Palestinian policing was influenced by a host of factors. Its performance suffered from a manifest lack of training, equipment and procedures for policing effectively with a minimum use of force. As several of the interviews undertaken by this author and the testimonies in a B'Tselem report of 1994 indicate, punishments for immoral behaviour

were often harsher and more severe than intended, because the paramilitaries themselves were unable to implement the enforcement as instructed. For example, a beating and house arrest punishment became a capital punishment because the paramilitaries met with resistance during their arrest/punishment operations, feared exposure or simply “lost self-control”, as one Fatah Hawk conceded.¹⁷⁶

Owing to the organizational fragmentation of policing efforts, inter-factional competition and strong clan interests in avoiding the stigmatization that followed collaborator punishments against a clan member, there was obviously little consistency in the choice of punishment and enforcement by the paramilitaries. The PLO’s Revolutionary Penal Code did not give much guidance; it referred merely to capital punishment or harsh labour as appropriate punishment for crimes against the revolution. The UNC, at least during the first year and a half of the uprising, outlined only very general principles for paramilitaries’ policing activities, and permitted the strike forces to exercise a large degree of discretion. Only rarely did it explicitly publish restrictions on the use of violence for policing purposes.¹⁷⁷ One UNC communiqué went so far as to urge the strike forces “to use all means to punish collaborators”.¹⁷⁸ After mid-1989, the surge in collaborator killings induced the UNC to issue restrictions on the use of the death penalty and to stress the need for ‘gradual steps’ to deter collaboration. (See Box 2.1.)

BOX 2.1

Basic Forms of Paramilitary Punishment during the Intifada

Available evidence suggests that some five basic forms of punishment existed, and they were the cornerstones on which the paramilitaries’ policing efforts were constructed.^a At least in communities with an active intifada, collaborators and criminals faced a graduated scale of sanctions:

- *Warnings*, issued to suspected collaborators, were common in the early phase of the uprising, when a number of collaborators repented publicly in mosques and other public places.^b Warnings, together with a beating, were also frequently applied against petty criminals.

- *Stigmatization*, resulting in social ostracism, was achieved by publishing the names of alleged collaborators or criminals on the walls of public places, in leaflets and, more rarely, in local papers. This punishment was used primarily to penalize minor crimes such as drug addiction or other criminal offences.
- *Vandalization of property and homes* was a common punishment for collaboration as a way of driving known collaborators out of Palestinian towns and villages. Such incidents reportedly soared from some 15 a month in mid-1988 to some 800 in September of the same year.^c
- *Deterrence and 'breaking' (rada' wa taksir)* included a range of corporal punishments. They were commonly used for a broad variety of crimes: minor collaboration, non-political crimes such as theft and burglary, and honour or morality crimes.^d Punishments ranged from beatings, kneecapping and shooting in the legs to slashing the face with axes, knives or razor blades, the breaking of bones or even public flogging.^e The castration of men and the raping of women were more rare but occurred in the case of morality crimes.
- *House arrests* were considered a severe punishment, because they were often imposed for a minimum time of four months. This sanction could be employed in response to a wide range of crimes, although rarely for informers or collaborators, who were deemed beyond rehabilitation. In general, the house arrest penalty was intended to isolate the individual and give him/her a chance to repent.
- *Execution* was in theory reserved for the most serious crimes, namely collaboration, which included the receipt of arms from the Israeli Army for self-defence, and, more generally, collaborationist activity that led to the death or threatened the lives of Palestinians. In practice, the death penalty was also frequently imposed on a range of morality and honour crimes, as well as on drug dealers. Executions could be summary killings on the spot without interrogation or other legal proceedings, or they could take place after long interrogations, which included varying degrees of physical mistreatment and torture.

- a This list has been constructed based on B'Tselem's and Andrew Rigby's study but has been modified based on information obtained in this author's own interviews on punishment for 'social crimes'. B'Tselem (1994a) and Rigby (1997).
- b The number of collaborators who actually repented has been exaggerated in many studies on the intifada, according to Rigby's sources. Rigby (1997), p. 51.
- c "The war against the collaborators" (in Arabic), *al-Hadaf*, No. 930 (9 October 1988).
- d See examples from Gaza in J. Immanuel, "Fatah condemns killing of collaborators", *Jerusalem Post*, 19 October 1993.
- e For an incident of public flogging of two suspected thieves in Nablus, see I. Black, "Intifada looks for new directions", *Guardian*, 10 June 1991, p. 10.

During the intifada, Palestinians saw insurgent policing as nothing more than interim emergency measures. As one former Fatah Hawk commander noted in an interview, the purpose of their policing and the arbitration provided by the reconciliation committees was not to provide final solutions to social problems. These measures were simply an "anaesthetic" to contain internal conflicts and preserve unity until such problems could be settled in more conducive circumstances in an independent Palestinian state.¹⁷⁹ Indeed, the transitional and interim character of the guerrilla-state authority which the paramilitaries embodied served as the main justification of the excesses that the policing efforts entailed. In a situation of dual authority in which the Israeli occupation exerted strong pressure on the Palestinian community, the collaborators were the weakest entry point through which the enemy could penetrate it and roll back the resistance. The only way to prevent this from happening was for the paramilitaries to 'outbid' the Israeli army and apply the harshest possible sanctions.

Towards Rampant Vigilantism

The strike forces enjoyed much popular support at the beginning of the intifada, when they rode a wave of enthusiasm. The harsh Israeli countermeasures took their toll, however, and the continuous strikes, enforced by the paramilitaries, gradually eroded their popular support.

For various reasons, Palestinian policing gradually got out of control. The last years of the intifada were marked by unchecked violence against real and imagined collaborators and also by theft and extortion practices by renegade paramilitaries or outright criminal elements posing as intifada activists.¹⁸⁰ The extreme poverty of those executed for collaboration

suggested that the paramilitaries were catching only the “small fish”.¹⁸¹ A number of people were punished and even killed as collaborators when the real motives were clan feuds, family disputes and political disagreements.¹⁸² In other cases, people were executed simply by mistake owing to poor intelligence-gathering and investigation.¹⁸³ The prevalent belief that collaborators had infiltrated some of the paramilitary groups and exacted their revenge disguised as intifada fighters contributed to the pervasive sense of insecurity which gripped many Palestinian communities during the final years of the intifada.¹⁸⁴

The explosive increase in executions began in spring 1989 and lasted until 1992, which was the worst year of internecine violence. In early 1992, according to B’Tselem, some 26 Palestinians were executed in a single month; and 1992 as a whole saw 238 killings of suspected collaborators.¹⁸⁵ The total number of collaborator executions is very uncertain, and estimates vary considerably, not least because reports tend to conflate paramilitary executions with non-political violent crime.¹⁸⁶ A thorough study by Haj-Yahia, Kaufman and Abu Nijaila on collaboration in the Gaza Strip, based on documentation provided by Palestinian intelligence, and extensive interviews with victim families reveals that at least 600 Palestinians were killed on collaboration charges in the Strip alone during the uprising. (See Table 2.1.)

In late 1989 and the early 1990s, it was evident that a number of paramilitary groups had begun to defy the political leadership, threatening and exerting force on their civilian leadership concerning several issues. Instructions given in UNC communiqués were often ignored by the paramilitaries.¹⁸⁷ Indeed, it was widely reported that when a communiqué in 1990 imposing restrictions on collaborator killings reached a Black Panther group in Nablus, it “used the message for [shooting] practice”.¹⁸⁸ The gradual erosion of the political leadership’s authority both within and outside Palestine was caused by several factors, but perhaps most important was a growing perception among the young paramilitaries that the political leadership had failed to understand their threat environment and security concerns. Or, as one Black Panther commander put it: “With all my respect to Faisal Hussein, I would like to remind him that the collaborators do not inform on him, but on us. ... Hussein does not live with us here, and can therefore not decide who is a collaborator. We are the ones who know.”¹⁸⁹

TABLE 2.1
Collaborator Killings in the Gaza Strip, 1987–93

Total numbers			
1987	1	1991	114
1988	3	1992	199
1989	87	1993	133
1990	97		

Paramilitary factions and others claiming responsibility			
Fatah-affiliated	211	The family	2
Hamas-affiliated	75	The public	3
PFLP-affiliated	59	Unknown	324
PIJ-affiliated*	4		

Note: *Palestinian Islamic Jihad

Source: Numbers taken from Haj-Yahia et al. (1999), p. 52, which I consider the most reliable source in this regard. Some figures are different from those offered by other sources. For example, an Associated Press estimate of collaborator killings in the Occupied Territories in 1988 put the number as high as 22. One study citing Israeli sources claims that prior to April 1989, some sixty suspected Palestinian collaborators had been executed. The Associated Press put the figure of collaborator killings in the Occupied Territories in 1988 and 1989 as high as 131. The estimate of Hamas-perpetrated executions is disputed by B'Tselem's report, which stated that "by the end of 1993, 'Izz a-Din al-Qassam squads had killed more than a hundred and fifty suspected collaborators, nearly all of them in the Gaza Strip". B'Tselem (1994a), p. 177; Rigby (1997), p. 52; and *MECS*, Vol. XIV (1990), pp. 249–50.

The erosion of political control and the concomitant rise in collaborator killings were closely linked to the round-up of much of the UNC leadership by 1990, making it harder to direct and control the various local fighting elements. The wholesale arrests depleted the ranks of local activists, shifting responsibility for leading the resistance and conducting internal policing to young and relatively inexperienced militants, many of whom were in their teens.¹⁹⁰ Their turn to internecine violence has been explained by their increasing frustration over the stalemate in the intifada, the dwindling of mass mobilization and their inability to inflict heavy losses on the Israeli occupation. As Palestinian paramilitaries were frequent witnesses to the killing and maiming of their comrades, their anger turned inwards to more accessible targets.¹⁹¹

The increase in internecine violence was in part an unintended consequence of the PLO's new peace initiative in 1988 and the start-up of dialogue with the United States, which had required the PLO leadership to reject 'terrorism'. In practical terms, this meant a PLO ban on the use of firearms against the IDF and Israeli settlers, allowing only the use of burning tyres, stones, Molotov cocktails etc. in clashes with the occupation. These limitations did not extend to collaborators, however; and much to Israel's chagrin, the US did not pressure the PLO on that issue.¹⁹²

The second important reason for the upsurge in lynch killings was a shift in Israeli counter-insurgency strategy under the new Israeli Defence Minister, Moshe Arens, who replaced Rabin in office in summer 1990. The intifada had caught the Israeli army unprepared; and their network of informers had partly collapsed, as many collaborators were pressured to turn in their arms to the resistance and to recant publicly in mosques and churches or were forced to flee.¹⁹³ Defence Minister Yitzhak Rabin had chosen to pursue a high-profile confrontational "force, might and beatings" strategy to crush the uprising, and filled prisons and detention centres with thousands of Palestinians.¹⁹⁴ Partly from this prison population and partly by blackmailing individuals among the more than 120,000 Palestinians who were economically dependent on work inside Israel, new networks of informers were built. Hence, Arens was able to pursue the new strategy of a much less overt Israeli military presence in the Palestinian communities, using instead undercover units and informers for the selective targeting of activists and paramilitaries.¹⁹⁵ Israel's rebuilding of its collaborator network forced the Palestinian resistance to focus more on the enemy inside and to apply harsher sanctions against suspected collaborators.¹⁹⁶

To some extent, Israel probably tacitly encouraged fighting among Palestinians. Israeli reporters noted in retrospect that intra-Palestinian violence had had a "priceless propaganda value" for the Israeli government.¹⁹⁷ In mid-1990, British correspondents reported "signs that the Shin Beth is encouraging this 'civil war' rather than curbing it".¹⁹⁸ When Palestinian factional infighting turned violent, the IDF was slow to interfere, allowing it to continue, even if firearms were used.¹⁹⁹ Finally, the army permitted greater latitude for armed Palestinian collaborators in a variety of fields, such as manning armed roadblocks, accompanying soldiers on tax raids, making arrests, burning houses as revenge for having been stoned and assisting in the interrogation and torture of Palestinians

and even in extra-judicial killings. In the new atmosphere of violence, it was becoming more and more difficult to distinguish between the genuine strike forces, criminal impostors, armed collaborators and Israeli undercover squads sometimes posing as masked activists.²⁰⁰

The deterioration of Palestinian policing was in no small measure a result of structural factors in the way the Palestinians organized the intifada, in particular its gradual militarization. The uprising shifted from civil unrest and disobedience to greater reliance on guerrilla-style warfare, coinciding with a contraction of mass participation in it.²⁰¹ This locked the paramilitaries into a vicious circle. The use of firearms required more preparations and intelligence, and left more traces. Protection became more important, and harsher sanctions were needed to deter informers, causing a rise in collaborator killings. Similarly, the absence of a strong cross-local supra-factional command and the fragmentation of the resistance into small isolated paramilitary groups were also detrimental to organizational discipline. Excesses and lawlessness by the paramilitaries were allowed to develop unchecked.²⁰² The alternative was not obvious; any centralized command would hardly have survived Israeli repression, and the PLO in Tunis did not favour a strong leadership in the Territories.

Despite the consecutive waves of mass arrests, the armed paramilitary groups continued to recruit steadily, probably an unintended effect of the long-term closure of local schools and universities, which Israel feared were dangerous hotbeds of Palestinian nationalism. Their closure fostered a new generation of youth who had less to lose and whose “only philosophy is the philosophy of the gun”, as one Palestinian university professor put it.²⁰³ The gun culture of the young paramilitaries separated them from their political leadership; and despite the ideological differences between the Fatah Hawks, the PFLP’s Red Eagles and the Hamas-affiliated ‘Izz al-Din Qassam Brigades, they appeared to be “closer in touch with each other than with the above ground political factions they are supposed to represent”.²⁰⁴ The Black Panthers’ position on the Madrid peace talks in mid-1992 was illustrative. The nominally Fatah-loyal groups joined forces with the rejectionist camp in denouncing the talks. They issued threats by phone and in letters, accused the delegates of “benefiting from the collaborators” and charged them with wasting the PLO’s money for their own pleasure and depriving the paramilitaries of funds to buy arms.²⁰⁵

The loose organization of Palestinian policing and the lack of overall political control allowed violent individuals to exceed the accepted boundaries of paramilitary punishments. The example of Yasir Abu Samhadanah, a particularly violent Fatah Hawk commander in Rafah, was a case in point.²⁰⁶ Under his rule from early 1992 to April 1993, the Gaza Strip witnessed an upsurge of exceptionally brutal collaborator killings, including several deaths from torture. His squad was responsible for 37 executions, the bone-breaking and shooting in the legs of some one hundred people and 120 house arrests. In late 1992, he triggered a round of intense internecine street fighting in Gaza, resulting in dozens of wounded, after accusing a shopkeeper of being a Hamas supporter and shooting him in the legs.²⁰⁷ Abu Samhadanah became a symbol of the deteriorating image of the intifada when he executed a drug dealer in front of a large public crowd, including an AFP photographer, who publicized the pictures worldwide.²⁰⁸ The fact that such a public execution could take place in broad daylight close to the Israeli police station in Rafah suggested the degree to which the Israeli police and the IDF had abandoned the ambition of maintaining law and order in the Gaza Strip and had reduced their mission to merely protecting Israeli citizens and informers.

Abu Samhadanah's excesses led him into conflict with other Fatah Hawk commanders, who curtailed his activities and restrained him on several occasions as he attempted to execute people in violation of Fatah orders. His flight to Egypt in April 1993 with several other Fatah Hawks was a result of these internal tensions.

Escalation of the Fatah– Hamas rivalry

A final reason for the deterioration of Palestinian policing in the early 1990s was the increasing intra-Palestinian tension, stemming from differences over the PLO's decision to recognize Israel, renounce 'terrorism' and participate (although not as the PLO) in the US-sponsored peace talks which began in Madrid in October 1991. In leading the opposition to the talks, Hamas gained in strength and began challenging Fatah as the leading faction in the Territories.²⁰⁹ The issue of peace talks with Israel also divided the PLO factions in the UNC, pitting the PFLP and the DFLP (the Hawatmah wing) against the mainstream Fatah and its allies, the PPP (formerly the PCP) and the FIDA; the latter had split from the DFLP in September 1991 under the leadership of Yasir 'Abd Rabbuh.²¹⁰

The deep rift between supporters and opponents of Palestinian participation in the Madrid talks led to increasing factionalization and partisanization of the strike forces. Announcements of commercial strikes not agreed upon by all factions were accompanied by confrontations, as one faction attempted to enforce the strike while their rivals attempted to break it up.²¹¹ These tensions often led to violent clashes, undermining efforts at collective self-policing. The summer of 1992, in particular, witnessed a series of violent intra-Palestinian confrontations, with some 150 wounded and one killed, which was said to be the worst violence among Palestinians in 25 years.²¹² The confrontations illustrated a new theme in Fatah's policing, namely defending the socio-political order, which was conducive to the continuation of the PLO's peace diplomacy. A local Fatah Hawk commander interviewed during a Norwegian-sponsored field study of the Burayj refugee camp recollected:

The day the negotiations in Madrid began, most of the shops were decorated [to celebrate the event, Fatah's initiative]. Members of Hamas attacked shops everywhere with Molotov cocktails. One shop belonging to a Fatah member was burned down. Until then we had had a reconciliatory attitude towards Hamas. This we did not accept. We had to show our strength. We started to chase the Hamas people everywhere. We beat up those who did not escape. We forced closed shops to open. I knew that the only thing we had to do to avoid being humiliated by Hamas was to humiliate them. ... I said we would impose a curfew on all Hamas people in the camp and those not obeying the curfews would be beaten or killed. This curfew lasted for three days. Those not staying indoors were beaten. Two Hamas shops were burned.²¹³

The last years of the intifada witnessed a growing assertiveness on the part of the Hamas movement and its network of paramilitary cells, the so-called 'Izz al-Din al-Qassam Brigades, who took a hardline position on the collaborator issue, supported by their political leadership and in defiance of the UNC.²¹⁴ In this climate of inter-factional strife, it was obvious that any supra-factional policing efforts, especially of intifada-related activities, had become almost impossible. It would be wrong, however, to depict the Hamas–Fatah relationship as one of constant strife and rivalries. When confrontations with Israel were intense, both factions usually buried their differences. On a local level,

Fatah and Hamas paramilitaries in Gaza appeared to cooperate closely in intelligence-sharing and patrolling.²¹⁵

PLO policy on collaborator killings

From mid-1989, leading UNC and PLO figures began speaking out against the policing practices of the strike forces, but with mixed success. In an attempt to control executions, UNC communiqués called for thorough investigation and solid proof. It reminded the paramilitaries of the obligation to seek authorization and give the opportunity for repentance, and it urged them to limit the death penalty to only “extreme cases of collaboration”.²¹⁶ Many executions were obviously unauthorized, and the lack of discipline became a serious embarrassment for the PLO. From 1990 onwards, the political leadership followed a twofold strategy to regain control. First, it hoped that allowing its supporters to speak out more forcefully against the phenomenon would influence the paramilitary groups.²¹⁷ Second, it reorganized its loyalist forces, instructing them to act as a military police in order to discipline unruly elements among the strike forces.

PLO criticism of the excesses of the paramilitaries had already begun in mid-1989, when the UNC warned that the excessive retribution practices and the “loss of discipline would allow the enemy to use this phenomenon ... in the field and in the media”.²¹⁸ After persistent reports in mid-1991 that vigilante killings were soaring out of control, Bassam Abu Sharif, a senior PLO spokesperson in Tunis, censured the paramilitaries in an unusually blunt manner: “these youths are alienating the Palestinian population, and we will take firm measures against them”.²¹⁹ Perhaps the harshest criticism was a much-quoted article by a leading Fatah activist, ‘Adnan al-Damiri, in *al-Fajr*. In poetic language, he depicted a society at war with itself and gripped by a pervasive fear. Its dream of freedom had become a nightmare and people no longer feared the occupation as much as they feared “break-ins by masked individuals who have no address or name or colour”.²²⁰ Al-Damiri was a well-known journalist and poet and a figure of nationalist standing; he had served terms in Israeli prisons and could not easily be dismissed as an Israeli lackey.

Al-Damiri’s article was quickly picked up by the Israeli press as evidence of Palestinian society’s inherent savagery and its members’ inability to rule themselves, illustrating the sensitivity of the collaborator

issue. His article nevertheless represented only one of numerous and increasingly vociferous calls against the paramilitaries.²²¹ (Ironically, al-Damiri himself later became a senior officer in the Palestinian Preventive Security Agency, whose main focus was to pursue and expose collaborators in addition to infiltrating the opposition.²²²) Such criticism did not pass unnoticed by the paramilitaries. Al-Damiri and another outspoken Palestinian critic of the executions, the journalist and Fatah activist Tawfiq Abu Khusah, were threatened with reprisals. In June 1992, Hamas paramilitaries shot dead two alleged collaborators and left their bodies on Abu Khusah's doorstep.²²³ In another sign of defiance, paramilitaries liquidated two suspected collaborators the day after political leaders from Hamas and Fatah had issued a joint declaration aimed at reducing such killings.

In 1990–3, the 'negative aspects' (*al-silbiyyat*) of the intifada became a key theme in Palestinian political debate.²²⁴ In June 1991, a much-publicized symposium was held in Jerusalem at the Hakawati theatre on the topic "The intifada: Between Reality and Anticipations". Leading figures of the pro-PLO political elite, including Faysal al-Husayni, discussed and sought to find ways to address the 'excesses'.²²⁵ On 3 June 1991, for the first time, a strike was held to protest against internecine fighting after a Fatah member was shot and injured during a fight with Hamas supporters.²²⁶ In mid-1992, a series of protest rallies and conferences in Gaza addressed the issue of internecine violence. The legacy of the 1936–9 Arab Revolt was a recurrent theme in this debate. The respected Haydar 'Abd al-Shafi, the head of the Palestinian peace delegation, exhorted people to engage in "a moment of soul-searching", warning them not to repeat the flaws of the Arab Revolt of the 1930s, which "went on effectively for two years, but then began to deteriorate and weaken in a climate of rifts and individualism".²²⁷ The collective efforts to address the punishment practices also involved invoking customary law. In several areas, committees of appraisal (*lijan al-tabkim*) were formed to review individual cases of execution.²²⁸ All these endeavours were important, at least in terms of demonstrating a political culture of self-reform and mobilization. Still, more concrete steps to enforce discipline were needed.

Where are the military police? The problem of enforcing internal discipline

From mid-1989 onwards, measures were taken to discipline Palestinian paramilitaries: new security mechanisms for checks and controls were put in place. These produced only limited results, and in many ways were a repetition of the PLO's unsuccessful efforts to discipline its guerrilla factions in Lebanon ten years earlier.

Nablus was a focal point of the efforts to restrain ill-disciplined paramilitaries after various excesses were attributed to the Red Eagle and Black Panther groups in the area. A Fatah communiqué in late November 1989 imposed new restrictions on interrogation procedures, stressing that interrogation should be carried out only under the orders of the 'security apparatus' of the intifada. In contrast to previous communiqués, the leaflet warned that Fatah's "military police and the UNC" would deal with groups violating the order.²²⁹ It also banned the "arbitrary collection" of "intifada taxes" from shopkeepers and the confiscation of Israeli merchandise from shops. Such paramilitary practices had become widespread in the Nablus area.²³⁰

The communiqué did not deter the paramilitaries, however; and in December 1989, ten Nablus residents were kidnapped, beaten during interrogation and subsequently released after having been found innocent. The 'investigation' was apparently unauthorized, and prompted the Fatah leadership in Nablus to make preparations for enforcing more discipline. In mid-January 1990, Fatah-loyal paramilitaries, who called themselves the 'Public Security Agency' (*jihaz al-amn al-'amm*), staged widely publicized marches in the city, firing shots and issuing warnings through loudspeakers against "the kidnapping of innocent people".²³¹ According to their communiqué, they would "fight thieves and those who abuse power" with obvious reference to the renegade Black Panther and the Red Eagle groups.²³² Subsequent incidents of robbery and extortion triggered new paramilitary marches in protest.²³³

In spring 1990, Fatah's internal security mechanisms appear to have been reorganized for the purpose of curbing renegade groups. In April 1990, a new agency was formed, the so-called Revolutionary Security Apparatus. It eschewed executions and relied instead on other methods against collaborators.²³⁴ Local UNC-loyal paramilitary groups emerged whose aim was to reduce the excesses; operated under names such as 'the People's Police' and 'the Guardians of the Uprising'. Their

efforts apparently had some success. By employing the Guardians, the local intifada leadership in Nablus succeeded in 1991, at least temporarily, in reducing the scale of violence, according to a correspondent.²³⁵ In one case, they “administered public beatings [of] four youths who without authorization attacked Palestinians they had mistaken for collaborators”.²³⁶ To improve the image of the intifada, Fatah activists also brought foreign correspondents to hideouts, where masked paramilitaries “explained that they were the enforcers of discipline whose task was to stop random killings that may be mere feuds”.²³⁷ The IDF’s continuous crackdown on all paramilitary groups must have hampered such countermeasures, however.²³⁸

Excessive and unauthorized punishment practices were not the only object for disciplinary action. By 1989–90, Fatah and its affiliated Shabibah youth movement were acting to contain the disruptive effects on education brought about by the intifada. Fatah loyalists took steps to prevent the radical factions from engaging in activities that would provoke an IDF-imposed closure of universities and schools. Both Fatah and Hamas took upon themselves to police undisciplined students, often masked paramilitaries, who intimidated teachers and pressured them into accepting widespread cheating at matriculation examinations, a phenomenon which had become prevalent during the latter years of the uprising.²³⁹

Even though public criticism of vigilantism came mostly from activists and leaders of the mainstream PLO factions, Fatah-affiliated paramilitaries themselves claimed responsibility for far more executions during the six-year uprising than did their radical counterparts. It was therefore not surprising that Fatah’s efforts to curb the excesses were seen as disguised attempts to dominate its rival factions. A local Fatah Hawk commander from Khan Yunis interviewed by this author recollected that occasional instructions were received from Tunis to keep executions to a minimum but that these were not taken seriously.²⁴⁰ Another leading Hawk recalled that the exile-based leadership had in fact issued parallel instructions on the collaborator issue, calling on the paramilitaries to continue executing known collaborators while publicly disavowing such conduct.²⁴¹ With wavering support from Tunis and growing defiance among the young paramilitaries, Fatah leaders conceded that there was little they could do to stop unchecked vigilantism by groups acting in their name but not on their orders.²⁴²

Looking back at the intifada and its alternative police, Samih Ka'an, a senior Fatah figure in Nablus, noted in mid-1993 that

The UNC attempted to form local field agencies to carry out this duty towards the masses, especially as it faced social crises and various problems, but these agencies were unable to undertake their duty fully. The conditions and obstacles, which they faced, foiled their success. The presence of the Israeli authorities, in particular, makes it impossible for such agencies to become an effective substitution for a police force.²⁴³

By 1992–3, there was a growing realization that the uprising had failed to create alternative state structures that could withstand an Israeli onslaught. Only a negotiated solution with Israel would allow the Palestinians to create an effective police.

Conclusion

Modern Palestinian history has seen a number of attempts to establish alternative police structures, usually in the context of revolts against state authorities. These experiences have left a mixed legacy. They highlight how important policing is for maintaining an insurgency and sustaining internal discipline; but internal conflicts over enforcement practices and excessive violence caused by multiple internal and external pressures have tarnished the resistance movements. This raises the question of whether it is possible to sustain guerrilla-state authority beyond the early phases of mass mobilization without allowing for excessive sanctions.

This dual legacy is characteristic of the Palestinian intifada and its multifarious and fascinating policing structures. The replacement of the Israeli-controlled police by insurgent-controlled policing mechanisms was an important part of the uprising. For nearly six years, Palestinian society managed largely without the Israeli police service, fending off threats of social disintegration and widespread crime. When mass mobilization and popular support were high, the alternative policing structures flourished, but they were weakened by a lack of specific and realistic policing guidance. As mass participation gradually dwindled, however, the resistance became militarized, and it fragmented into small paramilitary groups

over which the political leadership failed to assert control. The very agencies of Palestinian policing became part of the law and order problem, as their practices degenerated into random lynching, feuding and extortion. By the early 1990s, as peace talks started in Madrid, Washington and subsequently Oslo, attention shifted to the preparation of a formal police to serve Palestinian self-rule.

NOTES

- 1 Cited in R. Sofer, *Ma'ariv*, 30 October 1993.
- 2 Cited in J. Immanuel, "Gaza violence brings few rewards", *Jerusalem Post*, 19 June 1992.
- 3 As far as I can ascertain, only Milton-Edwards has briefly looked at the intifada from a policing perspective. Milton-Edwards (1996) and Milton-Edwards (1997). For a study of the new legal mechanisms which emerged during the intifada, see Wing (1993).
- 4 For studies of the Arab Revolt, see, for example, Porath (1977), pp. 249 ff.; Abboushi (1977); and Bowden (1975).
- 5 Horne (1982) and "A brief history of the Palestine Police Force", <http://ourworld.compuserve.com/homepages/palestinepolice/phistory.htm>, p. 7.
- 6 The Court of the Revolt has clearly intrigued historians. Porath's classical study of the early Palestinian national movement paid particular attention to "this rather interesting institution". Porath (1977), p. 248.
- 7 Ibid.
- 8 For a comparison of the two uprisings, see Stein (1990).
- 9 See, for example, Haydar 'Abd al-Shafi's reference to the 1936 Revolt in his appeal to curb the excesses and internecine violence of the intifada in mid-1992, reprinted in *Journal of Palestine Studies* 22 (1) (Autumn 1992), p. 137.
- 10 Y. Sayigh (1987), p. 55.
- 11 Y. Sayigh (1998) and (1997), pp. 207–10.
- 12 The Popular Front for the Liberation of Palestine (PFLP) played a major role in the guerrilla warfare, in addition to Fatah. Lesch (1990), p. 3.
- 13 Y. Sayigh (1997), pp. 209–10.
- 14 Ibid.
- 15 As part of Sharon's counter-insurgency campaign, almost the entire Strip was sealed off by a ring of security fences; nearly 200 miles of security roads were built through the refugee camps to facilitate military access and thousands of refugee dwellings were destroyed as part of the process. Refugee camps were placed under lengthy curfews; a large number of guerrillas were killed; some twelve thousand Palestinians were detained, mainly relatives of suspected guerrillas; and thousands were forcibly removed. Having reduced the armed Palestinian resistance in Gaza, Sharon moved to his second objective, the establishment of

- Jewish settlements in Gaza in order to consolidate Israel's grip on the territory. Roy (1995a), p. 105 f.; Lesch (1990), pp. 2–4; and Haim Baram, "The Worst Man Won", *Middle East International*, No. 644 (23 February 2001), p. 7. For Sharon's own account of how he suppressed the resistance, see J. Brinkley, "Sharon says he could quell uprising", *New York Times*, 8 November 1988, p. A8.
- 16 The battle of Karamah began as an Israeli raid on a Palestinian guerrilla base across the Jordan River, but was met with fierce resistance from Palestinian guerrillas heavily aided by Jordanian army units, leading to considerable Israeli losses. The confrontation was subsequently hailed as a key victory for the Palestinian guerrilla organizations.
 - 17 Shemesh (1988), p. 132.
 - 18 Y. Sayigh (1997), p. 184.
 - 19 Braizat (1998), p. 139.
 - 20 Abu Jihad and Abu al-'Abd, 'Lectures' in Fatah's course for its cadres, August 1972, cited in Shemesh (1988), p. 132.
 - 21 Even when Fatah was founded, it had reportedly "determined that 'there is no avoiding a change of the situation in Jordan' inter alia 'by a *coup d'état* which will shift manners [*sic*] into our hands, if there is no other way'". Shemesh (1988), pp. 131–2.
 - 22 Y. Sayigh (1987), p. 44 f.
 - 23 *Ibid.*, p. 55.
 - 24 Brynen (1990), p. 25.
 - 25 PASC was established in February 1969 as an ad hoc body in response to the failure to achieve national unity, the boycott of PLO institutions by a number of organizations and the subsequent crisis in Jordan. Originally thought of as a 'military command' established to improve military coordination between the PLA and the various *fida'iyyun* groups, in reality it became a joint military police organization for the Palestinian groups in Jordan and later in Lebanon. Shemesh (1988), pp. 165–6 and Peteet (1987), p. 32 f.
 - 26 Peteet (1987), pp. 32 ff. See also Rosemary Sayigh's account of the Shatilla refugee camp in R. Sayigh (1994), pp. 91 ff.
 - 27 See also R. Sayigh (1994), p. 94.
 - 28 Peteet (1987), p. 33.
 - 29 Rosemary Sayigh's oral-based history of the Shatilla refugee camp quotes a former Palestinian camp director as saying: "I kept the *wujaha'* [village elders] as my father had done to solve problems and as witnesses. ... Let's say I want to meet Abu 'Ammar [Yasser Arafat] because there is a big problem, I'd put the *wujaha'* in my car and go to the offices, and I could talk strongly because I had them with me. They are the fathers and uncles of the *feda'yeen*. They are the owners of the camp and the reservoir of the 'Revolution'". See R. Sayigh (1994), p. 98.
 - 30 Peteet (1987), pp. 37 ff.
 - 31 Kamal Jumblatt, cited in Brynen (1990), Chapter 6.
 - 32 This was far from confined to Palestinian militias. Indeed, all Lebanese militias engaged in a wide range of revenue-generating and 'extortionist' activities. Picard (2000), pp. 292–322.
 - 33 Brynen (1990), Chapter 6.
 - 34 *Ibid.*

- 35 Ibid.
- 36 Ibid.
- 37 Ibid.
- 38 Khalil al-Wazir, cited in *ibid.*, Chapter 7, fn. 13.
- 39 Ibid.
- 40 Brynen (1990), Chapter 6.
- 41 See, for example, the interview with the Secretary General of the PLO's Lebanese Committee and member of the PLO Higher Military Council in "The Palestinians in Lebanon: Conversation with Brig. Abu Khalid al-'Arabiyyah/Salim al-Burdayni" (in Arabic), *Watani*, No. 7 (August 1995), p. 18.
- 42 R. Fisk, "Toll mounts in war over Arafat's peace", *Independent*, 11 August 1992; "Fatah' will release 97 prisoners from 'Abu Nidal'" (in Arabic), *al-Quds*, 26 June 1993, p. 7; and "Palestinians wound security agents in shoot-out", AFP, 10 February 1995.
- 43 An agreement on coordination existed between the nationalist and Islamist forces in the camp but had only limited effect in curbing inter-factional fighting. See "Who governs whom in 'Ayn al-Hilwah" (in Arabic), *al-Wasat* (London), No. 514 (3 December 2001), pp. 30–1.
- 44 For general studies of the Palestinian uprising, see Peretz (1990); Nassar and Heacock (1990); Lockman and Beinun (1989); Hunter (1991); Hunter (1993); and Shindler (1991). For an Israeli security perspective on the uprising, see Schiff and Ya'ari (1990).
- 45 For studies on the background of the uprising, see Lesch (1990).
- 46 The UNC's top echelon reportedly consisted of some 40 persons who were engaged in providing general guidance to the intifada. It consisted of the PLO's main factions: Fatah, the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP) and the Palestinian Communist Party (PCP), along with a few independents. The Arab Liberation Front and the Palestine Liberation Front were sometimes mentioned as members of the leadership in UNC communiqués (see, for example, No. 41, 13 June 1989). Hamas and Islamic Jihad refused to join the UNC. *MECS*, Vol. XIII (1989), p. 231.
- 47 Rigby (1997), p. 50. For a discussion of the extent of state authority enjoyed by the Palestinian leadership during the uprising, see Segal (1989).
- 48 See, for example, UNC communiqués No. 30 (6 December 1988) and No. 55 (19 April 1990), which stated that "we must act to develop and organise the Palestinian national government [without which] we cannot attain our objective". The Palestinians must "continue your struggle ... by strengthening the rule of the people over the soil of Palestine as a mainstay of our independent state."
- 49 UNC communiqués No. 15 (30 April 1988); No. 30 (6 December 1988); and No. 32 (9 January 1989).
- 50 UNC communiqué No. 18 (28 May 1988).
- 51 Milton-Edwards (1997) and B'Tselem (1994a).
- 52 UNC communiqué No. 9 (5 March 1988) and No. 10 (11 March 1988). Quotation from UNC communiqué No. 10.
- 53 *MECS*, Vol. XII (1988), p. 288.
- 54 A. Cowell, "Palestinians quit the police force in occupied territories", *New York Times*, 13 March 1988, p. 1.

- 55 UNC communiqué No. 18 (28 May 1988).
- 56 Cited in M. Colvin, “Arabs spurn the carrot and confront the sticks”, *The Times*, 20 March 1988.
- 57 Cited in J. Rice, “Policemen’s resignations shake occupied territories”, AP, 14 March 1988. See also G. Frankel, “Uprising forces Arab policemen to choose sides”, *Washington Post*, 15 March 1988, p. A.18 and D. Izenberg, “Nearly half of the Arab police in Occupied Territories resigns”, AP, 12 March 1988.
- 58 In a communiqué it also urged “the popular committees and the other committees [to] give a helping hand to them all”. (No. 14, 20 April 1988). It is uncertain whether they actually received such compensation; it was probably reduced or ended in the last years of the intifada owing to the PLO’s financial constraints.
- 59 A Bethlehem police captain recalled that during the early months of the intifada, “we used to drive around or walk around, passing through the middle of demonstrations, and no one would pay any attention ... People would even remove stone barricades to let us by”. D. Fisher, “Israelis fear domino effect; both sides suffer loss as Arab police resign”, *Los Angeles Times*, 14 March 1988, p. 1.
- 60 Bethlehem mayor Elias Freij echoed these concerns, warning against “a big and dangerous vacuum ... There will be robberies and murders that will require police intervention.” Cited in A. Cowell, “Palestinians quit the police force in occupied territories”, *New York Times*, 13 March 1988, p. 1. See also J. Rice, “Policemen’s resignations shake occupied territories”, AP, 14 March 1988.
- 61 Statement by Israel’s police commissioner on Israeli Army Radio, cited in A. Whitley, “Israel seeks to stem wave of resignations by Arab policemen”, *The Financial Times*, 14 March 1988, p. 3.
- 62 The fact that Palestinian employees were paid only half the salaries of their Israeli colleagues had been a source of considerable irritation among Palestinian police personnel.
- 63 A. Cowell, “Palestinians quit the police force in Occupied Territories”, *New York Times*, 13 March 1988, p. 1.
- 64 In spring 1991, Palestinian police officers were killed in Gaza and Jenin. On 15 April 1991, the most senior Palestinian police officer in the Gaza Strip, Inspector ‘Abdallah Yunis, head of the patrol office in the Rafah police station, was shot and killed by a masked paramilitary. B. Burston, “Shooting attempts in the territories on the upswing”, *Jerusalem Post*, 25 April 1991, p. 10.
- 65 It appears that these included both policemen who merely refused to resign and policemen who worked as active collaborators in security matters. B’Tselem (1994a), pp. 86–8. For studies of collaboration in the Occupied Territories, see also Rigby (1997); Hiltermann (1990); and Haj-Yahia et al. (1999).
- 66 B. Burston, “Shooting attempts in the territories on the upswing”, *Jerusalem Post*, 25 April 1991.
- 67 A. Cowell, “Palestinians quit the police force in Occupied Territories”, *New York Times*, 13 March 1988, p. 1.
- 68 Hamas, which together with Islamic Jihad remained outside the PLO-led UNC, also issued calls for establishing such committees. See, for example, Hamas communiqué No. 4 (February 1988).
- 69 For one example of their duties, see UNC communique No. 40 (22 May 1989). General descriptions of the guardian committees are given in Milton-Edwards

- (1997), pp. 19–44; Robinson (1997a), pp. 68–9; and Hunter (1991), pp. 136–9. For an interview with one of these police volunteers, see “The traffic cop who never gave a ticket”, *Biladi/The Jerusalem Times*, 6 September 1996, p. 4.
- 70 *MECS*, Vol. XII (1988), p. 284.
- 71 Hammami (1990), pp. 26–7.
- 72 Hunter (1991), p. 138.
- 73 The popular committees included local representatives of the four factions comprising the UNC (Fatah, the PFLP, the DFLP and the PCP).
- 74 Cited in UNC communiqué No. 41 (13 June 1989). See also communiqués No. 45 (5 September 1989) and No. 55 (19 April 1990).
- 75 In October 1990, a PFLP paper lamented that the popular committees had been “displaced by the semi-military or factional organizations”, which “deviated” from the popular committees’ “popular nature”, i.e. their supra-factional composition. *MECS*, Vol. XIV (1990), p. 246, citing *al-Hadaf*, 10 October 1990.
- 76 For studies of the legal situation in the occupied West Bank in this period, see Shehadeh (1988); Bisharat (1989); Shamgar (1982); and Peleg (1995).
- 77 The Islamic or *shari’ah* courts’ jurisdiction had progressively narrowed since the Ottoman reforms of the mid-nineteenth century. It excluded all criminal cases and most civil cases, primarily resolving disputes on matters of personal status (marriage, divorce, child custody, alimony) and inheritance. The Supreme Islamic Board, located in East Jerusalem, de facto supervised the *shari’ah* courts of the West Bank, even though it was not formally recognized by the Israeli government. Wing (1994); and Bisharat (1989), p. 20 f.
- 78 For more details, see Bisharat (1989), pp. 47 ff and Shehadeh (1988).
- 79 Bisharat (1989), p. 125 ff.
- 80 The crisis affected some areas more than others. In the southern West Bank, Ifrah Silberman, an Israeli anthropologist who had conducted field research there, noted: “civil courts remain in function, more or less, with a lower profile. Sharia courts are still functioning.” Interview with Zilberman in Hunter (1991), p. 210.
- 81 Bisharat (1989), p. 148.
- 82 Irani (1999), p. 10; Khadduri (1997); and al-Tall (1997).
- 83 Interview with senior Palestinian police officer in Bethlehem in D. Fisher, “Israelis fear domino effect; both sides suffer loss as Arab police resign”, *Los Angeles Times*, 14 March 1998, p. 1.
- 84 Bisharat (1989), pp. 39–40.
- 85 George Bisharat observed that customary law judges often strove to align their judgments with those of the civil court system, to ensure that their verdicts would be enforceable. *Ibid.*, pp. 39–40.
- 86 Zilberman (1996), p. 801.
- 87 Irani has underlined the asymmetrical power relationship that clan-based or kinship patron-client networks tend to perpetuate and reinforce. Irani (1999), pp. 8–10. See also *ibid.*, p. 802.
- 88 Robinson (1997a), p. 81 and B’Tselem (1994a), p. 31.
- 89 In Bayt Sahur, the Committee functioned as an elected executive committee with a broad range of responsibilities. Robinson (1997a), pp. 80–1 and Zilberman (1996), p. 805.
- 90 Frisch (1997), p. 347. H. Robert Hunter, for example, barely deals with these emerging neo-traditional institutions of conflict resolution and law enforcement.

- Sulbah* and *'atwi* are mentioned only twice in his book. Writing on another aspect of customary and patrimonial dimensions of the intifada, such as the use of external funds to support client networks, Rex Brynen notes that “books on the intifada typically devote less than 1 per cent of their analysis to the importance of patronage and external resource flow”. Hunter (1991), pp. 131–2, 138 and Brynen (1995), pp. 28–9.
- 91 Frisch (1997), p. 347.
- 92 Indicative of that attitude was the observation that tribal adjudication was much reduced after the arrival of the PNA because it reportedly “did not give them their full rights, but was subject in most cases to the interests of the tribal judge”. The fact that some tribal judges continued with their work “within the shadow of the PNA and the law” was also criticized. One writer in the secular left-wing *Biladi* newspaper dismissed the common notion that “the tribal method somehow completes the civil law”; the tribal committees “passed judgment according to local balances of power” and encouraged the stronger and more powerful “to use family wealth and influence to achieve his end”, which inevitably undermined the rule of law. Cited from interviews with the Public Prosecutor in Ramallah in “Ramallah and al-Birah: twins ... and a civilisation” (in Arabic), *Watani*, No. 14 (October 1996), pp. 22–32 and Fathi Khamis al-Ja'bari, “No more tribalism: we have the law”, *Biladi/The Jerusalem Times*, 3 April 1998, p. 5.
- 93 Abu Nabil, interview.
- 94 Ibid.
- 95 Even as late as November 2000, the Palestinian daily *al-Quds* regularly published announcements of *sulh*, including resolution of tribal feuds triggered by homicides.
- 96 Several studies have stressed the “intertwining of custom and religion” in the Occupied Territories. Zilberman (1996); Frisch (1997); and Wing (1994).
- 97 Zilberman (1996), pp. 802–4.
- 98 Abu Nabil, interview. For insulting another man’s wife or female relatives, for example, Bedouin traditions might demand huge compensations, up to JD20,000. In the Gaza Strip, according to Abu Nabil, there were special reconciliation committees to deal with the extremely difficult cases involving women and land.
- 99 Ayoob (1995), p. 172.
- 100 Zilberman (1996), p. 805 and UNC communiqué No. 36 (16 March 1989).
- 101 Ahmad ‘Awwad was apprehended in late 1993. He was subsequently convicted of killing an Israeli soldier and 15 Palestinians (including some of his own relatives) and sentenced to 16 life terms. “Palestinian vigilante commander gets 16 life terms”, *Jerusalem Post*, 2 September 1994, p. 14; J. Reddan, “Israelis vs Panthers – a brutal clandestine war”, Reuters, 27 August 1992; and “Two Palestinian cousins killed as collaborators”, Reuters, 18 August 1992.
- 102 Former Palestinian paramilitaries A, C, K, N, Naggar and M, interviews.
- 103 Abu Nabil, interview.
- 104 Ibid.
- 105 Terms used by former Fatah Hawks commanders in interviews by this author. A, interview.
- 106 N, interview.
- 107 Frisch (1997), p. 347.
- 108 “Exchange of kidnappings between Hamas and Fatah in the wake of the arrival of the police to Gaza” (in Arabic), *al-Hayat* (London), 4 April 1994.

- 109 See, for example, Aronson (1990), p. 331.
- 110 UNC communiqué No. 20 (22 June 1988).
- 111 UNC communiqué No. 41 (13 June 1989).
- 112 For example, their role was “to see to the inhabitants’ protection and security” and to “monitor the implementation” of UNC directives. Being the UNC’s “main executive elements ... the Strike Forces will strike with an iron fist against whoever dares to practice deceit regarding these orders or dilute them”. UNC communiqué No. 55 (19 April 1990).
- 113 Interview with Khalid Abu Dahi, a member of the Red Eagle Group in Rafah. Cited in R. Mahoney, “Rough justice for Palestinians working with Israeli army”, Reuters, 21 June 1991.
- 114 Hunter (1991), p. 139.
- 115 UNC communiqué No. 36 (16 March 1989).
- 116 UNC communiqué No. 15 (30 April 1988).
- 117 A number of subgroups and smaller cells operated under a variety of names, such as the Intifada Torch (PFLP), the Palestinian Mujahidin (Hamas), the Masked Lions (Fatah), the Palestinian Ninja (Fatah), the Red Prince, the Abu Jihad Battalions (Fatah), the Wounding Hawk (Fatah), the Rafiq al-Salamah Cell (Fatah) and Lions of Fury (Fatah).
- 118 Apparently, the PFLP did not officially acknowledge its relationship with the Red Eagle Group in the West Bank until 1991, according to one study of the PFLP. Cubert (1997), p. 144.
- 119 B’Tselem (1994a), p. 107 and former activists and paramilitaries N, M and A, interviews.
- 120 The PLO called for the formation of popular armies in the wake of the Palestine National Council meeting in November 1988, which declared the establishment of Independent Palestine. In December 1988 and January 1989, the new body issued its first leaflets. Frisch (1991), p. 51 and *MECS*, Vol. XIII (1989), pp. 234–5.
- 121 The Popular Army leaflets stressed that it would not replace but complement the popular committees and strike forces. Both the PFLP and the DFLP resented the idea, and interpreted it as Fatah’s intention “to attribute the Strike Forces’ achievements” to itself and to subordinate the new army to its own authority. Even figures in the multifaceted Fatah movement opposed Force-17’s Popular Army idea. Later UNC communiqués attempted to resolve differences by stressing that the popular armies were “the army of the PLO, the army of the Intifada, which is composed in essence of the strike forces, includes all parties and comes under the orders and instructions of the UNC”. Still, it continued to be financed by Fatah, according to Israeli sources. *MECS*, Vol. XIII (1989), pp. 234–5.
- 122 UNC communiqué No. 55 (19 April 1990).
- 123 Ibid.
- 124 The IDF reportedly used special ‘crack infantry units’ against the ‘independent’ villages. Inbar (1991), p. 42.
- 125 *MECS*, Vol. XIII (1989), p. 236.
- 126 Segal (1989), p. 17.
- 127 An interesting parallel is Stathis Kalyvas’s study of the impact of competing state authorities on the escalation of violence in the Algerian civil war. Kalyvas (1999).
- 128 *Merriam-Webster’s Online Dictionary*, <http://search.eb.com/dictionary>.

- 129 The Arabic term was *mukhbir* or *'asfur*. An informer in prison or a detention centre was usually called 'small bird' (*'asfur*).
- 130 Although few in number, the land dealers were considered by Palestinians to be 'big collaborators' of the worst type. The UNC even issued a public death warrant for one known land dealer, who had reportedly facilitated sales of buildings in the Old City of Jerusalem to Jewish owners. Official death warrants of this kind were rare, however. B'Tselem (1994a), p. 71.
- 131 Official estimates are available on those who were relocated to Israel. According to a report by an Israeli government committee on collaborators, some 750 families, totalling 4,000 people, had been relocated to Israel by mid-1995, and 750 more families were expected to follow. J. Immanuel, "In time of peace, war on 'collaborators' continues", *Jerusalem Post*, 17 March 1995, p. 9 and E. Gordon, *Jerusalem Post*, 19 July 1995, p. 2. See also R. Shaked, "The phenomenon of killing of Palestinian collaborators during the Intifada", *Yediot Aharanot*, September 1998, cited in Haj-Yahia et al. (1999), p. 31 and J. Bruce, "The PLO, Israel and security – Part II – the peace process under attack", *Jane's International Review* 5 (1998), p. 220.
- 132 Muhammad Zakarnah, an armed and well-known collaborator in al-Qabatiyyah in the district of Jenin in the northern West Bank, was lynched on 24 February 1988.
- 133 B'Tselem (1994a), p. 80.
- 134 Although the clans, *hamulah*, appointed their own *mukhtar*, after 1967 Israel also began to appoint headmen to be responsible for each village and refugee camp. Hence, each village and refugee camp might have several *makhahir*. Tuastad (1997), p. 121.
- 135 UNC communiqué No. 37 (29 March 1989).
- 136 See, for example, UNC communiqués No. 10 (11 March 1988) and No. 45 (5 September 1989). It should be noted that the UNC communiqués were somewhat contradictory on this point.
- 137 Hamas communiqué No. 39 (April 1989).
- 138 Hamas bitterly complained about Fatah activists, who systematically discriminated against its supporters in Israeli detention camps, accusing them of being "collaborators" and "an Israeli instrument [to promote] an alternative to the PLO". Hamas special communiqué (April 1990), entitled "The distress of detainees from the Islamic Resistance Movement, Hamas in Jewish prisons" and UNC communiqués No. 9 (2 March 1988) and No. 21 (6 July 1988).
- 139 For the concept of securitization, see Wæver et al. (1993), and the more recent Buzan et al. (1998), especially pp. 26 ff.
- 140 Testimony by a wanted Islamic Jihad activist to B'Tselem in May 1993, cited in B'Tselem (1994a), p. 117.
- 141 B'Tselem (1994a), pp. 39 ff. A UNC leaflet circulated in the Balata refugee camp in 1987 warned about Israeli intelligence's methods of entrapping Palestinians sexually in order to turn them into informers. The leaflet warned particularly against the use of photographs of young women in compromising positions so as to blackmail them into collaboration. Women were therefore warned not to frequent dress shops and beauty parlours where they did not know the owners, in case hidden cameras had been installed in dressing rooms. J. Goldberg, "Stranger in a strange land", *Jerusalem Post*, 27 December 1991,

- p. 13, citing Ian Black and Benny Morris's book *Israel's Secret Wars* (1991). See also testimony by the Fatah Hawks commander in the Rafah area Yusuf al-'Urjani to B'Tselem in August 1993, cited in B'Tselem (1994a), p. 40.
- 142 "Accused collaborator shot dead in Gaza", *Jerusalem Post*, 28 January 1994. In an interview screened on Israeli television in December 1989, a Black Panther paramilitary detailed his execution of seven suspected collaborators, including his own cousin, in order to "purify Palestinian society". *Jerusalem Post*, 17 September 1999, p. 10.
- 143 See, for example, Hammami (1990).
- 144 M. Sheridan, "PLO in Gaza rent asunder by Muslim veil issue", *Independent*, 5 June 1991, p. 6.
- 145 It also revealed that most women killed did not have any contact with the Israeli occupation and that the accusations of immoral behaviour, prostitution or contacts with collaborators that motivated the executions were often based on unverified information. B'Tselem (1994a), pp. 90–2.
- 146 Another common justification was that such behaviour "diverted the men ... from the national struggle". Testimony by Abu Qa'id and Abu Fayiz, two Islamic Jihad activists, published in B'Tselem (1994a), p. 91.
- 147 Testimony by member of the Red Eagles (PFLP) in Khan Yunis, May 1993. B'Tselem (1994a), p. 116.
- 148 Indeed, as Salim Tamari suggested in 1991, "the historic function of the Uprising would be confined to perform the negative role, namely undermine and erode the basis of Israeli colonial rule", and not to "establish embryonic institutions for a future state". Tamari (1991), p. 116.
- 149 UNC communiqué No. 32 (9 January 1989).
- 150 One account of late 1993 described how Taysir Burdayni, Fatah Hawks second-in-command in the Gaza Strip, displaying three criminal suspects before a large audience in the Shaburah refugee camp, asked for the crowd's opinion on a suitable punishment. Although some in the crowd called for execution, the verdict was that shooting in the leg would suffice. R. Sofer, *Ma'ariv*, 30 October 1993.
- 151 See, for example, S. Weizman, "Palestinian hit squad strikes again in occupied West Bank," Reuters, 15 December 1989.
- 152 R. Owen, "Intifada's hard men wage war behind closed doors", *The Times*, 13 November 1989.
- 153 Ibid.
- 154 Only about 20 per cent of collaborator executions in the Gaza Strip in the period were carried out on the street, during 'popular trials' and the like. Most killings took place in isolated, abandoned areas far from witnesses (48 per cent), at the home of the suspected collaborator (13 per cent), at the victim's work place (10 per cent) or in prisons or detention centres (8 per cent). These estimates are based on a thorough study using Palestinian police sources and extensive survey interviews with the families of victims. Haj-Yahia et al. (1999).
- 155 Former activists and paramilitaries N, M and A, interviews.
- 156 The decree adopted a series of new PLO legislations in this field: Revolutionary Penal Code of the PLO, The Revolutionary Code of Procedure, The Prisons and Reformatory Centers Code and The Regulations of the Revolutionary Court Fees. According to Sami Musallam, the decree represented "the culmination of a long process of practice and experience in which the PLO dealt with various

- legal matters relevant to the Palestinian people in the diaspora”. Prior to this date, the application of due process of law within the PLO was based on a set of laws that Fatah adopted in 1974 for its revolutionary courts. Musallam (1988), p. 54.
- 157 The Revolutionary Penal Code of the Palestinian Liberation Organisation, from 1979. The key articles of the Code are reproduced in al-Mubayyad (1995), pp. 161–73.
- 158 Ibid., Articles 7 and 8.
- 159 Moreover, “anyone committing a crime according to the Palestinian Revolutionary Code, while outside the areas where the Revolution is, will be prosecuted accordingly, even if he is not punished by the state in which he stays”. Ibid., Article 9.
- 160 Ibid., Articles 198–200.
- 161 Former Fatah Hawks commander M, interview. For more on Inside–Outside relations in Palestinian politics, see Litvak (1997); Steinberg (1994); and al-Khalidi and Agha (1992). For a discussion of its impact on Palestinian police preparations, see chapters 3 and 4 of this book.
- 162 Extensive excerpts of the document are given in Haj-Yahia et al. (1999), pp. 12–15.
- 163 “Crimes against the Security of the Revolution”, Article 155. Cited in Haj-Yahia et al. (1999), p. 14.
- 164 N, M and A, interviews.
- 165 Ibid.
- 166 Interview with Abu Majid, a Red Eagles commander in Gaza, in R. Mahoney, “Palestinian collaborator killers defy leaders”, Reuters, 15 June 1992.
- 167 Interview with a former intifada militant in “Settling accounts: the unfinished story of Palestinian collaborators”, *Biladi/The Jerusalem Times*, 4 October 1996, p. 8.
- 168 Hubbell (1991).
- 169 Ibid.
- 170 One report from Nablus, which apparently impressed local correspondents, describes how Black Panther paramilitaries “sealed off parts of Nablus ... to search for people suspected of turning over activists ... confin[ing] most residents of the old part of Nablus to their homes for up to 90 minutes”. “Armed Palestinian group closes part of West Bank city”, Reuters, 29 November 1989.
- 171 N, M and A, interviews.
- 172 M, interview.
- 173 Ibid.
- 174 *MECS*, Vol. XIII (1989), p. 237.
- 175 The B’Tselem Report, focusing on the human rights aspect of collaboration killings, noted that the material they were shown was “scanty, not detailed, and insufficient considering the grave charges attributed to the suspect”. B’Tselem (1994a), p. 139.
- 176 See, for example, the testimony by a Fatah Hawks fugitive, published in *ibid.*, pp. 92–3, 110 and 166.
- 177 For example, the UNC issued instructions to the strike forces to induce Palestinian labourers at Israeli settlements to quit “through counselling ... and not through violence”. Elsewhere, the UNC’s instructions were vague on what were appropriate punishments and responses to disobedience and/or crime. UNC communiqué No. 37 (29 March 1989).

- 178 UNC communiqué No. 38 (12 April 1989).
- 179 M, interview.
- 180 The well-informed journalist Graham Usher writes about this period that the uprising had “turned into the property of rival bands of armed strike forces”. Palestinian activists cited in the Palestinian leftist journals *al-Hadaf* and *al-Hurriyyah* strongly criticized what they termed as the rise of “the caricature-like paramilitary units” which, instead of confronting the IDF, terrorized the Palestinian population, engaged in factional strife and only rarely heeded the UNC’s instructions. For examples of armed robberies and hold-ups by masked paramilitaries, see S. Bhatia, “Gangsters hijack mask of Intifada”, *Observer*, 9 June 1991, p. 17 and A. La Guardia, “Palestinians go in terror of former rebel heroes”, *Daily Telegraph*, 10 June 1991, p. 9. See also Hunter (1991), p. 204; Usher (1995), p. 5; and *MECS*, Vol. XIV (1990), p. 248.
- 181 See the survey of the families of individuals killed as suspected collaborators in the Gaza Strip during the intifada in Haj-Yahia et al. (1999), p. 55 f.
- 182 Some paramilitary groups appeared to have executed members of rival groups under the pretext of collaboration. For example, three persons executed as collaborators in mid-October 1993 were associated with the Fatah movement and were not generally considered collaborators, according to Palestinian sources. P. Ford, “Palestinian hit squads exact heavy toll from collaborators”, *Christian Science Monitor*, 20 May 1992, p. 1; G.D. Moffett III, “Palestinian leadership tries to discipline vigilantes”, *Christian Science Monitor*, 11 May 1991, p. 1; and J. Immanuel, “Fatah condemns killing of collaborators; Hamas says executions will continue”, *Jerusalem Post*, 19 October 1993.
- 183 M and N, interviews. See also interview with Ahmad Daka, a Black Panthers commander in Jenin by L. Lahoud, “Profile of a terrorist”, *Jerusalem Post*, 27 November 1992.
- 184 See the example from the Burayj refugee camp in Tuastad (1997), p. 126.
- 185 According to B’Tselem and IDF sources. Cited in J. Immanuel, “Gunmen, collaborators: unneighborly neighbors”, *Jerusalem Post*, 14 January 1994 and “One killed by troops in Rafiah as Hamas, PLO vie for control”, *Jerusalem Post*, 2 March 1992.
- 186 Numbers offered by the IDF in 1994 on violent crime in the Occupied Territories show that between December 1987 and November 1993, as many as 942 Palestinians had been slain by other Palestinians. Some 35–40 per cent of the victims had been employed by the Israeli government or were in other ways connected to the military occupation; 10–15 per cent were killed for criminal activity or in relation to such activity; and a smaller number were killed for violating the “directives of the Uprising”. These numbers were provided by Haim Yisraeli, assistant to the Israeli Minister of Defence, in a letter to B’Tselem on 21 September 1993. The Associated Press put the total number of collaborator executions at 771. Later Israeli press reports have put the figure much higher – more than 1,000 in the West Bank alone. B’Tselem (1994a), pp. 9–10; “Arab gangs kill 2 alleged Palestinian informers”, *Jerusalem Post*, 8 June 1992; and E. Rabin, “The collaborators” (in Hebrew), *Haaretz*, 6 October 1995.
- 187 For example, the ban on “using facial coverings in contacts with the public, unless absolutely necessary” was regularly ignored. UNC communiqué No. 55 (19 April 1990) and Frisch (1991), pp. 56–7.

- 188 P. Ford, "Palestinian hit squad exacts heavy toll from collaborators", *Christian Science Monitor*, 20 May 1992, p. 1.
- 189 Cited in L. Lahoud, "Inside the Black Panthers' den in the mountains of Jenin", *Jerusalem Post*, 3 July 1992, p. 1.
- 190 Salim Tamari, interviewed in Hiltermann (1990), p. 232.
- 191 See especially the theoretical introductory chapter in Haj-Yahia et al. (1999), pp. 9 ff and *MECS*, Vol. XIV (1990), p. 249.
- 192 R. Owen, "Intifada's hard men wage war behind closed doors", *The Times*, 13 November 1989.
- 193 They usually fled to Israel or to one of the Israeli-protected villages for collaborators, al-Fahmah in the northern West Bank or Dahaniyyah in the Gaza Strip.
- 194 The statement by Rabin was made in January 1988. *Jerusalem Post*, 26 January 1988. Cited in Sayigh (1997), p. 619.
- 195 The Israeli army increasingly resorted to the use of undercover units (the Shimshon and the Duvdevan units are the most frequently mentioned) and the publication of lists of 'wanted' individuals. Tracking down these fugitives and, conversely, those who provided information about the fugitives became a key aspect in the power struggle between the Israeli occupiers and the Palestinian paramilitaries. As collaborator killings increased, the IDF also relaxed the rules of engagement of its elite and undercover units, allowing them to operate almost as death squads. Inbar (1991), pp. 42 ff; HRW (1993); and *MECS*, Vol. XVI (1992), p. 287.
- 196 Usher (1995), p. 5.
- 197 J. Immanuel, "Israel and PA security men meet on Jenin Redeployment", *Jerusalem Post*, 20 October 1995, p. 2.
- 198 M. Sheridan, "Lethal struggle for the soul of the Intifada", *Independent*, 6 April 1990, p. 12.
- 199 J. Reddan, "Palestinians fighters turn on each other", Reuters, 16 June 1991.
- 200 Hunter (1993), p. 275 f.
- 201 The dwindling of mass participation was most evident after the end of Gulf War, when Israel's imposition of a comprehensive curfew and the loss of international media attention made the intifada grind to a temporary halt. After 1990, there was a steep rise in armed operations by paramilitaries affiliated to the radical factions the PFLP, Hamas and Islamic Jihad. In 1992, the Fatah-affiliated Black Panthers also officially turned to shooting attacks against Israeli soldiers. An IDF report presented in late 1992 summarizing intifada-related incidents showed a sharp rise in incidents of shooting at the IDF, from only 12 in 1988 to 221 during 1992 (until the end of November 1992). R. Fox, "Intifada 'truce' as Arab focus shifts", *Daily Telegraph*, 5 Sept 1990, p. 10; S. Aboudi, "Arab militants take on undercover Israeli agents", Reuters, 17 March 1992; "Increase in Intifada deaths during year", *Jerusalem Post*, 6 December 1992, p. 1; and *MECS*, Vol. XV (1991), p. 266.
- 202 Frisch (1991), p. 51.
- 203 Cited in R. Owen, "Intifada's hard men wage war behind closed doors", *The Times*, 13 November 1989.
- 204 J. Immanuel, "Professional associations meet to discuss internecine murders", *Jerusalem Post*, 14 June 1992, p. 10.

- 205 The threats triggered a confrontation between the local political leadership of Fatah and the paramilitaries resulting in fistfights, while Black Panthers publicly tore up Fatah leaflets in defiance. Citation from L. Lahoud, "Inside the Black Panthers' den in the mountains of Jenin", *Jerusalem Post*, 3 July 1992, p. 1.
- 206 The account of Abu Samhadanah is taken from B'Tselem (1994a), pp. 109–13.
- 207 J. Immanuel, "Palestinian killed in protest over strikes", *Jerusalem Post*, 4 October 1992.
- 208 For pictures of Abu Samhadanah and the execution of the suspected drug dealer, see, for example, *Yedioth Ahronoth*, 3 December 1992.
- 209 Hamas denounced the PLO's policy as "defeatist and submissive" and "bankrupt" and threatened to punish the organization for treason. A Hamas communiqué issued in response to the PLO's recognition of the State of Israel in November 1988, for example, pledged "to punish every traitor as he deserves and regards whoever recognizes the Jewish entity ... to suffer from the ramifications of that recognition". Hamas special communiqué "Call to the 19th Palestine National Council", 10 November 1988.
- 210 Tension between Fatah and Hamas had long existed, owing to ideological differences and competition for power. For an analysis of the PLO–Hamas confrontation in 1990–3, see Haydari (1993), pp. 115–27. See also "Hamas: Four preconditions for co-operating with Fatah" (in Arabic), *Nida' al-Aqsa*, 4 (10) (August 1989) and "Hamas memorandum: Between reality and fiction" (in Arabic), *Nida' al-Aqsa*, 5 (4) (May 1990).
- 211 For example, on 24 October 1991 a general strike had been announced by Hamas and the leftist factions to protest the PLO's acceptance of Madrid. It was for the most part successfully enforced, although Fatah paramilitaries attempted to break up the strikes in several towns, removing roadblocks set up by rival groups. In Gaza, rival strike forces fought each other with knives, resulting in the hospitalization of four Hamas members and a total of fifty injured. P. Taylor, "As Uprising stagnates, rifts appear among Palestinians", Reuters, 1 April 1990 and *MECS*, Vol. XV (1991), p. 264.
- 212 The fighting ended temporarily in the autumn of 1992 following intense mediation efforts involving a twenty-man 'National Reconciliation Committee' on which both Palestinian and Israeli Arab leaders were represented and also reconciliation meetings by the in-exile leadership of Fatah and Hamas. For more on these and other inter-factional clashes in this period, see Haydari (1993), pp. 115–27; *MECS*, Vol. XVI (1992), pp. 300–1; J. Reddan, "Palestinians split over new Israeli government", Reuters, 9 July 1992; "Palestinian activist shot dead in West Bank", Reuters, 14 July 1992; I. Black, "PLO fights Islamic rivals in Gaza's uncivil little war", *Guardian*, 9 July 1992, p. 24; J. Immanuel, "One killed by troops in Rafiah as Hamas, PLO vie for control", *Jerusalem Post*, 2 March 1992; "Hamas vows revenge for Fatah attack", *Jerusalem Post*, 11 March 1992, p. 12; "Fatah-Hamas clashes erupt again", *Jerusalem Post*, 20 July 1992; "Palestinian killed in protest over strikes", *Jerusalem Post*, 4 October 1992; and "Factions reportedly agree on coordination", *al-Fajr*, 15 June 1992, p. 8.
- 213 Tuastad (1997), p. 125.
- 214 The al-Qassam replaced the more moderate Palestinian Holy Warriors Group (al-Mujahidun al-Filastiniyyun) and its security agency the Glory Group (Majd). According to the B'Tselem report, most collaborator killings in the Gaza Strip in

- 1992–3 were attributed to the al-Qassam. Haj-Yahia's study disputes this, and finds that most executions were not publicly attributed to any group. In the total number of killings in which a political faction was identified, Fatah remained by far the most prominent. In the political debate, however, Hamas adopted a hardline position. For example, one of Hamas's founders in Gaza publicly denounced the PLO's call for an end to collaborator executions in mid-1992. B'Tselem (1994a), p. 107; Haj-Yahia et al. (1999), p. 52; S. Helm, "Warning of 'civil war' in Gaza Strip", *Independent*, 9 July 1992, p. 9; and *MECS*, Vol. XVI (1992), p. 298 f.
- 215 Steve Rodan, an Israeli journalist specializing in Palestinian affairs, obtained a first-hand interview in early February 1994 with a Fatah Hawks commander in Shaburah refugee camp, a known Fatah Hawks stronghold. According to his interviewees, the Hawks had established security cooperation with the Islamist factions, sharing intelligence on IDF patrols and tracking collaborators and informers. The Shaburah camp was not formally divided into al-Qassam or Hawks districts; instead, they "share in policing the Shabura refugee camp, and cooperate in imposing their morality. Both punish suspected criminals." Only two months later, however, armed gun battles and tit-for-tat kidnapping incidents erupted between Fatah and Hamas, illustrating the instability of their working relationship in policing. S. Rodan, "Fatah Hawks watch and wait", *Jerusalem Post*, 14 February 1994.
- 216 Cited in UNC communiqué No. 43 (25 July 1989). See also UNC communiqués No. 44 (15 August 1989); No. 45 (4 September 1989); and No. 46 (September/October 1989).
- 217 See, for example, the interview with Fatah's political leader in the West Bank, Faysal al-Husayni, in "Faisal Hussein, head of Palestinian Guidance Committee: Elections will affect future in this area", *al-Fajr*, 22 June 1992, p. 16.
- 218 UNC communiqué No. 45 (4 September 1989). See also UNC communiqué No. 55 (19 April 1990).
- 219 Hubbell (1991), p. 269. See also B. Hepburn, "Palestinians grow critical of 'collaborator' killings", *Toronto Star*, 15 June 1991, p. A 2.
- 220 A. Damiri, "The fear and the ambiguity", *al-Fajr*, 5 June 1991.
- 221 The issue was nevertheless a sensitive one. Mahir al-'Alami, the editor of *al-Quds*, the largest Palestinian daily, noted in an interview in January 1994 that "if someone was killed as a collaborator it was considered too ugly to write about. It was not reported." Cited in J. Immanuel, "Gunmen, collaborators: unneighborly neighbors", *Jerusalem Post*, 14 January 1994.
- 222 *Jerusalem Post*, 20 July 1995, p. 2 and "The Preventive Security: The first active security agency in the homeland before the arrival of the Palestinian Authority" (in Arabic), *Watani*, No. 17 (February 1997), pp. 66–7.
- 223 R. Mahoney, "Palestinian collaborator killers defy leaders", Reuters, 15 June 1992 and J. Immanuel, "Gaza violence brings few rewards", *Jerusalem Post*, 19 June 1992.
- 224 See, for example, Khalid Abu 'Aqr, "The sanctity of Palestinian blood", *al-Fajr*, 8 June 1992; "Faisal Hussein, head of the Palestinian Guidance Committee: Election results will affect future of this area", *al-Fajr*, 22 June 1992, p. 16; "Nationalist factions in Gaza hammer our honor charter", *al-Fajr*, 24 August 1992, p. 6; "Factions reportedly agree on coordination", *al-Fajr*, 15 June 1992, p. 8; and "al-Kaylani calls for overcoming the negative manifestation of the Intifada" (in Arabic), *al-Quds*, 30 May 1993, p. 2.

- 225 *MECS*, Vol. XV (1991), p. 269.
- 226 “Palestinians’ internecine wars”, *The Economist*, 8 June 1991.
- 227 H. ‘Abd al-Shafi, “Statement on internal political violence in the occupied territories, Jerusalem”, *Journal of Palestine Studies*, 22 (1) (Autumn 1992), pp. 137–8.
- 228 The initiative came after a 17-year-old student activist was mistakenly identified as a collaborator and killed by the Black Panthers in January 1990. Frisch (1991), p. 57.
- 229 *Al-Fajr*, 26 September 1989; *MECS*, Vol. XIII (1989), p. 251; and B. Lynfield, “Army playing down marches of masked youths in Nablus”, *Jerusalem Post*, 17 January 1990, p. 3.
- 230 *Al-Fajr*, 26 September 1989 and *MECS*, Vol. XIII (1989), p. 251.
- 231 “Palestinians march in Nablus, warn collaborator killers”, Reuters, 16 January 1990; B. Lynfield, “Armed ‘General Security’ youths march again in Nablus casbah”, *Jerusalem Post*, 16 January 1990, p. 12; and B. Lynfield, “Army playing down marches of masked youths in Nablus”, *Jerusalem Post*, 17 January 1990, p. 3.
- 232 “Palestinians march in Nablus, warn collaborator killers”, Reuters, 16 January 1990.
- 233 In what was obviously meant to be a political demonstration, the Black Panthers also vandalized and set ablaze a shop belonging to a prominent businessman, Sa‘id Ka‘nan, who had been named as a possible participant in a projected US-sponsored Israeli–Palestinian dialogue in Cairo. J. Greenberg, “Nablus shopkeeper shot four times in the head”, *Jerusalem Post*, 18 March 1990, p. 8 and P. Taylor, “As uprising stagnates, rifts appear among Palestinians”, Reuters, 1 April 1990.
- 234 *MECS*, Vol. XIV (1990), p. 248 and S. Aboudi, “Palestinian killed in Nablus gunfight with Israeli army”, Reuters, 11 June 1990.
- 235 G. D. Moffett III, “Palestinian leadership tries to discipline vigilantes”, *Christian Science Monitor*, 11 May 1991, p. 1.
- 236 *Ibid.*
- 237 M. Sheridan, “Lethal struggle for the soul of the Intifada”, *Independent*, 6 April 1991, p. 12.
- 238 For the arrest and killings of paramilitary groups involved in reducing the excesses, see S. Aboudi, “Palestinian killed in Nablus gunfight with Israeli army”, Reuters, 11 June 1990 and J. Immanuel, “Ramallah deputy mayor stabbed”, *Jerusalem Post*, 5 July 1991, p. 2.
- 239 In one of its communiqués in early 1990, Fatah vowed to discipline and punish pupils and students who were found guilty of such conduct. In 1992 Lisa Taraki, a political science professor at Bir Zeit University, attributed the success in stopping cheating on matriculation exams first and foremost to efforts by Islamic groups. B. Lynfield, “Armed ‘General Security’ youths march again in Nablus casbah”, *Jerusalem Post*, 16 January 1990, p. 12 and interview with Lisa Taraki, 24 June 1992. Cited in Hunter (1993), p. 280.
- 240 M, interview.
- 241 Interview with Yusuf al-‘Urjani in B’Tselem (1994a), p. 114.
- 242 Interview with Faysal al-Husayni, Fatah’s political leader in East Jerusalem and the West Bank, in J. Immanuel, “Gaza violence brings few rewards”, *Jerusalem Post*, 19 June 1992 and “Faisal Husseini, head of the Palestinian Guidance Committee: Election results will affect future of this area”, *al-Fajr*, 22 June 1992, p. 16.
- 243 S. Ka‘nan, “The Palestinian police force ‘between theory – and implementation’” (in Arabic), *al-Quds*, 9 May 1993, p. 9.

3

The Road to Oslo and its Palestinian Police Formula

For a long time, I believed that a Palestinian force would possibly be able to arise among the residents of the territories and develop its own capabilities.

[However] after more than a year of negotiating, I reached the conclusion that they are unable to do so. They did not come to Madrid without a decision from Tunis. They did not do anything without faxes and phone calls from Tunis. It's not pleasant, but it's a fact.¹

Prime Minister Yitzhak Rabin, September 1993

The concept of a Palestinian police force as part of an Arab–Israeli agreement on the Occupied Territories was not created by the Oslo Accords. It can be traced back to the first informal autonomy talks between Israel and Palestinian West Bank leaders in the wake of the 1967 war.² Indeed, as Gordon Peake has observed, it has been a “constant feature in peace plans put forward by Israel, the PLO, and other prospective interlocutors” since the 1970s.³ The police concepts in Israeli peace proposals have ranged from a civilian police force with full jurisdiction over demilitarized zones of the West Bank as part of an interstate compromise with Jordan (the Allon Plan) to various forms of a limited autonomy police force as part of a devolution of authority to West Bank tribal leaders (the Village League) or to an interim self-government authority (the Camp David Agreement).⁴

The PLO's strategic thinking on a police force was guided by its overriding objective of establishing an independent state. Until the Oslo Accords Israel's police proposals were unacceptable to the PLO, because they did not serve this aim. A limited autonomy police force subordinated to the Israeli army would only serve to legitimize and consolidate the occupation, preventing rather than paving the way for national independence. On the other hand, the PLO's gradual acceptance

of a two-state solution gave rise to new strategies for achieving Palestinian independence and allowed for the conceptualization of a future Palestinian police force before the establishment of a state. Still, until at least 1991 and even beyond, the idea of armed struggle, not devolution of authority and state-building from below, was paramount in Palestinian strategic thinking.⁵ Implicitly, the notion prevailed that any policing regime must be subordinated to the liberation struggle.

By the early 1990s, the PLO had accumulated much experience in informal policing in the Palestinian refugee camps in Lebanon and in the West Bank and Gaza during the intifada. There does not seem to have been much theoretical thinking as to what policing system or police institutions a future Palestinian self-rule/state should adopt, however. Palestinian security thinking, as several scholars have observed, was still in its infancy in the early 1990s.⁶ This is not surprising, given the absence of a Palestinian state as its context. Under military occupation or in forced exile, Palestinians have focused more on their national rights as they are enshrined in international law and UN resolutions than on their need for law and order. Strategies for policing, social control of deviance and the containment of internal violence were seen as nothing more than ad hoc measures, forced upon the stateless Palestinian community. A subordinate factor to the liberation struggle, the idea of internal policing was encapsulated in general calls for the preservation of the “internal front” and the “sanctity of Palestinian blood”.⁷

In 1992, in response to developments related to the ongoing peace talks, a public Palestinian debate began, exploring issues of security and policing under a future autonomy regime. In the following section, I shall give an overview of that debate and briefly sketch the Palestinian–Israeli negotiations and informal talks on police-related issues during the Madrid period.

The Police Issue in Early Palestinian–Israeli Negotiations

The Palestinian police issue did not occupy a prominent place in the self-rule negotiations in the first year after the Madrid peace conference in October 1991. The bilateral talks on the Palestinian–Israeli track dealt with substantial issues only intermittently. Concrete discussions on the

size and structure of a future Palestinian police force and on security coordination mechanisms with Israel were mostly deemed premature. At the same time, the very notion of a police force became a central issue because it implied sovereignty, control over territory and the transfer of Israeli jurisdiction.

Police and Security Arrangements in the Camp David Agreement

The Camp David Agreement between Egypt, Israel and the United States signed on 17 September 1978 had formulated a framework agreement on a (Palestinian interim) self-government authority (SGA or PISGA) in the West Bank and Gaza Strip.⁸ Since they had been broken off in 1983 after almost four years of intermittent talks on the subject, autonomy negotiations had been largely non-existent. The participants in Madrid had formally agreed to make the Camp David Framework the starting point for negotiations, but Israel's Prime Minister Yitzhak Shamir (Likud) made no attempt to conceal his opposition to many of its provisions, especially those dealing with Israeli withdrawal and transfer of authority.

Although the Camp David Framework left the issue of “the powers and responsibilities of the self-governing authority” to be defined in further negotiations, it did commit Israel to withdrawing its military government, including the civilian administration and armed forces, and redeploying them into “specified security locations”.⁹ A future agreement “will include arrangements for assuring internal and external security and public order”, and “a strong local police force will be established”.¹⁰ The Camp David Agreement underscored the local police's responsibilities in providing “security for Israel and its neighbours”.¹¹ There was no reference to a linkage between Palestinian police performance and Israel's security concerns and its withdrawal from territory, although this was proposed in subsequent autonomy negotiations.¹² By contrast, the DoP explicitly emphasized this linkage. Another striking difference as compared to Oslo was the involvement of Jordan and Egypt in internal Palestinian security affairs and the exclusion of diaspora Palestinians. Although the police force was to be recruited from among West Bank and Gaza Palestinians, the Camp David Framework referred to the possible inclusion of Jordanian citizens in the local police force and to joint Israeli–Jordanian patrols.¹³

The Camp David Framework was built around the clearly unrealistic assumptions of “eventual Jordanian paramountcy in Palestinian Arab affairs” and the total exclusion of the PLO and the in-exile Palestinian leadership.¹⁴ The provision for a significant Jordanian security involvement in Palestinian autonomy primarily reflected Israel’s desire to sustain a tacit Jordanian–Israeli security regime, which had evolved since the time of the British Mandate in Palestine. Israel considered Jordan a ‘strategic buffer’ between itself and Iraq, and highly appreciated Jordan’s dislike for Chairman Arafat and its repression of Palestinian guerrilla activity originating from its territory.¹⁵ Jordan never officially endorsed the Camp David Framework, and in mid-1988, months after the eruption of the intifada, Jordan officially withdrew its claim to the West Bank, recognizing the PLO as the sole legitimate representative of the West Bank Palestinians. The strictly bilateral PLO–Israeli security relations established by the DoP meant the final demise of ‘the Jordanian option’.

Conflicting Interpretations of the Camp David Framework

Palestinian–Israeli disagreements over the general content of the Camp David Framework were profound, especially with regard to the authority of a Palestinian interim self-government authority. The Camp David Framework had been vague on whether or not a PISGA and its ‘strong police force’ would be subordinated to Israel and its military governor in the Occupied Territories. It did not explicitly spell out the source of its authority, the nature of its power or the size of its central body.¹⁶

Israel’s position during the Madrid and Washington peace talks was that the Palestinians should be granted only civil autonomy, not territorial control. The Israeli army, police and security apparatus should remain deployed throughout the Territories and continue to be in charge of all aspects of security and territorial control, with the possible delegation of limited jurisdiction to a local police force for civil and criminal (non-security) offences.¹⁷ Protagonists of this view argued that the Camp David Framework stipulated that the “residual authority” (i.e. authority not transferred to the PISGA) and “responsibility for the overall security” of the Occupied Territories “would remain in Israeli hands”.¹⁸ The local police force was intended only to “assist in providing ... security” under Israeli command.¹⁹ Investing the PISGA with more

than purely administrative powers was therefore construed as a deviation from Camp David.

The notion of a 'strong police force' had met with opposition in the Knesset, because of its obvious association with a Palestinian state. Israel's Prime Minister Yitzak Shamir had only very reluctantly bowed to US pressure to accept direct talks with a joint Palestinian–Jordanian delegation. He had specifically objected to the formulation of "a strong police force", and Likud leaders were adamant that they would at most permit an unarmed municipal police.²⁰

The Palestinian view was that Israel's proposals in Washington constituted "a considerable retreat from the autonomy provisions of the Camp David agreement", which stipulated a withdrawal and a replacement of the military government.²¹ The Palestinian delegation argued that they could hardly win popular support for autonomy proposals which "only legitimize the occupation and do not change anything on the ground".²² They demanded nothing less than sole and exclusive jurisdiction to be enforced by a strong PISGA-controlled police force, backed up by an international peacekeeping force, solid international supervision and security guarantees.²³

Israeli elections in mid-1992 led to the departure of Yitzhak Shamir's rightist government and its replacement by a more dovish Labor-led coalition headed by Yitzhak Rabin, who had campaigned on a political platform that included negotiating a Palestinian autonomy plan within nine months. Initially the change of government, did not significantly reduce the differences on police and jurisdiction issues. During the eighth round in Washington, from 7 to 17 December 1992, a new Israeli proposal spelt out wide-ranging restrictions on an autonomy government's jurisdiction.²⁴ An autonomy government, police forces and courts would have no powers over Israeli forces or Israeli citizens, even if they happened to be in Palestinian localities and committed criminal acts there.²⁵ Israeli military courts would still continue to exercise the power to prosecute and convict Palestinian residents in the autonomous areas in security-related cases. Clearly, the proposal did not abolish the legal apartheid that existed in the Occupied Territories (between Israeli settlers and Palestinian residents). Essentially, it offered a return to the status quo before the intifada. In such a context, the Palestinians argued, the creation of a new Palestinian police force would only bestow legitimacy on the Israeli occupation.²⁶

Faysal al-Husayni's Police Initiative

Despite the seemingly irreconcilable differences at the Washington talks, there were nevertheless signs that the notion of an autonomous police force was gaining some momentum and that both parties had begun to attribute more significance to this issue. Between August and October 1992, there was a brief period of public debate on it. This followed a meeting between Palestinian and Jordanian police experts in early August 1992 at which preparations for a future Palestinian police force had been discussed. The force was presumed to consist of some twenty thousand Palestinians and to assume responsibility for internal security only after an Israeli withdrawal. These discussions appeared to be timed to coincide with the beginning of Yitzhak Rabin's government in Israel and the start-up of the sixth round of the Washington talks in late August 1992. Prime Minister Rabin's thinking on autonomy was more security-oriented than that of his Labor Party rival, Shimon Peres.

The police experts' meeting in Amman was also interpreted as a response to Israel's proposal of elections in the Occupied Territories.²⁷ The Palestinian side did not want elections unless the Israeli army had withdrawn, and demanded that a Palestinian police force and/or international peacekeepers should supervise the elections. Against this background, a more specific focus on police preparations made sense. By demonstrating a strong willingness to prepare for the recruitment, training and deployment of a strong police force, the Palestinians probably hoped to add more weight and credibility to their demands in the realm of security.²⁸ One might have expected that the police proposal, especially in view of the substantial size of the proposed force, would have gained support in the Palestinian community because it alluded to a possible national army and thereby served as a symbolic expression of independence. However, this was not the case; and in 1992, this proposal was very controversial indeed (see below).

During the sixth round of the talks in autumn 1992, the idea of a joint Palestinian–Jordanian police force during the interim phase was discussed. In what appeared to be a major shift in its thinking, Israel welcomed a Palestinian–Jordanian police force and Jordanian involvement in its establishment, training and operation, and suggested a force of up to 7,000 members.²⁹ In secret talks with Palestinian leaders, it also offered to train the force, according to one report.³⁰ Still, the

thorny issues of jurisdiction and withdrawal remained unresolved. Israeli cabinet members were also very critical of the numerical size of the proposed police force. Foreign Minister Shimon Peres noted diplomatically that the number twenty thousand “seems overly large” while a government spokesman derided it as an absurd idea: “this fantastic number of 20,000 – that’s in the realm of dreams”.³¹ Other reservations were expressed: the Palestinian police should not be “an army ... under a different name”, and Israel would need to seriously review “the background and past” of police recruits.³² Still, Labor spokesmen did not rule out the idea of an armed Palestinian police, and underlined “the significance and advantage to having law enforcement in these areas ... by a local police force”.³³ By early autumn 1992, the Israeli police ministry had formed a technical committee to study the implications of setting up a Palestinian police force within the framework of an autonomy deal, and political observers interpreted the move as evidence of the new government’s determination to reach a deal with the Palestinians.³⁴

Shimon Peres: A Palestinian Police as ‘Early Empowerment’

In late April 1993, the Palestinian police issue re-emerged in the political talks and the public debate. The context was Israeli concern about the stalemate in the negotiations. On 17 December 1992, in retaliation for political violence, Israel had deported 415 leading Palestinian Islamists to no-man’s-land in southern Lebanon.³⁵ This prompted an immediate Palestinian withdrawal from the peace talks, and they were paralysed for months. To encourage a return to the talks, Israel made a number of gestures, such as permitting the return of some deportees and a number of family reunifications and recognizing Faysal al-Husayni, an East Jerusalem resident and unofficially the PLO’s top representative in the contested capital, as a formal member of the Palestinian delegation. In this context, on 23 April 1993, ahead of the ninth round of the Washington talks, Foreign Minister Peres also announced that he favoured the idea of establishing a strong Palestinian police force.³⁶ Peres had begun to court al-Husayni, and suggested publicly that he should be the head of the new police force.³⁷ Peres wanted to turn over to the Palestinians the responsibility for policing the proposed elections, which both parties agreed would be a key aspect of an autonomy agreement. According to

Peres, if Israeli security forces undertook the policing during Palestinian elections, it would most certainly “help Hamas candidates” and undermine Palestinian moderates.³⁸

The Israeli delegation was now instructed to pursue the police proposal. Under a hearing in the Knesset Interior Committee in early May 1993 on the Palestinian police force, it was revealed that the Israeli negotiators had submitted an outline of the envisaged force to the Palestinians.³⁹ Israel’s chief negotiator Elyakim Rubinstein told the Palestinian delegation that the police proposal “should be considered one of ‘empowerment’”.⁴⁰ ‘Early empowerment’ had become a keyword in the new Israeli negotiating strategy. Peres had aired a proposal of “transferring a wide range of authorities to the Palestinians even before the conclusion of the negotiations”, including police powers.⁴¹ The ‘early empowerment’ idea was designed to postpone the difficult issue of territorial transfer. The idea of deploying a Palestinian police force was more of an appetizer, a sort of expanded autonomy but still without any notion of territorial control. Not surprisingly, PLO spokesmen rejected the Israeli proposal because “control over the police force would be incomplete in the shadow of the Occupation”.⁴²

A counterproposal to Peres’s ‘early empowerment’ idea was now launched by the Palestinian delegation, which requested that the exile-based Palestine Liberation Army (PLA) should be deployed to police the West Bank and Gaza Strip as part of an autonomy deal.⁴³ When in early May 1993 Police Minister Shahal met with Palestinian West Bank leaders, including Ghassan al-Shak’ah, Sa’id Ka’nan, Hisham ‘Awartani and ‘Adnan al-Damiri, the latter stressed the futility of Israel’s police proposals as long as they excluded the PLO’s participation and its PLA forces.⁴⁴ The West Bank leaders nevertheless voiced somewhat different opinions, in particular Sa’id Ka’nan, a leading Palestinian intellectual and businessman in Nablus who was identified with the mainstream PLO. He highlighted the need for a local police force “right now, to stop the robberies and protect people’s property”.⁴⁵ He suggested that Palestinian policemen should be trained immediately and should work in conjunction with the Israeli police until autonomy was implemented. (In spring 1990, the Black Panthers had vandalized and set fire to a shop that belonged to the Ka’nan family, and his position on the police was obviously coloured by that experience.) Ka’nan’s suggestion was meant only as a temporary measure; but owing to its political implications, it

had virtually no support within the PLO. Practical measures to improve local law enforcement were obviously hostage to the political process.

Police Minister Moshe Shahal on Policing Autonomy

A second figure in the Israeli cabinet who took great interest in the Palestinian police idea was Police Minister Moshe Shahal. An outspoken minister and strong supporter of reaching a peace deal with the Palestinians, Shahal also looked at the self-rule proposals from the view of the Israeli law enforcement community, which traditionally was overshadowed by the powerful Israeli army and intelligence services.⁴⁶ Shahal was very candid about the already abysmal conditions for law enforcement in the Occupied Territories. He made headlines when he told the Knesset Foreign Affairs and Defence Committee on 2 November 1992 that “there is no such thing as law enforcement in the territories”.⁴⁷ He was deeply critical of the Israeli army’s dominant role in policing the West Bank and Gaza and saw the new autonomy negotiations as an opportunity to strengthen the role of the Israeli police *vis-à-vis* the army.

In parallel to Peres’ ‘early empowerment’ proposal, Shahal publicized his ministry’s views and intensive planning efforts for the possible formation of a Palestinian police force.⁴⁸ On the issue of making the proposed Palestinian police part of an ‘early empowerment’ deal, Shahal clearly differed from Foreign Minister Peres.⁴⁹ Although such a solution had political advantages from an Israeli viewpoint, he opposed it – presumably for professional and practical reasons.

The police ministry envisaged a Palestinian force consisting of a few thousand, suggesting 4,000 as a preliminary figure, and armed only with pistols.⁵⁰ (In comparison, Israeli security experts, participating in an informal, back-channel discussion on security issues in 1992, had suggested a force of merely 1,000 but estimated that the Palestinians would need a security force of at least 18,000 to 20,000 if an autonomy deal were to include the transfer of full territorial control.⁵¹) The numerical size and the arming of the police force were not inconsequential. Even without a formal agreement on Israeli withdrawal, the deployment of a large armed PLO-loyal force would inevitably weaken Israel’s territorial control.

At this early stage, there was still confusion as to whether Israelis in the Territories would be subject to Palestinian police jurisdiction. This

became the pretext for violent uproar in the influential settler community, which vehemently opposed the peace talks and played on fears that even if settlements remained outside Palestinian control, Palestinian police would patrol roads through West Bank towns and villages which settlers used on a daily basis.⁵² Police Minister Shahal repeatedly assured the settlers that “only Israeli policemen will handle the Jews in the Territories” and that under no circumstances would they come under Palestinian police jurisdiction, but to little avail.⁵³ Settler protests were usually ideologically motivated, although security concerns figured prominently in their public discourse. Doubts about who would control the roads probably stemmed from the fact that there had been no official proposal to build by-pass roads, which eventually became the solution for the interim period.

Israel’s police ministry attached much importance to cooperation and liaison between the Palestinian and Israeli police, and plans were made to face a wide variety of scenarios. Shahal’s concern was that proper mechanisms needed to be put in place to handle crimes committed inside Israel by Palestinians from the autonomous areas and vice versa. Israel’s basic premise for any security cooperation arrangement was that it should retain “veto power”, including the right to control recruitment to the Palestinian police.⁵⁴ Also, in incidents involving both Israelis and Palestinians, the Israeli Police would handle the situation. Shahal wanted to elicit as much police cooperation as possible, offering, *inter alia*, that Israel should help with training and assistance in the formation of a Palestinian police force.⁵⁵ According to him, there should be police cooperation “on every level” for counter-terrorism purposes, to “fight Hamas and other extremist groups”.⁵⁶ Pressed on what he meant by “cooperation”, the police minister stated that “if, for instance, we want to detain a member of one of the [extremist] groups, there will be cooperation between the two forces to arrest him. The Palestinians have as much interest in dealing with these elements as we do.”⁵⁷ That assumption was a gross misinterpretation of Palestinian politics, however. Both Shahal and Peres clearly underestimated the broad Palestinian consensus on the legitimacy of ‘armed operations’, which in turn translated into a deep-seated unwillingness on the part of the Palestinian Police to prosecute anti-Israeli militants.

Shahal argued that with the advent of Palestinian autonomy, the Israeli Police should take over much of the responsibility for law and order in the Occupied Territories and relieve the IDF of this task.⁵⁸ The

upsurge in settler vigilantism in the early 1990s and rumours of a possible revival of the Jewish underground in mid-1993 prompted serious concern that radical settlers would undermine the peace talks if not stopped. The Israeli Police disarmed a few radical settlers after they had made publicized attempts at setting up a 'Judea Police' vigilante squad and went on a rampage in the Old City in Hebron.⁵⁹ In trying to soothe settler concerns, the Israeli government promised more police deployment and protection. From mid-1993 onwards, there was a marked increase in funding and preparation for deploying more Israeli police in the Territories.⁶⁰

For Shahal, this was not enough. In a report presented to Prime Minister Rabin in September 1993 entitled "Public security problems under self rule", he called for a complete reorganization of Israeli policing of the West Bank and Gaza Strip, making the Israeli Police the main instrument for law enforcement and public security. To this end, a new Israeli Police 'self-rule brigade' would be created and entrusted with this task, including maintaining security and patrolling the highways, which the IDF now controlled. This 'autonomy police force', which would number up to ten thousand, would be comprised of both Civil Guard volunteers and uniformed police and augmented by officers taken from the Israeli army.⁶¹

He had many arguments for replacing IDF units with Israeli police, and some related to the Palestinian Police. The presence of the Israeli army in active policing created a lack of symmetry with the Palestinian Police, heightening tensions and turning every minor incident between the two forces into a political crisis. Shahal also argued that the Israeli Police were better trained to deal with civilians than were army personnel; they would be able to devote more effort to criminal investigations in cooperation with the Palestinians, especially with regard to the dramatic increase in car thefts, which had become a serious concern.⁶²

Shahal's proposal was not new. In 1978, Chief-of-Staff Mordechai Gur had launched similar proposals.⁶³ But it was too far-reaching to receive Rabin's approval. Rabin himself was an army general and was distrustful of the Israeli Police's capabilities in the field of security.⁶⁴ Shahal's ideas did receive support from a government-appointed inquiry, the Shamgar Commission, set up after the Hebron massacre in February 1994. The Commission and its follow-up reports censured the government for "the absence of the rule of law" in the Occupied Territories and

called for more authority, funding and manpower to be given to the police and for better coordination between the army and the police.⁶⁵ This triggered some reforms, *inter alia* an increase in police deployment; and in July 1994, the West Bank was consolidated into one police district in the new Samaria and Judea Police District.⁶⁶

In the end, however, Israeli policing remained highly militarized; and with Shahal's civilianization idea shelved, the IDF, not the Israeli Police, became the Palestinian Police's main counterpart in the joint security mechanisms. The Palestinians deployed their most military-like police branch, the (Palestinian) National Security Forces (PNSF), to match the IDF in joint patrolling and at the local liaison and coordination offices. This obviously stimulated the militarization of the Palestinian Police.

The 'Security Channel' Talks

Israel's position that there should be no withdrawal during the interim period slowly began to erode during the first half of 1993. Its non-recognition of the PLO was also softened. This manifested itself in the legalization of Israeli contacts with the PLO in January 1993 and the opening of a number of non-official and secret channels for informal talks with the PLO.⁶⁷ The Oslo back channel is obviously the best known of these, and its details and evolution have been expertly elaborated elsewhere.⁶⁸ It is noteworthy, however, that none of the participants in Oslo were police or security experts. The Israeli security establishment had deliberately been kept out of the talks, and the PLO's key representative, Ahmad Quray' (Abu 'Ala'), was an economist.⁶⁹ Prime Minister Rabin's decision to trust the PLO as a future security partner could not possibly have come from the Oslo back channel alone. An important contribution to establishing PLO-Israel security relations was the formation of an academic working group on internal security issues in 1991-2. This subsequently developed into an informal 'security back channel' involving both PLO and Israeli security experts.⁷⁰

Although the back-channel negotiations are outside the scope of this study, it is important to stress that the results from these security talks contributed to enhancing Rabin's confidence in the PLO's capability to assure order in Gaza. The Israeli security experts reported to the government that they were indeed impressed by the very realistic and

‘moderate’ views of the exile-based PLO’s security experts, whose professionalism contrasted with the near absence of such expertise among the Inside PLO leadership.⁷¹ Palestinian views on concepts discussed in the working group, for example the division between internal and external security, the need for a gradual transfer and overlap of security responsibilities and the acceptance of joint patrols, won appreciation by the Israeli government.⁷²

Israel’s Dilemma

The Israeli Labor-led government faced a series of dilemmas regarding its position on the non-transfer of full police authority to Palestinian self-rule. The Israeli peace activist Gershon Baskin clearly formulated these dilemmas in an article in November 1992.⁷³ Labor’s perspective was that Israel’s vital interests in the Occupied Territories were in the realm of internal security and external defence and that the entire idea of the interim period was to test whether Palestinian self-rule was capable of preventing violence and hostile acts against individual Israelis.⁷⁴ However, as long as Israel was prepared to offer only limited autonomy, without transferring any powers and responsibility for internal security to the Palestinians, the test would be completely irrelevant. The official position of the Israeli government in reality put it in “a Catch-22 situation”.⁷⁵

This intractable dilemma, combined with the solid impression that Israeli security experts had conveyed of their counterparts in the security channel, made the Rabin government change its position on the issue of withdrawal in Oslo.⁷⁶ During 1992–3, Prime Minister Rabin had come to the conclusion that an emasculated Palestinian police force under a nominal autonomy leadership taking orders from Tunis would constitute a greater threat to Israel than a strong security force under direct PLO control. This meant that it was necessary to bring the ‘terrorist’ PLO into the talks. It became increasingly clear to Rabin that only the PLO leadership in Tunis had sufficient authority to assert control over the Palestinian population in the Territories, and only the PLO in Tunis, not the weak leadership inside, might conceivably be Israel’s ally against the growing Islamist opposition.⁷⁷

At the same time, bringing in the external PLO with all its military and state-like institutions would also accelerate the process towards a

Palestinian state, which Israel was not ready to accept, at least not at this early stage. Israel's dilemma was how to strike a balance between the obvious benefits of increasing the PLO's security capabilities and the difficulties of containing the PLO's state-building and military ambitions. This question was absolutely central in subsequent Palestinian–Israeli security relations, and the conflict between the political agenda of containment and professional considerations about effective civilian and democratic policing was reflected in the subsequent agreements. As will become clear in later chapters, the outcome created far from optimal conditions for Palestinian policing.⁷⁸

The Palestinian Public Debate on the Police Force, 1992–3

The issue of a future Palestinian police force had hardly figured in the Palestinian public debate after the Madrid conference in October 1991. That changed at the end of July 1992, triggered by media reports – which turned out to be only partly correct – of plans to recruit and train a 20,000-strong Palestinian police force.

The police initiative was attributed principally to Faysal al-Husayni. Unofficially Fatah's political leader for the West Bank, he was the head of the Palestinian Steering Committee of the Palestinian delegation and was considered the leading Palestinian figure in East Jerusalem until he died in 2001. Al-Husayni, son of 'Abd al-Qadir al-Husayni, a legendary Palestinian commander who was killed during the Palestine war in 1948, was himself a former PLA officer and had served terms as a security prisoner in Israeli jails. He combined nationalist credentials with a strong reputation for political pragmatism, "knowing how to talk to Israelis without evoking their fear about terrorism",⁷⁹ as a British correspondent put it. He had emerged by 1992 as perhaps the most dominant Palestinian leader in the Territories. He had even been touted by his ardent supporters as "a Palestinian Gorbachev" who "makes the decisions in the bilateral negotiations" and who was about "to restructure the entire course of the Palestinian revolution".⁸⁰ Al-Husayni publicly professed his loyalty to the PLO leadership in Tunis, yet his growing standing as a Palestinian leader was seen as a challenge to Chairman Arafat in Tunis.

In August 1992, it became known that al-Husayni, apparently on his own initiative, had begun consultations with Amman on a future

Jordanian involvement in creating a Palestinian police force.⁸¹ On 1 August 1992, al-Husayni and a team of five Palestinian police experts, all of them former officers who had resigned from the Israeli Police during the early months of the uprising, met with Jordanian officials at the Directorate for Public Security.⁸² Issues such as training and the future relations of Jordanian and Palestinian police forces were discussed. Press reports stated that the Palestinian team had wanted to train up to 20,000 personnel in basic police work for a period of three months in Jordan in preparation for assuming policing powers after an Israeli withdrawal.⁸³ The talks in Amman were part of the overall negotiations between Jordan and the Palestinian leadership on forms of future cooperation and the transfer of responsibilities within those areas which still rested with Jordan, such as the issuance of birth, death and education documents. The Palestinian Police experts team belonged to the so-called technical committees, a body of nearly thirty expert teams based at the headquarters of the Palestinian delegation in Orient House in East Jerusalem and established to provide the delegation with technical assessments within a wide range of areas, from water management, energy supply, education and health care to police and security arrangements.

Although the discussions in Amman were formally only a part of these technical preparations, the police experts meeting was immediately interpreted as an important political message and became known as Faysal al-Husayni's police proposal. It triggered a long debate in the Palestinian and Israeli press on the future role, authority and outlook of a Palestinian police force. The Palestinian debate, which I shall review below, illustrates the novelty of the police concept and the substantial scepticism and wariness in the Palestinian community about establishing such a force.

A 'False Media Row', a 'Premature Proposal' and 'An Unproductive Parasite'

The report of the Amman meeting in August 1992 was followed by much speculation and rumour in the press about Palestinian police preparations.⁸⁴ A local Palestinian newspaper, *Balad lil-Sahafah*, reported "from informed sources" that Faruq Amin, a member of the police expert team, was "the most likely candidate to become the chief of the Palestinian police force", and his colleague, the former Israeli police colonel Ibrahim Muhanna, would become police chief in Gaza.⁸⁵ Other reports maintained

that Faysal al-Husayni himself would assume command of the Palestinian police.⁸⁶ One report, based on Israeli media sources, alleged that Ghazi Jarrar, a Palestinian from Jenin and a retired general from the Jordanian army, had been appointed as head of the police in the West Bank. According to what were obviously ill-informed sources, the leadership of the Palestinian police force had already been formed, and between 1,800 and 2,300 local policemen had already received two months' training in the camps of Jordanian Directorate for Public Security.⁸⁷ Palestinian media reports claimed that the PLO's former ambassador to Kuwait, 'Awni Batash, had been designated as the future Palestinian police minister.⁸⁸ They also reported, relying on eyewitness accounts from Jordan, that the patrol vehicles of the future police were already being prepared and that "they are now cruising around in the Jordanian capital under names like Hebron police, Nablus police etc".⁸⁹ The media attention surrounding the future police encouraged Palestinian youths in Gaza to seek out the Palestinian Bar Association office "to sign up for the police force", only to be dismissed by local officials, informing them that the Palestinian police preparations, as far as the Gaza leadership was concerned, were only at the stage of a "technical study project".⁹⁰

The police experts meeting in Amman was not sufficiently coordinated with the PLO leadership in Tunis nor with al-Husayni's colleagues and rivals among the Inside leadership. The head of the Palestinian delegation, Haydar 'Abd al-Shafi, commented afterwards that al-Husayni's visit to Amman "had come as a surprise to him and had not been part of the talks on this issue".⁹¹ 'Abd al-Shafi did not denounce the initiative – he even conceded that it might be a wise measure as part of the preparations of a capability to "interact with the reality during the interim period".⁹² Al-Shafi and others nevertheless expressed concern that the large amount of attention which the Palestinian police issue aroused diverted attention from more important and immediate issues in the current relationship with Israel.⁹³ Another prominent member of the delegation, Mustafa al-Barghuthi, argued, for example, that "the important thing is to gain control over territory, not over the residents".⁹⁴ He disparaged the technical committees as premature. Instead, all strength should be focused on "the rallying of popular and official forces" to frustrate Israeli attempts at imposing "deficient solutions".⁹⁵

The media focus and the mounting criticism of the police initiative forced al-Husayni to quickly issue a statement on 3 August 1992 saying

that it was “too early to speak of measures to form a Palestinian police force”.⁹⁶ The attention to the police team had also strengthened the impression that the ‘technical teams’ were embryonic ministries, capable of taking over authority from the Israeli military government, something that was strongly denied by the deputy head of the teams, Hasan Abu Libdah.⁹⁷ There was nothing extraordinary about the Amman meeting, Abu Libdah argued, it being only a preparation meeting ahead of the upcoming negotiation round in Washington, and he accused the media of stirring up a “false row, which has no root in reality at all”.⁹⁸ Jordan also emphasized that the consultations were “limited to the technical side”, and denied rumours that a Palestinian police delegation was in Amman to formulate an “overall security strategy between Jordan and the future Palestinian autonomy government”.⁹⁹ This did little to stem the stream of press articles from August to October 1992 criticizing the police idea.

The assault on the Palestinian police proposal came basically from two quarters. The first group was the Palestinian opposition to the Madrid talks, who opposed the police idea because it emanated from the talks. Their criticism was based on the assumption that Israel would allow the Palestinians no more than a ‘collaborationist militia’, designated to impose a repressive regime and satisfy Israel’s interests in the Occupied Territories.¹⁰⁰ The second group, which supported the negotiations, was basically concerned about the political and legal context for such a force, as well as its political and economic implications.¹⁰¹ A key theme in their criticism was that the current focus on a police force created the false impression that the Palestinian delegation at the talks was ready to accept Israel’s vision for self-rule and had conceded on key issues such as sovereignty and an end to settlement expansions. An editorial in the leading Palestinian newspaper *al-Quds* termed the police idea discussion an “exaggeration in optimism” which nurtured the erroneous idea that “there is a ‘prepared meal’ which can be consumed in Washington when the parties meet again”.¹⁰² The danger of this “media exaggeration” was that it created a certain “mass psychology”, a “competition for results” which weakened the Palestinian negotiating position and resulted in heightened frustrations among the public.¹⁰³ Some Palestinian analysts even claimed that the Israeli media had deliberately blown the technical committees and the police issue out of proportion in order to create “internal divisions” and “strengthen the atmosphere of confusion” among the Palestinians.¹⁰⁴

A week after the Amman meeting, the *al-Quds* columnist 'Abd al-Latif 'Aql delivered a long satirical essay on the Palestinian police idea, styled as a letter to the future 'Palestinian Police Minister'. The column derided the excessive exaltation of police and security authorities in the Arab world and encapsulated the general unease, on both political and cultural grounds, which many Palestinians evidently had about the proposed police force:

I salute the fear, which has not yet come and the yearnings for concerns and apprehensions in hearts and homes. Verses of love are joined together in declarations of allegiance and obedience, my Lord. ... I will not dwell long with words in front of a man of deeds, a man who will form the coming future, and here is what I would like to ask you: Will you have a female police force? Will they work in offices or will they participate in manual work and hunt thieves and criminals I am sorry, I meant female thieves and criminals. Isn't the number too large? 30,000 policemen for 1,5 million people means that for every 50 persons there will be a policeman. My dear who will be minister, if God so wishes, has it occurred to you that this ratio is larger than the number of teachers in relation to pupils at all stages of the education system, and larger than the ratio between doctors and patients ... and larger than the number of pregnant women in relation to the number of housewives, and even larger than the number of peasants in relation to the land that is still left? So why, my dear who will be minister if God so wishes, isn't your primary interest in what we need the most? Why don't you send tens of thousands of teachers? ... Why isn't your first choice to train teachers, doctors, nurses, housewives and farmers? My dear who will be minister, if God so wishes, my family fears the police very much and is sensitive about orders and symbols of military ranks ... My Minister, there is not just one system for police, security, police dogs, apparatuses for searches and checks. We have experienced this among our own people. ... My Lord the Minister, our people consists of young men eager to learn more. We want culture, which raises the collective sentiment and which makes our lives not more beautiful but only less depressing and ugly. So why have you, my Lord the Minister, made such a strange choice? ... In the end my Lord who will be Your Excellency, if God so wishes, accept my sincere greetings for God, the Fatherland and the honour of humanity! I wish for you all success and that you will not make the mistake of allowing mistreatment and torture! I wish that what I have heard and seen were only rosy rumours, my Lord who will be Your Excellency, if God so wishes!¹⁰⁵

The fear of an oppressive police and the unease about such a large “unproductive sector”, “a class of parasites” as the Palestinian writer Ribhi al-Shuwayki put it, were key themes in the debate.¹⁰⁶ A number of legal arguments were also levelled against the police idea, echoing what the peacekeeping literature has termed ‘the sequence of security sector reform’.¹⁰⁷ Although many Palestinians would acknowledge the need for a strong police force, especially in view of the lawlessness and unbridled vigilantism that had ravaged Palestinian society in the latter part of the intifada, most Palestinians interviewed by *al-Quds* were uneasy about the police being the first element in the implementation of self-rule: “To begin the [self-rule] period with [creating] the police is like hinting with a stick before the period begins.”¹⁰⁸ They argued that the police must be an integral part of the interim government, which must include a legislative body and a judiciary in addition to the executive. The police apparatus should not be in focus “before the rest of the three basic dimensions of self-rule had been completed”.¹⁰⁹ Furayh Abu Middayn, the head of the Bar Association in Gaza and a member of the Palestinian delegation in Madrid, criticized the proposed force of 20,000–30,000 men, labelling it “not a police but a militia”.¹¹⁰ Before any future police force was created, he stated, “there must be a legal system ... If not it would be like putting the cart before the horse.”¹¹¹

It is one of history’s little ironies that less than two years later, Furayh Abu Middayn became justice minister under the new Palestinian autonomy government without a preceding process of legal reform and judicial institution building and with a police force that subsequently expanded far beyond 20,000. It illustrates the gradual shift in opinion on the police issue towards a greater acceptance of the reality on the ground.

Between Orient House and Tunis

The Palestinian police force issue touched upon the sensitive Inside–Outside (*al-dakhil, al-kharij*) relationship in Palestinian politics.¹¹² The intifada and the Madrid process had enhanced the role of the Inside PLO leadership, which “operates with a degree of autonomy from Tunis that would have been unthinkable a few years ago”, one observer noted in 1991.¹¹³

Faysal al-Husayni's police proposal, which apparently had been presented without close coordination with Tunis, typified the growing assertiveness of the Inside. When Sa'id Ka'nan, a prominent West Bank figure who was close to al-Husayni, reflected on the Inside–Outside relationship some years later, he said he believed that the dangers of a split had been real in 1992–3. “We wanted to maintain the PLO's integrity because only it would faithfully represent the people in the territories and those abroad to the same degree. I am convinced that Husseini did not intend to split the people, but we believed that, even against his will, this might be the unavoidable outcome.”¹¹⁴

As long as the PLO was not an officially recognized partner in the peace talks, its overall strategy was to ensure that no agreement with Israel was reached without an explicit recognition by Israel of the PLO as the sole representative of the Palestinian people. Al-Husayni's proposal for creating a strong police force in cooperation with Jordan was seen as premature and counterproductive, because it demonstrated a Palestinian willingness to provide the necessary coercive apparatus for a self-rule authority without assuring beforehand that the PLO in Tunis controlled this force.

During meetings with members of the Palestinian delegation in Tunis in early September 1992, Chairman Arafat “vigorously attacked the idea of forming a Palestinian police force”, stating that “the idea was false and it would lead to internecine fighting inside the Occupied Territories”.¹¹⁵ He had reportedly called upon the delegation to change its proposal, handed to Israeli negotiators ahead of the sixth round in order to push the demand for a third party international force, “a police force crew from the United Nations or from a third country”, to oversee security during the interim phase.¹¹⁶ The fact that Arafat had made these statements in the presence of Faysal al-Husayni was interpreted as a direct criticism of al-Husayni himself and as part of an effort to reassert authority over al-Husayni and the Inside.¹¹⁷

The international peacekeeping option was not entirely new. Calls by Palestinian leaders for deploying UN peacekeepers in the Occupied Territories had been heard repeatedly over the years, in particular after incidents such as the Dome of the Rock riots in 1990 in which a number of Palestinians had been killed by Israeli security forces. Still, there were differences within the PLO on the role of international peacekeepers in paving the way for a Palestinian state.¹¹⁸ Besides, Israel had consistently

rejected demands for peacekeepers or observers, usually receiving solid backing from the United States, which vetoed such proposals in the UN Security Council.¹¹⁹

Arafat's criticisms of the police proposal did not signal a profound shift in the PLO's strategic thinking about self-rule, and the effort to establish a police force was far from abandoned. Indeed, a series of Palestinian security experts meetings with Jordanian, Egyptian and European officials took place in the wake of the Amman meeting.¹²⁰ In an interview with this author, Deputy Commander of the Palestinian Civilian Police Mahmud Sa'id Asfur recalled:

we started to build the structure of the civilian police during the Madrid period. We made plans in 1992–3, conducting long visits at the Jordanian and Egyptian security directorates ... A small committee consisting of a group from Tunis, including Ghazi al-Jabali, Ziyad 'Arif, myself, a Palestinian officer based in Jordan, as well as Faruq Amin and Ibrahim Muhanna from the Inside, made plans for establishing the civilian police in consultation with the Egyptians and Jordanians. We made our Palestinian police force based on their models.¹²¹

Arafat himself partly confirmed that a planning process existed. During his visit to Jakarta in early September 1992, the PLO leader stated: "we are preparing ourselves for everything" and "have all details for all aspects of life from customs, to police to security force for the interim period".¹²² His somewhat conflicting statements on the police issue seemed to confirm that the question of the leadership and recognition of the PLO was his key concern at this point, not the details of future police and security arrangements. This was corroborated in spring 1993, when the PLO started retraining its exile-based PLA units for policing duties and the first batch of police trainees graduated in May 1993.¹²³ In June 1993, the PLO also instructed its delegations around the world to begin recruiting young Palestinians to serve as future policemen and customs officers under an autonomy government. The educated Palestinian diaspora in Tunis were particularly requested to join the police, and an initial group was sent to Morocco to be trained in customs, according to PLO sources.¹²⁴

Despite Arafat's public criticism of his police proposal, al-Husayni did not retract it. In fact, some ten days later, on 25 September 1992,

during an open forum debate in Jerusalem on Palestinian autonomy preparations, al-Husayni vigorously defended his idea that the Palestinians needed a large police force. He argued that “a small force will be oppressive” but that a large force drawn from all sections of Palestinian society would be more democratic and would reflect society as a whole.¹²⁵ On the other hand, al-Husayni was unable to address the fundamental issue of ceasefire enforcement, that is whether the Palestinian police “would be used to squelch the intifada”.¹²⁶ By accepting that role for their police force, the Palestinians would be acknowledging the end of the armed struggle, which had characterized the entire epoch of the PLO. Only Chairman Arafat possessed sufficient authority to proclaim an end to the armed struggle.

Neither the Israeli foreign ministry nor Prime Minister Rabin had the impression that al-Husayni and the Inside leadership would stand up to Tunis, however, although they continued to court al-Husayni’s police ambitions, for example by suggesting that he himself assume command over the police force.¹²⁷ Since late 1992, Arafat had worked to foil al-Husayni’s efforts to create a police force based on the Inside and had tightened control over everything related to the police preparations.¹²⁸ In spring and summer 1993, Palestinian police advisers in Orient House had become extremely careful to stress that they took their orders only from Tunis, not from anywhere else. All decisions regarding recruitment, training and deployment had to be taken by Tunis first, and not the ‘technical committees’ of the Inside leadership.¹²⁹ Detailed files of all prospective police recruits were sent to Tunis for scrutiny and approval.¹³⁰ To ensure complete control, the PLO leadership in Tunis ordered the ‘technical committees’ to freeze all their activities concerning the police in May 1993. An Inside source reported that the PLO in Tunis “has taken complete control over the matter”.¹³¹ The rejection of Israel’s ‘early empowerment’ proposal was another manifestation of Arafat’s policy of marginalizing the role of the Inside leadership.¹³² Police training offers from a few European countries, which were eager to furnish the Inside leadership with funds and technical assistance for self-rule, were rejected. Instead, the PLO now signed cooperation agreements on police training with friendly Arab countries, ostensibly because “Palestinian security is part of Arab national security”, allowing the Outside PLO full control over the police preparation process.¹³³

A Police in Disguise? The New Palestinian Bodyguard Service

The Outside–Inside politics in the PLO was not the only political issue that interfered with and shaped the efforts to prepare for a Palestinian police. In December 1992, the Rabin government, struggling to contain the Palestinian resistance, decided to deport 415 Palestinians associated with the Islamist current to Marj al-Zuhur in Lebanon, prompting the PLO to suspend the peace talks. In spring 1993, the PLO leadership nevertheless decided to allow a resumption of the peace talks with Israel, even though the deportees had not yet been allowed to return. This move strongly contributed to bringing the police issue back into the public debate, because of the numerous death threats levelled against the delegates to the talks and their obvious need for police protection.¹³⁴

Assassinations of Palestinian leaders either by Palestinian opposition groups or by Israeli hit squads were one of the harsh realities of Palestinian politics. In April 1993, *al-Sharq al-Awsat* reported that there was information on detailed plans to assassinate delegates, allegedly prepared during “a secret meeting in Tehran” attended by Palestinian Hamas and Islamic Jihad representatives.¹³⁵ The threats appeared not to be entirely fictitious. Hamas demonstrators in Gaza publicly threatened the family of Haydar ‘Abd al-Shafi; and in the West Bank, another leading delegate, Sa’ib ‘Urayqat, was targeted by protesters who vowed that they would “burn down his house and kill him”.¹³⁶ The PLO leadership reacted vehemently against these threats. A leaflet, circulated by the Arafat-loyalist Fatah movement, warned that “any such attack ... is an attack against Fatah and we will punish any person or group, regardless of who they are”.¹³⁷

To ensure the security of the delegates, the PLO leadership arranged for a bodyguard service, which was now observed in action in several cities in the West Bank and Gaza. It contained almost a hundred youths, according to one report, and was recruited mainly from Fatah-affiliated activists.¹³⁸ In late April 1993, when the delegates returned from a meeting in Amman at which Arafat had instructed them to return to the peace talks, they “were met near the Allenby Bridge by about twenty Palestinian bodyguards who hustled them into a motorcade”.¹³⁹ The emergence of this small security service and subsequent reports of West Bank Palestinians undergoing security service training in Jordan triggered a wave of media speculation that the Palestinian leadership was in the process of creating an entire police

force and that the bodyguard service represented only the tip of the iceberg.

The new Palestinian bodyguards were politically important because the delegates could not ask Israel for protection. The Palestinian delegation in fact justified the formation of the bodyguard service as a way to fend off Israeli attempts to “impose Israeli protection on us”.¹⁴⁰ It would have been politically devastating for the peace talks if the Palestinian delegates had been placed under 24-hour Israeli police protection. It would have made them look like collaborators and undermined their position in the Territories.

In May and June 1993, there was obviously much confusion as to whether the new security service would be a part of the future police.¹⁴¹ When some 37 Palestinians left for Amman on 20 June 1993 to receive security training there, both Arab and Israeli media reported that they would receive training to become officers in the proposed police force.¹⁴² They would attend Amman’s Police Academy for three to four months and receive training “in riot control and crime investigations”.¹⁴³ Owing to its political implications, this was not a trivial issue, especially not for the Israeli right-wing opposition. Rehavam Ze’evi, a member of the Knesset from the right-wing Moledet party, called for the inclusion of a motion on the agenda in the Knesset on 23 June to make Police Minister Shahal clarify the issue.¹⁴⁴ It was then revealed that the Israeli government had approved bodyguard training of Palestinians in both Egypt and Jordan, considering these two countries “the best places” for training Palestinians in security matters.¹⁴⁵ A decision had been reached in a meeting between Faysal al-Husayni and Shahal to allow for a three-month training course in bodyguard and civil security service in Amman.¹⁴⁶

At Orient House, the police committee was concerned about the media publicity surrounding the new bodyguard programme. Faruq Amin, who was a member of the police committee and the head of security at Orient House, stressed that it was far too early to call the trainees the core of the future Palestinian police force. He especially criticized the Israeli media for misquoting him on this issue, arguing that it was “absurd” to assume that the Palestinian leadership “would send only 28 people to become Palestinian police officers”.¹⁴⁷ Both Amin and al-Husayni strenuously denied any link between the bodyguard service and a Palestinian police force, insisting that until further progress was

made in the peace talks, the bodyguards' job would be to protect the delegates and that they would receive training as bodyguards, not as policemen. Other Palestinians close to the delegation believed, however, that the trainees would sooner or later be integrated into a Palestinian police force.¹⁴⁸

Another aspect which added to the political sensitivity of the police issue was the potentially negative image it would create if a Palestinian police force were portrayed as only an instrument for protecting the Inside leadership against Palestinian militants. Faysal al-Husayni seems to have been acutely aware of this. To the press, he sometimes denied that threats were made against the delegates or carefully avoided commenting on them, stressing instead the ever-present menace emanating from "Israeli settlers and thieves" and pointing out that "the Palestinian delegation does not need protection from the sons of the Palestinian people".¹⁴⁹ This was clearly not the whole story: death threats by the Palestinian opposition against the delegates were widely reported.¹⁵⁰

The close association between the bodyguard service and the proposed police force strengthened the belief that the latter was only there to protect an unpopular 'peace' with Israel. This image would remain a recurrent theme in the history of the new Palestinian police force. There was thus a deeper symbolic meaning behind the widespread, if erroneous, belief that the police force began as a security service to protect the delegates to the peace negotiations with Israel against the people they claimed to represent. By not driving home the message that all political leaders of some importance need bodyguards and that there were also political extremists among Palestinians, al-Husayni's statement was a far cry from those of Arafat and his Fatah loyalists, who immediately responded to Hamas threats by warning that they would "cut off any hand that stretches against ... the negotiation team".⁵¹ It illustrated the tremendous differences in political authority between the Inside and Outside, and it highlighted the growing realization that a police force based on the Inside PLO would not command sufficient authority.

Technical Preparations: The Police Committee in Orient House

Despite the negative responses in the Palestinian community to al-Husayni's initiative in autumn 1992, the technical police preparations

continued, both in the Occupied Territories and in the diaspora. The full extent of these preparations is hard to gauge, but they do not seem to have been very extensive during the Madrid period, being confined mainly to feasibility studies and planning. The head of the police committee at Orient House, Faruq Amin, stated in an interview in early June 1993 that the police committee had “finished all the research and planning necessary and are ready to start training our future police officers, and waiting only for orders from Tunis for the go-ahead”.¹⁵² Sari Nusaybah, the head of the technical committees, revealed that they had received training offers from a number of countries, especially Jordan, Egypt, Japan and a few European countries, including Britain and Germany.

With the wisdom of hindsight, however, it is easy to see why Palestinian police preparations were difficult in the period prior to the conclusion of the Oslo Accords. In 1992–3, before the mutual recognition with Israel, the PLO lacked financial resources for large-scale recruitment and training; it was also unwilling to allow serious police preparations for political reasons, as they would signal a willingness to accept Israel’s ‘early empowerment’ proposals and its non-recognition of the PLO in Tunis. The Inside leadership therefore wisely wished to “maintain a very low profile and keep information on our work from the press” in order not to cause unnecessary complications in the difficult negotiating process.¹⁵³ This was not easy, however. As described above, the Arab and Israeli press picked up on rumours circulating in the Palestinian communities that a “secret agreement” had been reached to “form a police force under the leadership of Faysal al-Husayni”.¹⁵⁴ The training of Palestinian bodyguards in Jordan added more force to the rumour mill.

The police committee in Orient House was frustrated by the PLO freeze on further preparatory activity because the time required to train a police force properly was considerable and hardly anything was available with regard to equipment and other logistical needs. Although a police force could not be formally “implemented” before an autonomy agreement had been signed, Nusaybah stressed that “it must start training now”, otherwise it would be caught unprepared when an agreement was reached.¹⁵⁵ The police committee estimated that a six-month period of training was necessary for regular police personnel in basic policing and that another two years were needed to train a well-functioning force. This meant that if there were an agreement on autonomy and Israel withdrew quickly, the Inside leadership would be hard pressed to

find a sufficiently well-trained police force to take over. The police committee had enlisted a few former police officers who had experience in detective work and interrogation and who could train Palestinians locally. But, for security reasons, these officers had not been trained in a number of specialized police techniques, and therefore they had to be sent abroad for additional training.

The dilemma for the Palestinian police planners was that for political reasons, the launching of a full-scale programme of training could not begin before an autonomy agreement had been reached, but at that point it would be too late to create a professional police force before deployment. This 'deployment gap', to borrow an expression from Oakley's edited volume on policing war-torn societies, was never fully resolved in the Palestinian case.¹⁵⁶

Conclusion

Establishing a local police force as part of an autonomy agreement for the West Bank and Gaza Strip was part of the Camp David Framework. During the Madrid period, the idea of forming a Palestinian police force emerged as a subject of much controversy and debate, reflecting diverging expectations about future Palestinian self-rule. Although most Palestinians recognized the need for local law enforcement, the political implications of a police force in the shadow of the Israeli occupation were disconcerting. Many feared that an autonomous police would become a repressive force, preventing rather than facilitating the creation of an independent Palestinian state, and that the very discussion of establishing a police before an agreement on Israeli withdrawal was agreed upon harmed Palestinian interests in the negotiations. Inside–Outside relations in Palestinian politics also had an impact on the debate, as the police issue came to be associated with Faysal al-Husayni and the Inside leadership, raising concern that they would make a deal with Israel to the detriment of the diaspora. The Tunis PLO responded by proposing international peacekeepers as an alternative to a local police force. Later, when Israel proposed an early deployment of a Palestinian police force before an agreement was reached, Tunis countered the idea by requesting that the PLO-loyal forces in exile, such as the PLA, should become the new police force.

The political sensitivity surrounding the Palestinian police issue made technical police preparations difficult. As of mid-1993, little had been achieved in practical terms. Very few had received police training. Specific plans had been formulated but were not yet agreed upon, and reactions to the police idea among Palestinians appeared to be rather negative. The police project was still seen as premature, and only a breakthrough in the political talks would make such preparatory activities politically acceptable.

In 1992–3, the Outside PLO exerted firm control over the Inside on all issues related to the projected police force. This, among other factors, contributed to convincing the Rabin government that no self-rule would be possible without Israeli recognition of the PLO. In September 1993, Rabin admitted that Israeli efforts at encouraging the rise of “a Palestinian force” in the Territories had proved fruitless: “It’s not pleasant, but it’s a fact.”¹⁵⁷ This was perhaps the most fundamental realization on the part of Israel that ultimately brought about Oslo and created the political framework for the Palestinian Police.

NOTES

- 1 D. Izenberg, “Rabin: the time has come to take a chance for peace”, *Jerusalem Post*, 31 August 1993.
- 2 Gazit (1980).
- 3 Peake (1998), p. 21.
- 4 For the full text of the Allon Plan and the Camp David Agreement, see Lukacs (1992), pp. 190–8 and 155–9. See also Allon (1976).
- 5 Many scholars have emphasized the centrality of armed struggle in the PLO’s strategic thinking and the important political functions that it served despite its relatively small military impact. Sayigh (1997) and Frisch (1998).
- 6 Scholarly literature about Palestinian security issues and perceptions of security is scarce compared to all that has been written on Israeli security. A national security debate started only in the 1990s. For a review of this debate, see Weinberger (1995).
- 7 See, for example, UNC communiqué No. 55 (19 April 1990).
- 8 See Lukacs (1992), pp. 155–9.
- 9 Ibid. Section A.1(a) and (b).
- 10 Ibid. Section A.1(b).
- 11 Ibid. Section A.2.
- 12 President Reagan added the principle of “progressive Palestinian responsibility for internal security based on capability and performance” to his list of talking points in a letter to Prime Minister Begin in 1982. Lukacs (1992), pp. 78–80.

- 13 "A strong local police force will be established, which may include Jordanian citizens. In addition, Israel and Jordanian forces will participate in joint patrols and in the manning of control posts to assure the security of the borders." Moreover, "it [the police force] will be composed of inhabitants of the West Bank and Gaza. The police will maintain continuing liaison on internal security matters with the designated Israeli, Jordanian, and Egyptian officers." Section A.1(b), and (d), *The Camp David Accords: The Framework for Peace in the Middle East* (17 September 1978), available at US Department of State, <http://usinfo.state.gov/regional/nea/summit/cdavid.htm>.
- 14 Cited in D. Gold, "PLO accord to eclipse Jordanian role in areas", *Jerusalem Post*, 22 October 1993. See also A Shapiro, "Jordanian option that was", *Jerusalem Post*, 10 September 1993.
- 15 Klieman (1995).
- 16 For a review of that debate, see D. Makovsky, "Gaps in autonomy issues", *Jerusalem Post*, 3 January 1992. Joel Singer, the Israeli Ministry of Foreign Affairs chief legal adviser and perhaps the main legal architect of Oslo, argued that the DoP closed this gap by explicitly stipulating that authority rested with the Israeli military government throughout the interim period. Singer (1994).
- 17 Mendelsohn et al. (1994); IPRCI (1993); and Baskin, "Palestinian police: The interim test", *Jerusalem Post*, 8 November 1992.
- 18 Y. B. Aharon, "Out of balance", *Jerusalem Post*, 8 July 1993.
- 19 Ibid.
- 20 D. Makovsky, "Gaps in autonomy issues", *Jerusalem Post*, 3 January 1992.
- 21 Mansur (1993), p. 14.
- 22 "Document: Israel's idea of Palestinian autonomy", *al-Fajr*, 9 March 1992, p. 16.
- 23 Documents presented by the Palestinian and Israeli delegations respectively during the fourth round of the Washington negotiations reflect the depth of their disagreement on the issues of authority over the police force, jurisdiction and general security arrangements governing Palestinian self-rule. Both are reprinted in full in *ibid.* and "Document: Palestinian view of self-government", *al-Fajr*, 16 March 1992, pp. 8–9. See for a general discussion of the two documents Mansur (1993), pp. 14 ff. See also "An outline of the Palestinian Interim Self Government Authority", *al-Fajr*, 27 January 1992, p. 4.
- 24 The document was entitled "Informal compilations of Israeli ideas on the concept of the Interim Self-Government Arrangements". Mansur (1993), p. 25.
- 25 From a Palestinian perspective, Israeli settlers were thereby given "extraterritorial status", "a legal aberration, reminiscent of the 'Capitulations'" imposed upon the Ottoman Empire by the European colonial powers. Mansur (1993), p. 27.
- 26 For more details on the internal Palestinian discussion of a future police force, see the next section.
- 27 "Amman denies that there is plan for a security strategy between Jordan and a Palestinian interim government" (in Arabic), *al-Quds*, 4 August 1992, p. 1.
- 28 Al-Husayni's initiative was interpreted as an attempt "to gain Rabin's confidence", as the Israeli analyst Pinhas Inbari put it. There may also have been a more personal motive, as Israel had at this point not yet recognized Faysal al-Husayni's participation in the peace talks: he was an East Jerusalem resident. Inbari (1996), pp. 209–10 and D. Makovsky, "Peres: accord on autonomy possible", *Jerusalem Post*, 23 April 1993.

- 29 E. Ya'ari, "Excerpts from documents at the Washington peace talks", *Jerusalem Report*, 21 September 1992, p. 7; S. Helm, "Israel to allow Arab police in the occupied territories", *Independent*, 3 August 1992, p. 1; and "Husseini defends idea of large police force", *al-Fajr*, 5 October 1992, p. 2.
- 30 S. Helm, "Israel to allow Arab police in the occupied territories", *Independent*, 3 August 1992, p. 1.
- 31 "Ben-Eliezer: areas police should not be 'army under different name'", *Jerusalem Post*, 3 August 1992; A. Wallfish, "Peres: Israel seeks dialog with Syria", *Jerusalem Post*, 20 August 1992; and "Palestinians propose 20,000-member police force", UPI, 2 August 1992.
- 32 "Ben-Eliezer: areas police should not be 'army under different name'", *Jerusalem Post*, 3 August 1992.
- 33 Ibid.
- 34 B. Hutman, "Shahal: impact of Palestinian police force being evaluated", *Jerusalem Post*, 9 December 1992 and A. Kaplan, "Israel confident peace talks will go on despite threats by Syria", *Jerusalem Post*, 20 September 1993.
- 35 Prime Minister Rabin had ordered the deportation, justifying it as an act of retaliation for the killing of an Israeli border policeman. Bowing to international pressure, Israel took back more than 180 in September 1993 and the rest by 17 December 1993. N. Ladki, "Lebanon: Palestinian deportees say peace deal will fail", Reuters, 5 December 1993.
- 36 D. Makovsky, "Peres: accord on autonomy possible", *Jerusalem Post*, 23 April 1993; "Peres proposes the formation of a Palestinian police force" (in Arabic), *al-Akhbar* (Cairo), 24 April 1993; "A new Palestinian police apparatus in the Occupied Territories" (in Arabic), *al-Sharq al-Awsat*, 24 April 1993; C. Habermann, "Israel set to let Palestinian have a police force and other powers", *New York Times*, 24 April 1993, p. 3; and D. Brown, "Israel offers Palestinians police force", *Guardian*, 24 April 1993, p. 16.
- 37 A. Wallfish, "Right slams Peres' Palestinian police idea", *Jerusalem Post*, 25 April 1993. For previous Peres-al-Husayni meetings, see "Peres in meeting with Haaretz: Israel is prepared to make new initiatives for the West Bank and the Gaza Strip" (in Arabic), *al-Quds*, 12 February 1993, p. 6.
- 38 D. Makovsky, "Shahal: Palestinian police force will consist of a few thousand", *Jerusalem Post*, 29 April 1993.
- 39 A. Wallfish, "Shahal: previous gov't began planning Palestinian police force", *Jerusalem Post*, 4 May 1993.
- 40 "Peres proposes the formation of a Palestinian police force" (in Arabic), *al-Akhbar* (Cairo), 24 April 1993.
- 41 D. Makovsky, "Shahal: Palestinian police force will consist of a few thousand", *Jerusalem Post*, 29 April 1993 and C. Habermann, "Israel set to let Palestinian have a police force and other powers", *New York Times*, 24 April 1993, p. 3.
- 42 "The PLO supports the idea of establishing a police force ... but after the end of the Israeli occupation" (in Arabic), *al-Quds*, 5 May 1993, pp. 1, 13.
- 43 "Palestinian proposal to Shahal to give the Palestine Liberation Army the duty as police" (in Arabic), *al-Quds*, 11 May 1994, p. 1.
- 44 "Shahal meets with Palestinian notables to discuss the establishment of a Palestinian police" (in Arabic), *al-Quds*, 5 May 1993, p. 2 and B. Hutman, "Shahal meets Nablus leaders to discuss Palestinian police", *Jerusalem Post*, 5 May 1993.

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- 60 B. Hutman, "New on the job and out on the street", *Jerusalem Post*, 7 May 1993; H. Keinon, "Settlers lobby in US for new Gush settlement", *Jerusalem Post*, 14 July 1993; D. Izenberg, "Shahal outlines joint police patrols plan", *Jerusalem Post*, 30 November 1993; and "Israeli police minister says Jordan army Palestinians may form autonomous police", IBA TV-H, 30 August 1993, via SWB.
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- 66 Ibid.; H. Keinon and B. Hutman, "Settlers' confidence takes a bashing", *Jerusalem Post*, 28 October 1994, p. 2; and Israeli National Police, *Annual Report 1993*.
- 67 According to one study, Prime Minister Rabin approved the establishment of no fewer than four independent channels to the PLO. M. Nessyahu, M. Stiglitz and Z. Tamir, *Time for Peace: Facts and Thoughts on the Oslo Channel* (in Hebrew), reviewed in S. Rodan, "Nobel judges are tracing the lineage of the Oslo peace accords", *Jerusalem Post*, 9 September 1994.
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- 69 Abu 'Ala's background as an economist and Peres's vision of a new Middle East based on economic cooperation permeated the DoP. For more on this, see Chapter 7 of this volume.
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- 71 The two most prominent members of the Israeli team were Joseph Alpher, head of the prestigious Jaffa Center for Strategic Studies, and Brigadier (ret.) Shlomo Gazit, a former chief of Israeli military intelligence. The PLO's security delegation included Nizar 'Ammar, formerly top aide of Abu Iyad in Fatah's United Security Apparatus in Tunis and security adviser of Mahmud 'Abbas (Abu Mazin), who supervised the talks in Oslo. Academics such as Ahmad S. al-Khalidi and Yazid al-Sayigh were also involved at various stages. "Nizar 'Ammar in an interview with Haaretz: Coordination possible between the Palestinian and Israeli security agencies..." (in Arabic), *al-Quds*, 4 November 1993, p. 7; Alpher (1993); and al-Khalidi (1992).
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- 85 "Faruq Amin is candidate for the chief position in the Palestinian police force" (in Arabic), *al-Quds*, 5 August 1992, p. 1.
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- 87 "Radio Israel: appointment of police officials for the West Bank and Gaza" (in Arabic), *al-Quds*, 31 August 1992, p. 2.
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- 89 A. Harb, "The Palestinian police ... and the media exaggeration" (in Arabic), *al-Quds*, 7 August 1992, p. 9.
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- 94 "Al-Husayni: Too early to speak of the formation of a police force" (in Arabic), *al-Quds*, 4 August 1992, p. 1.
- 95 Ibid.
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- 109 Ibid.
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- 111 Ibid.
- 112 For works on the Inside–Outside relationship in Palestinian politics, see, for example, Litvak (1997); Steinberg (1994); and al-Khalidi and Agha (1992).
- 113 Hubbell (1991), p. 267.
- 114 Sa’id Ka’nan, quoted in Inbari (1996), p. 204.
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- 116 Citation from “Arafat vigorously attacks the idea of forming a Palestinian police” (in Arabic), *al-Quds*, 14 September 1992, p. 1. See also “Faysal al-Husayni comments on peace process, Palestinian police”, IDF Radio, 1500GMT, 16 September 1992; “Husseini defends idea of large police force”, *al-Fajr*, 5 October 1992, p. 2; and *MECS*, Vol. XIV (1992), p. 297.
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- 118 For more on the discussion of the international peacekeeping option prior to the PLO’s Declaration of Independent Palestine on 15 November 1988, see Hunter (1991), pp. 154 ff.
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- 120 “International agreement on the training of Palestinian agencies which will assume the self-rule administration” (in Arabic), *al-Quds*, 12 August 1992, p. 1.
- 121 Although ‘Asfur was uncertain of the exact date of the meetings, he recollects it was some time in late 1992 or early 1993. ‘Asfur, interview.
- 122 “Arafat: We have a programme for all aspects of life during the interim period” (in Arabic), *al-Quds*, 6 September 1992, pp. 1, 11.
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- 124 “Palestinians arrive in Jordan for police training”, Xinhua, 20 June 1993.
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- 135 "A new Palestinian police apparatus in the Occupied Territories" (in Arabic), *al-Sharq al-Awsat*, 24 April 1993.
- 136 Ibid.
- 137 "PLO warns of 'iron fist' against those threatening delegates", *Jerusalem Post*, 23 April 1993.
- 138 "A new Palestinian police apparatus in the Occupied Territories" (in Arabic), *al-Sharq al-Awsat*, 24 April 1993.
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- 140 "PLO Radio on training of Palestinian youths in Amman", VOP-A, 1702GMT, 26 June 1993.
- 141 "A new Palestinian police apparatus in the Occupied Territories" (in Arabic), *al-Sharq al-Awsat*, 24 April 1993; L. Lahoud, "Palestinians wary of a Fatah force", *Jerusalem Post*, 4 June 1993; "al-Husayni: The group of Palestinians who are being trained in Jordan are not a part of the proposed police force" (in Arabic), *al-Hayat*, 28 June 1993; and J. Ferziger, "Palestinian police recruits head to Jordan for training", UPI, 20 June 1993.
- 142 The leading Arab newspaper *al-Hayat* also gave relatively extensive coverage to these Palestinian "police recruits", and its sources clearly viewed the training of these recruits as the beginning of a Palestinian police force. "The first group of Palestinian Police are transferred to Amman to begin training" (in Arabic), *al-Hayat*, 21 June 1993. See also B Hutman, "Future Palestinian police leave for Jordan training", *Jerusalem Post*, 21 June 1993.
- 143 According to interviews with PLO sources cited in "Palestinians arrive in Jordan for police training", Xinhua, 20 June 1993 and J. Ferziger, "Palestinian police recruits head to Jordan for training", UPI, 20 June 1993.
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- 145 According to *al-Hayat*, quoting Israeli Police Minister Shahal's statements in the Knesset on the Israeli government's position on a Palestinian police force. See "The first group of Palestinian Police are transferred to Amman to begin training" (in Arabic), *al-Hayat*, 21 June 1993.
- 146 Interview, Abd al-Hadi.

- 147 B. Hutman, "Future Palestinian police leave for Jordan training", *Jerusalem Post*, 21 June 1993.
- 148 L. Lahoud, "Palestinians wary of a Fatah force", *Jerusalem Post*, 4 June 1993. See also "al-Husayni: The group of Palestinians who are being trained in Jordan are not a part of the proposed police force" (in Arabic), *al-Hayat* (London), 28 June 1993.
- 149 "Al-Husayni: The group of Palestinians who are being trained in Jordan are not a part of the proposed police force" (in Arabic), *al-Hayat*, 28 June 1993. See also "Faysal al-Husayni comments on Palestinian police force and alleged threats", IBA TV-A, 1630GMT, 23 April 1993.
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- 152 L. Lahoud, "Palestinians wary of a Fatah force", *Jerusalem Post*, 4 June 1993.
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- 154 "A new Palestinian police agency in the Occupied Territories" (in Arabic), *al-Sharq al-Awsat*, 24 April 1993.
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“The Hawks are the Real Palestinian Police”: The Inside PLO’s Police Preparations

Nowhere is the frustration more evident than at the bare, makeshift office of Ibrahim Muhanna [Chief of the projected Palestinian Police in Gaza] ... Camped out at PLO headquarters in Gaza City, he says he’s awaiting the outcome of negotiations, and instructions from Tunis headquarters. He has no budget, no police headquarters, no uniforms, no weapons, no police cars and no helicopters.¹

Norma Greenaway, Correspondent in Gaza, January 1994

During the uneasy transition period between the conclusion of the Oslo Accords on 13 September 1993 and the Israeli withdrawal in mid-May 1994, most efforts at preparing a formal police force were concentrated on the PLO military and security organizations in exile.² The continued Israeli occupation hampered Palestinian preparation efforts on the Inside not only at a technical-practical level but also politically, because the PLO strove to make the projected police force into a symbol of national liberation. Any overt and formal police training in the shadow of the occupation would easily create an image of the new police force as a subservient collaborationist militia. For this reason, formal police preparations in this period were limited.

Instead, informal instruments of policing developed during the intifada were revitalized, and the Fatah Hawks and other Arafat-loyal fighters asserted themselves as the local authority on the ground. The expansion of their informal policing or vigilante practices was facilitated by the new relationship between Israel and the PLO after Oslo. This relationship manifested itself in a formal PLO declaration of an end to the intifada, the legalization of the Fatah movement, a limited amnesty for previously ‘wanted men’, a laxer Israeli enforcement of the ban on arms and a gradual thinning out of Israel’s military presence in Gaza.

The planning and organization of police recruitment and training was coloured by a dual concern about the need for loyal police forces

and the co-optation of ex-prisoners, paramilitaries and activists. The PLO leadership devoted much attention to these groups in order to rein in unruly elements and to signal that the leadership in exile would reward the *shabab*, who had fought for the PLO and sacrificed so much during the uprising. These patronage concerns became even more predominant when the PLO leadership returned from exile, and a large-scale reintegration of local intifada activists and paramilitaries took place. Against this background, it was inevitable that police recruitment and training assumed a strong political dimension and that professionalism and qualifications became a secondary concern.

Reorganization of the Palestinian Police Committees

The mutual recognition of the PLO and Israel on 9 September 1993 led to the ban on the PLO and its Fatah movement being lifted³ and PLO offices being opened throughout the Occupied Territories, reflecting the emergence of the PLO from an illegal underground organization to an embryonic local government.⁴ Most of the local Fatah activists who ran these offices, or political committees, had served terms in Israeli jails, and constituted the local intifada leadership. These small groups of “prisoner-politicians”, as one journalist labelled them, became the most important local counterpart of the Israeli military authorities in the Occupied Territories.⁵ By early October 1993, some 13 PLO offices had been opened. Many of them had previously served as the headquarters of the local Palestinian Prisoners’ Welfare Association.⁶ They attracted a host of journalists, diplomats and politicians, who were eager to see the first signs of the historic establishment of Palestinian self-rule. In theory, they may have posed a challenge to the Tunis-based leadership, which occasionally took measures to limit the independence of the local leadership.⁷ Another problem for the political committees was gaining firmer control over Fatah’s military wing, which occasionally challenged Arafat’s ceasefire order and the authority of the political leadership in the face of continuous Israeli crackdowns. The military wing received support from hard-line anti-DoP Fatah personalities in exile in an effort to defy the new Inside leadership.⁸

The Fatah Inside leadership was faced with a serious upheaval in late 1993 owing to a series of assassinations of its senior political

cadres, which in turn may have increased its dependence on Tunis.⁹ A number of local Fatah officials were summoned to Tunis, interrogated and temporarily detained. In November 1993, in response to the crisis and the new situation on the ground after Oslo, Arafat issued orders to form “a higher organizational leadership for Fatah’s agencies in the Gaza Strip, in order to ‘discipline’ the organizational work of the movement”.¹⁰ Despite the crisis, its legalization and the expansion of its organizational activities allowed for the growing ascendancy of Fatah’s political-civilian wing relative to its military wing. At the same time, the political committees came to constitute a reference point, a new source of legitimacy, for the policing activities of the Fatah paramilitaries. Before exploring Fatah’s informal policing practices, I shall look at the formal framework established to facilitate preparation of the new police organization.

The Palestinian police committee, established at the PLO headquarters in Tunis before the Oslo Agreement, adopted a higher public profile after the DoP. The committee was referred to as the Central Palestinian Supervision Committee, and was headed by Major-General Nasr Yusuf of the Palestinian Liberation Army.¹¹ He participated in the security talks in Taba and Cairo, and Arafat designated him to be the commander of the Palestinian Police.¹² Key decisions regarding the police force were referred to the PLO military committee, however.¹³ On orders from the PLO leadership, two police committees were also set up in the Occupied Territories, one for the West Bank and another for the Gaza Strip, to supervise police preparations.¹⁴ Police-related activities had been more or less frozen on PLO orders in early June 1993, and police planners kept a low profile until September 1993, when a large and well-publicized police recruitment drive was launched and brought the police committees into the limelight.

The members of the new police committees in the Occupied Territories were drawn partly from the personnel involved in the police sub-committee established by Sari Nusaybah’s technical committees.¹⁵ There was an important difference, however. Leading intifada activists, mainly from the previously outlawed Fatah movement, had become public figures after the conclusion of the DoP, when PLO offices were established throughout the Occupied Territories, and the local police committees were staffed with “the most important people from the PLO offices”.¹⁶ Organizing police recruitment was the first assignment given to

them by the Tunis leadership. The assignment of this task to the political leadership Inside meant that the police preparation process was transferred from the technical-professional domain to the domain of politics.

There was close coordination between the Inside and Tunis on the police recruitment issue. Fatah activists in the local police committees prided themselves on “tak[ing] our orders directly from the PLO leadership in Tunis”.¹⁷ During the recruitment campaign in September and October 1993, the local committees prepared lists of candidates, which they recommended to the police committee in Tunis, leaving “the final decision [to] be made in Tunis”.¹⁸ The local police committees were also instructed to undertake a study of the requirements for the police force and present their recommendations to Tunis. This had in fact been a continuous activity since the first police committee was formed after Madrid.

It is not known to what degree the reconstituted police committees drew upon the studies already completed by the police advisers group in Orient House during the Madrid period. One could discern a potential conflict between the new PLO/Fatah officials and the police advisers group, headed by Faruq Amin from Bethlehem and Ibrahim Muhanna from the Gaza Strip, who had both previously served as mid-level officers in the Israeli Police. Amin and Muhanna were concerned with depoliticizing the police force, but that aim was almost the very antithesis of the politico-nationalist agenda of the PLO leadership and the political circumstances determined by the Palestinian–Israeli negotiation process.

The Opening of Recruitment Centres in the Occupied Territories

On 21 September, the PLO began calling for police recruits in the Occupied Territories.¹⁹ An announcement in the largest Palestinian newspaper *al-Quds* invited Palestinians between 18 and 35 years of age of both sexes to apply, listing addresses of PLO offices and offices of Arafat’s Fatah movement. The announcement proclaimed: “On the instructions of His Excellency brother Yasir Arafat, it has been decided to start setting up the national Palestinian police force to preserve security and order for Palestinian citizens, their property and their sovereignty on their land.”²⁰

The recruitment campaign drew much media interest, and Israeli TV gave it substantial coverage.²¹ The Palestinian police committee opened 14 recruitment offices in 9 Palestinian towns. PLO officials hinted at the possible recruitment of some 12,000 policemen from the Inside for the first phase of self-rule, divided between 5,000 in the Gaza Strip and 7,000 in the West Bank.²² These estimates were obviously tentative numbers, and the negotiators reached an agreement on a much lower number (9,000 in total) in April 1994.

The Politics of Recruitment

The recruitment issue highlights the complex relationship between the police and politics. As discussed in the Introduction, the police can be politicized to a varying degree and in a multitude of ways. The use of political affiliation and sympathies as a key selection criterion indicates a high degree of politicization.²³

Regarding recruitment criteria for the Palestinian Police, it was widely expected that there would be a strong preference for Fatah paramilitaries and activists, to the exclusion of other factions, despite many public protestations that the police would be a non-political “national police force whose mission is to maintain the law and human rights”.²⁴ To an Israeli TV team, two leading Fatah officials in the West Bank police committee, Ahmad Ghunaym and Husayn al-Shaykh, who later became top-rank officers in the Preventive Security Agency stated that:

The Palestinian Police do not belong to a Palestinian organization. They do not represent a single Palestinian framework. They belong to the whole homeland, to every Palestinian citizen. Every Palestinian citizen has the right to serve his country through this police, which will certainly be a nationalist police preserving Palestinian security and preserving the rights [Israeli TV reporter, interrupting] Even if this comes from Hamas and the Popular Front [for the Liberation of Palestine]?

[Ghunaym] Of course, we feel totally that all our masses in the Occupied Territories need peace and security. They need the feeling of safety. This police will provide the opportunity for everyone to voice his opinion. They will even protect the rights of the opposition to voice its opinion in the Palestinian arena.²⁵

Faruq Amin and Ibrahim Muhanna were perhaps the most consistent advocates of a non-politicized police force. They repeatedly called upon all factions to submit applications and maintained that “there would be no discrimination against applicants on the grounds of political affiliation, even if they belong to groups opposed to the peace process such as Hamas, Islamic Jihad or the Popular Front for the Liberation of Palestine”.²⁶ Amin even claimed that “there are many factions who have joined the Palestinian police force”.²⁷ These statements reflected wishful thinking, and were quickly overrun by vested political interests on both sides.

True, in the euphoria immediately after the DoP, many applicants to the police seemed deeply motivated by broad nationalist sentiments, not factional considerations, viewing participation in the new police as a national duty, “a call, a step to build the Palestinian state”.²⁸ There is no doubt that there was a huge interest in joining the police.²⁹ After the first week, some 20,000 applications had been gathered, later rising to more than 30,000.³⁰ These numbers may have been inflated to demonstrate the extraordinary popular enthusiasm for the PLO’s state-building efforts. The difficult economic situation in the Occupied Territories also played a role.³¹

During the negotiations in Taba and Cairo, the number of actual recruits needed for the Gaza–Jericho period from the Inside was gradually reduced from the PLO’s early estimates of 12,000 or more to only 2,000.³² The number was expected to increase with the expansion of self-rule in the West Bank, but it was still so small that the Fatah movement found it difficult not to give preference to its own cadres. A former Fatah Hawks commander in the Gaza Strip, who became a mid-level officer in the Palestinian Civilian Police, recalled in an interview with this author that there had been a general agreement between the Fatah leadership Inside and in Tunis to build the Palestinian Police “on Fatah alone”.³³ Only when the police force was firmly established would they consider recruiting activists from the opposition while ensuring that Fatah retained its hegemony. Probably for this reason, police recruits tended to join the Fatah movement in order to qualify for a position in the police. As a Gaza recruitment official noted in early October 1993, “some of the brothers from Hamas have changed their affiliation to Fatah in order to be admitted ... into the police force”.³⁴ Fatah’s predominance in the police recruitment process was a reflection of its control over the newly opened PLO offices in the Occupied Territories. The PLO officials there “are all Fatah members”, according to Husayn

al-Shaykh, who ran the PLO office in Ramallah; and in that capacity, they would “recommend to the PLO [in Tunis] whom to choose”.³⁵

Despite Amin and Muhanna’s pledges that recruitment to the Palestinian police “will not be subject to political considerations”, there is little doubt that a thorough screening process was conducted to ensure Fatah’s hegemony in the police and security forces.³⁶ The new police recruitment officials repeatedly reassured Israeli journalists that although “subversive elements” were free to make their applications, they would be “screened out in the selection process, together with ‘other unsuitable candidates’ before [their applications] are sent to Tunis”.³⁷ In the Gaza Strip, application forms contained questions about the factional loyalties of prospective recruits. In the West Bank, there was another twist to the screening procedures: the application forms contained questions such as “write the names of three members of the National Movement [the PLO] known to you and their telephone numbers”.³⁸ These would then vouch for the applicant’s reliability.

There are indications that the PLO leadership had already selected a core of primarily Fatah cadres, who would fill all key positions in the new Palestinian administration, before the recruitment campaign started. On 8 September 1993, an Egyptian newspaper reported on consultations in Cairo to establish a joint Egyptian–Palestinian coordination committee to assist PLO preparations for self-rule. During these consultations, the PLO had allegedly presented the Egyptian authorities with a list containing the names of 5,000 Palestinians from inside and outside the Occupied Territories who would be trained “to shoulder the administrative responsibilities in Palestinian lands” and would then “form the nucleus of the Palestinian civil service and police force”.³⁹ If that report were correct, the recruitment campaign inside the Territories in late September was mostly a public relations exercise to bestow legitimacy on a pre-selected group of personnel.

Preference for Fatah Ex-Prisoners

In the announcements that preceded the police recruitment campaign in September 1993, it was stressed that candidates with university degrees would be given preference, especially since the early recruitment stage would focus on recruits who were to undergo “special qualification courses” to become officers.⁴⁰ These professional concerns were soon

subordinated to more weighty political considerations, with an explicit focus on Palestinian prisoners and detainees jailed by Israel for political and/or security-related offences. There were various reasons for this. Having served prison terms was a testimony of personal sacrifice for the Palestinian revolution, and it added to a person's nationalist credentials. Their applications would make the new police more acceptable to a Palestinian public deeply suspicious of police and security authorities.

There is little doubt that ex-prisoners were the preferred candidates. Already, before the DoP was signed, PLO officials stated that "thousands of political prisoners" who were expected to be released would "be recruited to the ranks of the police".⁴¹ PLO officials at the recruitment centres, themselves usually ex-prisoners, confirmed that jail veterans "would be given preferential treatment", not necessarily because they had particular police qualifications but because "they are people who have served the country".⁴² Officials at the police recruitment centres in Hebron and Nablus also noted that "most of those who have signed up are former prisoners".⁴³ In some recruitment offices, about 70 per cent of the applicants reportedly responded 'yes' to the question on prison records. One of the questions on the application form specifically asked about prison records. A certificate from the International Committee of the Red Cross was required giving the date and details of the applicant's arrest. Participation in 'struggle committees' in prison was also considered a plus, "a sign of sociability and leadership", according to one registration official.⁴⁴ An Israeli journalist noted ironically that "it may be one of the few police forces in the world where [a prison record] will earn points for the applicant".⁴⁵

The preference for ex-prisoners contributed to strengthening the predominance of long-time Fatah cadres in the police force. It transpired that the Israeli government would allow only Fatah and Arafat-loyal prisoners and detainees to be released; members of the rejectionist factions would remain in prison. Israel strongly objected to any suggestion of allowing members of the Palestinian opposition into the police. The issue of an armed Palestinian police had become a key issue in the Israeli political debate at the end of 1993, with huge settler demonstrations, petition campaigns and even hunger strikes protesting against the government policy of 'giving weapons to terrorists and murderers'.⁴⁶

The idea that not only Fatah paramilitaries would be allowed into the force but also PFLP and Hamas militants still actively engaged in armed

operations was unacceptable to the Israeli authorities. In mid-November 1993, the investigation into the killing of the Israeli settler Haim Mizrahi near the Beit El settlement in October suggested the involvement of two Fatah Hawks, who allegedly had already been enrolled in the Palestinian Police.⁴⁷ These and subsequent reports of armed activities by dissident Fatah paramilitaries increased the pressure on the PLO to impose stricter political control on the recruitment process. The PLO's new relationship with Israel therefore precluded a large-scale recruitment of opposition militants. Whatever ideals the local Palestinian police committees might have had regarding a non-politicized and 'national' police force, they proved utterly unfeasible at this stage.

Fatah–FIDA Rivalry

While co-opting the opposition seemed impossible at this early point, there was a potential role for Fatah's pro-Oslo allies in building the Palestinian Police. The opening of the public sphere to PLO activists led to increased political activity by both the Fatah movement and its smaller coalition partners, the Palestinian Democratic Union/FIDA and Palestine People's Party (PPP), and reinforced the competition and rivalry which had been partly contained during their underground existence. Demands for the establishment of new interim organizations in which Fatah would play a less dominating role added fuel to interfactional rivalries.⁴⁸

The prospect of a Fatah monopoly of police employment had evidently become a source of concern in FIDA, a small faction which had split from the more hardline Democratic Front for the Liberation of Palestine (DFLP) and was headed by Arafat's close adviser and head of the PLO Information Department, Yasir 'Abd Rabbuh. FIDA had taken an active role in preparing for police recruitment. On 22 September 1993, it had held a meeting on the future role of the Palestinian Police at its headquarters in Gaza, where some fifty future police cadres of different ranks attended and where Rabbuh was the most prominent speaker.⁴⁹ Dr 'Azmi al-Shu'aybi, the secretary of FIDA's Executive Committee, followed up the meeting with statements to the press on the recruitment and planning process.⁵⁰ On 25 September, FIDA ran an advertisement in *al-Quds* newspaper in which it called on the Palestinian people to sign up for the new police. The advertisement announced that the registration process would take place at FIDA's offices, and was

signed “The Palestinian Democratic Union/FIDA and the Supervision Committee of the Palestinian National Security Forces”, conveying the impression that it was FIDA which had assumed the leading role among the political factions in police recruitment efforts.⁵¹ At least some of its offices appear to have been used actively during the early police recruitment campaign.⁵²

FIDA’s initiative met with considerable resentment from the Fatah movement. According to a contemporary source, it provoked a situation of “unease” and “growling”, especially among the Shabibah, Fatah’s youth organization, and FIDA was accused of pre-empting Fatah by “beginning the recruitment and absorption process before Fatah did”.⁵³ FIDA activists conceded that they had started their recruitment campaign ahead of Fatah “in secrecy”, and they regarded it as FIDA’s right as a Palestinian faction to involve itself in the registration campaign.⁵⁴

Fatah’s reaction to FIDA’s initiative reflected in part its self-image as the dominant faction and hence the natural focus of any preparation for self-rule. FIDA’s independent action threatened Fatah’s hegemony and provoked dismay. With the consolidation of Fatah’s control over the new police, both FIDA and the small PPP faction felt increasingly disenfranchised from the preparation process. Officials from these two factions expressed strong misgivings about the way Arafat was handling preparations for self-rule, and in January 1994 both factions reportedly “refused to have their members join the police”, in protest.⁵⁵

At later stages, members of FIDA nevertheless joined the Palestinian Police in significant numbers, although the top-echelon positions remained in the hands of Fatah cadres. FIDA continued to remain critical of the Fatah-led police, seeing it as an ominous repetition of the PLO’s ill-fated militia-rule in Lebanon. In June 1994, Dr ‘Azmi Shu‘aybi, FIDA’s secretary-general, warned the Outside leadership against transferring the “deformities afflicting the PLO and its experiment in exile to Palestinian territory”, vowing that Palestinians “would not allow incompetent structures to be imposed on them from abroad”.⁵⁶ He particularly warned about militarizing the new Palestinian National Authority institutions, and the Fatah-dominated PSA: “Our people have begun to openly express their indignation at the spread of security services and the way in which the Preventive Security Service operates. And numerous field commanders still have not comprehended the fact that the Authority does not belong to Fatah and that Gaza and Jericho are not another Lebanon.”⁵⁷

Rehiring the ‘Ancient Police’?

The recruitment campaign after Oslo raised the question of the role of Palestinians who had served in the Israeli Police until the beginning of the intifada. These officers represented the only core of professional police officers in the Palestinian community Inside. They numbered some 800–900, half of them from the Gaza Strip, but only a limited number of them had served in mid-level and senior positions. The PLO leadership in Tunis clearly wished to rehire these officers. Not all of them wanted their jobs back, but after the first recruitment campaign, 378 former police officers had applied to join the force.⁵⁸

As an appreciation of their expertise, one of the most senior former police officers, Colonel Ibrahim Muhanna, was officially appointed by Arafat to head the Palestinian Police in the Gaza Strip.⁵⁹ Shortly after the recruitment process began, however, there were reports of new appointments, indicating that the leading police commanders would be recruited from the PLA, the PLO’s exile-based army.⁶⁰ Ibrahim Muhanna dismissed all reports of “plans to replace him with a PLA general”.⁶¹ There was little doubt, however, that Muhanna’s appointment was a temporary one.

When the deployment of the Palestinian Police seemed imminent, Ibrahim Muhanna, Faruq Amin and other representatives of the ‘ancient police’ came under pressure from Fatah paramilitaries, who did not wish to see the ‘ancient police’ officers rehired. Armed intifada activists had steadily assumed a more overt role as policemen in streets and alleys in the cramped Gaza Strip. In interviews, they often expressed uneasiness over the uncertain prospects of gaining a position in the Palestinian Police, a position they felt they deserved as a reward for their sacrifices during the intifada.⁶² Many Fatah paramilitaries obviously felt that they were being left out in the cold.⁶³ In late March 1994, Fatah paramilitaries reportedly distributed leaflets urging Arafat to bar former policemen from re-entering the same posts under self-rule.⁶⁴ And in late May 1994, several former Fatah Hawks demonstratively quit the Palestinian Police, claiming that there were informers among the other conscripts – accusations that were addressed to the former officers of the Israeli Police.⁶⁵

The suspicion surrounding the former police officers stemmed from the fact that a number of Palestinians were still employed by the Israeli Police, and over the years a number of Palestinian policemen had

been killed as collaborators. Even after Oslo, several Palestinian officers in the Israeli police were shot dead by Fatah Hawks and other militant groups on suspicion of collaboration.⁶⁶ The Inside Fatah leadership probably judged that if these ‘ancient police’ officers played too prominent a role in the new force, the stigma of collaboration would continue to tarnish their image. It would play into the hands of the opposition, which maintained that the Palestinian Police would be nothing more than a collaborationist militia in disguise. The political situation, therefore, contributed to marginalizing the few police professionals in the Palestinian community and minimizing their role in building the new police.

Police Training in the Occupied Territories

Although the PLO leadership in Tunis had given the green light to a recruitment campaign in the Occupied Territories, the Inside remained peripheral with regard to training the new police cadres. There is little evidence of police training inside the Territories before the Gaza–Jericho Agreement. During the Madrid period, Arafat had been careful not to allow extensive police preparations in the Inside, and this policy continued after Oslo as well. For all practical purposes, police training, the provision of equipment and decisions regarding organizational structure remained firmly in the hands of the Tunis-based leadership.

In early September 1993, Faysal al-Husayni was interviewed by the Voice of Israel Broadcasting in Arabic regarding the preparation of Palestinian cadres for self-rule and the formation of a Palestinian police force. He stated that there was “intensive training” in Egypt and Jordan to prepare the police forces, and he believed that “large numbers of Palestinians here will also be trained to take over authority in the future”.⁶⁷ But al-Husayni, one of the most outspoken proponents of a strong police force, was uncertain about the possibilities for training inside the Territories, and was awaiting orders from Tunis. A number of sources indicate that there were plans for such training programmes, including refresher courses for Palestinian officers and recruits who had resigned from the Israeli Police in 1988.⁶⁸ There was a strong local desire to establish police training facilities, and Palestinian–Israeli talks were held on this issue. The local police committees made plans, initiated various preparatory projects and invited foreign training assistance. They

were “planning to give courses in law and human rights to police recruits at local educational institutions”, professing that they already had “enough qualified people here to do so”.⁶⁹ According to Husayni al-Shaykh, a leading member of the police committee in the West Bank, they planned to train large numbers of Palestinians “in the territories rather than abroad”.⁷⁰ Very little translated into actual programmes, however. There were no reports of graduation ceremonies of Palestinian police personnel, despite the broad media coverage when such events occurred in Cairo and Amman. One finds no traces of foreign police advisers supervising the training of Palestinian police personnel in the Territories nor of the training of new police recruits by former Palestinian police officers. Given the general media attention surrounding the Palestinian Police, it is difficult to see that extensive police training could have taken place without being reported at all. In fact, a senior member of the PLO’s police committee in Tunis recalled in an interview with this author that the only trained police personnel they had in May–June 1994 were the ones who had arrived from Egypt and Jordan.⁷¹ Police training in Gaza–Jericho started only after the return of the PLA and the exile-based leadership.

Protecting the Nationalist Image of the Palestinian Police

In trying to explain this surprising lack of practical preparations, it is important to look beyond the technical needs and requirements which obviously were very pressing but which, after all, were subordinate to the overall political context of ‘the Palestinian revolution’. Looking at the fate of the few police training projects initiated by the local PLO committees in late 1993, one will appreciate the significant obstacles to them both in terms of politics and practicalities that the Israeli Occupation presented.

One of the most publicized police initiatives was the training and organization of a traffic police service in Jericho, Ramallah and al-Birah in the West Bank. The initiative was part of the PLO’s new order committees (*lijan al-nizam*), often organized through local commercial chambers and municipalities to serve local needs for law and order. In November 1993, a course in traffic policing for some thirty youths was supposed to begin. The timing was important, as it coincided with the five-year anniversary of the Palestinian National Council’s declaration of Independent Palestine on 15 November. The newspaper *al-Quds*

highlighted in a headline the fact that the Palestinian traffic police “start[s] its work in remembrance of the Declaration of State”.⁷²

The police initiative had reportedly been coordinated with the Israeli military authorities, and the recruits would not “have traffic police powers in an ordinary manner” but would base their work on voluntary cooperation between themselves and the citizens.⁷³ ‘Abd al-Samid, the head of the ‘traffic police department’, explained that a “special procedure” was worked out to deal with situations of confrontation, but these procedures were not made public.⁷⁴ The employees in the embryonic traffic police, although formally only ‘volunteers’, received a small salary of NIS600 a month, indicating an early attempt at formalizing Palestinian policing structures Inside.⁷⁵

The traffic police idea seemed fairly innocuous, but it nevertheless attracted the attention of the Israeli army. In early November 1993, the IDF arrested members of the unit as they were directing the traffic inside the vegetable market in Jericho. The youths had worn olive-coloured camouflage uniforms, and they were photographed by the media as they attempted to stop an armed Israeli settler.⁷⁶ The arrests might have been related to paramilitary punishment practices which some ‘traffic cops’ had resorted to when on duty.⁷⁷ The confrontation in Jericho underlined the difficulties of creating a formal public Palestinian police service in the shadow of the occupation, and a Fatah official announced shortly afterwards that Israel’s crackdown had “stopped this process”.⁷⁸ The traffic police initiative seems to have survived,⁷⁹ but in the public debate that subsequently reviewed the experience, Palestinian commentators acknowledged that a formal police force was premature before the Israeli withdrawal.⁸⁰

In addition to the obstacles presented by the Israeli army presence, Palestinian police planners were probably concerned that too much publicity around their ill-equipped rag-tag army of police recruits would convey an undesirable picture of the new self-rule government. After the completion of the recruitment campaign, it was reported that more than 2,000 Palestinian recruits were accepted into the Palestinian Police and that they were supposed to “start work this weekend”.⁸¹ The local Palestinian leadership allowed police recruits to stage public marches in Gaza and Jericho. In Jericho, for example, some twenty to thirty recruits marched through the town to demonstrate the police presence and to mark the beginning of their activities in the town. The occasion was a

demonstration for the release of some 8,500 Palestinians who still languished in Israeli jails on security charges. The recruits “served as a police presence” during the demonstration, reminiscent of the strike forces during the intifada.⁸² According to eyewitnesses, the rudimentary character of the police force was all too evident: “The marchers wore camouflage fatigues, but wore sneakers or slippers instead of army boots, which they still have not obtained. An attempt at close-order drill was not very successful, and organizers apologized, saying the youths need more time to practice.”⁸³

After this first somewhat meagre public relations exercise, very little was heard about the new police recruits, and the PLO in Tunis put the issue to rest. This followed previous reports that the PLO had instructed the local leadership to freeze police preparation activities. At the end of September 1993, after PLO–Israel disagreement over the nature of the ‘ceasefire’ and several confrontations between the IDF and Fatah paramilitaries resulting in killings and arrests, the PLO “suspended police recruitment” in protest.⁸⁴ The Inside PLO’s police officials waited in vain for orders from Tunis to start training, and the 2,000-3,000 would-be recruits were formally inducted into the Palestinian Police only after the exile-based police force arrived in mid-May 1994.

The priority issue for the PLO in Tunis was not police training per se but the political context in which it should take place. On 14 September 1994, Arafat called upon the UN to supervise the training of the Palestinian Police in the Occupied Territories; and during a meeting with the PLO leader on the same day, the UN Secretary-General Boutros Boutros-Ghali responded positively to the request. A UN document from November 1993 exploring the possibility of police instructor training concluded that no such training could take place in the Occupied Territories, owing to the lack of training facilities.⁸⁵ Although basic police training was less demanding with regard to equipment and facilities, the PLO’s desire to bring in the UN meant trouble. Israel strongly resisted its demands for expanding the UN’s involvement in the Occupied Territories, particularly in security affairs. It seems clear that it was the UN’s potential involvement, not international involvement in police training per se, which triggered the Israeli veto. Already, in December 1993, Israel had signalled that it would consent to some sort of international monitoring presence, suggesting that these units “can help in such duties as assisting the Palestinian police”.⁸⁶

The proposal of UN-supervised police camps was not abandoned, despite Israel's adamant opposition. In February 1994, PLO officials still argued that they were planning to operate such camps in Bethlehem and the Gaza Strip, preferably under the UN flag or at least with UN personnel.⁸⁷ By sticking to the demand for UN involvement, the PLO leadership in Tunis appears to have given more priority to bringing the UN in than to finding practical arrangements for police training inside the Territories.

Another twist to the idea of police training inside the Occupied Territories was the proposal to 're-establish' police academies (or whatever was left of these facilities) in Bethlehem and Gaza, shut down by Israel after the 1967 war. The two police professionals Faruq Amin and Ibrahim Muhanna were long-time proponents of this idea. The PLO had reportedly received British promises of aid and training for this purpose.⁸⁸ These plans were not easy to realize, however, as the Israeli army currently occupied the facilities which the PLO had designated as its future police training academies.⁸⁹ The PLO's demand that existing IDF camps be converted into Palestinian police training centres reflected its preoccupation with symbolic sovereignty issues. Although such a policy made sense from a nationalist political point of view, it was unhelpful and often detrimental to the practical and technical efforts of establishing a professional police force.

Awaiting Chairman Arafat's Instructions

The Outside PLO's obstruction of Inside-based police preparations became more and more evident in early 1994. Police planners were awaiting orders from Chairman Arafat on how to proceed with regard to training, recruitment, the preparation of headquarters etc., orders that were not forthcoming.⁹⁰ Police planners vented their anger on Israel and the non-implementation of the Oslo Agreement for the delays in the police preparations:

[Israel had] delayed the police training, which we have to undertake and it has postponed the transfer of the Ansar prison from the Israeli authorities. The Ansar is supposed to be a training centre, and Israel has put obstacles for us, for example regarding the budgeting and courses. ... We have to build it [the Palestinian police force] from scratch, from zero: the police force was destroyed

in 1988 and there is nothing left of it, and all the organizations present in the Occupied Territories are based on the opposite of police organization. The Palestinian Police needs training, education, financing, and above all this will take time.⁹¹

The frustration of the Inside leadership was not caused by Israeli intransigence alone. A *Guardian* correspondent in Israel/Palestine who followed the police issue closely was astonished by the striking absence of police preparations inside the Territories and the marginalization of the official police leadership in Gaza:

For Col. Muhanna, a month after he should have become top policeman, has 22 semi-trained men in his force, with 100 more on the way, and 3,000 untrained levies waiting to be formally recruited. He has no budget and no equipment. He does not know where his headquarters will be, he is vague about his chain of command, and he hasn't got a uniform. The immediate task of providing security, he said, will be undertaken by 3,000 of the Palestine Liberation Army (PLA), based in Egypt and Jordan and elsewhere. But they will not be under his command. 'They might be. Until now I don't know,' he said.⁹²

It was evident that the PLO leadership in Tunis wanted, without saying so, no institution-building to take place in the field of policing until its return. Arafat preferred to maximize the role of his loyalist guerrilla forces in exile in the new police organizations rather than using local recruits, despite the latter's familiarity with the idiosyncrasies of Palestinian society in the West Bank and Gaza Strip. Only a very limited number of them were sent abroad for training, and no police training facilities were set up for them in the Territories. This was obviously the key to Muhanna's frustration.

Whereas the Outside PLO discouraged a public or official police presence, the opposite was the case with regard to informal policing. After Oslo, the Arafat-loyal Fatah Hawks were instructed to reassert their role as the covert and unofficial police. Lacking any training in civilian policing and strongly committed to fighting collaborators and other enemies of the Palestinian revolution, these street fighters and guerrillas were not likely to become the vanguard of professional democratic policing, to say the least. Their role will be reviewed below.

The Expansion of the Fatah Hawks' Informal Policing Presence

Although the formal police training and recruitment process was largely deadlocked, informal and clandestine policing practices flourished after the conclusion of the DoP. The reasons for this were many. A main one was that the DoP paved the way for a new security regime between the Arafat-loyal forces and the Israeli army in the Occupied Territories, allowing the Fatah movement to operate openly and reassert its authority on the ground.⁹³ The details of this new relationship are outside the scope of this study, but it is important to note that the government of Israel and the PLO leadership had partly overlapping and partly contradictory visions of what would facilitate the smooth transfer of authority in Gaza and Jericho. The bottom line was that they agreed that a reduction in violence and a strengthening of the pro-Arafat and pro-Oslo forces would benefit both parties in their pursuit of a negotiated implementation of the DoP. After September 1993, new patterns of security cooperation emerged. These involved a tenuous ceasefire understanding, widely although not universally observed by Fatah's armed cells, a legalization of the Fatah movement, Israeli amnesty to a significant number of wanted paramilitaries,⁹⁴ a gradual phasing out of the IDF's patrolling and presence in the Gaza Strip, a laxer Israeli enforcement on the ban on arms among Fatah paramilitaries and a general expansion of low-profile day-to-day coordination and information exchange between field officers on both sides to sort out differences.

Ironically, the very nature of Fatah's informal policing, with its explicit focus on rooting out collaborators, who were Israel's key intelligence assets, threatened the very ceasefire which had allowed the paramilitaries to divert more attention to policing. This dilemma was never fully resolved, and partly accounted for the frequent crises in the budding IDF–Fatah security relationship. This relationship was an important precursor to the Palestinian Police and the IDF's formal security cooperation structure.

What is of particular interest in this context is the exploration of how this new security regime allowed for a consolidation and an initial institutionalization of Fatah's informal policing presence in the Territories. This process was part of a broader PLO strategy aimed at preparing the ground for the arrival of Arafat and his exile-based forces.

Allowing the Paramilitaries a Freer Hand

A good illustration of the new IDF–Fatah relationship was the confrontations and crisis-management that took place in late November 1993 in the wake of a shoot-out in Gaza involving an Israeli army undercover unit during which Ahmad Abu Rish, a former Fatah Hawks member who had just received amnesty, was killed. The incident incensed the Fatah leadership and Palestinian public opinion, which took it as proof of the futility of trusting the occupation. A wave of large-scale violent demonstrations engulfed the Gaza Strip for the first time since the peace accord was signed.⁹⁵ The killing of Abu Rish was portrayed by Israeli media as an embarrassment for the government; and to rescue the situation Prime Minister Rabin sent his political adviser Jack Neria and Colonel Amos Gilad of Israeli military intelligence to Tunis, where they met Arafat.⁹⁶ Rabin ordered the army “to concentrate only on searches for fugitives acting against Israel”.⁹⁷ In the Gaza Strip a flurry of diplomatic activities resumed, resulting in meetings between local Fatah leaders and top IDF commanders.⁹⁸ The two sides quickly agreed to a number of practical steps to defuse the crisis. The local Fatah leadership agreed to meet with the paramilitaries and persuade them not return to armed struggle.⁹⁹ In return, the IDF quickly released most of the Fatah members arrested during the unrest, including a Fatah Hawk caught a few weeks earlier carrying an M-16 rifle, usually a major offence.¹⁰⁰ The IDF agreed to halt its pursuit of ‘wanted’ Fatah paramilitaries, to dilute its forces in parts of the Gaza Strip, to remove a number of roadblocks and unseal some closed streets, to speed up amnesty for the 17 Fatah Hawks who were still ‘wanted’ and to negotiate separately the fate of those paramilitaries who were suspected of killing Israelis. (The latter category had not been included in the informal amnesty agreement.) The IDF apparently agreed to completely halt its pursuit of wanted Fatah paramilitaries. The understanding obliged the IDF only to refrain from active pursuit, and ‘wanted men’ had to remain indoors; “if they happened to be caught, they would be arrested”.¹⁰¹

Released and pardoned paramilitaries related that Shin Beth officers had impressed upon them that their assistance in fact was needed “to keep the lid on Gaza” in the difficult transition process until the Palestinian Police arrived from exile.¹⁰² The IDF freed Hisham ‘Abd al-Raziq, one of the most senior Fatah leaders released until then, apparently responding to the need for “wise counsel on the streets”.¹⁰³ The new arrangements

were informal and non-binding, and, to be sure, the Rabin government rejected in mid-December a proposal to remove the PLO and Fatah from the official list of organizations that Israeli law defined as “terrorist”, ostensibly because of uncertainty regarding “the Fatah fringe”.¹⁰⁴

The crisis triggered by the Abu Rish incident illustrated the emerging mechanisms for conflict resolution and security cooperation between the local Fatah leadership and the IDF. Shortly after the Oslo Accords, with the legalization of Fatah, senior IDF representatives and Fatah officials had quietly established liaison and coordination functions, and these mechanisms became more important after the Abu Rish affair. From then on, the IDF began to tolerate overt Fatah Hawks activity to a larger extent than before, seeking to avoid rather than clash with the Hawks. The thinning out of the IDF’s presence contributed to this, and some press reports, including those in the *New York Times*, went so far as to suggest that the IDF “have effectively ceded some areas of the Gaza Strip to the Fatah Hawks, who are expected to form the core of the Palestinian police”.¹⁰⁵ These measures were all the more significant, as paramilitaries from the rejectionist factions continued their armed campaigns unabated.

On 1 January 1994, Fatah received IDF permission to organize its first-ever anniversary celebration in the Occupied Territories, commemorating the launching of the Fatah revolution in 1965 and rallying thousands of supporters in marches supporting the PLO’s diplomatic efforts. The Fatah Hawks also participated and “shot in the air during rallies” in Khan Yunis and Rafah without much IDF interference.¹⁰⁶ When five Fatah paramilitaries got in trouble at an IDF checkpoint in Gaza City after a routine check of their car had revealed a submachine gun and a pistol, a major offence usually warranting years of imprisonment, an intervention by local Fatah leaders secured their release.¹⁰⁷ Another sign of the IDF’s lower profile was the extent to which it refused to intervene in armed clashes between rival Palestinian paramilitary factions in Gazan refugee camps, giving the Fatah Hawks a free hand to impose order. A Reuters correspondent described, for example, how the IDF ignored a gun battle between an Arab Liberation Front faction (supporting Fatah) and a rival PFLP-affiliated group in the Burayj refugee camp in early January 1994. Instead, the Israeli army “pulled out of the checkpoint where for six weeks they had searched incoming traffic for weapons, leaving the Fatah faction to impose a 24-hour curfew

on PFLP activists and supporters”.¹⁰⁸ A PFLP supporter was reportedly shot and wounded by Fatah Hawks “for violating the curfew”.¹⁰⁹

The reduced IDF presence facilitated increased arms smuggling into Gaza as well as the opening of previously hidden arms caches.¹¹⁰ The Fatah Hawks, as the largest organized paramilitary faction, were well placed to strengthen their hand as a result of the arms influx. In January 1994, it was reported that senior Fatah leaders “now routinely carried concealed pistols”; Fatah Hawks commanders interviewed stated that they kept records of owners and the serial numbers of weapons in their areas and “watch who is carrying guns ... we confiscate guns and ammunition from anyone who is not ‘clean’”.¹¹¹ The IDF facilitated the Fatah Hawks’ role as policemen by its relaxed attitude to the presence of armed Fatah Hawks, prompting accusation from the Palestinian opposition that “the Israelis are allowing the Hawks to carry weapons on the streets”.¹¹² As the previously omnipresent danger of Israeli undercover squads receded, the top echelon cadres, the current and the former ‘wanted men’, could devote more attention to policing activities without having to divert enormous time and resources to protective measures.¹¹³ The control of arms, the use of curfews against rival factions and their constituencies, as well as the brandishing of arms at rallies, illustrated how the Fatah Hawks were positioning themselves as the new state authority in the shadow of the retreating Israeli occupation. This also indicated that their role in upholding the ceasefire was about to transform from passive abiders by Arafat’s ceasefire order to active enforcers of the new political order in which the ceasefire with Israel was a key component.

When withdrawal seemed imminent, the Israeli army gave even freer rein to Fatah Hawks paramilitaries to police the streets and carry arms. In late March 1994, a *Guardian* correspondent in Gaza described “the bizarre new reality of security operations in Gaza and other parts of the occupied territories, where armed Fatah members have started to operate almost with impunity”.¹¹⁴ Officially, only on 3 May 1994, on the eve of the deployment of the Palestinian Police, did the IDF impose stricter open fire regulations, to avoid shooting armed Palestinian policemen due to deploy under self-rule.¹¹⁵ Unofficially, however, the IDF had by then long practised another set of open fire regulations *vis-à-vis* Fatah paramilitaries in the Gaza Strip. It had already quietly ceded much control to Fatah, focusing primarily on “securing the main roads” and instructing soldiers in Gaza “to stay out of hotspots and avoid injuring

Palestinians".¹¹⁶ The IDF's presence in Gaza had abated noticeably by the end of March 1994, with some 70 per cent of IDF personnel being pulled back from Palestinian population centres.¹¹⁷ The IDF reportedly planned to tailor its withdrawal procedures with a view to strengthening Fatah's authority in Gaza.¹¹⁸ On the eve of deployment in the second week of May 1994, the Fatah Hawks seemed to rule the streets in Gaza City. Correspondents described armed Fatah paramilitaries who "drove through Palestine Square in Gaza City, firing into the air" while Israeli army patrols in the refugee camps "have all but ceased", and Gaza's nightly curfew was no longer being enforced.¹¹⁹

The new Fatah-IDF relationship was not all rosy, however; and there were frequent clashes and occasional armed confrontations. On 16 May, only a day before the Israeli withdrawal from Gaza was completed, the IDF staged a manhunt for a group of ten armed Fatah Hawks in Gaza, forcing them to seek a humiliating refuge in a farmhouse. Only after intensive talks and high-level intervention by the newly arrived Palestinian Police were the Hawks allowed to go free.¹²⁰ For the incoming Palestinian Police, the incident served as a useful reminder to the Hawks that their future was now in the hands of the PNA and that the heyday of their militia rule was history, although not yet in the West Bank, still under Israeli occupation. The IDF had clearly come to appreciate the Fatah movement and its paramilitaries as a partner in policing Gaza, and this paved the way for a surprisingly close working relationship between the two former enemies in the field of security and intelligence cooperation during the Oslo process. The Fatah Hawks and other Fatah activists from the Inside came to dominate entirely the most important Palestinian intelligence service, the Preventive Security Agency (PSA), which became Shin Beth's main Palestinian counterpart.

The New *Raison d'Être* for Fatah's Informal Policing

The post-Oslo period witnessed both an expansion and transformation of Palestinian (Fatah) policing. The emergence of an official 'street-level' political leadership in the Occupied Territories facilitated a degree of formalization and civilianization of the previous revolutionary-vigilante modes of policing, and Palestinian policing became more tailored to the social needs of the community, lessening the importance of brute force and deterrence. The civilianization process was manifest in the handling

of a growing number of non-political- and non-security-related cases. Formalization was reflected in practices such as the issuance of uniforms, the opening of recruitment centres and the organization of policing activities from fixed 'police stations'. To be sure, efforts at adopting the paraphernalia of a modern police force were often unsuccessful owing to the continued Israeli occupation, and the established clandestine, vigilante mode of policing remained predominant. However, with the rise of an official and non-clandestine political leadership, the use of coercion was put into a slightly more formal and legitimate framework. This signalled the first step towards a new policing authority legitimized not only through armed struggle and the possession of arms but also through its services to the community within the framework of new legal-political institutions.

Political considerations motivated the changes in Palestinian self-policing. The expansion of informal policing was aimed at providing an immediate stopgap measure to fill the power vacuum between the exit of the Israeli army and the arrival of the exile-based PLO forces and to prevent the rejectionist factions from increasing their influence. As one Fatah Hawks commander later recalled, "we were called upon to prepare the ground for the return of the Palestinian leadership".¹²¹ Fatah's increased efforts at policing were not dictated only by considerations of political control. Personal motives among individual Fatah paramilitaries and activists appear to have been important too. By increasing their policing activities, they hoped to make themselves indispensable to the new Palestinian Police.¹²² More importantly, as many paramilitaries had acted as executioners and kneecappers during the uprising, they had reason to fear retribution by families of Palestinians punished or executed on charges of collaboration. Employment in the Palestinian Police would offer some protection.¹²³

Other factors accounted for the increase in informal policing. The degree of authority flowing from membership in a paramilitary group was one of the group's main assets with regard to recruiting new members and sustaining the organization. The authority which the Fatah Hawks had previously derived from being in the forefront of the resistance was largely lost after the PLO's ceasefire in late September 1993.¹²⁴ A more effective policing of local communities against criminals, social offenders and collaborators would make up for this loss of authority and contribute to maintaining the paramilitaries' status. In this respect, the

Palestinian case echoed the increases in both Republican and Loyalist vigilantism in Northern Ireland following the conclusion of the ceasefire in 1994.¹²⁵

'Fatah Hawks' militias will help the official police force'

The relationship between Fatah's informal police Inside and the exile-based forces was never fully clarified. In late 1993, it was uncertain to what degree the exiled leadership would allow recruitment of Fatah paramilitaries to the planned police force. Faysal al-Husayni, head of Fatah in the West Bank and a leading proponent of a Palestinian police force during the Madrid period, suggested in December 1993 that the Hawks should maintain an active role in policing as an auxiliary popular militia:

Fatah has militias (*milishiyat*) who are prepared to support the Palestinian police force upon the beginning of self rule: we are prepared for the Israeli withdrawal, we have a police force outside and we have militias who are waiting for orders and ready to offer their help ... Volunteers from Fatah will help the official Palestinian police in preserving law and order after Israel has withdrawn from the Gaza Strip and Jericho.¹²⁶

Interestingly, al-Husayni envisaged a more permanent policing role for Fatah's militias, beyond fulfilling a stopgap function in the transitional phase. For al-Husayni, the authority of the Fatah Hawks in the streets and their intimate knowledge of local affairs were important: they "are known to everyone in their local communities, and they do not need identity cards".¹²⁷ However, it was not clear at the time what policing mandate the Fatah paramilitaries should have. Al-Husayni referred to the voluntary traffic police operating in some West Bank cities.¹²⁸ Muhammad al-'Umlah, a PLA commander, who for some time was believed to become the head of the Palestinian Police, intimated that the Fatah militias would aid the police force in "gathering information".¹²⁹ He did not want the Fatah-affiliated paramilitary groups to "function independently", although he acknowledged that "such a situation may develop".¹³⁰ As far as can be ascertained, there was no official PLO position on whether and how the different paramilitary forces Inside and Outside would be dissolved, merged and/or integrated into the formal Palestinian Police. This created a situation in which multiple police and

security structures with overlapping mandates, competing interests and blurred lines of commands would easily emerge, which in fact happened.¹³¹ The failure to resolve this question adequately was one of the driving forces behind the proliferation of security agencies in the post-deployment period.

A public order police, a bodyguard service and a 'national guard'

During the wave of political demonstrations and rallies which followed the DoP, it was obvious to the PLO leadership that a strong policing presence was needed to prevent the rejectionist factions from ruling the streets. The strike forces had long been involved in policing rallies and demonstrations during the intifada, and after Oslo such policing activities assumed particular importance. One of the first pro-peace rallies organized by Fatah and Fatah-aligned factions in the Gaza Strip, attended by an estimated 2,000 people, was broken up by Hamas activists.¹³² A week later, 200 Islamist militants “smashed up the stage of a FIDA gathering”, held by the small Fatah-aligned faction.¹³³ The local Fatah leadership was determined not to let Hamas put a damper on the pro-Arafat and pro-Oslo rallies, and mobilized “tough Fatah activists to keep order” during subsequent FIDA rallies in the Jabaliya refugee camp, an Islamist stronghold.¹³⁴ When a group of Fatah paramilitaries in Rafah caught a rival Red Eagles squad (PFLP) painting graffiti opposing the DoP and denouncing Arafat, they punished them by shooting one of them in the leg.¹³⁵

After Oslo, Fatah's policing efforts assumed a more formal and overt form: there was a larger degree of specialization and structure, two key elements in the definition of policing.¹³⁶ One reason for this was a spate of political murders which shook the Gaza Strip in late September and October 1993. Leading Fatah leaders, including Abu Sha'ban and Asad Siftawi, were assassinated by unknown gunmen; and at the time, many fingers pointed towards rivalries inside the Fatah organizations. Fatah leaders in exile, especially Muhammad Dahlan and Jibril Rajoub who later was to become the head of the Fatah-dominated Preventive Security Agency, were suspected of complicity in the killings. In the wake of the killings, the PLO leadership found a receptive audience when it ordered the mobilization of thousands of young Fatah activists for police and guard duties.¹³⁷ These were to become “a 3,000-strong 'national guard'”, to protect Palestinian institutions and leaders.¹³⁸ The

PLO's order, issued only a day after Asad Siftawi's assassination, was part of "a strategic plan" which the Fatah Central Committee, in consultation with the internal leadership, were discussing in late 1993 in an effort to deal with the security situation inside the Occupied Territories and to "fill the security gap in preparation for the arrival of the Palestinian police".¹³⁹

Large numbers of green camouflage uniforms were produced, bestowing the semblance of a military formation upon the 'national guard' force, probably a legacy of the so-called popular armies during the intifada.¹⁴⁰ The national guard was to be armed only with truncheons, and was therefore less exposed to attack by Israeli troops and undercover units. Tawfiq Abu al-Khusah, a leading Fatah leader in Gaza, was named as the head of this force. The appointment of al-Khusah, who had a reputation as an outspoken critic of collaborator killings and internecine violence, conformed with a range of measures taken by the PLO leadership to reduce intra-Palestinian violence in the post-Oslo period.¹⁴¹

Little was heard of the 'national guard' as such after the announcement of its establishment in late October 1993, however. A *New York Times* correspondent believed at the time that the initiative was more a "public-relation gambit" than a forerunner of a Palestinian police force.¹⁴² The 'national guard' name lost out, together with a number of similar police initiatives, reflecting the preference for low-profile informal structures that would be less hindered by the presence of the Israeli occupation.¹⁴³ The exception was the continuous training of Palestinian bodyguard services throughout the period; this received strong backing from donor countries as well as the PLO's closest Arab allies.¹⁴⁴ Palestinian security service personnel had been protecting the Palestinian negotiating team since spring 1993, and the scope of Palestinian bodyguard services expanded following the killings of Fatah leaders in autumn 1993.

The Practices of the Fatah Hawks' New Policing

The general expansion of Palestinian informal policing practices after the DoP was remarkable. In 1992–3, the Palestinian resistance was so weakened that many paramilitaries in Gaza were increasingly opting to cross the border into Egypt to escape Israeli crackdowns.¹⁴⁵ Policing activities by Fatah Hawks and other paramilitary groups rarely made it into the Palestinian press in this period, but the post-Oslo period

witnessed a sudden increase in reports of these activities.¹⁴⁶ This suggested a more high-profile and public-orientated policing which was not narrowly focused on eliminating informers. The following report from late September 1993 is illustrative: “The Fatah Hawks arrested a gang of thieves, who had attacked a citizen Ahmad al-Qitati and stolen an amount of money and gold. The Fatah Hawks tied them up and brought them to the Shaburah camp in Rafah after having interrogated them, and after they had confessed their crimes and returned the stolen money and gold.”¹⁴⁷

The paramilitaries had long been interested in attracting public attention to their policing activities, for example, as noted above, by holding popular trials. These were usually conducted at the so-called Red Squares in the refugee camps, where corporal punishments were meted out in front of the crowd. After Oslo, when recruitment to the Palestinian Police was underway, the Fatah Hawks became more eager to prove their effectiveness as policemen; they consciously reduced the number of executions, which had become a liability for the PLO. In early November 1993, another Fatah Hawks commander from Gaza commented on their role in the aftermath of Arafat’s ceasefire order: “We have stopped the armed struggle for the time being. I am now playing the part of a policeman to supervise the population. Sometimes there are social problems here that I have to supervise ... a quarrel over a plot of land, inheritance problems. Besides this, we also have to deal with security issues, [the nature of] which I cannot disclose.”¹⁴⁸

The Fatah Hawks were eager to emphasize the need for their policing role under the new situation, as a replacement of the Palestinian Police, who had resigned en masse during the early phase of the intifada. “We had to take on some of their responsibilities”, a Hawk confided to a correspondent.¹⁴⁹ This need was even more urgent owing to the particular circumstances in the awkward period between Israeli withdrawal and the beginning of self-rule. Salim Muwafi, a well-known Fatah paramilitary in Gaza, claimed in an interview that Israeli authorities had deliberately “allowed large quantities of drugs to enter the territories with an objective of destroying the youths and keeping them away from nationalist activity. We must cleanse society of people of this kind. Open collaborators, even if armed, do not represent such a danger to society as these people.”¹⁵⁰

The shift from facing the Israeli occupation and its armed Palestinian allies towards acting as agents of social control is evident in Muwafi’s

testimony, which was made after Oslo. Now that deriving legitimacy from the armed struggle was no longer an option, the Palestinian paramilitaries aimed at positioning themselves as the only force capable of maintaining order in Palestinian society and cleansing it of evil.¹⁵¹

There were also occasions of policing activity that had some resemblance to formal policing. On 8 January 1994, the investigation of a serious robbery of the Cairo-Amman Bank near the West Bank town of Tulkarm demonstrated both the effectiveness and the legal shortcomings of the Palestinian proto-police force.¹⁵² After the robbery, during which some \$360,000 (£240,000) had been stolen, so-called security officers of the PLO in Tulkarm set out to investigate the case and find the culprits. They quickly managed to discover their identity and the whereabouts of most of the money. Instead of resorting to the usual summary style of revolutionary justice, the PLO security men called upon the Israeli police, who arrested and jailed the robbers. At the time, the incident was viewed as a sign of increasing professionalism on the part of the Palestinian proto-police, and Israel predictably “hailed it as a sign that Palestinian–Israeli cooperation is possible”.¹⁵³ Police cooperation between the PLO’s security officials and the Israeli police was criticized, however, by the Palestinian rejectionist factions, and illustrated the tensions between the nationalist agenda and the move towards more institutionalized forms of policing. To be sure, the Fatah Hawks continued their practices of corporal punishment of criminals and moral offenders, and the armed robbery incident mentioned above represented the exception rather than the rule.

Another publicized incident in early 1994 illustrated the Fatah Hawks’ determination to assert their authority as a government institution-to-be in the local community, even if it meant resorting to heavy-handed practices associated with the Israeli occupation.¹⁵⁴ In late 1993, when the Israeli army began evacuating equipment and personnel from Gaza, Palestinian families had rushed to seize the estates and plots of land previously occupied by the Israeli army. The PLO had published notices in Palestinian newspapers urging Palestinians not to try to grab any of these properties; their fate should be decided by the autonomous government.¹⁵⁵ A dispute began when a family in the Rafah refugee camp apparently defied the PLO’s orders and built an extra room on one of these evacuated plots. The dispute developed into a violent confrontation, and a group of masked Fatah activists finally settled the

matter by demolishing with bulldozers what they saw as illegal buildings “on our government land”.¹⁵⁶ The incident was interpreted as “a new Palestinian ‘iron fist’ policy”, reminiscent of the common IDF practice of demolishing houses as a way to punish Palestinians, whether for participating in paramilitary activity or for building on territory confiscated by the Israeli military government.¹⁵⁷

Militiamen and ruffians

Without an established legalized military command in the Occupied Territories, much power still rested with young Fatah Hawks, despite the existence of the political leadership. The Hawks acted more often than not as ill-disciplined militiamen than as professional policemen.¹⁵⁸ A British journalist met a band of Hawks in December 1993:

There was no doubt who ruled the streets of the Gaza Strip’s Shabura refugee camp last week. It was the men in the military-style jeep, each firing an assault rifle, and each wanted by the Israeli army. With an insouciance bordering on the insane, the four hard men from Yasser Arafat’s Fatah Hawks were out to establish both their authority and that of their absent chairman. In jeans and fatigue-green T-shirts, the veterans sprayed burst after burst of ‘happy fire’ skywards as they toured the garbage-strewn sandy tracks between the shanty dwellings.¹⁵⁹

The young Fatah Hawks were obviously keen to ‘strut their stuff’ for a foreign journalist, but arms-wielding militiamen became an increasingly frequent sight in the streets on the eve of and after police deployment in May 1994. With it, incidents of injuries and casualties caused by careless handling of guns increased, and manifested the broader problem of the militarization of Palestinian society after Oslo.¹⁶⁰

The new ‘police station’ in Rafah

After Oslo, the previously predominant intifada-style vigilantism was tempered by the expansion of Fatah’s political institutions in the Gaza Strip and translated into slightly more institutionalized forms of policing. A report from February 1994 about Fatah’s political office in Rafah, which had established itself as a local “police station”, illustrates this development.¹⁶¹ A correspondent who visited that office at that time described their policing activities as follows:

They issued regularly summonses to ‘criminals’ to come for ‘interrogation’. Committees of ‘specialists’ then decide if the punishment fits the crime and Fatah ‘hawks’ – the group’s armed wing – implement the sentence. Drug dealers are shot in the knee and gun-runners placed under house arrest. ‘We have many problems to solve. These problems were never solved by the Israelis,’ says Mr Zanoon, passing a note to a ‘hawk’ with an M16 rifle. Solemnly, the 30-year-old explains that the office had just summoned a trader selling Walkers Highland Shortbread that had passed its sell-by date. The merchandise was destroyed. A man who had beaten his wife was summonsed. ‘We asked him to come here and he promised not to hit her again and signed an agreement. We are keeping an eye on him now. He is treating her well.’¹⁶²

Fatah’s mode of policing still bore much resemblance to the kind of summary vigilante justice practised during the intifada. The lack of a state and its physical and politico-legal infrastructure hampered further institutionalization. Fatah ‘police’ chiefs admitted this themselves: “We have no prisons, no courts, no law. What can we do?”¹⁶³ All the more important was the new political framework, which placed policing practices more firmly in the state-building project, legitimizing policing less in terms of self-defence and more in terms offering services to society as a whole.

By early 1994, political and customary legal institutions had begun to reassert their authority *vis-à-vis* the paramilitaries. An important step in this regard was an understanding reached between the Fatah Hawks and the al-Qassam Brigades (Hamas) on 22 April 1994. The two paramilitary groups agreed to reduce their policing role. From then on, the “wanted and armed men” from both factions should no longer “interfere and resolve organizational and family problems”; instead, they should leave this task to “the national and Islamic reconciliation committees”.¹⁶⁴ Although the agreement was intended primarily to reduce the potential for interfactional violence, it also strengthened the institutional structure of the informal policing practices.

Between taxation and extortion

The transitional problems of Fatah’s informal policing were nowhere more manifest than with regard to ‘taxation’. Policing efforts by insurgents often tend to blur any distinction between policing for socially acceptable goals and insurgency-related activities. The line between insurgent policing

and crime can be very elusive. During the intifada, the exile-based PLO spent considerable funds on PLO-loyal institutions and paramilitary groups inside the Territories. Still, the need to raise extra funds led many paramilitaries to resort to outright extortion, blackmail and robbery, as was the case with the first Black Panther group in Nablus in 1988–9, which was only partly loyal to the PLO leadership.¹⁶⁵ But although the local Fatah committee in Nablus strongly condemned these practices, the paramilitaries won an aura of mystique among many Nablus residents “by stealing from merchants and, Robin Hood-style, transferring the proceeds to poor families living in the [Nablus] casbah”.¹⁶⁶ The growing practices by Fatah paramilitaries of levying ‘taxes’ reflected the PLO’s cash crisis in the early 1990s.¹⁶⁷ An upsurge in violent clashes between Fatah-affiliated paramilitaries and Hamas paramilitaries in Nablus in mid-1991, for example, was widely seen as a “battle over territory” in which both sides claimed “the other is extracting payments from local businessmen”.¹⁶⁸

In the wake of the DoP, more attention was devoted to taxation on the part of the local PLO leadership, illustrating its state-building ambitions. Although electricity and tax bills were often torn up by most Gazans during the uprising, in the post-Oslo era the local Palestinian leadership was reportedly “helping Israel to collect, knowing people must get used to paying taxes” and occasionally imposing punishments on those who dodged payments.¹⁶⁹ Steps were also taken to contain extortion practices. In late December 1993, Fatah officials published statements in *al-Quds* in which they vowed to punish severely Palestinian “criminal elements” in the Gaza Strip who contributed to the growing practice of impersonating political activists in order to extort money from local shopkeepers.¹⁷⁰

These practices did not come to an end with the establishment of autonomy. The concentration of the roles of tax-levier and of policeman in the Fatah paramilitary groups had made some sense under the extraordinary circumstances of ‘revolutionary struggle’ but would be detrimental during the new phase of state-building. The limited scope of Israel’s withdrawals, however, perpetuated the perception of emergency that had characterized the intifada, and underpaid police officers, many of whom were former members of paramilitary groups, felt themselves justified in continuing the practice of informal ‘tax levying’. Extortion and corruption were therefore hard to eradicate from the new police force.¹⁷¹

From Vigilantes to Intelligence Officers

The PLO and Israel were in agreement that Palestinian self-rule needed an internal intelligence service. The PLO reportedly solicited aid from foreign countries (including Britain) in this regard, but was careful not to announce any enthusiasm for establishing new intelligence agencies, preferring to keep a low profile on such preparations.¹⁷² In particular, the PLO strenuously dismissed the notion that the creation of a new intelligence apparatus was directed against the Palestinian opposition.

Information on the PLO's intelligence preparations is scarce, and the following presentation is admittedly sketchy. Available evidence seems to confirm at least two main points. After Oslo, the PLO leadership made determined efforts to establish a new internal intelligence apparatus, based primarily on Fatah activists and paramilitaries from the Occupied Territories who had either fled or were deported during the intifada and on a handful of Fatah commanders who remained inside. From this Fatah apparatus, the Preventive Security Agency (*jihaz al-amn al-wiqa'i*) was gradually established.¹⁷³ Second, an important objective for this intelligence agency was that it should be in place and provide security prior to and during the deployment of the exile-based forces after Israel's withdrawal.

One indication of a determined PLO effort to establish an intelligence service for the self-ruled areas was a Reuters press report in early October 1993. It quoted Israeli security sources claiming that "the PLO plans to form a force of activists from the Gaza Strip and West Bank to prevent Hamas guerrillas from disrupting Palestinian self-rule under the PLO-Israel peace accord. ... These are men who know the terrain, they know who is Hamas, and where they are."¹⁷⁴

The Palestinian sources interviewed included Mohammad Dahlan, former head of Fatah's youth organization (Shabibah) and an important PLO security aide in Tunis, responsible for the Gaza Strip. He confirmed that "a force is being set up" involving some one hundred Fatah Hawks, who were to be trained in Egypt, Yemen, Algeria and Jordan. They resided primarily in a special camp in Libya and would be schooled in "police matters", initially for a six-week period.¹⁷⁵ These preparatory efforts became all the more urgent in the aftermath of the wave of assassinations of Fatah officials in the Gaza Strip in late 1993. The killings prompted Fatah's Central Committee to announce a "strategy to face the security vacuum" which included plans to establish "a secret

security apparatus” (*jihaz al-amn al-sirri*) as a local counterpart to the Fatah Hawks force being trained in exile.¹⁷⁶

The PLO’s ambitions to build a strong intelligence service Inside were part of its general efforts to acquire all the attributes of an independent state. The PLO needed a full-blown service, which could become an effective and independent counterpart to Shin Beth. During the early stages of negotiations in Taba, Palestinian and Israeli intelligence officials had met quietly for the first time; and at some point, probably in December 1993 or January 1994, an understanding on intelligence coordination was reached. This allowed Fatah activists to conduct some informal police and intelligence activities throughout the Occupied Territories (excluding East Jerusalem) before the Israeli withdrawal.¹⁷⁷

The establishment of an intelligence service was facilitated by previous Fatah intelligence activities targeting collaborators and criminals. According to Ibrahim Muhanna, the embryonic police organization already had an archive of files on Palestinians with criminal records, in addition to security files on suspected collaborators collected by Fatah’s own intelligence organization, the Revolutionary Security Agency.¹⁷⁸ The security files had been compiled during the intifada and were continuously updated, especially as recruitment to the Palestinian Police increased the need for improved security screening of recruits.

The creation of a new intelligence agency inside the Territories had some important implications for the Inside–Outside relationship in the Fatah movement. Although seniority and proximity to Arafat favoured the Outside Fatah constituency in most respects, the Inside Fatah had a definitive advantage over the Outside in the field of intelligence because their local activists “know the people and the area better than anyone else”, as Husayn al-Shaykh, the head of the PLO office in Ramallah, put it.¹⁷⁹ The PLA commanders in Tunis also acknowledged the indispensability of the Inside’s unique intelligence assets, especially during the critical deployment process.¹⁸⁰

At the same time, there were still disagreements between Israel and the PLO as to the degree of cooperation between the Shin Beth and the new Palestinian intelligence agencies. The PLO were wary of too close a cooperation, insisting that their police and intelligence services should be an independent body and not an extension of the Israeli security forces. Partly to facilitate the extension of the new Palestinian intelligence agency on the ground, Israel allowed a number of leading Fatah Hawks deportees

to return during late spring 1994.¹⁸¹ As many as 300 Fatah Hawks had reportedly been allowed to return in staggered groups, and the returnees were expected to “fill important positions in the new apparatus”.¹⁸² Among the returning deportees were Mohammad Dahlan and Jibril al-Rajub, who subsequently became PSA chiefs in the Gaza Strip and the West Bank respectively. Both were Fatah leaders, deported for military activities, and they had served as Arafat’s top officials in Tunis in charge of Fatah activities in the Territories. In spring 1994, they were active in the Palestinian–Israeli negotiations, in particular on the issue of Palestinian prisoners and detainees, and they also worked with a group of seven local Fatah leaders to build the Palestinian internal security service.

By late March 1994, a number of Fatah Hawks in the Strip had been recruited to the new intelligence agency. This is illustrated by an incident on 29 March 1994 in which an IDF undercover squad, allegedly by mistake, attacked and liquidated six Hawks during a raid in Jabaliya, a cramped refugee camp in Gaza. All six were reportedly working for Muhammad Dahlan’s new intelligence agency, based on Fatah paramilitaries and activists, and they had all received amnesty by the IDF. One of them had in fact met with an IDF administrator two hours prior to his liquidation, discussing details of Israel’s withdrawal from Gaza.¹⁸³ The top Israeli negotiator Uri Savir recalled in his memoirs that the IDF Deputy Chief of Staff Amnon Shahak had stressed “how grave this incident was”, endangering the newly established relationship of trust between the Israeli and Palestinian intelligence agencies.¹⁸⁴

The return of Dahlan and al-Rajub and reports of their budding security service aroused serious concerns among the Palestinian opposition. Riyadh al-Malki, the PFLP’s spokesman in the West Bank, accused the PLO of having brokered a deal with the Israelis according to which Dahlan, Jibril and other Fatah activists were allowed to return before an agreement was signed in order to “suppress opposition” and “build an authority based on their secret services and force, like all other Arab regimes”.¹⁸⁵ To some extent, al-Malki’s prophecies proved to be correct. Given the unpopularity of the new socio-political order ordained by the Oslo Accords, especially as it evolved over time, the new policing regime had to rely on heavy coercion, and the PSA became perhaps the PNA’s main instrument in keeping the opposition in check.

During the deployment of the Palestinian Police in Gaza/Jericho in mid-May 1994 and in the West Bank during last three months of 1995,

plainclothes officers from Fatah and/or the PSA played an important role in facilitating the transfer of power and preventing incidents. The success of the police deployment in May and June 1994 and the smooth transfer of power were in no small measure attributable to the very active presence of the new intelligence agency.¹⁸⁶ In the post-deployment period, there was a gradual integration of most Fatah paramilitaries into the Palestinian security agencies, in particular the PSA. Hence, former Fatah Hawks emerged as key enforcers of the ceasefire and Israel's counterpart in the struggle against Palestinian rejectionists. The new PSA inherited Fatah's role as an unrelenting pursuer of Palestinian collaborators, often resorting to intifada-style methods, which provoked criticism from many quarters, both within Fatah and among its allies.¹⁸⁷ The PSA's collaborator-focus remained a serious source of tension between it and Shin Beth, in the post-deployment period.¹⁸⁸ On top of that, Israel also expected far more vigorous efforts by the PSA in cracking down on rejectionist factions than the PNA would permit, while the PSA (and probably the PNA as a whole) viewed close security cooperation with Israel not as a fixed element in Palestinian–Israeli relations but more as a bargaining chip, a useful source of leverage in the political talks.

Conclusion: Perpetuating the Policing Culture of the Intifada?

The influx of Fatah paramilitaries into the PSA and other Palestinian police branches contributed to enhancing the factional and 'vigilante' identity of the organization, precluding the emergence of a non-political bureaucratic law enforcement institution. For the new intelligence apparatus, as for the Fatah paramilitaries during the intifada, fighting collaborators and controlling rival Palestinian factions remained a top priority. The continuity of personnel and structures, from Fatah's security agency during the intifada to the new PSA, ensured that the former's policing culture, moulded during years of resistance and collaborator hunting, also became entrenched in the new official Palestinian Police.¹⁸⁹

The PLO Inside had made little progress with regard to preparing the formal civil Palestinian police organization, as training and recruitment were hamstrung by political considerations as well as practical impediments. In sharp contrast to the inaction and marginalization of

the local Palestinian police committees Inside, the Arafat-loyal fighting elements on the ground made great progress in asserting themselves as the new authority, with the former Hawks acting as policemen and enforcers in an expanded range of fields. Their new policing powers flowed from the new security relationship with the Israeli army and the thinning out of the IDF's presence throughout the Strip in anticipation of withdrawal.

The Fatah Hawks' policing represented the informal assumption of power and authority outside accountable and transparent political channels. It entrenched policing styles, heavily informed by a revolutionary ethos in which not only collaboration but also ordinary crime and social deviancy were conceptualized as treason.¹⁹⁰ Gruesomely violent and often arbitrary in character, the paramilitary style of policing defied all standards of modern law enforcement. With the substantial expansion of Fatah's informal policing after Oslo, the incoming PNA was faced with few choices other than large-scale co-optation of Fatah paramilitaries. With them, the consolidation of a paramilitary and 'vigilante' policing culture was hard to avoid.

NOTES

- 1 N. Greenaway, "Gaza's Hawks continue to rule", *Calgary Herald*, 30 January 1994, p. B 3.
- 2 The quotation in the title is taken from an interview with a Fatah Hawks commander in Gaza, cited in R. Sofer, *Ma'ariv*, 30 October 1993.
- 3 The Fatah movement Inside consisted of the so-called political guidance committees, representing the political wing, the military wing (of which the Fatah Hawks were a major part), women's committees and the youth movement, the Shabibah committee. "Fatah forms a higher leadership for its agencies in the Gaza Strip under the leadership of al-Zubay'" (in Arabic), *al-Quds*, 6 November 1993, p. 1.
- 4 S. Helm, "Unruly Gaza presents challenge to PLO", *Independent*, 3 September 1993, p. 14.
- 5 S. Helm, "Ex-prisoner points way to Palestinian peace", *Independent*, 8 December 1993, p. 13 and R. Beeston, "Walls of fear and distrust begin slowly to crumble – Jericho" *The Times*, 15 September 1993.
- 6 J. Immanuel, "Recruits for Palestinian police may come from up the river", *Jerusalem Post*, 3 October 1993.
- 7 See, for example, J. West, "Gaza PLO looks to Arafat after Israeli crackdown", Reuters, 8 February 1994; J. West, "PLO deportees to head home", Reuters, 3

- April 1994; “Hawk’s death in Gaza: clues to the mystery”, (AP) *Jerusalem Post*, 9 February 1994; and P. Inbari, “Arafat’s actions send conflicting signals”, *Jerusalem Post*, 6 April 1994.
- 8 “Hawk’s death in Gaza: clues to the mystery”, (AP) *Jerusalem Post*, 9 February 1994.
 - 9 For the crisis in late 1993, see *MECS*, Vol. XVII (1993), pp. 184–5.
 - 10 The new leadership was supposed to be the “highest activist reference point” (*marja’iyya harakiyyah ’ulya*) of the Fatah movement in the Gaza Strip. Diyab al-Lawh, the head of Fatah’s so-called political guidance committees (*lijan al-tawjih al-siyasi*), was appointed a member of the new leadership body, under the leadership of Salim al-Zubay’. It consisted of the most senior Fatah activists released from Israeli jails. “Fatah forms a higher leadership for its agencies in the Gaza Strip under the leadership of al-Zubay’” (in Arabic), *al-Quds*, 6 November 1993, p. 1.
 - 11 *al-Quds*, 25 September 1993, p. 5 and *al-Quds*, 29 September 1993, p. 1.
 - 12 “The PLA forces will begin to concentrate forces in Egypt and Jordan within days” (in Arabic), *al-Quds*, 20 November 1993, pp. 1, 9 and “Arafat issues orders to 500 Palestinian fighters to turn to work in the PLO’s office to be transferred to Gaza and Jericho” (in Arabic), *al-Quds*, 24 November 1993, p. 1.
 - 13 “The PLA forces will begin to concentrate forces in Egypt and Jordan within days” (in Arabic), *al-Quds*, 20 November 1993, pp. 1, 9 and “The Palestinian military leadership discusses the arrival of 10,000 policemen” (in Arabic), *al-Akhhbar* (Cairo), 6 April 1994.
 - 14 See, for example, L. Lahoud, “Palestinians recruiting 12,000 for police force”, *Jerusalem Post*, 3 October 1993.
 - 15 See Chapter 3 of this volume.
 - 16 L. Lahoud, “Intifada leaders openly running PLO offices in areas”, *Jerusalem Post*, 5 October 1993 and L. Lahoud, “Palestinians recruiting 12,000 for police force”, *Jerusalem Post*, 3 October 1993.
 - 17 L. Lahoud, “Intifada leaders openly running PLO offices in areas”, *Jerusalem Post*, 5 October 1993.
 - 18 L. Lahoud, “Palestinians recruiting 12,000 for police force”, *Jerusalem Post*, 3 October 1993 and “Strong interest in registering for the Palestinian police force in Hebron and Nablus” (in Arabic), *al-Quds*, 27 September 1993, p. 4.
 - 19 “The PLO calls upon the Palestinians inside to join the police” (in Arabic), *al-Hayat* (London), 22 September 1993; “PLO begins recruiting Palestinian police force”, Reuters, 21 September 1993 and “Israeli TV reports on recruitment for Palestinian police force in Gaza”, IBA TV-A, 1730GMT, 21 September 1993.
 - 20 Cited in *al-Quds*, 21 September 1993.
 - 21 “Israeli TV reports on recruitment for Palestinian police force in Gaza”, IBA TV-A, 1730GMT, 21 September 1993.
 - 22 See also “The first Palestinian police will have a complex task” (in Arabic), *al-Quds*, 24 September 1993, p. 7.
 - 23 For a general discussion on the politicization of the police, see Chapter 1 of this book.
 - 24 “Offices opened in the occupied territories to receive applications for (recruits to) the Palestinian police” (in Arabic), *al-Sharq al-Awsat*, 24 September 1993.
 - 25 “Israeli TV reports on recruitment for Palestinian police force in Gaza”, IBA TV-A, 1730GMT, 21 September 1993.

- 26 “Future head of Palestinian police in Gaza says Hamas members may be recruited”, VOI, 0800GMT, 13 October 1993 and “Palestinian police commander denies favouritism in recruiting personnel”, VOP-Y, 1800GMT, 20 February 1994. See also J. Immanuel, “7,000 to be recruited for Palestinian police force”, *Jerusalem Post*, 14 October 1993.
- 27 “Al-Ahram Interviews the Leadership of the Palestinian Police” (in Arabic), *al-Ahram*, 16 February 1994.
- 28 “Offices opened in the occupied territories to receive applications for [recruits to] the Palestinian police” (in Arabic), *al-Sharq al-Awsat*, 24 September 1993 and J. Immanuel, “Recruits for Palestinian police may come from up the river”, *Jerusalem Post*, 3 October 1993.
- 29 The *Jerusalem Post* reported, for example, that “several thousand Palestinians filled out applications yesterday on the first day of a recruitment drive for the Palestinian police force. Offices opened throughout the territories, and in Bethlehem alone clerks received 300 applications and had to turn away 150 others until today because of the pressure.” R. Marcus and J. Immanuel, “‘Autonomy force’ to work alongside Palestinian police”, *Jerusalem Post*, 24 September 1993.
- 30 See, for example, “Thousands want to join the Palestinian police” (in Arabic), *al-Sharq al-Awsat*, 24 September 1993 and J. Immanuel, “7,000 to be recruited for Palestinian police force”, *Jerusalem Post* 14 October 1993.
- 31 Ibrahim Muhanna put the figure at 11,000 in later interviews. “A Palestinian police official in Gaza to *al-Sharq al-Awsat*: Our forces will never become an instrument for repression” (in Arabic), *al-Sharq al-Awsat*, 27 January 1994. See also similar figures given by the deputy of the Police Preparation Committee in D. Hoffman, “Gaza entering twilight zone between occupation, new order”, *Washington Post*, 1 December 1993, p. A16.
- 32 “Offices opened in the Occupied Territories to receive applications for (recruits to) the Palestinian police” (in Arabic), *al-Sharq al-Awsat*, 24 September 1993.
- 33 M, interview.
- 34 “The Palestinian police director in Gaza: The selection of applications of candidates for recruitment will not be subject to political considerations” (in Arabic), *al-Sharq al-Awsat*, 2 October 1993.
- 35 L. Lahoud, “Intifada leaders openly running PLO offices in areas”, *Jerusalem Post*, 5 October 1993.
- 36 Cited in “The Palestinian police director in Gaza: The selection of applications of candidates for recruitment will not be subject to political considerations” (in Arabic), *al-Sharq al-Awsat*, 2 October 1993.
- 37 “Palestinian police recruiters on the look for extremist infiltrators”, *Jerusalem Post*, 28 September 1993. See also J. Immanuel, “Recruits for Palestinian police may come from up the river”, *Jerusalem Post*, 3 October 1993.
- 38 Ibid. See also A. La Guardia, “Men Israel jailed queue to enforce law in Palestine”, *Daily Telegraph*, 30 September 1993, p. 14.
- 39 I. Nour et al., “Arafat and Rabin to meet in Cairo”, *al-Ahram Weekly*, 8 September 1993.
- 40 “The Palestinian Democratic Union/FIDA announcement to the masses of the Palestinian people: Registration for the Palestinian police force” (in Arabic), *al-Quds*, 25 September 1993, p. 5.
- 41 S. Helm, “Unruly Gaza presents challenge to PLO”, *Independent*, 3 September 1993, p. 14.

- 42 A. La Guardia, "Men Israel jailed queue to enforce law in Palestine", *Daily Telegraph*, 30 September 1993, p. 14. See also "Strong interest in registering for the Palestinian police force" (in Arabic), *al-Quds*, 26 September 1993, p. 3; "Former prisoners compete to join the Palestinian police force" (in Arabic), *al-Quds*, 24 September 1993, p. 7; and S. Aboudi, "Ex-prisoners flock to become Palestinian policemen", Reuters, 23 September 1993.
- 43 "Strong interest in registering for the Palestinian police force in Hebron and Nablus" (in Arabic), *al-Quds*, 27 September 1993, p. 4.
- 44 J. Immanuel, "Recruits for Palestinian police may come from up the river", *Jerusalem Post*, 3 October 1993.
- 45 Ibid.
- 46 See, for example, "Gush Etzion rabbi continues hunger strike", *Jerusalem Post*, 13 December 1993; H. Keinon, "Porat: Rabin admits murderers may become Palestinian policemen", *Jerusalem Post*, 15 December 1993; and H. Keinon, "13 Labor MKs sign petition against arming murderers", *Jerusalem Post*, 17 December 1993.
- 47 "Dangerous words, dangerous deeds", *Jerusalem Post*, 30 November 1993 (editorial) and A. Sharon, "Sand in our eyes", *Jerusalem Post*, 3 January 1994.
- 48 "Fatah strongly denies news of interim period organisations" (in Arabic), *al-Quds*, 22 September 1993, p. 1 and "Orders to form new interim organisations" (in Arabic), *al-Nahar*, 21 September 1993.
- 49 "Meeting with police cadres in Gaza" (in Arabic), *al-Quds*, 22 September 1993, p. 3.
- 50 "Dr 'Azmi al-Shu'aybi: Strong interest in applying for the Palestinian police force" (in Arabic), *al-Quds*, 25 September 1993, p. 5.
- 51 "The Palestinian Democratic Union/FIDA announcement to the masses of the Palestinian people: Registration to the Palestinian police force" (in Arabic), *al-Quds*, 25 September 1993, p. 5.
- 52 "Strong interest in registering for the Palestinian police force" (in Arabic), *al-Quds*, 26 September 1993, p. 3.
- 53 Murish (1993), p. 63.
- 54 Ibid., pp. 63–4.
- 55 P. Inbari, "PLO power struggle leads to anti-Arafat coalition", *Jerusalem Post*, 5 January 1994.
- 56 Statement by FIDA's Secretary-General Dr 'Azmi Shu'aybi, sports and youth minister in the PNA Council, to *al-Sharq al-Awsat*. "Palestinian Authority minister attacks 'erroneous practices' in Gaza and Jericho" (in Arabic), *al-Sharq al-Awsat*, 25 June 1994, p. 6.
- 57 Cited from Shu'aybi's statement in *ibid*.
- 58 Numbers provided by the head of the police in the Gaza Strip, Ibrahim Muhanna, in late September 1993. "Palestinians leave for police training in Egypt", Reuters, 1 October 1993.
- 59 "A Palestinian police official in Gaza to *al-Sharq al-Awsat*: Our forces will never become an instrument for repression" (in Arabic), *al-Sharq al-Awsat*, 27 January 1994.
- 60 "Arafat appoints the leaders of the security force in Gaza and Jericho" (in Arabic), *al-Ahram*, 22 September 1993.
- 61 "3,000 Palestinian police to be deployed in Gaza from December 13", *Jerusalem Post*, 25 November 1993.

- 62 “Fatah warns of impersonators, extortion in Gaza”, Reuters, 28 December 1993.
- 63 The negotiations in early 1994 indicated that only some 2,000 policemen would be recruited from the Inside and that with the rehiring of the ‘ancient police’ officers, only slightly more than 1,500 police jobs would remain.
- 64 B. Lynfield and C. Walker, “PLO men killed by undercover Israelis”, *The Times*, 29 March 1994.
- 65 J. Immanuel, “Palestinian police chief to Hamas: stop violence”, *Jerusalem Post*, 31 May 1994, p. 1.
- 66 For three separate incidents in 1994–5, see “PLO group kills alleged collaborator with Israel”, Reuters, 3 March 1994; “Fatah Hawks kill alleged collaborator in Rafiah”, *Jerusalem Post*, 7 March 1994, p. 2; B. Burston, “Israel seeks PLO crack-down on fugitives in Jericho”, Reuters, 25 August 1994; and “Israeli policeman fatally shot in Kalkilya”, *Jerusalem Post*, 18 October 1995, p. 1.
- 67 “Husayni says Arafat has enough support; police force being prepared”, VOI-A, 1530GMT, 7 September 1993.
- 68 For example, on the eve of the recruitment campaign in late September 1993, the Palestinian *al-Quds* newspaper reported ongoing “negotiations between the PLO and Israel on the possibility of giving Palestinian police personnel basic training in the Occupied Territories”. In late October 1993, local media reported that the Palestinian police “intends to start operating in Jericho” shortly, establishing “their training base at Musa al-Alami’s agricultural farm near the Allenby Bridge” and that some thirty young Palestinian police recruits held a brief march there “to mark the beginning of their activities in the town”. A senior PLO police official from Egypt, who had recently entered Gaza from Egypt, stated that they planned starting police training in early December 1993. The envisaged courses were to last four months in training camps, supervised by the UN, but the issue of a UN involvement at this point proved to be a major stumbling block. “Centres in the West Bank and Gaza Strip for applications for the Palestinian police soon to be opened” (in Arabic), *al-Quds*, 20 September 1993, p. 1; L. Lahoud, “Palestinians recruiting 12,000 for police force”, *Jerusalem Post*, 3 October 1993; “Palestinian police force reportedly to start operating on 29th October”, IBA TV-H, 1800GMT, 27 October 1993; “Palestinian police put best foot forward”, *Jerusalem Post*, 29 October 1993; and “PLO official gives police deployment plans, says Israelis not cooperating fully”, AFP, 1 December 1993.
- 69 L. Lahoud, “Palestinians recruiting 12,000 for police force”, *Jerusalem Post*, 3 October 1993.
- 70 Ibid.
- 71 ‘Asfur, interview.
- 72 “The Palestinian traffic police starts its work in Ramallah, and al-Birah” (in Arabic), *al-Quds*, 6 November 1993, p. 5.
- 73 Ibid.
- 74 Ibid.
- 75 The PLO’s police adviser in Orient House in Jerusalem, Faruq Amin, dismissed suggestions at the time that these “voluntary committees” were precursors of the Palestinian Police Force, although the formation of the traffic service had reportedly been done in coordination with Orient House. “Dismisses information

- of the deployment of traffic police in Ramallah” (in Arabic), *al-Quds*, 7 November 1993, p. 2.
- 76 “Member of the PLO’s Order Committees dressed in official uniform stops an Israeli officer as he directs the traffic in Jericho” (in Arabic) (picture), *al-Quds*, 6 November 1993, p. 2 and “Siege of the PLO office in Jericho: Release of six youths from the PLO’s order committees” (in Arabic), *al-Quds*, 3 November 1993, p. 4.
- 77 J. Immanuel, “Fatah Hawks have difficulty adjusting to new role as ‘policemen’”, *Jerusalem Post*, 28 October 1993.
- 78 “Fatah forms a higher leadership for its agencies in the Gaza Strip under the leadership of al-Zubay” (in Arabic), *al-Quds*, 6 November 1993, p. 1.
- 79 Later reports suggested that a number of Fatah Hawks were still hired as unofficial traffic cops and wardens. See interview with the Fatah Hawks in J. Kessel, “Palestinian Hawks get ready for their new lives as doves”, *Guardian*, 3 May 1994, p. 16.
- 80 See, for example, M. ‘Adawi, “The most important problems which prevent the success of the Palestinian security force” (in Arabic), *al-Quds*, 12 November 1993, p. 11.
- 81 “Palestinian police put best foot forward”, *Jerusalem Post*, 29 October 1993.
- 82 M. Olster, “Geography, guns on firing line in Israel-PLO talks”, Reuters, 28 October 1993.
- 83 “Palestinian police put best foot forward”, *Jerusalem Post*, 29 October 1993.
- 84 A. La Guardia, “Men Israel jailed queue to enforce law in Palestine”, *Daily Telegraph*, 30 September 1993, p. 14.
- 85 UD 25.11.19Z Vol. 1, UN fact-finding report, p. 11.
- 86 S. Rodan, “Israel ready to accept outside peacekeepers in Gaza Strip”, *Jerusalem Post*, 17 December 1993.
- 87 L. Lahoud and A. Pinkas, “Talks begin in Cairo on Palestinian police”, *Jerusalem Post*, 21 February 1994.
- 88 A police study, completed by Faruq Amin’s police committee before Oslo, recommended the (re)building of a police academy, with headquarters at the Ansar prison building in Gaza and a department in Bethlehem. It would combine a police faculty, an investigation centre and a police school. Palestinian police officers educated in Egypt and Jordan would then staff the police academy and start training policemen. S. al-Khalidi, “‘Bobbies’ in West Bank? British help new police”, Reuters, 21 February 1994 and “*Al-Abram* interviews the leadership of the Palestinian police” (in Arabic), *al-Abram* (Cairo), 16 February 1994.
- 89 In November 1993, the mayor of Bethlehem Eliyas Furayj also “called for the evacuation of the camp the IDF is using at the moment, in order to establish a training centre for the Palestinian police”. “Furayj demands that the IDF camp is converted into a training centre for the Palestinian police” (in Arabic), *al-Quds*, 8 November 1993, p. 2.
- 90 According to an interview with Amin and Muhanna in mid-February 1994, they were still awaiting orders on these issues. “*Al-Abram* interviews the leadership of the Palestinian police” (in Arabic), *al-Abram* (Cairo), 16 February 1994.
- 91 Ibid.
- 92 D. Brown, “PLO vision flawed by inaction in Gaza”, *Guardian*, 11 January 1994, p. 9. See also N. Greenaway, “Gaza’s Hawks Continue To Rule”, *Calgary Herald*, 30 January 1994, p. B3.

- 93 The term ‘security regime’ is usually, but not exclusively, associated with interstate relations, and draws upon Stephen Krasner’s influential definition of regimes as “sets of implicit and explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area of international relations”. Cited in Lipson (1995), p. 8.
- 94 From the outset, however, only the PLO and the Fatah leadership Inside were interested in establishing some forms of reciprocal ceasefire which elevated Fatah paramilitaries from ‘wanted fugitives’ and ‘terrorists’ to PLO security personnel on the ground. The Israeli government and the IDF were initially less enthusiastic about the notion of a ‘ceasefire’, which meant extending amnesty en masse to wanted fugitives from Fatah cells, especially in the face of strong domestic opposition to any form of leniency towards ‘terrorists’. Gradually, after a number of crises, the Israeli government agreed to modify its counter-insurgency policies and allowed for more leeway for Fatah-affiliated paramilitaries ‘without Jewish blood on their hands’. The first sign that the IDF had begun to accept the notion of a ceasefire came in late October 1993, when the Israeli authorities distributed a list of ten wanted Fatah paramilitaries who would be taken off the IDF’s wanted list and escape criminal persecution if they gave themselves up and surrendered their weapons. J. Immanuel, “Terrorists kill Palestinian land dealer”, *Jerusalem Post*, 31 October 1993 and “Fatah Hawks leader surrenders”, *Jerusalem Post*, 4 November 1994.
- 95 News agencies and international newspapers characterized the unrest as “reminiscent of the Palestinian uprising”, drawing thousands of Gazans out into the street in protest. Other characteristics were “the worst outbreak of violence since the Israel–PLO peace agreement”. T. Shriteh, “Israelis call off hunt for PLO militants”, Reuters, 30 November 1993; R. Beeston, “Scores shot as Intifada returns to Gaza Strip”, *The Times*, 1 December 1993; L. Foyen, “Arafat insists troop withdrawal date is sacred”, Reuters, 29 November 1993; and A. La Guardia, “‘One dead, 80 hurt’ in Gaza clashes with Israeli troops”, *Daily Telegraph*, 1 December 1993, p. 12.
- 96 M. Colvin, “Arafat seeks summit with Rabin to rescue peace deal – Middle East”, *Sunday Times*, 5 December 1993 and “Rabin comments on disagreements with PLO, prisoner release; leaves for Europe”, VOI-E, 0500GMT, 30 November 1993.
- 97 Ibid.
- 98 The meetings took place between Sami Abu Samhandanah, Riyad Ashkar and Isham Nazuki from the local Fatah leadership and the IDF commander of the Gaza Strip Doron Almog and the head of IDF’s Southern Command Matan Vilnay on the Israeli side. O. Levy and R. Marcus, “IDF acts to ease tension in Gaza”, *Jerusalem Post*, 1 December 1993.
- 99 “Israelis, Palestinians agree to defuse tensions”, Reuters, 30 November 1993, and T. Shriteh, “Israelis call off hunt for PLO militants”, Reuters, 30 November 1993.
- 100 “Israel frees Fatah Hawk member”, Reuters, 1 December 1993; “Fatah Hawks detainee released under reported Army–Fatah Agreement”, VOI, 2000GMT, 1 December 1993; and “Fatah Hawks announce resumption of attacks on Israeli army; clashes reported”, AFP, 29 November 1993.
- 101 D. Makovsky, “Rabin: chase fugitives who are out to kill”, *Jerusalem Post*, 6 December 1993; “Security forces call off hunt for Fatah murderers”, *Jerusalem*

- Post*, 24 December 1994; and J. Immanuel, "Fatah fugitives take out newspaper ad", *Jerusalem Post*, 14 January 1994.
- 102 D. Hoffman, "Gaza entering twilight zone between occupation, new order", *Washington Post*, 1 December 1993, p. A16.
- 103 He was due to be released in less than five months' time after a twenty-year prison term. In a similar move, the Israeli government also announced that it had acceded to a request by the PLO leader to allow two deported leaders of the Fatah paramilitaries to return to the Territories. "2 Deportees, fugitive to get autonomy posts", *Jerusalem Post*, 23 December 1993; "Israel releases long-held Fatah activist", Reuters, 3 December 1993; and "Southern Command commander agrees to release security prisoner", VOI, 1000GMT, 3 December 1993. The quotation is from A. Hogg, "Fatah's Hawks strut their stuff", *Sunday Times*, 5 December 1993.
- 104 "Rabin refuses to remove PLO from list of 'terrorist' groups", New Channel 2 TV, Jerusalem (in Hebrew) 1800GMT, 17 December 1993, via SWB.
- 105 See, for example, A Hogg, "Fatah's Hawks strut their stuff," *Sunday Times*, 5 December 1993 and C. Habermann, "Palestinian gunmen in Gaza slay an Israeli army colonel", *New York Times*, 25 December 1993, p. 1.
- 106 A. Sa'd, "Fatah holds first open anniversary celebrations", Reuters, 1 January 1994.
- 107 "Suspected collaborator shot dead in Hebron", *Jerusalem Post*, 3 January 1993.
- 108 J. West, "Palestinian leaders try to end faction conflict", Reuters, 10 January 1994.
- 109 Ibid.
- 110 "French report says arms increasingly easily available in Gaza", France 2 TV, 1900GMT, 23 January 1994, via SWB. See more on this issue in Chapter 10 of this book.
- 111 R. Mahoney, "Gaza goes for guns", Reuters, 23 January 1994. The expression 'not clean' usually meant collaborator or criminal.
- 112 L. Marlowe and J. Hamad, "Peace postponed as violence escalates", *Time Magazine*, 18 April 1994.
- 113 There are strong indications that the IDF changed its priorities in this period. For example, in late December 1993 an Israeli security source told reporters that the Fatah Hawks were keeping their side of the bargain. Therefore, the Israeli army "concentrated on pursuing active terrorists, rather than fugitives, many from Fatah, who are no longer operating". J. Immanuel, "IDF source: Fatah keeping its side of the bargain", *Jerusalem Post*, 22 December 1993.
- 114 D. Brown, "Arafat agrees to security talks with Israelis in Cairo", *Guardian*, 30 March 1994, p. 13. For a similar account, see L. Marlowe and J. Hamad, "Peace postponed as violence escalates", *Time Magazine*, 18 April 1994.
- 115 According to IDF sources, quoted by the Israeli daily *Yedioth Ahronoth*, "soldiers will no longer be allowed to open fire on armed Palestinians at will. ... They will be able to shoot only after identifying the type of weapon and the intentions of the person bearing arms. If the armed person has no intention of shooting and his behaviour is not suspicious, he cannot be shot." "Israel tightens 'open-fire' orders in territories", Reuters, 3 May 1994.
- 116 Ibid.; P. Ford, "Israeli Army prepares to exit Gaza – but pullout date remains uncertain", *Christian Science Monitor*, 6 April 1994; "Israel to avoid confrontations before pullout", Reuters, 3 April 1994; and A. Pinkas, "IDF evacuation under way in Gaza and Jericho", *Jerusalem Post*, 6 April 1994.

- 117 At this point, the central IDF camp in Gaza City had been dismantled, large quantities of heavy equipment had been removed from the military administration headquarters in the city and Ansar 11, the main Israeli prison in Gaza, had been emptied of long-term prisoners. S. Helm, "Israelis talk peace to sound of gunfire", *Independent*, 30 March 1994, p. 16.
- 118 According to an IDF source interviewed by Reuters, the withdrawal would "begin in areas already controlled by ... Fatah and end in areas contested by militant opponents of peace talks", with the latter areas being evacuated only "after Fatah has established its control in most of the embattled strip". "Israel to avoid confrontations before pullout", Reuters, 3 April 1994.
- 119 C. Hawley, "Gaza Strip sceptics await evidence of progress", *The Times*, 5 May 1994 and S. Helm, "Generals bring peaceful handover closer for Gaza", *Independent*, 10 May 1994, p. 14.
- 120 "Palestinian police reportedly prevent capture of Fatah Hawk leader", AFP, 16 May 1994.
- 121 M, interview.
- 122 Eisenstadt (1994) and "The Fatah Hawks go through a difficult period" (in Arabic), *al-Quds*, 27 September 1993, p. 7.
- 123 For collaborator killings during the intifada, see Chapter 2 of this study.
- 124 Arafat's ceasefire order was issued ahead of his call for an end to the intifada on 26 September. The ceasefire order became known to the public on 24 September 1993 when a Fatah Hawk commander in the Gaza Strip, Hisham Judah, held a 'news conference' in a secret hiding place in southern Gaza for a selected group of correspondents and international news agencies. He announced that the ceasefire order had been issued by Arafat seven days earlier, and it extended to both Gaza and the West Bank. The Jenin-based Black Panther paramilitaries confirmed this shortly afterwards. See, for example, "Arafat reportedly orders PLO fighters to stop all anti-Israeli operations", AFP, 24 September 1993.
- 125 See also Silke (1998) and Silke (1999).
- 126 "Al-Husayni: Fatah's militias are prepared to support the Palestinian police force" (in Arabic), *al-Hayat* (London), 12 December 1993 and J. West, "Husseini says militias to help Palestinian police", Reuters, 11 December 1993.
- 127 Ibid.
- 128 "Al-Husayni: Fatah's militias are prepared to support the Palestinian police force" (in Arabic), *al-Hayat* (London), 12 December 1993.
- 129 According to an interview with al-'Umlah in the Jordanian newspaper *al-Shihan*, 7 January 1994, cited in M. Widlanski, "Large PLO militia ready to take over", *Jerusalem Post*, 12 January 1994.
- 130 The Jordanian newspaper *Shihan*, 7 January 1994, cited in M. Widlanski, "Large PLO militia ready to take over", *Jerusalem Post*, 12 January 1994.
- 131 A Norwegian police adviser who worked closely with the PLO on a future organizational structure for the Palestinian police in much of 1994 lamented that the PLO had not managed to agree on a chain of command and organizational structure before deployment. Øverkil, interview.
- 132 S. Helm, "Unruly Gaza presents challenge to PLO", *Independent*, 3 September 1993, p. 14 and C. Richards, "Israeli army 'kept in dark over negotiations'", *Independent*, 2 September 1993, p. 6.

- 133 The Palestinian Democratic Union/FIDA was a small Fatah-aligned faction that had split from the DFLP under the leadership of Yasir ‘Abd Rabbuh, one of Arafat’s closest aides. J. Immanuel, “The Accord: supporters unite, opposition falters”, *Jerusalem Post*, 10 September 1993.
- 134 J. Immanuel, “The Accord: supporters unite, opposition falters”, *Jerusalem Post*, 10 September 1993.
- 135 “ Hamas will not attack PLO over deal with Israel”, Reuters, 4 September 1993 and P. Smerdon, “Cornered Palestinian hardliners vow to wreck pact”, Reuters, 10 September 1993.
- 136 For a general definition of police and policing, see Chapter 1 of this book.
- 137 One of the murdered Fatah leaders, Asad Siftawi, had reportedly responded to the killing of Abu Sha‘ban by calling for bringing in police from outside the country and closer coordination between the projected Palestinian police and the Israeli police.
- 138 J. Immanuel, “Fatah Hawks have difficulty adjusting to new role as ‘policemen’”, *Jerusalem Post*, 28 October 1993 and “Fatah forms a higher leadership for its agencies in the Gaza Strip under the leadership of al-Zubay” (in Arabic), *al-Quds*, 6 November 1993, p. 1.
- 139 “In light of the recent political assassination and the threats of foiling the Agreement: Fatah Central (Council) is determined to lay down a strategy for filling the vacuum in the wake of the expected Israeli withdrawal” (in Arabic), *al-Quds*, 1 November 1993, p. 1.
- 140 For more on the ‘popular armies’, see Chapter 2 of this volume.
- 141 These measures included the negotiation of a ‘code of honour’ with Hamas and attempting to impose a moratorium on collaborator killing in autumn 1993. J. Wright, “PLO seeks peaceful coexistence with Hamas”, Reuters, 21 September 1993 and J. Immanuel, “Fatah condemns killing of collaborators”, *Jerusalem Post*, 19 October 1993.
- 142 C. Habermann, “Terror pulls its chair up to the peace table”, *New York Times*, 31 October 1993, p. 6.
- 143 See, for example, “Siege of the PLO office in Jericho: Release of six youths from the PLO’s order committees” (in Arabic), *al-Quds*, 3 November 1993, p. 4; “The opening of a drug fighting office in Halhoul” (in Arabic), *al-Quds*, 3 November 1993, p. 4; “Member of the PLO’s Order Committees dressed in official uniforms stops an Israeli officer as he directs the traffic in Jericho” (in Arabic) (with picture), *al-Quds*, 6 November 1993, p. 2; “The Palestinian traffic police starts its work in Ramallah, and al-Birah in remembrance of the Declaration of State” (in Arabic), *al-Quds*, 6 November 1993, p. 5; “Dismisses information of the deployment of traffic police in Ramallah” (in Arabic), *al-Quds*, 7 November 1993, p. 2; and M. ‘Adawi, “The most important problems which prevent the success of the Palestinian security force” (in Arabic), *al-Quds*, 12 November 1993, p. 11.
- 144 For the training of Palestinian bodyguard services abroad, see Lia (2006), Chapter 2.
- 145 See, for example, “Wanted Palestinians flee to Egypt”, AFP, 27 May 1993 and “Fatah militant chief flees to Egypt”, AFP, 2 June 1993.
- 146 This author found no reports of such activities between August 1992 and August 1993 in *al-Quds* newspaper, the largest Palestinian daily newspaper published in

- the Occupied Territories (Jerusalem). The increase in reports may reflect changes in military censorship, yet this is unlikely, as reports on the banned Fatah movement and its leaders also occurred in the pre-Oslo period. Another indication of the increased police presence by Fatah activists came during the Fatah anniversary celebrations on 1 January 1994, when a large number of Palestinians in police uniforms participated. A local correspondent of the *Independent* also observed in early January 1994 that “would-be policemen are already exerting their authority under the auspices of Palestine Liberation Organisation offices throughout the West Bank and Gaza Strip”. S. Helm, “Palestinians find Israelis hold keys to justice”, *Independent*, 8 January 1994, p. 10 and J. Immanuel, “Fatah day marked across the territories”, *Jerusalem Post*, 2 January 1994.
- 147 “The Fatah Hawks arrest a gang of thieves” (in Arabic), *al-Quds*, 30 September 1993, p. 2.
- 148 G. Levy, *Ha’aretz*, 5 November 1993.
- 149 N. Greenaway, “Gaza’s Hawks continue to rule”, *Calgary Herald*, 30 January 1994, p. B3.
- 150 Testimony by Salim Muwafi to B’Tselem, 22 October 1993. Cited in B’Tselem (1994a), p. 89.
- 151 The Israeli correspondent J. Immanuel noted, for example, that Fatah Hawks in Rafah punished Palestinians suspected of involvement in drugs and adultery, moral offenses against which Hamas has taken action in the past. See J. Immanuel, “Fatah condemns killing of collaborators; Hamas says executions will continue”, *Jerusalem Post*, 19 October 1993.
- 152 S. Helm, “Palestinians find Israelis hold keys to justice”, *Independent*, 8 January 1994, p. 10.
- 153 *Ibid.*
- 154 R. Beeston, “Refugee in Gaza feels PLO wrath”, *The Times*, 31 January 1994 and S. Helm, “Fatah ‘Hawks’ use Israeli tactics to keep order in Gaza”, *Independent*, 2 February 1994, p. 12.
- 155 D. Hoffman, “Gaza entering twilight zone between occupation, new order”, *Washington Post*, 1 December 1993, p. A16.
- 156 S. Helm, “Fatah ‘Hawks’ use Israeli tactics to keep order in Gaza”, *Independent*, 2 February 1994, p. 12.
- 157 R. Beeston, “Refugee in Gaza feels PLO wrath”, *The Times*, 31 January 1994 and *ibid.*
- 158 See, for example, L. Marlowe and J. Hamad, “Peace postponed as violence escalates”, *Time Magazine* 18 April 1994.
- 159 A. Hogg, “Fatah’s Hawks strut their stuff”, *Sunday Times*, 5 December 1993.
- 160 Palestinian police commanders devoted much attention to the issue of illegal arms in 1994, and often complained about the phenomenon that “people are buying arms without reason”. The human rights watch group LAW recorded more than twenty deaths in the autonomous areas between 1994 and 1999 owing to firearms abuse by civilians and by on-duty and off-duty security personnel. See “Maj.-Gen. al-Majaydah: our duty is to put everything in its proper place” (in Arabic), *Watani*, No. 2 (August 1994), pp. 4–8. See also “The phenomenon of illegal arms possession” (in Arabic), *Watani* (December 1994), pp. 28–9 and “Weapon abuse in the Palestinian territories”, LAW report (1999), www.lawsociety.org.
- 161 S. Helm, “Fatah ‘Hawks’ use Israeli tactics to keep order in Gaza”, *Independent*, 2 February 1994, p. 12.

- 162 Ibid.
- 163 Ibid. See also S. Rodan, "Fatah Hawks watch and wait", *Jerusalem Post*, 14 February 1994.
- 164 "Fatah official gives details of Hamas forces-Fatah Hawks agreement in Gaza Strip", VOI, 1300GMT, 22 April 1994, via SWB.
- 165 The Unified National Command of the Uprising frequently raised this issue. For example, on 1 May 1991, it warned "all those who are making use of the name of the Uprising to raise funds on its behalf by means of threats". UNC communiqué No. 70 (1 May 1991).
- 166 "Nablus: heartbeat of the Intifada" (1 of 2), *Christian Science Monitor*, 28 November 1989, p. 6. See also "Black Panthers betrayed in the Nablus casbah", *Independent*, 2 December 1989, p. 14
- 167 According to an interview with Abu Samid, a wanted Black Panther paramilitary in the Jenin area, the PLO leadership was no longer behind them as it had been before, forcing them to resort to new methods to raise money for arms purchases and other resistance-related activities. The PLO's economic crisis had forced the organization to formally disband a number of Fatah paramilitary groups in the Occupied Territories, prompting "growing recourse to extortion", according to the Palestinian scholar Yezid Sayigh. Some funding nevertheless reached the paramilitary groups from the PLO in Tunis, according to Fatah Hawks commanders in the Gaza Strip and Black Panther fugitives in the West Bank. Figures varied; one 'wanted' man stated that he usually received \$130 per month, distributed through the area commander. See P. Ford, "Palestinian hit squads exact heavy toll from collaborators", *Christian Science Monitor*, 20 May 1992, p. 1; B'Tselem (1994a), p. 168; Sayigh (1997), p. 657; and S. Helms, "On the West Bank with a license to kill", *Independent*, 9 December 1992, p. 12.
- 168 See, for example, J. Redden, "Palestinian fighters turn on each other", Reuters, 16 June 1991. Armed robbery was practically non-existent before the intifada, but had become a recurrent phenomenon in 1990, so much so that Hebron and Gaza notables held public meetings to condemn it. *Al-Nahar*, 12 June 1991. Cited in Frisch (1991), p. 57.
- 169 S. Helm, "Fatah 'Hawks' use Israeli tactics to keep order in Gaza", *Independent*, 2 February 1994, p. 12.
- 170 Fatah officials announced in the Palestinian daily *al-Quds* that "everyone who does this is from the class of thieves and degenerates and must be crushed underfoot ... Whoever commits these excesses will have the sternest steps taken against him, which could reach shooting him", the newspaper quoted the statement as saying. "Fatah warns of impersonators, extortion in Gaza", Reuters, 28 December 1993.
- 171 For more on extortion and economic corruption in the Palestinian Police, see Lia (2006), Chapter 5. For specific articles discussing the taxation practices of Palestinian security forces, see, for example, PHRMG (1998); "Take your hands off the Customs!" (in Arabic), *Watani*, No. 5 (1995), pp. 20–1; "Merchants and taxes: merchants strive to regain dignity and confidence" (in Arabic), *Watani*, No. 5 (1995), pp. 20–1.
- 172 A former head of IDF's military intelligence and former coordinator of government activities in the Territories, Shlomo Gazit, did not rule out the possibility that Israel "might help them build such an apparatus and besides, they can be assisted by experts from Jordan or Egypt". Britain was also quick in announcing its preparedness to assist the PLO in setting up an intelligence apparatus and

- anti-terrorist force. According to the *Jerusalem Post*, an agreement on British assistance for the establishment and training of an intelligence service was reached “during secret talks involving British Foreign Office Minister Douglas Hogg, Deputy F.M. Yossi Beilin and the PLO’s Nabil Sha’ath and Faisal Al-Husayni”. M. Rotem, “Former intelligence chief: deal would be off if there are terror attacks”, *Jerusalem Post*, 30 August 1993 and D. Davis, “Britain to help PLO establish intelligence, anti-terrorist units”, *Jerusalem Post*, 13 September 1993.
- 173 For a brief profile of this and other PNA intelligence agencies, see Chapter 8 of this book.
- 174 R. Mahoney, “Fatah-Hamas struggle looms after self-rule”, Reuters, 7 October 1993.
- 175 Ibid.
- 176 D. Hoffman, “Gaza entering twilight zone between occupation, new order”, *Washington Post*, 1 December 1993, p. A16; “Fatah forms a higher leadership for its agencies in the Gaza Strip under the leadership of al-Zubay” (in Arabic), *al-Quds*, 6 November 1993, p. 1; and “Fatah Central Committee meeting: a strategy for filling the vacuum after the Israeli withdrawal and the Palestinian assassinations” (in Arabic), *al-Sharq al-Awsat*, 13 October 1993.
- 177 “Peres interviewed on security cooperation with PLO, meeting with Prince Hasan”, IDF Radio, 0600GMT, 10 October 1993 and “The morning after – peace agreement” (in Arabic), *al-Ahram*, 7 October 1993. See also Savir (1998), p. 135.
- 178 According to one former Fatah commander, interviewed by this author, intelligence gathering on collaborators “occupied a large part of Fatah Hawk’s activities and was one of the largest departments of the Fatah organization.” In late 1993, the B’Tselem organization was shown, in hiding places in Rafah and Khan Yunis, selected parts of Fatah’s intelligence archive, containing hundreds of files on suspected collaborators, covering the period 1987–93. The B’Tselem report, focusing on the human rights aspect of collaboration killings, noted that the material they were shown “is scanty, not detailed, and insufficient considering the grave charges attributed to the suspect”. B’Tselem (1994a), p. 139 and former Fatah Hawks commander M, interview. See also “A Palestinian police official in Gaza to *al-Sharq al-Awsat*: Our forces will never become an instrument for repression” (in Arabic), *al-Sharq al-Awsat*, 27 January 1994.
- 179 L. Lahoud and A. Pinkas, “Talks begin in Cairo on Palestinian police”, *Jerusalem Post*, 21 February 1994.
- 180 During the security talks in Cairo, the PLA Chief of Staff ‘Abd al-Raziq al-Majaydah, for example, had insisted that “Palestinian intelligence officers be in place before the withdrawal to ensure a smooth transfer of authority and deployment of the Palestinian forces”. Ibid.
- 181 “Eleven Fatah Hawks deportees return to Gaza Strip”, IsrTV 1, 1700GMT, 21 April 1994; L. Lahoud, “22 deportees due to arrive from Jordan today”, *Jerusalem Post*, 5 April 1994; and J. Immanuel, “11 Fatah activists return from exile”, *Jerusalem Post*, 22 April 1994. See also “Israel signs with the PLO”, *Economist*, 7 May 1994.
- 182 Many of them came from a Libyan camp for PLO deportees and were obviously among the group of Fatah Hawks who had been training in police and intelligence work since late 1993. L. Lahoud, “22 Deportees Due To Arrive From Jordan

- Today”, *Jerusalem Post*, 5 April 1994 and J. Immanuel, “11 Fatah activists return from exile”, *Jerusalem Post*, 22 April 1994.
- 183 S. Helm, “Israelis talk peace to sound of gunfire”, *Independent*, 30 March 1994, p. 16 and D. Hoffman, “Israeli army, Arabs fight on – maintaining order in Gaza is problem as barracks empty”, *Washington Post*, 31 March 1994, p. A24.
- 184 Savir (1998), p. 135.
- 185 L. Lahoud, “22 deportees due to arrive from Jordan today”, *Jerusalem Post*, 5 April 1994.
- 186 For one source on the presence of plainclothes Palestinian police officers during the transfer of power, see J. West, “Stones fly as Israel completes Gaza withdrawal”, Reuters, 18 May 1994.
- 187 See, for example, criticism by FIDA’s Secretary-General Dr ‘Azmi Shu‘aybi, now sports and youth minister in the PNA Council in “In statement to *al-Sharq al-Awsat* Palestinian Authority minister attacks ‘erroneous practices’ in Gaza and Jericho” (in Arabic), *al-Sharq al-Awsat*, 25 June 1994, p. 6.
- 188 See, for example, B. Burston, “Israel seeks PLO crackdown on fugitives in Jericho”, Reuters, 25 August 1994 and “Rujub reportedly ‘involved in another incident with IDF’”, VOI, 1700GMT, 12 January 1995.
- 189 An example of this continuity was a report by *Biladi* newspaper in 1996 on the collaborator issue, including interviews with an ex-intifada fighter, who “still concerns himself with hunting down some collaborators”. The interviewee was strongly supportive of executions. A mitigating circumstance was if the collaborator could provide useful counter-intelligence. See “Settling accounts: the unfinished story of Palestinian collaborators”, *Biladi/The Jerusalem Times*, 4 October 1996, pp. 8–9.
- 190 For the paramilitaries’ inflation of the collaboration concept to various forms of crime and social deviation, see in particular B’Tselem (1994a), pp. 39 ff.

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5

Arab Brothers: The Politics of Police Training and Recruitment in Exile

We had no *experience* in the field of civilian policing. We were the Palestinian Liberation Army. The only exception was a few middle-rank Palestinian police officers based in Jordan and Egypt. The PLO's armed forces came to do police work without any experience!¹

Major-General Nasr Yusuf, May 1998

When the DoP was signed, the PLO had very few trained and experienced police officers at its disposal. If the PLO were to impose law and order in the autonomous areas, it needed to carry out a large-scale programme of educating and training thousands of police personnel. In doing so, the PLO leadership focused almost exclusively on its exile-based constituencies. One reason for this was that it wanted to use this opportunity to bring its loyalists and supporters back to Palestine. Furthermore, the exile-based forces were more dependent upon and hence loyal to Chairman Arafat, as they mostly lacked a strong constituency inside the Territories. There were many practical reasons for focusing on the Outside. Large-scale police training inside the Occupied Territories was impractical and politically difficult. Training and recruiting the Palestinian police force in the shadow of the Israeli occupation was detrimental to the self-image of the force as the vanguard of a future independent state. By basing the police force on the Outside, it was easier for the PLO leadership to construe the Palestinian Police's deployment in Gaza and Jericho as part of a national liberation.

The national liberation theme was perhaps the most fundamental political factor in the Palestinian police project. A security force with a predominantly military outlook served these ends better than a blue-coloured civilian police force. Many still remembered the Palestinian policemen who had served under Israeli command, and expected that a security force established by the Outside PLO and made up of PLA personnel was going to be different. As one Gazan noted in May 1994,

the Palestinian Police “will not be puppets like the last force. They will be an army.”² Arafat consciously nurtured army-like formations as symbols of the military strength of the Palestinian state-to-be. He instructed that the civilian police role should be limited to “local forces” and that the PLA and other exile-based units should constitute the main elements of the new force.³ The PLO in Tunis also worked to prevent the formation of a strong police force inside the Territories which Israel might use as a justification for reducing the return of the PLO’s exile-based forces and political cadres to a minimum. As shown in Chapter 4, Arafat slowed down police preparations in the Inside in order to ensure a large influx of PLO cadres from abroad. The end result was that the Outside PLO came to dominate the new police force, and the military orientation of its exile-based forces was inherited by the new police.

A Police Force or an Army?

The PLO leadership envisaged a predominant role for its military units in the projected Palestinian police force. This line of thinking was reflected by a number of sources. In interviews shortly after the DoP had been made public, PLO officials announced that the PLO was mobilizing its ‘fighters’ in different Arab countries in order to transfer them to the Occupied Territories. They referred to the Palestinian Police as like “any other organized army”, although “it will not possess any heavy weapons or any artillery”.⁴ The new force was usually labelled ‘the Palestine Central Security Force’ (*quwwat al-amn al-markaziyyah li-filastin*), Arafat also suggested terms such as ‘National Security Forces’ and ‘National Guards’.⁵ Estimates of its final size ranged from 15,000 to 30,000 in late 1993. However, Israeli officials regarded only the lowest estimates as politically acceptable.⁶

The ascendancy of the PLO’s military units was evident from a Palestinian working document on the police force presented to the Israeli side by Nizar ‘Ammar, member of the Palestinian delegation to the Taba security talks, and subsequently published in *al-Quds* newspaper.⁷ The document revealed a strong emphasis on ‘national security’, ‘public security’ and ‘internal security’ forces, with a fairly small civilian police and a large degree of overlapping tasks between branches. (See Box 5.1.)

BOX 5.1

**PLO Working Document on the Palestinian Police Force,
November 1993**

A. National security forces

Missions: To protect public buildings and streets, maintain public order, enforce the law and defend the coast, ports and airports and border crossings.

Size: Ten battalions in the Gaza Strip, i.e. six thousand personnel (six hundred in each battalion), three battalions in the Jericho area, i.e. eighteen hundred personnel, and 14 battalions in the West Bank, eight thousand four hundred personnel.

Arms: Medium machine guns and 60-millimetre mortars, helicopters and coastguard ships.

B. Police units

Missions: One traffic police unit and one drug-fighting unit, one criminal investigation unit, one technical communication and accountancy unit, court police, tourist police, prison police, civilian affairs, one fire and civil defence unit and one police unit for passports and permits.

Size: 3,000 in the Gaza Strip, 650 in Jericho and 3,000 in the West Bank.

Training and preparations: In the Gaza Strip.

C. Public security and internal security

Mission: To pursue and fight activities that disturb the public order and the agreements [with Israel], maintain the PNA's security, protect VIPs, buildings and documents and undertake security coordination with other parties.

Size: Unknown, not agreed upon.^a

^a 'Palestinian document on the police' (in Arabic), *al-Quds*, 8 November 1993, p. 7.

A PLO document on Palestinian police requirements distributed to donor countries at the end of 1993 conveyed a similar impression of a paramilitary police force, with heavy emphasis on units for maintaining

public order and a large standing reserve force without specific policing duties. (See Box 5.1.) The PLO's requirement list presented a four-division force consisting of police, civil defence, intelligence and national security forces.⁸ The first three branches would make up less than 40 per cent of the police force; the national security force constituted the backbone of the force. The size of the force was to be 10,000 during "the first stage" (its establishment in Gaza and Jericho), and would expand to 22,000 during the second stage (its establishment in the West Bank).⁹

The PLO's list of priority equipment also underscored the military character of the force.¹⁰ The police planners obviously foresaw the need to quell large popular demonstrations, and emphasized the need for anti-riot equipment, listing, for example, 100,000 tear gas canisters, 7,000 batons, protection shields and helmets. On the other hand, the number of fingerprint sets was put at only a hundred, reflecting perhaps the belief that ordinary crimefighting and investigation would not be a major activity of the force. The PLO plan outlined the expected transportation needs, and included everything from lorries, bulldozers, motorcycles, buses, minibuses and patrol vehicles to fire-fighting vehicles and ambulances. The high number of lorries (770 in total) compared to the estimate for vehicles for patrolling (330 patrol vehicles and 220 equipped motorcycles in total) indicated that Palestinian police planners attributed less importance to neighbourhood patrolling and gave more priority to military imperatives such as the rapid mobilization and movement of large numbers of personnel and amounts of equipment. The PLO's requirement list also included military-like field equipment such as mobile kitchens, military bags, tents, blankets etc.¹¹ This equipment was not only a reflection of the concept of a military-like police force; it made sense from a practical point of view given the lack of accommodation.

Police Recruitment in Exile: Mobilization of Military-Security Expertise or a Vehicle for Repatriation?

There can be little doubt that the PLO leadership considered police recruitment an important vehicle for repatriating PLO loyalists to Palestine. The Tunis-based leadership may have been somewhat at odds with the Inside leadership in this regard. Faysal al-Husayni, who was repeatedly interviewed on the recruitment and composition of the police

force, suggested that only “half” or even “less than half” of the Palestinian Police would be recruited from the Outside, and Ibrahim Muhanna estimated that only 3,000 men would come from exile.¹²

The DoP contained a paragraph on the establishment of a quadri-lateral committee to consider the repatriation of persons displaced by the 1967 war, but the committee, when it finally met, made very little progress on that issue. Given the postponement of the refugee issue until the final status negotiations, it was unrealistic to assume that the opportunities for repatriation would improve. Police recruitment thus remained the safest way to return. In the security talks with Israel, the PLO finally gained acceptance for recruiting as many as 7,000 of the 9,000-strong police force for the Gaza–Jericho period from its exile constituency, including their immediate family members. Israel had previously demanded a smaller force and that at least half of the externally recruited personnel should be single men.¹³ Later, this number increased by another 5,000 for the West Bank deployment in 1995–6.

The official argument for recruiting diaspora Palestinians had been that the PLA and other PLO forces in exile would make up for the lack of trained police personnel in the Inside. This argument served both parties well. The Outside PLO gained acceptance for the repatriation of key in-exile constituencies and the establishment of an independent power base in the Territories. Israel, for its part, had more confidence in the PLO’s security and military officials in Tunis as future security cooperation partners than in the more junior activists and paramilitaries in the Territories, many of whom the Israeli army had beaten, tortured and killed during the uprising. It also seemed to be eager to ensure that Arafat had solid backing from a repatriated constituency as a counterweight to the radical forces Inside. In 1994, Prime Minister Rabin went so far as to suggest that bringing in the PLA forces “was not a concession, but one of the advantages” of the Gaza–Jericho Agreement.¹⁴

This understanding led to a substantial repatriation of PLO personnel during the first years of the Oslo process, in which police recruitment was a major vehicle for return. At the time of the Gaza–Jericho Agreement, it was expected that between 30,000 and 35,000 family members would return to Palestine along with the police, representing “the first substantial ‘return’ of Palestinians since 1948”.¹⁵ In late 1995, a Knesset debate revealed that over 35,000 Palestinians had “immigrated” to the West Bank and Gaza since the Gaza–Jericho Agreement was signed.

More than half of these were Palestinian police employees and their families.¹⁶ A Palestinian study from 1997 claimed that since 1994, an estimated 60,000 Palestinians had returned as policemen, as PNA personnel with families or as other civilians, who arrived on 'national numbers'.¹⁷ The last was a mechanism of return which permitted the PNA to determine the selection of returnees and which became the only major channel for Palestinian repatriation to the West Bank and Gaza Strip opened in the framework of the peace process. The PNA did not release data on 'national numbers', and there appeared to be a "collusion" of Israeli and PNA interests on this issue, the study argued.¹⁸ Israel apparently compromised on repatriation if it happened via bureaucratic and unspectacular mechanisms hidden from the Israeli media and political pressure groups. The PNA, on the other hand, favoured a mechanism of return in which it had strong influence over the selection of returnees. This obviously meant that the majority of the returnees probably had influential contacts in the PNA and owed their loyalty directly to Arafat's regime.

There is much evidence that the recruitment of Palestinian police personnel in exile in 1993–4 was conceived of as a major repatriation vehicle and therefore that the recruitment process did not focus exclusively on the PLA and other existing military and security forces. A large number of new personnel other than former PLA officers and soldiers were recruited, as many young Palestinians joined those PLA units to be deployed in Jericho and the Gaza Strip.¹⁹ In the PLA's 'Ayn Jalut brigade quartering at the outskirts of Cairo, new personnel appeared to be the majority group.²⁰ The PLA units in Jordan, the Badr Brigades or Badr Forces, also started recruitment. By November 1993, some "750 new elements", youths with an average age of 25, had reportedly joined the Badr Forces in order to enter as part of the Palestinian Police. By February 1994 that number had apparently risen to 1,200.²¹

Evidently, the PLO's so-called army deployed in a number of Arab countries was more often than not only nominally a standing army, and its personnel had largely been demobilized and integrated into civilian life.²² (Those recruited to the Palestinian Police were therefore often termed "volunteers", who were "veterans of the PLO's Palestine Liberation Army (PLA)".²³ Partial demobilization appeared to be common in Egypt and probably elsewhere too. Palestinian officers from Egypt, who entered Gaza in May 1994, told reporters that they had had civilian jobs and

trained with the PLA once a month. Many others reported that they had joined the PLA in Egypt only after the PLO and Israel had signed the DoP seeing it, “as a way to return to their homeland”.²⁴ Other units, such as the Sabra–Shatilla Forces in Yemen, where the PLO had transferred many of its military units after the Israeli air raid on Tunis in 1986, may have been closer to a standing, camp-based military force. Its 2,000 ‘fighters’ were reported to have begun ‘police training’ in their camps in Yemen shortly after Oslo.²⁵

After the Gaza–Jericho Agreement was concluded, there were several examples of non-military personnel entering Gaza and Jericho as police officers. According to a census conducted in April 1994, some 2,300 officials were based at the PLO’s headquarters in Tunis, and repatriating these cadres was stated to be a top priority for the PLO.²⁶ The first large contingent of Palestinian exiles in Tunis to go to Gaza and Jericho consisted of 158 Palestinians who “are officially part of the Palestine Liberation Army”.²⁷ According to an AFP report, however, they were

mainly officials who had served for the last few years in the PLO’s various civilian departments. Some who had never worn a uniform seemed ill at ease in the green military fatigues offered by the Tunisian authorities. The group included six Palestinian journalists, some of whom will man the first bureau in Gaza of the Palestinian News Agency, Wafa. Others will join the Palestinian television service now under construction.²⁸

Investigative press reports on the Palestinian Police in Jericho supported the observation that many Palestinians, especially those with professional expertise or good connections, “were given a police appointment to facilitate [their] entry”.²⁹ Correspondents in Egypt who followed very closely any new developments at the PLA’s ‘Ayn Jalut camp at the outskirts of Cairo in May 1994 reported colourful elements volunteering for the police force such as “a folklore group” who “danced the traditional Palestinian dabka and sang nationalistic songs” as they headed for the Rafah border crossing.³⁰

Another indication of the PLO’s emphasis on repatriation was the fact that a number of PLA personnel arriving in Gaza and Jericho as part of the Palestinian Police were in fact too old to serve in the force. Police cadets interviewed by Amira Hass suggested that the PLO “purposely chose older men who would bring their families ... the

intention was that later they could step aside to make room for our younger men from Gaza".³¹ To some extent this was the case. Upon their arrival, ageing PLA fighters were pensioned off and replaced by young Fatah Hawks and other activists who were more than eager to join the new police force.³² On 26 May 1994, advertisements in Palestinian newspapers also called on Palestinians aged 18 to 25 to join the Police in order to replace old PLA fighters.³³ The high average age of those recruited from exile enabled the PLO to repatriate its veterans and at the same time keep open the doors for a large-scale co-optation of its forces inside. This was not exactly what the Israeli side had foreseen, and an Israeli representative in COPP, a police aid coordination committee in Cairo, complained in late May 1994 that "the average age of the policemen was rather high".³⁴ However, during the early phases of self-rule, the Israeli side did not make a public issue out of the PLO's police repatriation activities. The total scope of repatriation was after all not very large. After 1996, however, the Likud-led government blocked any moves for expanding the quota for police recruitment from the Outside. By then, nearly 11,750 Palestinian policemen had been 'legally' repatriated.³⁵

The Illegal Repatriation of 'Wanted Men'

The PLO's efforts at repatriating its exile-based forces were hampered by the fact that Israel denied entry to certain categories of Palestinian 'terrorist', in particular some one hundred 'wanted' Fatah Hawks who had escaped from the Gaza Strip during the intifada and resided in special camps in Libya for deportees. Repeated requests for entry clearance were declined.³⁶ A number of smuggling incidents or attempts at smuggling fugitives across the Egyptian–Israeli border into the Gaza Strip occurred in 1994–6. Many managed to enter Gaza illegally, and were recruited to the Palestinian Police on their arrival, suggesting that the PNA supported and perhaps sponsored these 'repatriation' efforts.³⁷ In February 1995, a formerly prominent Fatah Hawks paramilitary leader in Rafah, Yasir Abu Samhadanah, who fled to Egypt and Libya in 1993, and four other 'wanted men' managed to evade Israeli sea surveillance off the Gaza coast and got a celebratory reception in Rafah. The fact that he subsequently assumed a senior position in the Palestinian Police in Khan Yunis demonstrated the tacit PNA support for the illegal return of the Hawks, even if it were disruptive of PNA–Israel relations.³⁸

Others were not so lucky, and many were apprehended or shot by Israeli border guards while trying to sneak across the heavily guarded Egyptian–Israeli border in Rafah.³⁹ In mid-June 1995, three Palestinians were shot and killed when a former Fatah Hawks leader, Darwish Abu Khatla, and two other former Hawks attempted to sneak across from Egypt, apparently aided by PS/Force-17 personnel working at the Palestinian crossing point in Rafah. PNA spokesmen professed that the smuggling attempt was “an irresponsible act” by individual members, not by the PS/Force-17 branch as a whole, and promised to set up a security committee to investigate the incident.⁴⁰ The PNA’s tacit or active support for the smuggling of paramilitaries represented a source of friction in Israel–Palestinian relations, and came to threaten the legal repatriation of PLO fighters and personnel. In January 1996, when a group of 285 policemen stationed in Libya were being transported to the Gaza Strip via Egypt, Israel temporarily halted their entry on suspicion that two wanted Fatah Hawks, who had fled to Egypt before May 1994, “had returned under false names”.⁴¹ In July 1994, four Fatah military officers, whose entry Israel had not approved, entered Gaza in Arafat’s diplomatic convoy, prompting Israel to close off entry points and forcing Arafat to return the men to Egypt.⁴² The importance which the PNA apparently attributed to their repatriation is illustrative of its efforts to associate itself with the armed resistance and its fighters, even if it meant losing credibility in the eyes of Israel.

Police Training in Exile After Oslo

The focus of the Palestinian Police’s training after Oslo changed substantially. The pre-Oslo emphasis on the training of bodyguards and VIP protection personnel was gradually replaced by training in basic police skills as well as some specialized training, primarily in Egypt and Jordan.⁴³ Bodyguard training continued, however, and one of the first groups of Palestinian Police to graduate in Egypt had been trained in such skills.⁴⁴ Another and more significant difference from the Madrid period was that PLA personnel were drafted into the police training programmes in large numbers, reflecting the beginning of the decisive influence of the PLO exile constituency in the Palestinian Police. The small number of police trainees coming from the West Bank and Gaza

Strip were a drop in the ocean compared to the thousands of PLA personnel and other Palestinians in exile who were trained for police duties after Oslo.⁴⁵

The number of police trainees from the Territories increased substantially after Oslo, however. Ibrahim Muhanna gave a survey of the training programmes in an interview with the London-based Arabic-daily *al-Sharq al-Awsat* in late January 1994. According to Muhanna's figures, Palestinians sent abroad for police training consisted primarily of four groups: (a) a group of 22 trained for VIP protection between 15 September 1993 and 22 November in Cairo; (b) a group of 52 specialized police officers, who started their training in Cairo on 28 October 1993 and graduated on 17 January 1994; (c) a group of police officers to be trained in general police disciplines for one year beginning in early November 1993; and (d) a group of 11 persons who were being trained in the protection of public institutions.⁴⁶ In total, the number of Palestinians from the Territories sent abroad for training was probably no more than 150–200.⁴⁷

A number of countries offered help in training the Palestinian Police, but as I have shown elsewhere (Lia, 2006, Chapter 2), Western donor countries were so slow in concretizing their pledges that hardly any of their training offers had been implemented at the time of deployment. The Israeli Police Minister Shahal had at one point aired the possibility that Palestinian officers might receive police training in Israel, but it was obvious that this was not a politically viable solution.⁴⁸ The most obvious choice of partner countries was Egypt and Jordan, which were both acceptable to the Israeli government. At the time of Oslo, the PLO had already concluded agreements with the two Arab states on police training.⁴⁹ These two countries remained by far the most important Arab countries to the PLO for police assistance during the early post-Oslo period.

In September 1993, Arafat dispatched his military commanders to nearly all Arab countries which hosted PLA units and guerrilla fighters, reportedly to initiate and supervise police training efforts.⁵⁰ The relatively large PLA force in Yemen, which included the 2,000-strong Sabra-Shatilla Forces and the PLO's Naval Forces, conducted some police training after Oslo, but the extent of these programmes is uncertain.⁵¹ During Arafat's visit to San'a' in early September 1993 to shore up Arab support for the DoP, PLO commanders in Yemen received orders to begin police training of their personnel.⁵² Despite this, one finds very little evidence

of specialized police training outside Jordan and Egypt, although there was evidently some limited security training of PLO personnel in Iraq, Tunisia and Libya.⁵³ The outbreak of the Yemeni civil war must have affected the training efforts there; and at the very least, it must have reduced to a minimum whatever police expertise and host country support the Yemeni authorities could offer.

Prior to the original December deadline for deployment, Arafat claimed: “our security forces had already started their training here in Amman, in Cairo, in San‘a’, in Tunisia, in Algiers, in many other places.”⁵⁴ The statement came in response to public criticism of the PLO’s preparations (or lack thereof) for self-rule, and was inaccurate at best. For political reasons, the PLO was unlikely to receive host country support for police training from countries such as Libya, Sudan and Iraq which had rejected the PLO accord with Israel. Probably for this reason, the PLO contemplated the transfer to Egypt and Jordan of PLA personnel stationed in Sudan, Iraq, Yemen and Libya in order for them to receive police training there.⁵⁵ For various reasons, however, few diaspora Palestinians were allowed to travel to Egypt and Jordan for police training. The PLO’s economic crisis was one reason; another was the fact that neither Egypt nor Jordan were willing to permit additional PLA and Fatah forces to enter in large numbers without knowing in advance when or whether they would be able to deploy in Gaza and Jericho.⁵⁶ On the whole, it appears that only PLA personnel (including veterans and new recruits) stationed in Egypt and Jordan received training in police work before deployment.

Mobilizing and Retraining the Palestine Liberation Army

The role of the Palestine Liberation Army in building the Palestinian Police was an important one. The PLA had been formed in 1964 on orders from the Arab League in Cairo, and each of the PLA’s three brigades was originally raised and overseen by a different Arab state: the ‘Ayn Jalut Brigade by Egypt, the Hittin Brigade by Syria and the Qadisiyyah Brigade by Iraq. A fourth unit, the Badr Forces, was later established by Jordan and sent to support the PLO in Lebanon. The PLA also featured a guerrilla wing, the Popular Liberation Forces, created in

February 1968 in response to the rising popularity of the Palestinian guerrillas, the so-called *fida'iyyun*.⁵⁷ Nominally, the PLA and its chief-of-staff were responsible to the PLO's Military Department and ultimately to Arafat in his capacity as commander-in-chief. In practice military coordination proved to be a serious problem, with the behaviour and allegiance of PLA units heavily influenced by their respective Arab host state, particularly in the case of the Hittin Brigade in Syria.⁵⁸ Some of the PLA forces nevertheless came gradually under more exclusive control by the PLO during its short-lived semi-states in Jordan (1968–70) and Lebanon (1973–82). With the collapse of the PLO's Fakahani Republic⁵⁹ in Lebanon in 1982 and the eviction of its military forces from Beirut in 1982 and Tripoli in 1983, the PLA was scattered throughout the Arab world, weakening the PLO's control. Although the PLA remained administratively under the PLO's leadership in Tunis, units were either dissolved or placed more firmly under the military commands of the Arab states in which the units were stationed.⁶⁰

The PLO forces withdrawn from Lebanon in 1982 were initially relocated to Algeria (600); Tunisia (1,000); Sudan (500); North Yemen (850); South Yemen (1,100); Jordan (260 of the Badr Forces); Iraq (135 or more); and Syria (6,450, including the remaining PLA units). In December 1983 Syria's eviction of the PLO forces from Tripoli in Lebanon led to another exodus, with some 4,000 guerrillas and military personnel evacuated by sea to North Yemen, Algeria and Tunisia.⁶¹ The PLA brigade in Egypt, the 'Ayn Jalut Forces, had been transferred to Lebanon after the Camp David agreement in 1978. After the defeat in Tripoli, however, Arafat reconciled himself with Egypt and its new president, Husni Mubarak. As a result, some 2,000 to 3,000 Arafat-loyal fighters were allowed to return to Egypt, but were mostly demobilized and integrated into civilian life.⁶² The PLO had also moved many of its forces to Tunisia after the Israeli siege of Beirut in 1982; and in 1986, the PLO again transferred a large number of military staff and personnel to Yemen after Israeli planes bombed the PLO's headquarters near Tunis. Apart from contingents in Egypt, Tunisia and Yemen, there were remnants of the PLO's military units scattered in Libya, Iraq, Sudan, Algeria, Syria and Jordan, as well as in Lebanon, where the PLO made determined efforts to rebuild its military infrastructure.⁶³

At the time of Oslo, most PLA units were equipped only with some automatic weapons and pistols, and their missions were to maintain a

semblance of a PLO conventional army and to protect personalities and the headquarters of the PLO abroad. A special presidential guard and the elite units of the so-called Force-17 had the primary responsibility in this regard.⁶⁴ The total number of armed soldiers under nominal PLO command was uncertain. PLO officials put the number as high as “some 15,000–17,000 armed men” and the entire PLA as high as 30,000–35,000 men, divided into nine brigades.⁶⁵ These figures appeared exaggerated, and obviously did not reflect the number of troops that the PLO would be able to field at short notice.⁶⁶ In 1993, it obviously lacked complete oversight over its military personnel in and outside various camps in the Arab world. In mid-November 1993, the PLO leadership decided “to set up a military committee to carry out a census of PLA soldiers to prepare for their transfer”.⁶⁷

Dissolving the Palestine Liberation Army?

Before Oslo, the PLA's fate had been very uncertain. The PLO's financial crisis after the Gulf war had aggravated the decline of Fatah's military wing and the PLA alike, a decline which had begun during the intifada with the shift in the Palestinian armed struggle from cross-border attacks to support for the popular insurrection in the Occupied Territories.⁶⁸ In the early 1990s, fighters were languishing in remote camps in Yemen and southern Libya, to which the PLO transferred many PLA cadres previously employed in administrative posts in order to cut costs, responding to a Libyan offer to pay the PLO up to \$1,000 a month for each PLA member.⁶⁹

Arafat faced growing discontent among PLA officers after serious cutbacks in their budget. In 1993, when the PLO leadership decided to pension off 1,000 fighters and the PLO Military Committee demanded bank guarantees for their pensions, the PLO leader responded by ceasing payment of their salaries altogether, provoking a serious uproar and threats of mutiny among the officer core. In August 1993, for example, Brigadier Ahmad Hasan al-Mufarraj, commander of the PLO forces in Yemen, announced that his units would no longer obey Arafat's orders, in protest against the “starvation policy” being carried out against them.⁷⁰ Arafat undoubtedly exploited the economic crisis to get rid of individual hardliners in the PLA. In February 1993, for example, he pensioned off the veteran commander of the PLA in Jordan, Major-General Na'im

al-Khatib, who apparently opposed Arafat's plan to transform the PLA into a security force for the self-rule government. Al-Khatib had publicly accused the PLO leader of seeking to eliminate those who still called for the complete liberation of Palestine.⁷¹

In the summer of 1993, the PLO's economic crisis fuelled speculations that a complete dissolution of the PLA was imminent. After Oslo, it was revealed that "a comprehensive security plan" had been on the drawing board since mid-1992 proposing to transform the PLA into a police and security force and that a PLO presidential order had in fact been issued to take steps towards that goal. Preparations had been delayed, however, by the lack of funds, but some police training of PLA personnel had in fact begun as early as the spring of 1993.⁷² Shortly after Oslo, the plan was relaunched, with Arafat issuing new orders to dissolve PLA units stationed in Jordan, Syria and Iraq, numbering some 19,000 personnel, and transforming these forces into "a police and security apparatus".⁷³ (For the deployment of the various PLA forces, see Table 5.1.) The start-up of the retraining of the PLA personnel for police duties marked in reality only a continuation of the reorganization and downscaling of the PLO forces and support base in exile that had been triggered by the economic crisis.

TABLE 5.1
Deployment of the Palestine Liberation Army, November 1993

PLA brigades	Commander
Jordan: Badr Forces	Brig. Muhammad Qudsiyyah
Egypt: 'Ayn Jalut Forces	Brig. 'Abd al-Hayy 'Abd al-Wahid
Iraq: al-Aqsa Forces, al-Qadisiyyah Forces	Brig. Hajj Isma'il Jabr
Algeria: Ajnadayn Forces	Brig. Ziyad al-Atrash
Libya: al-Quds Forces	Brig. Khalid Sultan
Sudan: Qadisiyyat Bayrut Forces	Brig. Sa'ib al-'Azij (Abu Qusa)
Syria: Hittin Forces	Col. Tariq al-Khadra'
Lebanon: Fatah Forces	Col. Badi' Kuraym /Col. Munir Maqdash
Yemen: Sabra-Shatilla Forces	Brig. Ahmad Mufarraj (Abu Humayd)

Source: This table is based on a variety of sources, including "The new chiefs of police", *Intelligence Newsletter*, No. 225 (29 September 1993); *al-Quds*, 1, 3 and 12 September 1993 and 20 November 1993; "Palestinian police appointees named", MENA, 1050GMT, 23 November 1993; "Israeli-PLO talks in Cairo - 'major differences' over entry of police force", VOI, 2000GMT, 4 April 1994; and "Tunisian paper cites diplomatic sources on Palestinian police deployment", MENA, 1930GMT, 14 April 1994; and Eisenstadt (1994).

The decision to recruit a major part of the initial Palestinian Police from the PLA had important consequences for the PLO and Inside–Outside relations in Palestinian politics. With the establishment of the PNA and the Arafat’s arrival in Gaza, the political centre of gravity shifted from Tunis to the Territories. Although important departments of the PLO remained in Tunis, including its Political Department (political and foreign affairs) and the Department of the Palestine Liberation Army’s affairs, its previously extensive exile organization was much reduced.⁷⁴ This was particularly so with regard to the PLO’s military units, although a few PLA units remained in Arab countries after successive waves of deployment to Gaza and Jericho in 1994–6.⁷⁵ The decision to repatriate PLA personnel via police force recruitment illustrated the transformation of the Palestinian–Israeli confrontation primarily into an intra-state conflict in which the international and cross-border military dimension had been eliminated. This process had started with the evacuation of the PLO forces from Beirut in 1982. It had continued with the eruption of the intifada in 1987 and would reach its climax with the al-Aqsa intifada beginning in September 2000, when mostly tranquil Arab–Israeli border relations coincided with the worst Palestinian–Israeli violence since 1948.

The PLO’s criteria for repatriation via police recruitment were not spelt out directly, although priority constituencies were identified in the “comprehensive security plan” mentioned above. In early September 1993, for example, PLO officials stated that the Palestinian Police would first of all recruit its members from among PLO fighters residing in PLA camps, with an initial focus on the PLA units in Jordan, the estimated 2,000–3,000 strong Badr Forces. Another key constituency was the 4,500–5,000 “Fatah fighters” who had been among the PLO cadres who had withdrawn from Lebanon in 1982 and resided in camps in Yemen, Algeria, Libya, Sudan and Iraq.⁷⁶ Later, the PLO would also begin recruitment among the nearly 7,000 former PLO fighters who resided outside PLA camps.⁷⁷

Early talks had indicated that the Badr Forces would be the backbone of the Palestinian Police, but this proved to be wrong (see below). Arafat appears to have given special consideration to his units in Yemen, which he visited in early September 1993. Yemen hosted a large number of PLA fighters, some 8,000 according to one report, although many PLO fighters previously located there had returned to the refugee

camps in Lebanon after their expulsion in 1982–3.⁷⁸ Another key constituency was the supposedly elite Force-17 units in Libya and Tunis. A third important unit was the PLO Naval Forces in Yemen. Personnel from this unit had reportedly been selected for a VIP protection training programme in the United States in early 1994. Among the Yemen-based units was a group of veterans who had fought with Chairman Arafat in Lebanon. It was honoured by being the first Palestinian unit (the so-called Group of 19) to cross from Rafah into Gaza in May 1994.⁷⁹

The uncertain prospects of repatriation and the economic crisis driving the reorganization and downscaling of the Palestinian military forces must have exacerbated existing rivalries and tensions between different PLA units and Fatah's military forces. The struggle to enter the PLO's police personnel list fuelled the competition for funds, resources and positions in the PLO.

Leadership Positions and Command Structure

The conversion of the PLO's exile-based forces into a police force and their transfer to Gaza–Jericho represented an upheaval of major dimensions. It was perhaps inevitable that this process would lead to a power struggle in the PLO. Internal rivalries were part of Palestinian politics. Arafat encouraged the formation of competing security structures with overlapping tasks. A neo-patrimonial ruler, he preferred to appease important constituencies with positions, salaries and new organizations and to prevent the emergence of strong institutions without at the same time creating their rivals.

Shortly after the signing of the DoP, it was reported that Arafat officially appointed the leaders of what was then termed 'Palestine's Central Security Forces'. The PLO leader himself assumed the title Supreme Commander (*al-qa'id al-a'la*), and delegated the title of 'Director of National Security' in the Palestinian self-rule to Major-General Nasr Yusuf (Mustafa Bistawi). He was a member of the Fatah Revolutionary Council and Fatah's Central Committee and was the PLA's deputy chief of staff and formerly its political commissar. Their relationship remained difficult, partly owing to policy differences. After his return to Gaza, Arafat himself assumed direct control over the Palestinian Police.⁸⁰ He greatly weakened Major-General Nasr Yusuf's authority as police director by convening daily meetings with all police branch and security service

commanders. The latter had increased in numbers as the Tunis-based PLO intelligence services returned to Gaza with Arafat, and were allowed to retain their own agencies alongside the new security agencies (the PSA) established by the Inside Fatah organization. In the absence of a constitution and other institutional constraints, Arafat allowed himself unfettered powers to micro-manage policing under self-rule. His constant interfering in police affairs and his support for branches outside Major-General Yusuf's command remained disruptive factors, preventing the emergence of the Palestinian Police as a unified institution.⁸¹

Sudden shifts in top appointments and general uncertainty over the command structure characterized the Palestinian Police organizations after Oslo. The intelligence branches witnessed astonishing appointments, in particular to the important Preventive Security Agency. Its Gaza and Jericho chiefs, Colonel Muhammad Dahlan and Colonel Jibril al-Rajub were no surprise; they were well-known Fatah leaders with long experience from the Inside and with the PLO in Tunis. In June 1994, Arafat took everybody by surprise by appointing Misbah Saqr to direct the PSA, with al-Rajub and Dahlan as his deputies. Saqr, a Fatah commander widely believed to be dead, had emerged in Gaza shortly after the Palestinian Police arrived, claiming to have operated underground evading Israeli surveillance for 27 years. For this he was feted as a hero, although many were suspicious, and Syrian media claimed to have proof that he was an Israeli agent. His position remained ceremonial, however; and in 1996, he was arrested by his own agency and later put under house arrest.⁸²

Other top positions in the Palestinian Police also underwent dramatic shifts. In late September 1993, Arafat's military advisers in Tunis prepared a list of security and public order police chiefs, and it apparently confirmed expectations that a number of the security force commanders would come from the Badr Forces, the PLA brigades in Jordan.⁸³ These appointments appear to have set off a wave of disappointment among other PLA and Fatah military commanders. A number of high-ranking officers declared that they would refuse to accept positions in the Palestinian Police, ostensibly because "the force will be used to repress Arafat's opponents".⁸⁴ The relationship with the Inside police officials remained unclear. The former police colonel Ibrahim Muhanna from Gaza had been appointed head of the Palestinian Police in the Gaza Strip on Arafat's orders, but that appointment was obviously

only temporary. New names of future Palestinian police chiefs and security force commanders continued to appear in the press throughout late 1993 and during spring 1994. Foreign police advisers involved in assisting the Palestinian Police lamented the PLO's indecisiveness on key appointments and its general vagueness about the command structure.⁸⁵ PLO documents accessed by this author show that the appointments of all Civilian Police commanders were made only in mid-1994 upon Arafat's arrival in Gaza, and this was obviously true for the other branches as well.⁸⁶ Many PLA personnel remained under their former PLA unit commander long after deployment in Gaza and Jericho.

The top military position in the Jericho district appears to have been highly contested. In late November 1993, when PLO sources in Tunis announced that the most senior positions in the police had been decided, two top members of the PLA general staff in Tunis, Major-General 'Abd al-Raziq al-Majaydah and Major-General Muhammad Abu Khalid al-'Umlah, were appointed as "commanders" or "general co-ordinators" in the Gaza Strip and the Jericho area respectively.⁸⁷ Two other PLA commanders, Brigadier Hajj Isma'il Jabr, commander of the al-Aqsa Brigades in Baghdad, and Brigadier Muhammad Qudsiyyah, chief of the Badr Forces in Jordan, were to become Abu Khalid's deputies for the Jericho area.⁸⁸ For unknown reasons, Major-General al-'Umlah's name was quickly dropped, and this left the field open for rivalries between Hajj Isma'il Jabr and Muhammad al-Qudsiyyah, which were resolved only in the midst of deployment.⁸⁹ In mid-May 1994, a Badr Forces unit headed by al-Qudsiyyah moved into the border area at Allenby bridge awaiting orders to cross into Jericho. At the last minute, they were held back in order to allow a contingent from Yemen to enter first, followed by the al-Aqsa Forces.⁹⁰ When the Badr unit finally received the green light to deploy, they were all transferred to Gaza.⁹¹ Brigadier Hajj Isma'il Jabr had clearly won the battle for Jericho, and the Badr Forces commander Muhammad al-Qudsiyyah remained in Amman frustrated and bitter, accusing Arafat of "discriminating against his men".⁹²

The Badr Forces in Jordan: Manipulated and Marginalized

The PLO's shift from the Badr Forces to other PLA and Fatah constituencies represented a new development. It reflected more than a

temporary downturn in the fortunes of a PLA brigade commander; it marginalized the only PLA units which had gone through extensive police training programmes and which also were intimately familiar with the West Bank.

Initial discussion of mobilizing and retraining PLA units for policing the autonomous areas focused on the Badr Forces, reportedly one of the largest PLA units.⁹³ Already four months before Oslo, in May 1993, the PLO had started the police training of its exile forces in Amman; and in late August 1993, Arafat went there to attend the promotion ceremony of several hundred Palestinians who had just finished a four-month training course.⁹⁴ More training followed, and Jordan had obviously taken the lead in aiding the PLO's new security forces. The police training of the PLA's 'Ayn Jalut Brigade in Cairo (which was only nominally a military unit) started later.⁹⁵ The PLO ambassador in Amman and other PLO security officials stated in September 1993 that the 3,000-strong PLA brigades in Jordan were expected to "form the kernel of the new security force".⁹⁶

The focus on the Badr Forces received much support from Israel's Police Minister Moshe Shahal, highlighting a long tradition in Israeli security thinking of seeing the solution to the Palestinian–Israeli conflict within a triangular Israeli–Palestinian–Jordanian framework. Other senior Israeli officials dealing with the Palestinian Police also supported the idea, believing that it would "set the Jordanian monarch at ease and even strengthen him since they are his ex-soldiers".⁹⁷

Jordan was eager to contribute to the retraining of the Badr Forces, viewing a strong Palestinian security force to be in its own interest or, as one Jordanian official put it, "any weakened control by the PLO in the territories would have security repercussions on Jordanian soil".⁹⁸ In mid-1992, Jordan and the PLO agreed to establish joint committees in six different areas, including a committee for security and border affairs; and in late September 1993, this committee facilitated an agreement on a substantial expansion of Jordan's contribution to the training of the Palestinian Police. King Husayn offered to train not only the estimated 2,000–3,000 PLA troops stationed in the Kingdom but also additional numbers present in other Arab countries. According to PLO sources, Jordan would train all branches of the Palestinian security forces, including its intelligence branches, and the two parties had reportedly "discussed a security intelligence cooperation agreement" during the committee's

meeting in September 1993.⁹⁹ In mid-January 1994, a two-day follow-up meeting co-chaired by the PLO's military intelligence chief Fakhri Shaqqurah and Jordan's 'Abdullah Tukan, an adviser to King Husayn, reviewed the police training programme of the PLA forces and formulated a draft security accord between Jordan and the future Palestinian self-rule.¹⁰⁰

In late 1993 and early 1994, Amman had undoubtedly emerged as the most important venue for Palestinian police training, judging by the size of the Jordanian-sponsored programmes. As in Egypt, the trainees consisted of a mixture of Palestinians coming from the West Bank, Palestinian refugees in Jordan and PLA troops, although the contingency of West Bank Palestinians was by far the smallest.¹⁰¹ Progress in the training programme was notable. By late November 1993, some 2,000 Badr troops had undergone a three-month programme of police training, and PLA commanders expected the strength of the retrained force to reach 3,000 before 13 December.¹⁰² In January 1994, after many of the basic training courses were completed, Jordan offered "specialized security training and logistical support" for the Palestinian Police.¹⁰³

On 11 February 1994, some 1,200 police trainees, drawn from Palestinians living in Jordan, graduated from Jordanian training facilities, and were expected to join the almost 3,000-strong PLA brigades, whose troops had already undergone police training in Jordan, according to press reports. These numbers were somewhat exaggerated, however. At the police donor conference in Cairo in late March 1994, it was reported that the number of Palestinians who had received or were receiving police training in Jordan (including a few in other Arab countries, excluding Egypt) was 3,216.¹⁰⁴ Little information is available about the training itself. One course, a three-month programme aiming at educating police instructors, included intensive courses in police sciences, criminal law, criminal investigation and prosecution, in addition to anti-riot training.¹⁰⁵ The PLA personnel were expected to form a paramilitary public security force, and correspondents who were allowed to visit their training camps noted that anti-riot and arms training formed an important part of their education.¹⁰⁶

The PLO must have felt some unease about both Jordan's forthcomingness with regard to police training and its insistence on a close PLO-Jordanian security relationship. In January 1994, when the joint PLO-Jordanian security committee was set to convene in Amman,

the PLO had apparently been unwilling to participate. The meeting took place only after King Husayn had issued a warning that Jordan would set its own course in Middle East peace talks unless the PLO was prepared to reach an accord governing their future ties.¹⁰⁷ The PLO agreed to a draft security cooperation accord, but no date was set for another meeting, however; and it is uncertain whether the agreement was ever ratified.¹⁰⁸

In late spring 1994, the PLO leadership clearly had second thoughts about Jordan's growing influence over the future Palestinian Police and the dominance which the Badr Forces would inevitably gain in the West Bank. The three Badr brigades were formally a part of the Jordanian army, and the police and security training programme in Jordan was organized and financed entirely by the Jordanian Royal Police Academy and the Jordanian Ministry of the Interior.¹⁰⁹ The PLO leadership must have reasoned that by deploying them as the first Palestinian Police presence in the West Bank, they would contribute to a deepening of the PLO's dependence on Jordan and create uncertainties about the ultimate loyalty of the PLO's forces in the West Bank. A vocal Israeli preference for the Badr Forces must have added to the PLO's concerns, in light of the history of Jordanian–Israeli 'collusion' in containing PLO and Palestinian nationalism.

These considerations were important in the PLO's final decision to reduce considerably the role of the Jordan-based forces. In 1994, only 700 of the almost 3,000-strong Badr Forces entered the autonomous areas; and nearly all of them were sent to the Gaza Strip, where other Palestinian security agencies were dominant and where the Jordanian king had no particular constituency.¹¹⁰ But the Badr Forces had not been completely disenfranchised. In Gaza, the deputy commander of Badr, Colonel Jamal al-Qudsiyyah, appeared as one of the senior officials in the Palestinian Police's important financial department.¹¹¹ When donor funding for police costs was available between April and June 1994, the PLO did in fact direct significant amounts of it to the Badr Forces in Jordan.¹¹²

There were additional reasons for PLO's sudden policy reversal, apart from uncertainty about political loyalties. Arafat probably judged that given Israel's vocal preference for the Badr Forces, he should first repatriate PLA personnel from those host countries which had more hostile relations with Israel than Jordan and leave Badr until last. In late 1994, after the bloody November clashes in Gaza had raised concern in Israel that Arafat faced a considerable Islamist threat to his rule, he

sought Israel's consent to bring in 2,000 more of his PLA forces from exile, asking specifically for the Badr Forces. But again, he wanted them deployed in the Gaza Strip.¹¹³

Foreign police advisers, who were called upon to assist the PLO in restructuring and training the new police force, later recalled that they thought Arafat's decision not to deploy the Badr Forces to Jericho and later to the West Bank was unwise from a professional point of view. The Jordan-based PLA forces were well trained, knew the West Bank and Jericho area well and would do a better job as policemen there than in the Gaza Strip (or in their camps in Jordan!).¹¹⁴ On the other hand, according to the PLO's thinking at this critical juncture, political loyalty counted far more than police professionalism.

The PLO's political control over the PLA forces could never be taken for granted. In fact, loyalty to Arafat in the PLA units had been weakened as a result of the economic crisis, which shattered the PLO as an organization in the early 1990s and limited its ability to pay regular salaries to PLA personnel. This crisis appears to have affected the PLA even more after police deployment began in May and June 1994, as the PLO had to divert more of its resources to the self-rule administration. After Arafat settled in Gaza in July 1994, the PLO put its patronage of remaining PLA units on the back burner. Funds for the PLA had already been slashed before Oslo. Their fate came to a head in Jordan, where the PLO apparently had cut off all payments of salaries and funds for food and equipment maintenance. The PLO had reportedly paid the June salaries in August, and told the Badr commander to send his men on unpaid leave until further notice.¹¹⁵

Jordan considered intervening to resolve the crisis. In a meeting with foreign diplomats on 1 August, King Husayn deplored what he saw as Arafat's "inability to come to grips with the practical problems of self-rule" and confided that Jordan "may have to shoulder its [PLO's] responsibilities for the Palestinian Liberation Army".¹¹⁶ In mid-August 1994, Brigadier Muhammad al-Qudsiyyah publicly criticized Arafat for not paying the Badr forces, urging him to maintain them with a view to deploying them when self-rule was extended to the rest of the West Bank.¹¹⁷ Public criticism of Arafat for being late in paying salaries was nothing new, but al-Qudsiyyah obviously crossed a red line when he publicly petitioned King Husayn for financial aid.¹¹⁸ The request was portrayed as a propaganda success for the King in the Jordanian media,

and it highlighted the soldiers' "protestations of loyalty to Jordan and ... disillusionment with the PLO".¹¹⁹ In the eyes of the PLO leadership, al-Qudsiyyah's conduct was tantamount to mutiny, and over the following years Arafat remained deeply distrustful of his loyalty.

The PLA issue came amidst a deep crisis in PLO–Jordanian relations. They had hit a new low after Jordan and Israel signed a declaration in July 1994 recognizing a special Jordanian role over Islamic sites in Jerusalem and the PLO hit back by banning two pro-Jordanian newspapers in Jericho. PLO and Jordanian officials exchanged accusations in the media, charging each other with neglecting PLO personnel and wanting to "dissolve the PLA".¹²⁰ The PLO also allowed rumours to be spread that the Jordanians were "buying agents" in the PLA.¹²¹ A PLO–Jordanian reconciliation meeting was held on 21 August 1994 to clear differences and resume work in the various bilateral committees, but tensions remained.¹²²

The Jordanian–PLO dispute over the PLA continued to simmer, although a tentative agreement was reached in late 1994 whereby Jordan would assist the PLO in its economic crisis with a royal grant, offered by King Husayn to cover salaries and other expenditures of the Badr Forces until their future had been settled. In late 1996, the PLO again officially resumed payment of PLA salaries.¹²³ Even before Oslo, the Badr brigades had depended completely on the Jordanian authorities for supplies, equipment, uniforms and administrative services. The additional salary expenditures triggered press reports that Jordan "has been spending 10 million dinars annually on the PLA forces since 1990".¹²⁴ It turned out that the PLO succeeded neither in paying regular salaries nor in winning Israeli acceptance for a repatriation of the Badr Forces. With the coming to power of the Likud premier Binyamin Netanyahu in Israel in mid-1996, no PLA personnel were allowed to enter the West Bank and the Gaza Strip, regardless of where they were stationed.¹²⁵ In late 1995 and again in 1997, there were reports that Jordan was on the verge of disbanding the PLA, while the PLO professed that it did what it could to repatriate its forces.¹²⁶ Still, after having obtained another quota of 5,000 police personnel from exile in the context of the Interim Agreement, the PLO again gave priority to exile-based constituencies other than the Badr Forces. At the heart of the dispute was Arafat's dislike and distrust of Brigadier Muhammad al-Qudsiyyah. Finally, in April 1996, the PLO leader decided to accept al-Qudsiyyah's resignation

from his post and replaced him with his second-in-command, Colonel Faysal al-Fahum.¹²⁷ Al-Qudsiyyah himself hoped that the removal of his presence would salvage the Badr Forces.

The example of Badr highlighted the PLO's focus on the repatriation of loyalists via police recruitment, and, more broadly, it indicated that the political context had a negative impact on the professional-technical aspects of establishing a new police force. By discarding one of the very few exile-based forces that had undergone professional police training, valuable police expertise was lost. The Badr affair was also illustrative of the general decline in importance of the PLO's exile-based military forces, transforming the PLA to essentially a refugee issue in PLO politics.¹²⁸

The Hittin Forces in Syria: PLA Forces Beyond PLO Control

The notion of the PLA as a military force which could easily be mobilized on PLO orders was nowhere more illusory than in Syria. Long before Oslo, the PLA units had been placed under the military command of various Arab states, which often disagreed with the PLO. This meant that in September 1993, Arafat had to seek endorsement from the heads of government in these countries in order to allow the PLA units to be transferred to Gaza and Jericho. The Oslo Accords were unpopular in the Arab world, especially in Libya, Iraq, Sudan, Syria and Lebanon, whose governments more or less vociferously rejected the agreements as a sell-out and continued to host Palestinian opposition groups who worked actively against Arafat. Although the PLO leader managed to win consent from Sudan, Iraq and Libya for the transfer of PLA personnel based there, he could not hope for much assistance from these countries in funding, training and equipping the Palestinian Police. In fact, the capricious Libyan dictator Qaddafi, who had generously offered much logistical support and funds to various PLO units during the PLO's financial crisis in the early 1990s, reversed his policies *vis-à-vis* the PLO and decided at one point to expel the entire Palestinian community in Libya.

The PLA brigade in Syria, the so-called Hittin forces, had been under Syrian command since the mid-1960s, and the PLO considered it politically the most problematic of all PLA units.¹²⁹ It had fought against the Arafat-loyal forces in Lebanon in the 1980s and remained in reality a part of the Syrian army; it was paid exclusively by the Syrian

government, unlike the other PLA brigades.¹³⁰ At the time of the DoP, the Arab states hosting PLA units responded positively to the PLO's request to transfer the PLA forces to Gaza and Jericho; only Syria remained silent. It was interpreted as a sign of Syrian disapproval of the PLO–Israeli agreement, which undercut Syria's negotiating strategy in the talks.¹³¹ Since the Syrian-supported Abu Musa mutiny in Lebanon in 1983, there existed a 'mutual boycott' between Damascus and the Arafat-loyal Fatah movement. The organization was banned from Syrian territory, its offices were closed, PLO and Fatah assets were frozen, their properties were confiscated and several thousand Arafat-loyal Palestinians languished in Syrian jails.¹³²

In an attempt to make the request for the transfer of the Hittin Forces more attractive, PLO officials in September 1993 had begun mentioning the PLA commander in Damascus, Colonel Muhammad Tariq al-Khadra', as the future chief of Palestinian security forces in Gaza and Jericho, emphasizing "the position and significance of the [PLA] forces under his control".¹³³ This was not sufficient to convince the Syrian authorities, yet in spring 1994 PLO officials seem to have hoped that at least some PLA troops might be recovered from Damascus.¹³⁴ As far as I know, Syria was unwilling to let any of its Hittin forces leave, and the PLA commander al-Khadra' continued to pay allegiance to the Syrian regime, regularly participating with other anti-Arafat rejectionist groups at rallies where the DoP was denounced as "an Arafat–Zionist conspiracy".¹³⁵ This does not mean that individual PLA fighters were not eager to return. According to the secretary-general of the PLO's Lebanon Committee, the PLO "receive daily requests from our fighters as well as from the fighters of the 'Ten Organizations' where they implore us to put their names on the list of return to the fatherland, to join the ranks of the [military] organs of our Palestinian National Authority ... even our brothers in Syria, ask us and express their wishes to join us in the homeland."¹³⁶

Those few who eventually joined the Palestinian Police from the various Palestinian forces in Syria had to seek this opportunity secretly, desert their units and flee Syria. In addition to preventing the deployment of PLA units from Syria, Damascus also put obstacles in the way when the PLO made repeated attempts to transfer Fatah fighters from Lebanon to the self-rule areas in 1994–6.

Fatah Forces in Lebanon: Mobilization and Mutiny

The Fatah forces in Lebanon occupied a prominent place in the PLO's police recruitment/repatriation efforts.¹³⁷ In early September 1993, Arafat ordered his military commanders in Lebanon to take a census in the refugee camps of Gaza-born Palestinians who had arrived in Lebanon after 1967 and begin drafting a list of prospective recruits from among them.¹³⁸ 'Ala' al-Afandi, a former commander of the joint Palestinian forces in Lebanon and widely considered Arafat's man in Lebanon, arrived in Beirut at the end of August with orders to supervise the census and recruitment process.¹³⁹ It was expected that the recruits, preferably men between 18 and 30, would undergo police training before their departure for Gaza.¹⁴⁰ The selection process did not take long. Only a week later, on 7 September, 'Ala' al-Afandi left for Tunis with a personnel roster.¹⁴¹ Clearly, this extraordinarily speedy recruitment process in the camps could not possibly have been a systematic survey of police recruits fulfilling certain professional qualifications and standards. It was primarily a status report on Fatah's constituency in Lebanon. The Arafat-loyal Fatah forces, not qualified police recruits, had priority.¹⁴²

Various ways of transporting personnel from Lebanon to Gaza were explored, including the possibility of transferring them directly to Gaza through the port of Naqurah on the Lebanese-Israeli border under UN supervision in order to reduce transportation costs.¹⁴³ Nothing came out of these consultations, however; and the political climate in Lebanon was not conducive to Palestinian police preparations. It was more a question of saving Palestinian fighters who had been stranded there and were in deep trouble. When asked in mid-1995 whether the PLO had prepared "lists of fighters present in Lebanon to be returned to the Homeland", the secretary-general of the PLO's Lebanon Committee noted that a PLO personnel roster for Lebanon was still being worked out and that it would divide the "brothers" in Lebanon into three categories:

the brothers, whose presence in Lebanon is illegal; those who as a result of their struggle and combat for the Palestinian revolution are wanted by the Arab regimes or the Lebanese authorities; and those brothers from the Lebanese field whom we are able to let stay there with their families and their people, so that they can be our messengers among our people and communities there.¹⁴⁴

There had long been tensions between pro- and anti-Arafat supporters in the camps in Lebanon. Conflict between the loyalist Fatah and the Abu Nidal faction (the Fatah Revolutionary Council) had erupted in a wave of political killings in 1992–3.¹⁴⁵ This internecine fighting dated back to the Lebanese civil war and the Syrian-supported Abu Musa mutiny against Arafat in 1983, which led to the eviction of 4,000 loyalist guerrillas from Tripoli. It was hard to imagine that a non-politicized selection and recruitment process to the Palestinian Police could ever take place there. The controversial role awaiting the force in Gaza and Jericho (to protect the Israeli occupation) added fuel to the fire. There were evidently fears that the police recruitment-cum-repatriation of Arafat-loyalists would have serious consequences for the volatile situation, to the extent that the Lebanese government felt compelled to issue a statement denying that these efforts would precipitate “clashes” in the camps.¹⁴⁶

A serious mutiny against Arafat nevertheless took place in late 1993 within the ranks of Fatah’s military forces in Lebanon. In the autumn of 1993, Colonel Munir al-Maqqdah (Abu Hasan), Fatah’s senior officer in Lebanon and commander in the ‘Ayn al-Hilwah refugee camp (near Sidon), was deposed after having demanded Arafat’s resignation.¹⁴⁷ Al-Maqqdah had accused the PLO leader of neglecting the nearly 300,000 Palestinian refugees in Lebanon, and his accusations were not baseless. In early September 1993, ‘Ala’ al-Afandi from the PLO in Tunis had begun to terminate Palestinian economic activity in southern Lebanon, selling off properties and assets of the Fatah movement and the PLO, including apartments, land, factories and shares in commercial companies.¹⁴⁸

When in late November 1993 Tunis ordered the Fatah leadership in Lebanon to transfer some 1,000 Fatah officers and fighters from Beirut to a location outside Lebanon in order to prepare them for joining the Palestinian Police, al-Maqqdah moved to establish a new Fatah breakaway group, the Forces of the Black September 13 Brigades – Fatah, a reference to the signing date of the DoP. Al-Maqqdah himself, adopting the rhetoric of the other rejectionist groups, announced that he would “never accept becoming the Lahad of Gaza and Jericho”.¹⁴⁹ His revolt was a serious setback. Arafat had first deposed al-Maqqdah on 14 October, replacing him with Colonel Badi’ Kuraym, but he attempted at the same time to address refugees’ grievances by promising to renew

payments and other benefits to the camps. The deposed al-Maqdah nevertheless managed to rally most Fatah fighters in 'Ayn al-Hilwah to his support, and Arafat lost control of this, the largest Palestinian refugee camp in the country and until then one of the few remaining camps under loyalist control.¹⁵⁰ During 1994, Munir al-Maqdah's dissident group emerged as one of the most defiant rejectionist groups, reflecting a deep sense of betrayal among Palestinian refugees in Lebanon. The Black September 13 Brigades opened merger talks with the Syrian-supported Fatah Command/Abu Musa and publicly called for Arafat's execution during the latter's return to Gaza.¹⁵¹

In April 1994, the dissident Fatah commander in Lebanon managed to create new obstacles for the PLO's police preparations. This time, it was on the arms issue. In mid-April the PLO had sent orders to its military officials in Lebanon to begin collecting all types of light weapons from the Palestinian camps in Sidon and Tyre with a view to transferring them to Gaza and Jericho. Egypt had offered a helping hand in transporting these weapons to Cairo and Rafah for arming the Palestinian Police awaiting orders to enter the Territories.¹⁵² Disarming the refugee camps had long been a key objective of the Lebanese army, and the PLO contacted the Lebanese authorities concerning this issue and agreed on a joint Lebanese–PLO plan for gathering weapons from the camps. On 11 April 1994, the Lebanese army stormed several Palestinian camps and seized numerous arms caches, including large amounts of weapons, missiles and hand grenades.¹⁵³ By mid-April, Arafat-loyal forces had also started to gather weapons in the camps, from military officials as well as civilians, and they recorded their number and type before transportation to Cairo. In the 'Ayn al-Hilwah camp, this became difficult, as Munir al-Maqdah refused to allow weapons to be gathered from his forces.

Al-Maqdah's revolt revealed serious splits within the Fatah movement, on which the Palestinian Police was to be constructed. As far as sources indicate, in 1994–5 those Fatah forces from Lebanon which reached Gaza and Jericho to join the Palestinian Police did so clandestinely, as was the case with members of the Hittin forces in Syria.¹⁵⁴ Press reports suggested that as many as 300 Fatah fighters had secretly left Lebanon to join the Palestinian Police in 1995.¹⁵⁵ Whether it was al-Maqdah's rebellion alone or Syrian intransigence that prevented the PLO from transferring more of its Fatah Forces in 1994 is difficult to ascertain.

At later stages, as al-Maqqdah's mutiny lost momentum, it seems clear that Fatah rejectionism had little impact on police recruitment and preparations in Lebanon. The absence of political backing from Syria remained the key obstacle. In fact, when the PLO renewed its efforts to transfer some 2,000 Fatah fighters in late 1994 and early 1995, Syria blocked the move, despite French diplomatic intervention in support of their transfer. The Americans and Israelis too were said to have given their blessings after Arafat raised the issue with Secretary of State Warren Christopher, and the Lebanese interior minister also "welcomed" their departure, especially if they left "with their weapons".¹⁵⁶ Syria's justification was that "the principle of consultations had not been respected" in such an important matter with "regional implications".¹⁵⁷ At least forty PLO fighters managed to leave in January 1995, but it is uncertain whether this 'transfer' was authorized by Syria.¹⁵⁸

In early 1996, the PLO again renewed its efforts at repatriating several hundred of the 1,200 remaining Fatah forces in Lebanon, but with mixed success. Israel had by then approved the transfer of 300 of a PLO list of 1,200 names, but it excluded recruits from the opposition factions, including the PFLP and the DFLP. At the end of January 1996, only 72 fighters had left for the self-rule areas, and it is uncertain whether other groups were allowed to follow.¹⁵⁹ At this point, loyalist Fatah forces had regained control of the 'Ayn al-Hilwah refugee camp, and most fighters designated for repatriation resided there.¹⁶⁰ A high-level Palestinian delegation was supposed to visit Damascus and Beirut to discuss arrangements for the departure of this group, but it appears that nothing came of this.¹⁶¹

The unsuccessful repatriation of Fatah forces demonstrated again the limited control that the PLO exercised over its exile-based military personnel. Furthermore, the Fatah mutiny in Lebanon highlighted another political dilemma that the PLO faced when evacuating its military forces from exile. Despite the general revulsion over internecine fighting and political murders in the refugee camps, the symbolism of the PLO's cooperation with the Lebanese government in disarming the camps could not be missed. It brought back memories of the PLO's evacuation of its soldiers from Beirut in 1982, leaving the refugees unarmed and defenceless against Phalangist death squads and the Israeli siege.

Images of Police Training: The Portrayal of Cairo's Contribution

Egypt hosted the PLA's 'Ayn Jalut Forces, and became one of the most important venues for Palestinian police training after Oslo, second only to Amman's extensive programmes. It emerged as the largest Arab contributor after PLO–Jordanian relations deteriorated in mid-1994 and police training in Jordan largely ceased. Owing to its political weight in the region and to its status as host to the political talks, Egypt emerged in 1994 as the main centre for Palestinian police preparations for deployment.

There was significant press coverage of the first groups of Palestinians who left the Gaza Strip for Cairo to be trained as police officers.¹⁶² The first groups included mainly lawyers and law school graduates, in addition to a few engineers and doctors.¹⁶³ They were trained at the Egyptian police academy in Cairo, and their arrival marked a gradual shift towards training in specialized police disciplines. It was expected that many of these officers would later become trainers and instructors. The specialized police training was part of a broader programme for future Palestinian self-rule officials. In October 1993, the trainees reportedly included "50 police officers, 130 administrative officials and hundreds of individuals".¹⁶⁴ In late October 1993, a new group of about fifty Palestinians arrived, bringing the total number of police trainees from the Gaza Strip to more than a hundred.¹⁶⁵

The training camps of the Palestinian Police in Jordan and Egypt were initially sealed off to the media, and information on the forces' progress was scant. When the first reports about their training leaked to the press, it transpired that the programmes had been condensed to fit the tight time schedule, as Palestinian autonomy was expected to be implemented in mid-December 1993.¹⁶⁶ In other respects, they were similar to those given to Egyptian police officers. The regular two-year diploma was shortened to one year, and a six-month officer's diploma would be awarded after three or four months of intensive education.¹⁶⁷ In late November 1993, the programme was expanded further. The Egyptian Ministry of the Interior began training a new group of some 500–600 PLO cadres "for body guard duties, security of the state, administrative duties, and fire defence, and general security in all fields of Egyptian police work", according to the Egyptian press.¹⁶⁸ Some 52 officers subsequently graduated in mid-January 1994, after an intensive four-month programme in specialized police disciplines.¹⁶⁹ By the end of March 1994, the number of Palestinian police personnel being trained

in Cairo had reached 1,224, at an estimated cost of \$5 million, according to official Egyptian sources.¹⁷⁰ (In comparison, the number of Palestinians receiving police training elsewhere, primarily in Jordan, was reported to be 3,216.¹⁷¹)

The image of the Palestinian Police emanating from the media coverage of their training in Cairo and Amman was probably important in determining popular expectations at this early stage. On 22 November 1993, the first graduation ceremony was held in Cairo, for 22 Palestinian officers who had passed an intensive course in VIP protection at the Egyptian Ministry of the Interior.¹⁷² The ceremony received broad media coverage, including outside Egypt.¹⁷³ A Reuters report described how the police graduates “paraded ... in olive-green fatigues with the red, white, green and black Palestinian flag embroidered on their caps and shoulders, brandishing automatic rifles, and demonstrated foiling assassination attempts on an official in his office and in his car”.¹⁷⁴

The ceremony was attended by the Egyptian Minister of the Interior Hasan al-Alfi, who had barely escaped an assassination attempt by Islamist insurgents only a few months earlier and whose security forces were bogged down in an endless ‘war on terrorism’.¹⁷⁵ The PLO’s ambassador to Egypt, Sa’id Kamal, was present and praised in his speech Egypt’s President Husni Mubarak, who “has directed the efforts of all [Egyptian security] agencies towards supporting us”.¹⁷⁶ While the PLO ambassador described the graduation as “the first step towards building a Palestinian entity on Palestinian territory”, Interior Minister al-Alfi was photographed by the government-loyal Egyptian media as he handed out prizes to the best candidates among the Palestinian police officers.¹⁷⁷

This and similar ceremonies were intended as a public relations gambit to publicize Egypt’s role in the peace process. At the same time, it portrayed the Palestinian Police as a combination VIP service and counter-terrorism force. That association was further strengthened by Egypt’s protracted counter-terrorism campaign after an Islamist insurgency escalated in earnest in 1992. In January 1994, during the celebration of the ‘Police Day’ in Cairo, Egyptian security forces reportedly “foiled a terrorist scheme to assassinate a number of senior police commanders” by raiding a hideout in the shantytown of Ma’sarah, south of Cairo, capturing among others Samir Isma’il Salih, a Palestinian and allegedly a Hamas operative.¹⁷⁸ This was stated to be the first time a Palestinian had been implicated in the activities of the Egyptian Islamist insurgents,

although reports that he was from Hamas were strongly denied by the Egyptian interior minister in the official press.¹⁷⁹ Whatever his background was, at the time the media story strengthened the belief that the Palestinian police training was part of a broader regional alliance against the Islamist movement. That theme was picked up in the Arab press, where stories of Palestinian police training in Egypt and Jordan were accompanied by commentaries stressing that the recruits were being trained “in quelling demonstrations and arresting rioters in what obviously seems to be preparations for confronting Hamas”.¹⁸⁰

Palestinian police training in Amman conveyed a similar message. The largest Palestinian newspaper in the Occupied Territories, *al-Quds*, ran a number of articles about the anti-riot training programmes with large pictures of Palestinian recruits in full riot control gear shouting and waving their batons menacingly.¹⁸¹ The image of a repressive police force was hard to eradicate. In almost every published interview, trainees and PLA commanders strenuously professed that they would respect human rights and become a democratic police force. For example, police trainees and the head of the PLA’s Directorate of Political and Moral Guidance in Jordan pledged that they “never clash with the citizen inside the Occupied Territories” and that “we do not train them [the police recruits] in confronting Hamas”.¹⁸² Such assurances sounded hollow, however. The pictures of batons, shields and anti-riot soldiers told otherwise, reinforcing the impression that Jordan and Egypt were indeed assisting the PLO in turning self-rule into just another authoritarian Arab police state.¹⁸³

Police Training by Western Donors before Deployment

Egypt, Jordan and the Arab states were not the only countries where prospective Palestinian police officers were offered training. The PLO approached the United States and a number of European countries for aid, including the United Kingdom, France, Russia, the Netherlands, Norway, Spain, Denmark and Sweden. The assistance of the UN was also solicited. As far as can be ascertained, their efforts in the pre-deployment period were largely confined to “feasibility studies”.¹⁸⁴ Only in late 1994 did Western-sponsored police training start in earnest. Hence, it was the Arab countries Jordan and Egypt which most decisively influenced the Palestinian Police during its formative stages. Training

to promote European traditions of democratic policing was largely absent.¹⁸⁵

Conclusion

The PLO's preparations for establishing a police force underwent several stages since the idea emerged in 1992–3. At the beginning, PLO police officials inside and in the diaspora made various concept studies and planning documents, sometimes in cooperation with Jordanian and Egyptian security experts. Large-scale training and recruitment efforts started only with the conclusion of the DoP. By May 1994, the PLO had made considerable progress in preparing the police, starting almost from scratch in September 1993. Thousands of Palestinians had been recruited, both within the Occupied Territories and in exile. Basic police training in Jordanian and Egyptian police academies had been given to a large number of Palestinians in exile, a number of officers had also received specialized training and new, VIP-protection teams had been set up. It is difficult to estimate how many Palestinian police officers were trained for police work from September 1993 until deployment in May–June 1994. But there was clearly a steadily growing output of personnel with some basic police skills, usually no more than two to three months' training; and by the end of March 1994, these numbered about 5,000. Almost all police training had taken place outside the Occupied Territories.

The effect of this training was reduced by the PLO's decision to deploy only a small fraction of the well-trained Badr Forces stationed in Jordan. The deliberate use of police recruitment for repatriation purposes further undermined efforts at building a professional police force. The lack of police training inside the Territories meant that there were hardly any personnel in the Palestinian Police who both had police training and were familiar with the environment in which the police were supposed to work. The vast majority were returnees who had been absent for decades and could not possibly function as an efficient force without support from local officers.¹⁸⁶ Inevitably, the Palestinian Police would have to rely heavily on the Fatah paramilitaries, who knew the terrain and were already policing the Gaza Strip and Jericho awaiting the arrival of the leadership from exile. Their integration into the police implied,

however, that the police force had inherited an ominous legacy of vigilantism. The police preparations were the victim of the PLO's policy of consensus-seeking and co-optation that allowed influential guerrilla leaders to obtain leadership positions in a growing number of semi-autonomous security agencies. As alluded to above, the PLO's failure to merge the Tunis-based and the Inside Fatah security bodies into a unified command structure contributed to the Palestinian Police's reputation as a multi-headed militia organization with murky remits and no accountability.

NOTES

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- 4 "The PLO prepares for deploying its fighters in the self rule areas as security forces" (in Arabic), *al-Quds*, 12 September 1993, p. 1.
- 5 "Arafat on Gaza–Jericho plan, Jerusalem, refugees, confederation and finances", RMC, 1732GMT, 1 September 1993.
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- 9 Ibid.
- 10 The document listed technical equipment, such as fingerprint sets, computer systems, a crime laboratory, photography equipment, polaroid cameras, handcuffs, tear gas cannisters and a long list of communication equipment for its planned police stations and institutions. UD 25.11.19Z Vol. 1, letter to RNMF from the PLO's Oslo office, dated 31 December 1993.
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- 13 F. Chipaux, "Arafat's police tread gingerly in their new homeland" (*Le Monde*), *Manchester Guardian Weekly*, 15 May 1994, p. 13.

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- 15 R. Fisk and A. Savill, "Deals at the heart of Mid East peace plan revealed", *Independent*, 10 April 1994, p. 1.
- 16 "Israeli Prime Minister says over 35,000 Palestinians have immigrated to West Bank, Gaza", VOI, 1100GMT, 24 October 1995.
- 17 Jamal and Darwish (1997), pp. 24–5. See also Tansley (1996).
- 18 Jamal and Darwish (1997), pp. 24–5.
- 19 In early September 1993, it was reported that the PLA had begun to recruit "new elements" previously unaffiliated with the PLA. When interviewed on the training of prospective Palestinian police personnel, a Palestinian diplomat in Baghdad, for example, made no reference to the veterans from the existing PLA military units but emphasized instead that "the force is drawn from the young Palestinians in Iraq ... We have thousands of volunteers ready to join the Palestinian police force." "Palestinian police force trained by ICRC in Iraq", Reuters, 5 December 1993 and "Palestinian official: Resumption of training of the PLO's 'Badr forces' to assume security tasks in Gaza and Jericho" (in Arabic), *al-Quds*, 1 September 1993, p. 2.
- 20 Interview with PLO official 'Umar al-Khatib Abu Shamikh in Cairo in "Umar al-Khatib: Intensive training courses for the central Palestinian security forces" (in Arabic), *al-Quds*, 21 September 1993, p. 2.
- 21 "The Palestinian police completes its training" (in Arabic), *al-Quds*, 23 November 1993, p. 5 and "1,200 Palestinian police recruits graduate", AP, 9 February 1994.
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- 35 The number of Palestinian police from Outside authorized by Israel had reached 11,748 in 1997, according to figures given by Defence Minister Yitzhak Mordechai in reply to MK Benny Elon in the Knesset on 9 April 1997. Translated in “Minister of Defense replies to questions about PA police”, IMRA website, 30 May 1997.
- 36 “Israel prevents 100 wanted Fatah Hawks from returning to Gaza Strip”, VOI, 0500GMT, 27 February 1995.
- 37 Interview with N, a former ‘wanted man’ who stayed at a camp for paramilitaries in Libya and managed to enter the Gaza Strip illegally from Egypt.
- 38 Abu Samhadanah was wanted by Israeli authorities for the killing of 28 collaborators and the alleged involvement in the killing of an Israeli citizen. “Wanted Palestinian returns to Gaza from Egypt”, Reuters, 26 February 1995; “Wanted Fatah terrorist evades navy, arrives in Gaza”, *Jerusalem Post*, 26 February 1995, p. 1; L. Collins, “Shahak: 160 anti-tank mines found in Gaza”, *Jerusalem Post*, 1 March 1995, p. 2; “Israel prevents 100 wanted Fatah Hawks from returning to Gaza Strip”, VOI, 0500GMT, 27 February 1995; “Fatah Hawks commander wanted by Israel reportedly returns ‘furtively’ to Gaza”, IsrTV 1, 1800GMT, 25 February 1995; and J. Immanuel and A. Pinkas, “Terrorist, two PA Policemen, killed in gunfight with IDF”, *Jerusalem Post*, 15 June 1995, p. 1.
- 39 See, for example, “Gaza Strip Palestinians protest against incarcerations”, VOI, 1200GMT, 10 June 1995.
- 40 “Three Palestinians shot dead in clash with Israeli forces”, VOI, 0500GMT, 14 June 1995; D. Brown, “Infiltrators shot by Israeli guards”, *Guardian*, 15 June 1995, p. 16; P. Cockburn, “Israelis kill Arafat men on Egypt’s Gaza border”, *Independent*, 15 June 1995, p. 11; and T. Shriteh, “Israeli soldiers kill three Palestinians in Gaza”, Reuters, 14 June 1995.
- 41 Palestinian Police commanders reluctantly agreed to “discuss the fate of the two men if they were found among the group”. Cited in “Israel says wanted men entered Gaza as PLO police”, Reuters, 31 January 1996. See also “54 policemen allowed into Gaza Strip”, *Biladi/The Jerusalem Times*, 2 February 1996, p. 1.
- 42 P. Cockburn, “Israelis kill Arafat men on Egypt’s Gaza border”, *Independent*, 15 June 1995, p. 11.
- 43 See, for example, “Palestinians from Gaza go to Egypt to be trained for police work” (in Arabic), *al-Hayat* (London), 16 September 1993; “The graduation of the first group of Palestinian police in Cairo” (in Arabic), *al-Jumhuriyyah*, 23 November 1993; and J. Immanuel, “7,000 to be recruited for Palestinian police force”, *Jerusalem Post*, 14 October 1993.
- 44 They had reportedly been trained in VIP protection and the securing of roads at the Institute of Higher Training at the Egyptian Ministry of Interior. Their first mission in Gaza was reportedly to protect and secure the members of the peace delegation. See “The Graduation of the first group of Palestinian police in Cairo (in Arabic), *al-Jumhuriyyah*, 23 November 1993.
- 45 For example, on 24 September 1993, it was reported that some fifty West Bank Palestinians had received police training in Jordan, and 800 members of the PLA were being trained at the Jordanian police academy. “Offices opened in the Occupied Territories to receive applications for [recruits to] the Palestinian police” (in Arabic), *al-Sharq al-Awsat*, 24 September 1993.

- 46 The figures correspond roughly with numbers given to this author in interviews with Palestinian police officials. 'Asfur and Yusuf, interviews and "A Palestinian police official in Gaza to *al-Sharq al-Awsat*: Our forces will never become an instrument for repression" (in Arabic), *al-Sharq al-Awsat*, 27 January 1994.
- 47 A source close to Israeli intelligence reported that by April 1994, no more than 150–200 had been sent abroad for training. Interviews have corroborated that figure. Eisenstadt (1994), pp. 215–16 and 'Asfur, interviews.
- 48 D. Brown and I. Black, "Israel offers to train Palestinian police force", *Guardian*, 7 September 1993, p. 24.
- 49 "Dr 'Azmi al-Shu'aybi: Strong interest in applying for the Palestinian police force" (in Arabic), *al-Quds*, 25 September 1993, p. 5.
- 50 "The PLO prepares for deploying its fighters in the self rule areas as security forces" (in Arabic), *al-Quds*, 12 September 1993, p. 1.
- 51 "'Umar al-Khatib: Intensive training courses for the Central Palestinian Security Forces" (in Arabic), *al-Quds*, 21 September 1993, p. 2.
- 52 Ibid. and "On instructions from Arafat: The armed Palestinians in Yemen receive training to undertake police work in the West Bank and Gaza Strip" (in Arabic), *al-Quds*, 3 September 1993, p. 4
- 53 There were hardly any media reports about police training in Arab countries apart from Egypt and Jordan. With regard to Yemen, for example, there were no follow-up reports of training programmes, graduation ceremonies or requests for international aid or Yemeni assistance. The ICRC had held training courses at PLO police training camps in Baghdad, Amman and Cairo, but not in San'a'. "1,200 Palestinian police recruits graduate", AP, 9 February 1994; "Palestinian police from Libya arrive in Gaza", Reuters, 13 June 1993; and "First Palestinian police to enter Jericho on Sunday", Reuters, 7 May 1994.
- 54 "Christopher and Arafat meet in Amman; hold news conference; leave Jordan", Jordanian TV, Amman, in English, 2010GMT, 6 December 1993, via SWB.
- 55 The al-Aqsa brigade in Iraq, for example, was expected to arrive in Jordan to receive police training there, and PLA personnel from Sudan and Libya should have been sent to Cairo for training. "The Palestinian police completes its training" (in Arabic), *al-Quds*, 23 November 1993, p. 5; R. Fisk, "Palestine policeman's lot may not be a happy one", *Independent*, 18 September 1993, p. 12; and "The Palestinian-Jordanian security committee discusses a number of common issues" (in Arabic), *al-Quds*, 28 September 1993, p. 1.
- 56 Eisenstadt (1994) and "300 Palestinian Policemen to enter Jericho tomorrow", Xinhua, 7 May 1994.
- 57 Brynen (1990), p. 18.
- 58 Ibid.
- 59 The expression is borrowed from Sayigh (1997).
- 60 "The PLO demands that the National Security Forces be equipped with guns, machine guns and short range shotguns" (in Arabic), *al-Quds*, 9 September 1993, p. 8.
- 61 According to *The Times*, 22 September 1982, p. 13. Cited in Brynen (1990), pp. 6, 16.
- 62 "200 Policemen from the Gaza Strip to Egypt to follow training courses" (in Arabic), *al-Quds*, 12 September 1993, p. 1.

- 63 Interview with the secretary-general of the PLO's Lebanese Committee in "The Palestinians in Lebanon: Conversation with Brig. Abu Khalid al-'Arabiyyah/Salim al-Burdayni" (in Arabic), *Watani*, No. 7 (August 1995), p. 18.
- 64 "The PLO demands that the National Security Forces be equipped with guns, machine guns and short range shotguns" (in Arabic), *al-Quds*, 9 September 1993, p. 8.
- 65 Ibid. and "On instructions from Arafat: the armed Palestinians in Yemen receive training to undertake police work in the West Bank and Gaza Strip" (in Arabic), *al-Quds*, 1993, 3 September 1993, p. 4; "Preparing for the Interim Period: The Palestinian police in the training field" (in Arabic), *al-Quds*, 23 September 1993, p. 5; and "The PLO prepares for deploying its fighters in the self rule areas as security forces" (in Arabic), *al-Quds*, 12 September 1993, p. 1.
- 66 A study of the PLO in Lebanon published in 1990 put the figure at 6,000 to 10,000. Brynen (1990), p. 18.
- 67 "PLA soldiers to assemble in Jordan and Egypt for deployment in Gaza and Jericho", AFP, 20 November 1993.
- 68 According to Israeli sources, the activities of two of Fatah's military bodies, Force-17 and the Western Sector, had practically halted. *MECS*, Vol. XVII (1993), p. 165.
- 69 "Arafat moves hundreds of his administrative employees to a Palestinian camp in the Libyan desert" (in Arabic), *al-Quds*, 21 May 1993, p. 1; "The PLO takes further measures to cut costs because of the strangulating economic crisis" (in Arabic), *al-Quds*, 7 June 1993, p. 1; and "Rif at Salih confirms that some hundred cadres from Tunis and Amman have been transferred to a desert camp in Libya" (in Arabic), *al-Quds*, 27 May 1993, p. 1.
- 70 *Shihan*, 11 August 1993, cited in *MECS*, Vol. XVII (1993), p. 165.
- 71 Ibid.
- 72 "Palestinian official: Resumption of training of the PLO's 'Badr forces' to assume security tasks in Gaza and Jericho" (in Arabic), *al-Quds*, 1 September 1993, p. 6.
- 73 "The dissolution of the Palestinian army in Jordan, Syria, Iraq and its transformation into a security and police apparatus" (in Arabic), *al-Masa'*, 14 September 1993. See also J. Immanuel, "No alternative to accord, Husseini says", *Jerusalem Post*, 5 September 1993 and D. Brown and S. Tisdall, "Middle East at turning point", *Guardian*, 1 September 1993, p. 1.
- 74 When the PNA was established in May 1994, not the entire PLO apparatus was transferred to Gaza and Jericho. Foreign relations and PLA affairs outside the Palestinian territories, as well as national and international relations, would continue to be the responsibilities of the PLO headquarters in Tunis. "Sha'ath names 15 members of authority; outlines responsibilities of PLO bodies", MENA, 1850GMT, 12 May 1994.
- 75 See, for example, "Palestine Liberation Army source denies disbandment of force in Jordan" (FBIS title), *al-Quds*, 24 June 1997, via FBIS.
- 76 "More Palestinian police ready to leave Iraq", Reuters, 16 May 1994 and "Palestinian official: Resumption of training of the PLO's 'Badr forces' to assume security tasks in Gaza and Jericho" (in Arabic), *al-Quds*, 1 September 1993, p. 6.
- 77 Ibid.
- 78 "On instructions from Arafat: The armed Palestinians in Yemen receive training to undertake police work in the West Bank and Gaza Strip" (in Arabic), *al-Quds*, 3 September 1993, p. 4; and *UD 25.11.19Z* Vol. 1.

- 79 A. Barrouhi, "PLO to name self-government team within 48 hours", Reuters, 7 May 1994 and the biography of Brigadier Sa'di al-Naji in *Watani*, No. 15 (November–December 1996), pp. 24–5.
- 80 In September 1993, it was assumed that Hakam Bal'awi, head of the PLO's "Central Security" agency would assume the interior minister position. "The new chiefs of police", *Intelligence Newsletter*, 29 September 1993.
- 81 For an outline and a discussion of the Palestinian Police organizations, see Chapter 8 of this book.
- 82 I. Kershner, "The mysterious case of Major Farid", *Jerusalem Report*, 17 October 1996, p. 28; "Palestinian police arrest head of secret police", *MEED*, 1 April 1996; and S. Peri, "This is how the Palestinian Shin Bet will operate" (in Hebrew), *Yedi'ot Aharonot* (Leshabat supplement), 10 June 1994, pp. 2–3, via FBIS.
- 83 "The new chiefs of police", *Intelligence Newsletter*, No. 225 (29 September 1993) and "Arafat appoints the leaders of the security force in Gaza and Jericho" (in Arabic), *al-Ahram*, 22 September 1993.
- 84 "Arafat appoints the leaders of the security force in Gaza and Jericho" (in Arabic), *al-Ahram*, 22 September 1993.
- 85 Øverkil, interviews.
- 86 "Orders on the appointment of police commanders", Palestinian General Security, Office of the President, dated 20 July 1994 and 23, 28 and 31 August 1994. (From Police Brigadier Mahmud Sa'id Asfur's notes and reports made available to this author.)
- 87 Cited in "The new chiefs of police", *Intelligence Newsletter*, No. 225 (29 September 1993) and J. Redden, "Future Palestinian police learn human rights", Reuters, 23 November 1993. Other reports partly confirmed and partly contradicted these reports, saying, for example, in January 1994 that General al-'Umlah would be commander of the entire force or that Nasr Yusuf was appointed commander of the security force in the Gaza Strip, with the PLA brigade commanders (commanders of PLA units in Sudan, Libya, Algeria, Egypt and Yemen) as his regional commanders in the Gaza Strip, including Sa'ib al-'Ajiz (northern Gaza), Ziyad al-Atrash (Khan Yunis), Khalid Sultan, 'Abd al-Wahid 'Abd al-Hayy and Abu Humayd in the other Gazan areas. This personnel roster changed considerably over time. J. Redden, "Future Palestinian police learn human rights", Reuters, 23 November 1993; "Palestinian police appointees named", MENA, 1050GMT, 23 November 1993; "Tunisian paper cites diplomatic sources on Palestinian police deployment", MENA, 1930GMT, 14 April 1994; Eisenstadt (1994), p. 215; and report in the Jordanian *Shihan*, 7 January 1994, cited in M. Widlanski, "Large PLO militia ready to take over", *Jerusalem Post*, 12 January 1994.
- 88 "Palestinian police appointees named", MENA, 1050GMT, 23 November 1993.
- 89 In early April 1994, al-Qudsiyyah still remained on the list of military commanders whom the PLO had asked to be allowed to enter both Gaza and Jericho. The list included Nasr Yusuf, Hajj Isma'il Jabr, 'Abd al-Raziq al-Majaydah, Mamduh Nawfal, Muhammad Qudsiyah, Sa'ib al-'Ajiz, Khalid Sultan, Abu Humayd and 'Abd al-Wahid 'Abd al-Hayy. An early indication of the Badr Force's and Jordan's declining influence over the new police force was Jordan's absence in the police donor coordination committee in Cairo at the end of March 1994. Then, in May 1994, it was reported that the Badr Forces would deploy to Jericho, but

- now only in tandem with the Iraqi-based al-Aqsa Forces. “Israeli-PLO talks in Cairo – ‘major differences’ over entry of police force”, VOI, 2000GMT, 4 April 1994; UD 25.11.19Z Vol. 1, Cairo Embassy to Oslo, 6 April 1994; “First Palestinian police to enter Jericho on Sunday”, Reuters, 7 May 1994; S al-Khalidi, “Veteran PLO troops delayed from policing Jericho”, Reuters, 8 May 1994; and “Palestinian police prepare to leave Iraq”, Reuters, 7 May 1994.
- 90 S. al-Khalidi, “Veteran PLO troops delayed from policing Jericho”, Reuters, 8 May 1994.
- 91 A. Øverkil, “Visit to the Palestinian Police Forces (PPF) in Gaza 2–5 June 1994”, p. 2; “Palestinian police complete crossing to Jericho”, Reuters, 13 May 1994; “Prime Minister Majali responds to criticisms of treaty with Israel”, MBC TV, London, in Arabic, 1719GMT, 30 October 1994, via SWB; and “PLA slams Arafat over non-payment of salaries”, AFP, 20 August 1994.
- 92 “Arafat asks Israel for 2,000 additional policemen in Gaza”, IsrTV 1, 1800GMT, 27 November 1994.
- 93 J. Immanuel, “No alternative to Accord, Husseini says”, *Jerusalem Post*, 5 September 1993 and M. Fletcher et al., “PLO looks to early recognition by Israel”, *The Times*, 1 September 1993.
- 94 Most reports gave figures in the range of 400 to 800 hundred graduates. “PLO source says PLA fighters to form police force in Gaza and Jericho”, AFP, 30 August 1993; “Palestinian official: Resumption of training of the PLO’s ‘Badr forces’ to assume security tasks in Gaza and Jericho” (in Arabic), *al-Quds*, 1 September 1993, p. 6; “Preparing for the interim period: The Palestinian police in the training field” (in Arabic), *al-Quds*, 23 September 1993, p. 5; “The PLO demands that the public security forces will be equipped with rifles, machineguns and short-range guns” (in Arabic), *al-Quds*, 9 September 1993, p. 8; and “Palestine: the new intelligence services”, *Intelligence Newsletter*, No. 224, 16 September 1993.
- 95 “‘Umar al-Khatib: Intensive training courses for the central Palestinian security forces” (in Arabic), *al-Quds*, 21 September 1993, p. 2
- 96 Ibid. and “Palestinian official: Resumption of training of the PLO’s ‘Badr forces’ to assume security tasks in Gaza and Jericho” (in Arabic), *al-Quds*, 1 September 1993, p. 6.
- 97 “Israeli Police Minister says Jordan army Palestinians may form autonomous police”, IBA TV-H, 1800GMT, 30 August 1993.
- 98 “Jordan, PLO conclude draft security cooperation accord”, Reuters, 14 January 1994.
- 99 “The Palestinian Jordanian security committee discusses a number of common issues” (in Arabic), *al-Quds*, 28 September 1993, p. 1.
- 100 “Jordan, PLO reach security agreement in Amman”, Xinhua, 15 January 1994.
- 101 In a long interview with Amin and Muhanna in the Arabic daily *al-Ahram* in February 1994, the two Palestinian police officials reported that only 69 police personnel from the West Bank had participated in two two-month training courses in Jordan. Future police officers had been dispatched to Egypt for specialized police studies, but none to Jordan for officer training. The head of one of the PLO’s West Bank offices also confirmed that they had dispatched primarily Orient House body guards and security personnel for Palestinian institutions. “Al-Ahram interviews the leadership of the Palestinian police” (in Arabic), *al-Ahram* (Cairo),

- 16 February 1994 and L. Lahoud, "Palestinians recruiting 12,000 for police force", *Jerusalem Post*, 3 October 1993.
- 102 R. Sabbagh, "PLO soldiers prepare to police Gaza, Jericho", Reuters, 21 November 1993 and "The graduation of the first group of Palestinian police" (in Arabic), *al-Hayat* (London), 23 November 1993.
- 103 "Jordan, PLO conclude draft security cooperation accord", Reuters, 14 January 1994.
- 104 UD 25.11.19Z Vol. 1, Cairo embassy to Oslo, 6 April 1994 and minutes of emergency meeting of police donors in Cairo, 24 March 1994.
- 105 "Jordan, PLO conclude draft security cooperation accord", Reuters, 14 January 1994.
- 106 R. Sabbagh, "PLO soldiers prepare to police Gaza, Jericho", Reuters, 21 November 1993 and "The graduation of the first group of Palestinian police" (in Arabic), *al-Hayat* (London), 23 November 1993.
- 107 "Jordan, PLO conclude draft security cooperation accord", Reuters, 14 January 1994.
- 108 The draft agreement set the principles of future coordination on issues of borders, training and exchange of security information with the Jordanians. If signed, it would have formed the basis for "strong security cooperation" between the two parties. *Ibid.*
- 109 "The PLO demands that the Public Security Forces will be equipped with rifles and machine guns and short-range guns" (in Arabic), *al-Quds*, 9 September 1993, p. 8.
- 110 "PLA commander slams Arafat over non-payment of salaries", AFP, 20 August 1994.
- 111 Colonel Jamal al-Qudsiyyah signed the Palestinian Police payroll sheets together with General al-Majaydah, General Nasr Yusuf and Chairman Arafat in October 1994. *Crown Agents* (1994), p. 4.
- 112 Entries of funding for Badr amount to \$100,000 paid in salaries for the Badr Forces for June 1994 and some \$392,201 to forces based in Jordan (which probably also included the al-Aqsa Forces and others in transit). *Coopers and Lybrand* (1994a), p. 5 and *Coopers and Lybrand* (1994b).
- 113 "Arafat asks Israel for 2,000 additional policemen in Gaza", *IsrTV* 1, 1800GMT, 27 November 1994.
- 114 Øverkil, interviews.
- 115 R. Sabbagh, "Jordan and PLO meet to ease strained ties", Reuters, 21 August 1994.
- 116 UD 308.87 Vol. 2, "Mr. Douglas Hurd's lunch with King Hussein: points discussed", summary received by Amman Embassy, 1 August 1994.
- 117 "PLA commander slams Arafat over non-payment of salaries", AFP, 20 August 1994.
- 118 "PLO denies stopping pay of Palestinian forces in Jordan", *VOP*, 1415GMT, 19 August 1994; "Prime Minister Majali responds to criticisms of treaty with Israel", *MBC TV*, London, in Arabic, 1719GMT, 30 October 1994, via *SWB*; "Jordan to offer to help the Palestinian Badr forces", *Xinhua*, 18 August 1994; and *ibid.*
- 119 *MECS*, Vol. XVIII, (1994), p. 166.
- 120 "Prime Minister Majali responds to criticisms of treaty with Israel", *MBC TV*, London, in Arabic, 1719GMT, 30 October 1994, via *SWB*.

- 121 Ibid.
- 122 “Jordan and PLO review cooperation”, *Deutsche Presse Agentur*, 21 August 1994.
- 123 “West Bank: envoy affirms Jordan’s continued support for PLA forces” (FBIS title), *al-Dustur* (Amman), 30 May 1997, pp. 1, 20, via FBIS.
- 124 Ibid.
- 125 Ibid.
- 126 “Palestinian Authority allowed to bring 2,500 PLO cadres into West Bank”, VOP, 1000GMT, 13 December 1995 and “Palestine Liberation Army source denies disbandment of force in Jordan” (SWB title), *al-Quds*, 24 June 1997, via SWB.
- 127 “Arafat reportedly sacks Palestine Liberation Army commander in Jordan” (SWB title), *al-Ra’y* (Amman), 11 April 1996, via SWB; “PLA commander in Jordan resigns”, AFP, 5 April 1996; and AP, *Worldstream*, 2 May 1996.
- 128 By 1995, the PLO–Tunis infrastructure was much reduced. According to Sami Musallam, there were only approximately 200 PLO personnel remaining in Tunis and a similar number in Algeria and Libya, and most of them wished to go to the PNA areas as soon as they got Israeli permission to cross the border. UD 308.87 Vol. 8, Tel Aviv Embassy to Oslo, 20 April 1995.
- 129 Already in 1966, the then PLO leader Ahmad Shuqayri had agreed under pressure to place the PLA brigade in Syria under Syrian military command, which “merely confirmed publicly the existing situation”. Sayigh (1997), p. 133.
- 130 “Defiant Syria voices dissent on Accord”, *Independent*, 24 September 1993, p. 14.
- 131 See, for example, *ibid.* For a discussion of Syrian–Israeli negotiations, see Ma’oz (1994).
- 132 In 1996 and more recently, after the eruption of the al-Aqsa intifada, Syria and the PLO discussed the conditions for lifting the ban on Fatah and releasing PLO and Fatah assets in Syria. “On Arafat’s visit to Damascus”, *Arabicnews.com*, 6 April 2001 and “Interview with Palestinian Authority Chairman Yasir Arafat by Tawfiq Abu-Bakr in Gaza” (FBIS title), *al-Dustur*, 22 April 1996, p. 27, via FBIS.
- 133 “The PLO prepares for deployment of its fighters in the self rule areas as security forces” (in Arabic), *al-Quds*, 12 September 1993, p. 1.
- 134 See, for example, “1,200 Palestinian police recruits complete training”, Xinhua, 9 February 1994 and “Palestinian police force”, AP, 4 April 1994.
- 135 See, for example, “Palestinian opposition conference opens in Damascus”, *al-Quds*, Palestinian Arab Radio, in Arabic, 1430GMT, 12 December 1998, via SWB 15. See also “PFLP–GC leader Ahmad Jibril meets Hamas’s Shaykh Yasin”, *al-Quds* – Palestinian Arab Radio, in Arabic, 1330GMT, 26 May 1998, via SWB.
- 136 Cited in “The Palestinians in Lebanon: Conversation with Brig. Abu Khalid al-‘Arabiyah/Salim al-Burdayni” (in Arabic), *Watani*, No. 7 (August 1995), p. 18. The “Ten Organizations” refer to a group of ten Palestinian opposition groups, including Hamas, Islamic Jihad, the DFLP, the PFLP and the PFLP–GC mostly based in Damascus, which formed a front in 1992 in opposition to the Madrid conference and renewed their pledge of opposition after the Oslo Accords. The front was never a unified movement. In 1996, the DFLP and the PFLP were dismissed from the alliance for attending the Palestine National Council session, which decided to revoke the most anti-Israeli articles of the PLO’s Charter. Towards the end of the 1990s, they deserted the front altogether and moved their offices into the Territories.

- 137 “Repatriation of Fatah supporters from Lebanon to Gaza and Jericho planned”, MENA, 1008GMT, 4 September 1993 and “PLO reportedly sells property and assets in Lebanon; preparing police force”, MENA, 1109GMT, 8 September 1993.
- 138 “Repatriation of Fatah supporters from Lebanon to Gaza and Jericho planned”, MENA, 1008GMT, 4 September 1993.
- 139 Ibid.
- 140 Ibid.
- 141 “PLO reportedly sells property and assets in Lebanon; preparing police force”, MENA, 1109GMT, 8 September 1993.
- 142 Indeed, when the initial deadline for withdrawal on 13 December was approaching, the PLO Voice of Palestine Radio in San’a, Yemen quoted Palestinian military sources, saying that “units from the Fatah movement in Lebanon are also preparing to join the PLA forces to enter Gaza and Jericho”. Cited in “Senior PLA officer and 22 bodyguards arrive in Gaza on 23rd November”, VOP-Y, 1800GMT, 24 November 1993. See also D. Rudge, “Rebel Lebanese Fatah leader rejects Arafat ‘offer’ to reinstate him”, *Jerusalem Post*, 1 December 1993 and “Fatah reportedly orders Lebanon-based fighters to prepare to join police force”, VOL, 0615GMT, 25 November 1993.
- 143 “Repatriation of Fatah supporters from Lebanon to Gaza and Jericho planned”, MENA, 1008GMT, 4 September 1993.
- 144 Interview with secretary-general of the PLO’s Lebanon Committee in “The Palestinians in Lebanon: Conversation with Brig. Abu Khalid al-‘Arabiyyah/Salim al-Burdayni” (in Arabic), *Watani*, No. 7 (August 1995), p. 18.
- 145 “Israel and PLO near security accord”, *MEED*, 22 November 1993.
- 146 “Repatriation of Fatah supporters from Lebanon to Gaza and Jericho planned”, MENA, 1008GMT, 4 September 1993.
- 147 P. Smerdon, “Cornered Palestinian hardliners vow to wreck pact”, Reuters, 10 September 1993 and “Arafat under fire in the occupied territories”, AFP, 27 August 1993.
- 148 “PLO reportedly sells property and assets in Lebanon; preparing police force”, MENA, 1109GMT, 8 September 1993.
- 149 D. Rudge, “Rebel Lebanese Fatah leader rejects Arafat ‘offer’ to reinstate him”, *Jerusalem Post*, 1 December 1993; “Fatah reportedly orders Lebanon-based fighters to prepare to join police force”, VOL, 0615GMT, 25 November 1993 and “Units from Fatah in Lebanon prepare to go to the Occupied Territories” (in Arabic), *al-Quds*, 24 November 1993, p. 2.
- 150 *MECS*, Vol. XVII (1993), pp. 186–7.
- 151 Based on field interviews by Laura Drake in the ‘Ayn al-Hilwah refugee camp. Drake (1994).
- 152 “PLO reportedly begins collecting weapons in camps in South Lebanon”, MENA, 1200GMT, 14 April 1994.
- 153 Ibid.
- 154 According to a report on Palestinian preparations for self-rule on the eve of deployment, “no Palestinians from Lebanon and Syria were permitted to join the police, at least not in the first phase of deployment”. Cited in R. Fisk and A. Savill, “Deals at the heart of Mid East peace plan revealed”, *Independent*, 10 April 1994, p. 1.

- 155 “Fatah fighters in Lebanon camp to leave for Gaza”, Reuters, 11 January 1996 and “Fatah fighters to leave Lebanon for self-rule area”, Reuters, 26 January 1996.
- 156 “Lebanon wants to send Palestinian fighters home”, Reuters, 6 January 1995; “France reportedly arranging transport of about 2,000 Palestinian ‘gunmen’ to Gaza”, Radio Lebanon, 0530GMT, 5 January 1995; and “Shifting 2,000 men to Gaza?” *Intelligence Newsletter*, No. 254 (14 December 1994).
- 157 “Shar‘a rules out imminent resumption of Washington talks”, VOL, 1715GMT, 12 January 1995.
- 158 “Forty PLO fighters leave Lebanon for Gaza police”, VOI-Ex, 1100GMT, 20 January 1995.
- 159 “Arafat: 300 guerrillas cleared to return”, UPI, 6 February 1996 and “54 policemen allowed into Gaza Strip”, *Biladi/The Jerusalem Times*, 2 February 1996, p. 1.
- 160 “Some 500 Palestinian fighters in Lebanon to leave for self-rule areas”, VOL, 2015GMT, 27 January 1996.
- 161 Despite much media coverage of the repatriation efforts, I have found no reports of actual repatriations in 1996 beyond the first group of 72. “Arafat orders transfer of 450 Fatah fighters to Gaza”, RMC, 1700GMT, 11 January 1996; “Fatah fighters in Lebanon camp to leave for Gaza”, Reuters, 11 January 1996; “Fatah fighters to leave Lebanon for self-rule area”, Reuters, 26 January 1996; “Arafat: 300 guerrillas cleared to return”, UPI, 6 February 1996; and *ibid*.
- 162 See, for example, “al-Husayni: half of the members of the Palestinian police will be from the outside” (in Arabic), *al-Hayat* (London), 5 September 1993; “Around 200 Palestinians from Gaza Strip to receive police training in Cairo”, AFP, 11 September 1993; “Palestinians leave for police training in Egypt”, Reuters, 1 October 1993; and “Gaza Palestinians to be trained in Egypt for autonomy police force”, *Egyptian Space Channel*, Cairo, in Arabic, 1800GMT, 1 October 1993, via SWB.
- 163 Amin and Muhanna put the figures at 90 lawyers out of a total of around 100 in the first two groups of “academics”. “Al-Ahram interviews the leadership of the Palestinian police” (in Arabic), *al-Ahram*, 16 February 1994.
- 164 Interview with Egyptian Interior Minister Hasan al-Alfi in “Egypt starts training Palestinian police”, Reuters, 17 October 1993. See also “Egyptian interior minister says Palestinian police being trained in Egypt”, MENA, 1105GMT, 16 October 1993.
- 165 124 in total, according to one source. M Ghalwash, “Palestinians undergoing police training in Egypt”, *Arab News*, 28 October 1993 and “12 Palestinian youths go to Europe to train in security” (in Arabic), *al-Quds*, 12 November 1993, p. 5.
- 166 M. Ghalwash, “Palestinians undergoing police training in Egypt”, *Arab News*, 28 October 1993.
- 167 *Ibid*.
- 168 The numbers vary slightly. “The training of 520 Palestinians in various departments in the ministry of interior” (in Arabic), *al-Ahram*, 20 November 1993; “The graduation of the first group of Palestinian police in Cairo” (in Arabic), *al-Jumburiyyah*, 23 November 1993; and S Nakhoul, “First group of PLO police graduates in Egypt”, Reuters, 22 November 1993.
- 169 “Second group of PLO police completes training”, Reuters, 17 January 1994.
- 170 The figure also included estimated transportation costs. See UD 25.11.19Z Vol. 1, Cairo Embassy to Oslo, 6 April 1994 and minutes of emergency meeting of police donors in Cairo, 24 March 1994.

- 171 UD 25.11.19Z Vol. 1, Cairo Embassy to Oslo, 6 April 1994 and *ibid*.
- 172 According to the PLO ambassador in Cairo, the graduates had been trained intensively for nine weeks “in VIP protection techniques of guarding personalities, roads, documents, information, communication networks, installations and headquarters”. S. Nakhoul, “First group of PLO police graduates in Egypt”, Reuters, 22 November 1993.
- 173 See, for example, “The graduation of the first Palestinian security unit after being trained in Egypt” (in Arabic), *al-Ahram*, 22 November 1993; “The graduation of the first group of Palestinian police in Cairo” (in Arabic), *al-Alam al-Yawm*, 23 November; “The graduation of the first group of Palestinian police in Cairo” (in Arabic), *al-Jumhuriyyah*, 23 November 1993; “The graduation of the first group of Palestinian police” (in Arabic), *al-Hayat* (London), 23 November 1993; S. Nakhoul, “First group of PLO police graduates in Egypt”, Reuters, 22 November 1993; and C. Walker, “Palestinian police braced for Gaza beat”, *The Times*, 23 November 1993.
- 174 S. Nakhoul, “First group of PLO police graduates in Egypt”, Reuters, 22 November 1993. See also C. Walker, “Palestinian police braced for Gaza beat”, *The Times*, 23 November 1993.
- 175 “The graduation of the first Palestinian security unit after being trained in Egypt” (in Arabic), *al-Ahram*, 22 November 1993; “The graduation of the first group of Palestinian police in Cairo” (in Arabic), *al-Alam al-Yawm*, 23 November 1993; and “The graduation of the first group of Palestinian police in Cairo” (in Arabic), *al-Jumhuriyyah*, 23 November 1993.
- 176 “The graduation of the first Palestinian security unit after being trained in Egypt” (in Arabic), *al-Ahram*, 22 November 1993.
- 177 Cited in S. Nakhoul, “First group of PLO police graduates in Egypt”, Reuters, 22 November 1993.
- 178 “‘Scheme foiled’ on police day in Egypt” (in Arabic), *al-Ahram*, 27 January 1994.
- 179 *Ibid*.
- 180 “Increased possibility for a civil war between the Palestinians” (in Arabic), *al-Ushrah al-Arabiyyah*, 20 September 1993.
- 181 See, for example, *al-Quds*, 22 September 1993, p. 5; *al-Quds*, 22 November 1993, p. 4; and “Preparing for the Interim Period: The Palestinian police in the training field” (in Arabic), *al-Quds*, 23 September 1993, p. 5.
- 182 “Preparing for the Interim Period: The Palestinian police in the training field” (in Arabic), *al-Quds*, 23 September 1993, p. 5.
- 183 See also the discussion of Palestinian expectations regarding the Palestinian police force in Chapter 3 of this volume.
- 184 S. Nebehay, “UN held talks on training Palestinian police force”, Reuters, 23 February 1994.
- 185 For more on police training assistance by Western donors, see Lia (2006), Chapters 2 and 8.
- 186 A police officer interviewed by Amira Hass made the following comparison: “The ones from outside don’t know the situation here. It’s as if someone told me to go to Brazil and deal with the drug cartel. They close one ear and the other one hears only what Arafat says.” Hass (1999), p. 315.

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6

Symbols of Liberation: The Politics of Palestinian Police Deployment

The [Israeli] army must not flee or even appear to be fleeing ... This might cause the mistaken impression that we can be kicked out of places.¹

Hagai Merom, Member of the Knesset, December 1995

In spring 1994, when most of the outstanding issues in the Gaza–Jericho negotiations had been resolved, the issue of how the Palestinian Police would enter the autonomous areas became the object of considerable dispute. This might seem surprising, but the question was not trivial. The entry and handover arrangements were of great symbolic importance to both parties, although perhaps more to the PLO than to Israel. The disagreement on this issue illustrated their conflicting perceptions of the Palestinian Police's future role.

Israel preferred a gradual introduction of Palestinian units, termed "early deployment", while Israel still retained overall security control, claiming that this would smooth the transfer of authority and get Palestinian officers accustomed to their new environment. Apart from practical considerations, there was also an important political aspect underlying the Israeli position. An early deployment would underline the Palestinian Police's subordination to the Israeli military government, dispel any image of Israeli retreat and defeat and scupper PLO efforts at portraying the arriving police officers as a national liberation army.

The PLO's position was that Palestinian Police units should in no circumstances be placed under Israeli command. Palestinian negotiators argued that this would create a serious public relations problem for the fledgling Palestinian National Authority because it would confirm to the many Oslo sceptics that self-rule was nothing more than a continuation of the Israeli occupation in disguise. It was therefore of fundamental importance that the Palestinian Police's arrival was given proper choreography so as to strengthen the perception of national liberation and

return to Palestine. The arrival of thousands of Palestinian military personnel and their families from the diaspora would embody these two key symbols of Palestinian nationalism.

In this chapter, I shall explore how these two conflicting views affected the implementation of the transfer of authority from the Israeli army to the Palestinian Police in Gaza and Jericho in May 1994 and in the Palestinian West Bank towns between October and December 1995.

The Hebron Crisis and the ‘Early Deployment’ Option

Although the ‘early deployment’ option did not assume particular importance in the initial security talks in Taba and Cairo, it had been raised repeatedly by Israel both before and after Oslo.² Approaching the 13 December 1993 deadline for the withdrawal, Israel raised the early deployment option again, suggesting that “a symbolic observance” of the deadline could be made if the IDF withdrew from a Palestinian refugee camp in Gaza and allowed some Palestinian Police units to enter.³ The PLO found this unacceptable, as Israel would not allow the Palestinians to assume full police authority or to carry weapons.⁴ On the ground in Gaza, however, informal arrangements were reached according to which Israel gradually allowed Fatah paramilitaries to operate more openly as an informal police. They obviated the need for a formal police deployment to fill any ‘security vacuum’ which might occur in the transitional period.⁵

The early deployment option emerged as one of the central issues under discussion during the crisis that followed the Hebron massacre on 25 February 1994. (The perpetrator was an Israeli-American settler, Baruch Goldstein, who entered the Ibrahimi Mosque and killed 29 Muslim worshippers with grenades and an IDF-issued assault rifle.) In its aftermath, widespread riots engulfed the Territories, the PLO suspended negotiations with Israel and the UN Security Council passed Resolution 904. This requested that measures be taken to protect the Palestinian Hebronites, calling for, *inter alia*, “an international presence in the city of Hebron” in accordance with the DoP.⁶

During the first informal meetings between Israeli officials and the PLO leadership in Tunis in mid-March 1994, Arafat aired various options for improving security in Hebron, including sending a Palestinian armed force to the city, as part of a comprehensive package of measures

to resolve the crisis.⁷ Israel seemed to prefer the Palestinian Police idea to the UN call for an armed ‘international presence’.⁸ After US pressure, Prime Minister Rabin suggested on 16 March that a small Palestinian municipal police unit be deployed in Hebron City.⁹ He stressed, however, that Israel would continue to have responsibility for security in Hebron and the Occupied Territories, and that Arafat would have to “let Palestinian recruits serve under Israeli auspices”.¹⁰

This formula was unacceptable to the PLO. In the southern part of the West Bank, there were still a number of Palestinians employed in the Israeli Police, which suggested that the Israeli proposal was nothing more than a perpetuation of the status quo. The collaborator stigma, which plagued Palestinian officers still serving in the Israeli Police, meant that this formula was completely incompatible with the PLO’s vision of the Palestinian Police as liberators and harbingers of the future Palestinian state. A senior PLO official involved in the police planning, Brigadier Mamduh Nawfal, put it succinctly: “We have agreed with the Israelis to form a new Palestinian force that is formed and controlled by the PLO. They are trying to revive a subordinate, powerless police force charged with helping the Israeli Army.”¹¹

The PLO’s persistent refusal to restart negotiations forced Israel and US mediators to consider additional measures, such as removing the small Jewish settlements inside Hebron City and speeding up negotiations on self-rule.¹² Ideas on how to sweeten the Hebron police proposal were also discussed. Foreign Minister Peres hinted that Israel might allow “a special Palestinian police force” in Hebron which “will be under Israeli command, but will have greater authority” than Palestinian policemen who had served in the Israeli Police in the past.¹³ Israel also modified its stance on recruitment, suggesting that the Palestinian Police unit in Hebron might also include PLA members from abroad.¹⁴ It also relaunched the proposal for an early deployment to Gaza and Jericho of “several thousand” Palestinian police.¹⁵ Although PLO officials made light of the Israeli proposals, noting that “the Israelis have even refused that the police force be on the PLO payroll”, the issue remained on the agenda.¹⁶

During a second meeting between top Israeli officials and the PLO leadership in Tunis, on 20 March 1994, a joint committee was formed to discuss the details of an international presence and the Palestinian police force.¹⁷ At this point, there were also discussions about a new ‘Norwegian

plan', proposed by the Norwegian foreign ministry adviser Terje Rød-Larsen, calling, *inter alia*, for "joint Israeli and Palestinian police units under international command" that would be responsible for security in Hebron City.¹⁸ Both parties had initially responded very enthusiastically to Rød-Larsen's initiative, only to discover that each side had been presented with two quite different versions of the proposal.¹⁹

On 24 March 1994, Israeli and Palestinian negotiators narrowed their differences somewhat. Israel was apparently ready to discuss the deployment of an armed Palestinian police unit that would be accountable to both the Hebron municipality and the IDF. The Palestinians had reduced their demands by asking for a 500-strong force instead of the 1,000 originally sought, and differences on the size of the force seemed surmountable.²⁰ Israel reportedly promised to consider a proposal which would allow the police unit to be armed with automatic weapons and armoured cars.²¹

In late March 1994, Palestinian negotiators still favoured the deployment of a Palestinian Police unit rather than an international observer team, but only on the condition that the force was not overtly subordinated to Israeli command.²² Many details of the security arrangements remained unresolved, in particular the police force's authority to make arrests and open fire during disturbances. Although the Israelis had reportedly wanted "joint patrols", they seemed to think of the Palestinian unit more as a team of guards to "secure municipal and religious installations" than as a force actively involved in policing.²³ During the Hebron talks, there had also been a PLO proposal for a non-Palestinian Arab police force in Hebron, preferably consisting of Egyptian policemen, but Prime Minister Rabin had rejected this option, as he had rejected all proposals for armed international peacekeepers in the Territories.²⁴

On 31 March 1994, the parties signed a short memorandum on "Security Arrangements in Hebron and the Resumption of Negotiations", which included a general reference to a Palestinian Police deployment in Hebron, an unspecified 'temporary international presence' in the city and a commitment to speed up the implementation of the DoP with regard to Gaza-Jericho.²⁵

The police component of the Hebron memorandum was never implemented, and the reasons for this were numerous. Israel's insistence that the force should occupy a subordinate and restricted role in Hebron

and answer to the Israeli army was incompatible with the PLO's vision of 'liberating' the city. Besides, the reactions in the Occupied Territories, particularly in Hebron, to the proposals raised at the talks had not been encouraging for the PLO leadership.²⁶ Local PLO and Fatah leaders in the Hebron area, including the newly appointed mayor and PLO loyalist Mustafa al-Natshah, had long been sceptical about the idea of having a Palestinian Police unit before the Israeli withdrawal and without any dismantlement of Israeli settlements in the heart of the city. With Hebron under constant curfew and armed confrontations between the IDF and Hamas gunmen, the small police unit would appear powerless and discredited in the eyes of Palestinian Hebronites. Local leaders suspected that the Israeli military would exploit the Palestinian policemen as hostages or at least scapegoats in times of crisis. Moreover, the radical Israeli settlers in Hebron had repeatedly declared that they would open fire on Palestinian policemen, providing an additional cause for concern.²⁷

Hebron was the home of some of the most influential Palestinian families, and, according to PLO officials, they "made it clear to Arafat that neither he nor the PLO will be welcomed or recognized if the organization does not do something to ensure that the massacre will not be repeated".²⁸ Although such statements must be seen in the context of the negotiating situation in March 1994, there is little doubt that Arafat's standing in the predominantly conservative Hebron area had been weakened by the massacre. His picture was being burned in the streets, along with Israeli and US flags.²⁹ Under these circumstances, a PLO police force unit placed under Israeli command could not count on a warm welcome from the Hebronites. And it would obviously have done great damage to all attempts at portraying the Palestinian Police as a 'liberation army'.

'Early Deployment' to Gaza and Jericho?

In contrast to the Hebron talks, which had illuminated conflicting views about the ultimate authority over the police force, the resumption of the formal Gaza–Jericho negotiations revealed a deep cleavage over technical deployment procedures. The Israeli position was to maintain a relationship of close and continuous security coordination, stressing practicality and technicality, in an effort to reduce risks to its settler population and

maximize a semblance of normality in the Occupied Territories. The PLO also wanted a smooth transfer, but not in an Israeli-orchestrated setting. Its vision was that the Israeli army should first withdraw, and only then should the Palestinian Police march into the territories as liberators. If cooperation were too close and too overt, the PLO would be unable to dispel suspicions that its new police force was merely a collaborationist militia. The emphasis on deployment choreography was part of its overall efforts to obtain as many trappings of statehood as possible. At the negotiations, Israel and the PLO remained at odds over a number of issues pertaining to Palestinian demands for symbols of sovereignty, such as Palestinian stamps, a Palestinian coin, passports and a direct-dial international area code.³⁰ These two opposite perspectives – the practical and security-orientated versus the nationalist-ideological – came to a head during the final stages of talks on deployment.

The Advance Team Dispute

The Hebron Memorandum, signed on 31 March 1994, explicitly stipulated that the “gradual movement into Gaza and Jericho of Palestinian policemen will start one week after the resumption of the Gaza–Jericho negotiations”.³¹ However, negotiations got bogged down almost immediately over the contentious issue of deployment procedures. On 2 and 3 April 1994, there were conflicting Palestinian and Israeli statements concerning the size of the Palestinian advance units that would deploy in the autonomous areas before the signing of the Gaza–Jericho Agreement. Israel wanted no more than some 300 policemen in the advance team; the Palestinian side demanded 1,000–1,500. They also disagreed on the entry procedures of the force. The Palestinians demanded that armed and uniformed policemen should enter in “a ceremonial march”; the IDF insisted that “they arrive in one group, unarmed, and only after their weapons are registered will they receive them”.³² The PLO wanted “a victory entrance parade”, but Israel insisted on a discreet, low-profile entry.³³ Palestinian police commanders were greatly annoyed by other Israeli demands too: for example, the strict limitations that the IDF wanted to place on the advance team’s freedom of movement and their powers.

The issue of early deployment once again raised the difficult issues of whether Israel would have the right to place Palestinian police

officers under its command and whether the main advance party would be allowed to begin active duty in Gaza and Jericho before the general agreement was signed. The IDF appears to have planned to integrate Palestinian officers in their own security operations, assigning them to “sensitive security patrols in the [Gaza] strip”, which obviously made Palestinian police commanders even more wary of deploying the advance team under Israel’s conditions.³⁴

In early April 1994, “all aspects” of the Palestinian Police’s entry into the Gaza Strip and the Jericho area were discussed at a meeting of the PLO’s Military Committee convened in Cairo, where Palestinian planning for deployment mostly took place.³⁵ It was decided that a number of senior PLA officers would travel to Gaza to examine the places where Palestinian security forces would gather. This was nothing new, however. Technical expert teams had been in Gaza for some time already. The problem was the official entry of the uniformed force. It appears that the PLA commanders themselves took the initiative *vis-à-vis* Arafat to stress the need for a glorious and jubilant entrance parade without the humiliating presence of the IDF and its security checks. In particular, they insisted on “entering the territory with all their arms and vehicles”.³⁶ To put pressure behind their demands, they threatened to boycott the technical preparations and to refuse to participate in the advance teams.³⁷ As there was as yet no agreement on a time schedule for the Palestinian Police’s entry, PLA commanders feared that Israel was attempting to force them to deploy on the ground under Israeli tutelage. Without a watertight time schedule, the Palestinian advance team would risk becoming hostage to endless delays in the volatile Gaza Strip, where violent clashes between the IDF and Palestinian rioters and paramilitaries were endemic. Getting stuck in such a situation would obviously be very embarrassing for the PLA commanders.³⁸

For its part, the Israeli military was seriously concerned that the PLA units were not sufficiently familiar with the autonomous areas to assert their authority as a police force, although in early April 1994 there were already several dozen Palestinian officers in civilian clothes in the Occupied Territories. They were involved in the Palestinian planning efforts under the supervision of Brigadier Ziyad al-‘Arif, a senior PLA officer who later became the West Bank chief of the Civilian Police.³⁹ The Israeli military wished to see the Palestinian Police deploying while the Gaza Strip was still under Israeli control, and pushed for a period of

gradual overlap.⁴⁰ Although these considerations might have been sound in another, less sensitive political setting, they contradicted the PLO's vision of self-rule. The following Reuters report is illustrative:

The [Palestinian] official said Israel recently handed the PLO a document in Cairo stating that Palestinian policemen who entered Gaza and Jericho would be confined to police camps until a final agreement on self-rule was signed. The police would be allowed to leave the camps only after obtaining a special permit from Israel. 'They will be hostages in Gaza and Jericho,' the official said, adding that the Israeli-proposed role for the Palestinian police was one of 'agents and collaborators'.⁴¹

The dispute over early Palestinian Police deployment culminated on 6 April 1994, when an advance team had ostensibly agreed to accept control of the first Israeli police station in Gaza but, to the embarrassment of Israeli commanders, did not show up.⁴² The aborted take-over ceremony was a great disappointment to the hundreds of Gazans flocking outside the building and eager to catch a glimpse of Palestinian officers raising the Palestinian flag. But the PLO leadership had now decided to postpone any formal police deployment until the negotiations in Cairo were completed. Nearly three weeks later, on 24 April, Israeli and Palestinian negotiators finally resolved the issue of deployment procedures, agreeing that on the day after the signing of the Gaza–Jericho Agreement, as many as 1,000 Palestinian policemen would be allowed to enter, instead of only 300.⁴³ Israel officially gave in on this issue, but because the implementation of these entry procedures was contingent on Israeli security arrangements at the border crossings, it was free to delay the entry process according to its preferences.

The Politics of Cars and Number Plates

There were many examples of how sensitive the issue of Palestinian cooperation with Israeli security authorities was in spring 1994 and of to what extent the PLO leadership endeavoured to counter the impression that the Palestinian Police in fact was dependent upon and subordinate to Israeli military authority. One example was the dispute over the destination of some 200 second-hand military vehicles which the United States had pledged to donate to the Palestinian Police in early 1994. The

vehicles came from the US military surplus stock in Europe and were supposed to arrive in Gaza via an Israeli airport near Tel Aviv. (For legal and political reasons, the donation was formally made to the Israeli government as part of US military aid to the country.) When this became known, the PLO leadership informed the US administration that it refused to receive the vehicles via Israel, requesting instead that they be sent through al-'Arish, an Egyptian town near the Israeli (Gaza) border.⁴⁴ For the PLO, it was of fundamental importance that the Palestinian Police should bring in the vehicles as their own, and not receive them in Gaza as donations from the occupying power.

After the Palestinian leadership had succeeded in persuading Israel and the United States to reroute the army vehicles, another similarly embarrassing event occurred, threatening the PLO-planned choreography. On 21 April, the Arab press revealed that the number plates of the vehicles to be used by the Palestinian Police advance units were Israeli, and would remain so until the Israeli withdrawal was complete. This was ostensibly only a temporary measure, to avoid any incidents between the Israeli army and the Palestinian Police.⁴⁵ On the PLO's insistence, however, Israel finally allowed the Palestinian Police to use distinct number plates, on which an extra 'P' had been added.⁴⁶ The fact that this administrative detail caught the attention of the top Arab newspaper *al-Hayat* and others demonstrated the potent role of symbols in this drama in which the Palestinian Police was starring.

How to Return Home as Liberators

The PLO's police preparations were put to a severe test in May 1994. The Gaza–Jericho Agreement signed on 4 May 1994 allowed for a rapid deployment, with 1,000 policemen scheduled to enter on 5 May, another 5,000 moving in over the next week and the final 1,000 after three months. The deployment schedule was tight, and put significant strains on the cash-strapped PLO.

As the deadline for Israeli withdrawal from Gaza and Jericho approached, the PLO gave orders to PLA commanders to field their troops and prepare them for deployment. Arafat had already instructed in mid-September 1993 that PLA units be transferred to Egypt and Jordan, with PLA personnel based in Iraq joining those in Jordan in

preparation for deployment in the Jericho region. PLA units in Algeria, Libya, Sudan and Yemen were to go to Egypt, to prepare for entering the Gaza Strip.⁴⁷ Because of various technical and political obstacles, however, very few PLA personnel had in fact moved to Egypt and Jordan, let alone to the designated crossing points near Rafah on the Egyptian–Israeli border or at the Allenby Bridge on the Israeli–Jordanian border. The first PLA units to reach the Egyptian–Israeli border arrived there sometime in April 1994, and established a transit camp near Rafah.⁴⁸

As the first Palestinian police units entered the Occupied Territories in mid-May 1994, others were being transported by bus from Iraq, Libya and Sudan. The Palestinian forces in Libya who were stationed in army camps close to the Chadian border in the far south were transported by truck, bus and jeep (not by air, owing to the UN air blockade) to the Egyptian border post at Sallum and then further, to Rafah in Sinai, a total distance of more than 2,000 km.⁴⁹ A similar protracted journey awaited the Palestinian forces in Sudan. When their vanguard troops finally reached the border crossings in Rafah, they had spent more than five days on buses, and most of them were too exhausted to participate in the celebrations that awaited them.⁵⁰

After initial delays caused by the civil war, the PLO forces located in Yemen managed to enter Saudi Arabia by bus, and were flown to Egypt and Jordan by the Saudi Royal Air Force. The Saudis also sent planes to carry Palestinian forces in Algeria to Rafah.⁵¹ In addition to transportation, to which friendly Arab countries, Egypt, Jordan and Saudi Arabia, contributed assistance, the PLO had to provide food, shelter, uniforms, arms and vehicles to its 7,000-strong police force (from Outside). With only limited international donor aid at this point, this was a difficult and sometimes painful operation. Resources were scarce, planning was ad hoc and temporary solutions were devised throughout the process.

The deployment operation was scrutinized by Israeli government officials and media commentators, who were quick to point out inadequacies in the PLO's preparations for this massive operation, especially its alleged failure "to coordinate details of the power transfer" with Israel.⁵² As proof of the PLO's tardiness and unpreparedness, Prime Minister Rabin announced shortly after the signing ceremony that Arafat had requested a delay in Israeli troop withdrawals, ostensibly because the PLO was not ready to take over.⁵³ The PLO leader had reportedly told

him during their talks on 4 May 1994, “deep in the night”, that “he might demand a little bit more time: two, three, even up to four weeks” for the deployment operation.⁵⁴ Rabin, on the other hand, stated that he would like Israel “to get out as quickly as possible”, which obviously contradicted previous Israeli statements insisting on overlap and gradual transition.⁵⁵ The initial plan to send in a thousand policemen within 24 hours of the signing ceremony proved to be unfeasible. The transfer of the first police station was put off, as only a 19-member Palestinian Police liaison committee had entered Gaza at that time, none of them in uniform.⁵⁶ Hectic meetings between the two sides followed. On 5 May 1994, the liaison committee had a five-hour meeting with the IDF, and joint Palestinian–Israeli teams inspected police and security facilities throughout the Gaza Strip.⁵⁷

Prime Minister Rabin placed the blame for initial delays squarely on the Palestinian side, arguing that “our Palestinian partner was apparently busy with other things and less interested in sending people to the area to start overlapping in order to assume responsibility”.⁵⁸ As Rabin saw it, the PLO seemed more concerned with “acquiring the trappings of statehood” than with preparing the details of the handover.⁵⁹ International commentators sensed some gloating in official Israeli statements on the PLO’s shortcomings.⁶⁰ On the other hand, Rabin’s observations reflected his deep-felt concern that, for the first time, Israel was about to become dependent on the PLO and its guerrilla army for maintaining its security interests and settlements in occupied Gaza.

The PLO’s first responses to Rabin’s statements were ambiguous. Nabil Sha’th initially conceded that as a result of unspecified technical reasons, Arafat had asked Rabin for a delay.⁶¹ The PLO leader would announce the entry of the police, “God willing, within a week”, according to Brigadier Ghazi al-Jabali, the Palestinian Civilian Police chief-in-waiting.⁶² The idea that the PLO would ask the Israeli army not to withdraw from the Gaza Strip was quite bizarre. It was bad for the PLO’s image *vis-à-vis* the Palestinians in the Occupied Territories. On 5 May, the first denials of the PLO’s request to Rabin were made.⁶³ Nabil Sha’th was forced to correct himself, emphasizing that the police deployment would not be delayed after all.⁶⁴ He estimated now that the deployment of the first 6,000 policemen “will probably be stretched over two weeks [instead of one]”.⁶⁵ This minor modification was far too optimistic, however; and even by the end of May, only some 3,200 had

entered, suggesting that the deployment process was more complicated and time-consuming than had originally been foreseen.⁶⁶

The first signs that the deployment process had started came on 6 May 1994. The PLO announced that a Palestinian Police contingency at the 'Ayn Jalut army base on the outskirts of Cairo had received orders to leave for Gaza at 7 AM on 7 May 1994. The announcement was clearly intended to refute Rabin's statement.⁶⁷ At the same time, Brigadier Ziyad al-Atrash, the commander of the PLA forces in Algeria and the top Palestinian liaison officer, arrived in Gaza "as the first officer clad in olive green military uniform".⁶⁸ Reports of trucks loaded with some 300 Palestinian policemen heading for Rafah confirmed that the deployment operation was indeed in process. Their khaki uniforms, green berets, Palestinian flags, posters of the PLO leader and their Palestinian nationalist songs once again underlined the theme of national liberation.⁶⁹

From 7 May onwards, more and more troops were transported to the border areas. A 500-strong contingent of the Iraqi-based al-Aqsa Forces began their journey to Jordan, where they would receive arms before entering the Jericho area. At the same time, a 300-strong unit from the PLA's Badr Forces left its Khou camp quarters north-east of Amman and headed to the Allenby Bridge.⁷⁰ On 8 May, guns, ammunition and equipment were transferred to the Rafah border terminal on the Egyptian-Israeli border. The Israeli authorities had reserved the right to inspect and register every piece of equipment that the Palestinian Police brought into the self-ruled territories. The registration of arms was particularly meticulous, with ballistic tests being carried out on every weapon.⁷¹ Israel wanted to be able to detect any possible use of Palestinian Police weapons in future guerrilla/terrorist attacks. Moreover, the PLO's list of names of police personnel and the identity cards of each and every one, issued by the Egyptian and Jordanian authorities, were checked and double-checked. Israel insisted that there were irregularities in the police roster, forcing a number of buses loaded with Palestinians whose entry had been denied to return to Cairo. Another source of friction and delay was Israel's insistence that Palestinian Police personnel carry Israeli-issued identity cards, a demand which the PLO strongly resisted as an affront to Palestinian sovereignty.⁷²

Final Snags

A key political obstacle, which held up the deployment operation, was the uncertainty with regard to the appointment of a political leadership, a 24-strong Palestinian (National) Authority Council, called for in the Gaza–Jericho Agreement. Despite Arafat's dominant position, PLO decision-making was a protracted, incremental process in which consensus was important and sanctions against dissent were limited.⁷³ On 7 May, the PLO pledged that it would name the Council members within 48 hours, to coincide with the entry of its police units into the Gaza Strip.⁷⁴ Intensive consultations within the PLO and its Executive Committee followed. It was expected that the Council would be a coalition of Fatah, independents and the two minority factions, the Palestinian Democratic Union/FIDA and the Palestine Popular Struggle Front (PFSF). The Executive Committee had experienced serious upheavals since the Oslo Accords were concluded, however; and four representatives of the PLO factions and three independents who opposed or had reservations about the peace deal had had their membership of the Committee frozen.⁷⁵ As the PLO was unable to present full list of names of the PNA Council, Israel refused to hand over authority. Eventually, a compromise was reached after the PLO presented a list of 15 of the Council's 24 members.

On the night of 10 May 1994, a group of 157 Palestinian policemen crossed into the Gaza Strip from Egypt. Dressed in olive-drab uniforms, they were the first ordinary police contingent to arrive. They had been kept at the border terminal until well over midnight, before arriving at the town of Khan Yunis and taking control of the evacuated Israeli military base there.⁷⁶ By 4 AM local time, Khan Yunis and all the southern part of the Gaza Strip had been handed over to the Palestinian Police, and approximately two-thirds of the Palestinian Gazans were no longer under direct Israeli military rule.⁷⁷ Two days later, on the night of 12 May 1994, the Police entered Jericho, assuming control of all of the relatively tiny Jericho area the next morning.⁷⁸ On 17 May 1994, the IDF evacuated its main headquarters in Gaza City; and 15 minutes later, two buses of Palestinian policemen arrived there and the Palestinian flag was hoisted over what had been the main symbol of Israel's occupation of Gaza.⁷⁹ In the early morning of 18 May 1994, the Israeli army completed its weeklong withdrawal from the self-rule areas in the Gaza Strip.⁸⁰

Orchestrating the Arrival

Twenty-seven years of Israeli military rule in the Gaza Strip and Jericho had come to an end. These areas were the first territory ever ‘liberated’ by the PLO. It was essential that the arrival of the Palestinian Police represented more than a mere change of guards. The PLO wished that the arrival of its forces should be dignified, honourable and worthy of this historic moment, the first stage of liberation and the establishment of the independent state of Palestine.

The PLO attributed much importance to the selection of personnel to enter the ‘liberated territories’ first. Only longtime PLA and Fatah fighters, who had won their nationalist credentials through years of struggle with the Arafat, especially during the Lebanese period, would be granted this honour. Most of the ‘fighters’ designated for this first group, which came to be known as the Group of 19 (*al-majmu‘at al-19*), were based in Yemen, where the civil war had caused postponements in their travel schedule; and this was what had reportedly prompted the PLO leader to ask Rabin for a postponement.⁸¹

Seniority and a long history of struggle for the Palestinian revolution were important when qualifying for return with the Palestinian Police. The advanced age of Palestinian officers arriving in Gaza had “raised some eyebrows” among Palestinians, according to local reporters, leading some to question the strength of a security force consisting of middle-aged and old men.⁸² The first uniformed officer to enter the Gaza Strip in May 1994, Brigadier Ziyad al-Atrash, epitomized the ageing Palestinian revolution in the diaspora. He was described as a “grey-haired” officer who “limped forward” to the ceremony podium “with the help of a stick”.⁸³ Age was still a sign of authority and rank in Palestinian society; but with the steady influx of much younger police recruits, including well-known and hard-bitten intifada militants and Fatah paramilitaries, this initial impression of physical feebleness must have faded quickly.

The Israeli government was uneasy about the Palestinian self-rule acquiring too many trappings of statehood at this early stage, although in the Gaza–Jericho Agreement it had acceded to a number of Palestinian demands for sovereignty symbols.⁸⁴ With the police deployment underway, Israel took measures that were seen as deliberate attempts to diminish the symbolic importance of deployment. In particular, it declared the Jericho district a “closed military zone”, forbidding all non-residents,

including Israeli and foreign journalists, from going there.⁸⁵ The purpose of the prohibition was allegedly to “prevent Israelis hostile to the peace process from stirring up trouble”.⁸⁶ The claim had some roots in reality. The day after the signing ceremony in Cairo, hundreds of Israeli settlers, including a number of right-wing Knesset members, had evaded Israeli army roadblocks around Jericho and reached the site of an ancient synagogue just outside Jericho. There they staged a demonstration, signing what they termed “a covenant of loyalty to the land of Israel”, and were subsequently arrested by Israeli police.⁸⁷ The military closure and the barring of journalists from entering Jericho were also aimed at preventing Israeli media showing televised pictures of “Iraqi-trained Palestinian policemen, marching over the Allenby Bridge”, as one correspondent put it, footage which was certain to provide fuel for the Israeli right-wing opposition.⁸⁸

When the first Palestinian Police contingents were sent into Gaza and Jericho, the Israeli army kept them at the border terminals until well after nightfall. Palestinian and international commentators described the move as an attempt by the Israeli army “to detract from any symbolic power the event would hold”, “to smother publicity surrounding the arrival of the Palestinian soldiers” and “to minimise the reception they would receive”.⁸⁹ The choice of nighttime operations became a permanent feature of the IDF’s withdrawals, ostensibly to avoid entanglement with Palestinian rioters and paramilitaries, but manifestly the IDF’s security concerns went hand in hand with its efforts to arrange the choreography of the event.

Despite Israeli efforts to eradicate the impression of withdrawal, retreat and defeat by arranging formal handover ceremonies, withdrawing only at night and reducing media access, the PLO nevertheless scored a few successes. For example, the Palestinian Police were able to move into some of the evacuated Israeli army bases without having to coordinate the take-over with the IDF and participate in formal handover ceremonies. Particularly important in this regard was the birthplace of the Palestinian uprising, the Jabaliya refugee camp, where the IDF shunned a formal handover ceremony altogether, fearing clashes with rioters.⁹⁰ By slipping out of their headquarters under the cover of darkness, the IDF may have saved themselves friction and clashes, but the hasty nighttime withdrawal also strengthened the image of a fleeing Israeli army, with the Palestinian Police arriving as liberators.

Celebrating the Returnees, the Police and the Future State

Delays and nighttime arrivals notwithstanding, the Palestinian Police received a euphoric welcome, surpassing the expectations of most observers. It clearly reflected a genuine feeling of joy at the return of Palestinians from exile and the disappearance of the Israeli army.

Initially, Palestinian officials in the Territories and Outside had been keen to hold back celebrations in the wake of the Gaza–Jericho Agreement. Cautioning against the potential dangers of triggering a wave of frustration and disappointment, the PLO in Gaza had decided not to encourage celebrations until the Palestinian Police arrived.⁹¹ Still, a crowd of up to a thousand Palestinians had, since the signing ceremony, thronged together near the Rafah border crossing awaiting the Palestinian Police and, for many of them, also the return of relatives from exile. With the news of the first group of officers entering, the streets of Gaza, which were always deserted after dark because of the permanent night curfew, were filled with thousands of excited Palestinians. The sight of uniformed and armed Palestinian forces reinforced the perception that the Gaza Strip now was “a liberated area”.⁹² A Norwegian police adviser who arrived in Gaza together with Brigadier al-Atrash and witnessed the scenes of joy recalled how it reminded him of the legendary Constitution Day celebrations in Oslo in May 1945 after the end of the German occupation.⁹³ When the first Palestinian Police team officially took over a police station in the small town and refugee camp of Dayr al-Balah, they were met with scenes of joy and heart-felt celebrations:

Hundreds of young men clambered to shake hands and embrace the policemen ... Women ululated as the convoy passed on the side of the road and some older people came out into the chilly night in their underwear to greet the police.⁹⁴

Thousands of people, dancing, singing and beating drums, packed the streets surrounding the new police station. They embraced and kissed and draped necklaces of flowers around the necks of the policemen. Former PLO guerrillas fired their guns in the air in jubilation. Young men scaled watch-towers and decorated them with flags. Thousands of Gazans stayed up all night lining an 18 km (11 mile) stretch of road to mob the policemen as they drove from the Rafah border terminal to Deir al-Balah. They brushed aside Israel’s nighttime curfew on the strip enforced for more than six years.⁹⁵

Rarely has a police force in the Arab world, or the rest of the world for that matter, been more popular than the Palestinian Police was in May 1994. This attested not only to the hatred that Palestinians felt towards the Israeli occupation regime but also to the enormous expectations that they had when the police force arrived. Indeed, the sentiment was that of victory, the greatest single step towards what many hoped would be national liberation, statehood and dignity.

The initial euphoric celebrations concealed a sobering reality, which quickly dawned on the Palestinian Police. The challenges facing the Police were daunting. Most of the West Bank and Gaza remained under Israeli occupation, and there were strong popular expectations that the Police would act aggressively to defend and even liberate Palestinian land. Conversely, many Palestinians were still suspicious of the Police, controlled by Arafat and the 'Tunisian' and Outside PLO. They believed that the force would merely be a collaborationist militia suppressing the Palestinian opposition, which still supported the armed resistance. Continued anti-Israeli attacks from PNA-controlled areas embarrassed the Palestinian Police, putting them in a difficult position between Israeli demands for effective counter-terrorism and popular calls for continued armed struggle. Weak training, ill-disciplined personnel and a lack of equipment, pay and accommodation compounded the difficulties of the Police as they faced the challenge of handling the complicated reality in Gaza.

Taking over the West Bank Towns

After the conclusion of the Interim Agreement on 28 September 1995, Palestinian and Israeli security officials began negotiating the technical implementation of the Oslo Accords, including procedures for Israeli withdrawal from the West Bank and for the deployment of the Palestinian Police there.⁹⁶ Seven Palestinian cities (Jenin, Qalqiliya, Tulkarm, Nablus, Ramallah, Bethlehem and Hebron) were set to come under full Palestinian Police control (Area A); some 440 hamlets, villages and towns would come under shared Palestinian–Israeli security control (Area B).

Preparations for police deployment spanned a whole range of areas. There were continuous Palestinian–Israeli contacts on political as well as technical levels, and security coordination mechanisms had been much improved since May 1994. Evacuated Israeli military installations were

jointly inspected, and transfer procedures were clarified in detail. On the Palestinian side, preparations for welcoming the new authority were organized through a range of local committees. These amounted to nothing less than a general overhaul of the West Bank towns, ranging from cleaning the streets, putting up welcome posters and painting buildings covered in intifada graffiti to fundraising campaigns and the collection of in-kind donations to provide office equipment and other urgent needs for the PNA administration, of which the police and security forces were the main part.⁹⁷

During talks on expanding self-rule to the West Bank, Israel abandoned the ‘early police deployment’ option which had figured prominently during the Gaza–Jericho negotiations, but the PNA now paradoxically seemed more positive about such an idea.⁹⁸ By 1995, it no longer feared that Israel somehow would take control of its police forces or jeopardize their legitimacy if they deployed in IDF-controlled areas. This shift was also manifest in the vast expansion of areas of joint security control (Yellow Areas or Area B) in which the IDF retained overall security responsibility and the right to full operational freedom. In theory, this provision seemed to threaten Arafat’s erstwhile strategy of portraying the Palestinian Police as ‘liberators’. Palestinian critics were quick to point out this dilemma: because the IDF was free to raid villages in Area B, Arafat’s “bombastic rhetoric declaring liberated areas does not mean anything”.⁹⁹

Pre-deployment of Police and Intelligence Personnel

To compensate for the lack of full authority, informal policing assumed critical importance. After Jericho came under self-rule in May 1994, Arafat allowed Fatah offices throughout the West Bank to expand their informal policing activities in 1994–5, a development similar to that in Gaza in 1993–4.¹⁰⁰ Many Fatah activists and paramilitaries were officially or unofficially recruited to the Palestinian Police, in particular the PSA. They had spent months in police training facilities in Jericho before returning to their towns and villages, where they unofficially patrolled the streets in civilian clothing or simply awaited the formal handover.

In Tulkarm, for example, it was reported that even though the town was still under Israeli occupation, Palestinian Police personnel in

plainclothes were unofficially “mediating local disputes, organising traffic and keeping law and order”.¹⁰¹ In Bethlehem, PSA/Fatah organized civil guards armed with tear gas launched regular patrols to deter thieves and burglars, directed the traffic in the busy market and took care of public order during the *‘id al-fitr* celebrations, and “no Israeli police was anywhere in sight”.¹⁰² In Jenin, the first town to be transferred, as many as 500 Palestinian policemen were already on the ground “as civilians” by November 1995.¹⁰³

In Nablus, Ramallah and Jenin, the PSA/Fatah deployed hundreds of policemen operating in plainclothes, many of them carrying arms. They asserted themselves as “the supreme authority” for local Palestinians, according to an IDF report from March 1995, as most people preferred to contact their offices instead of filing complaints with the Israeli police because the former seemed more efficient.¹⁰⁴ An investigative report on the PSA in the West Bank from May 1995 stated that from its headquarters in Jericho, the Agency’s chief, Colonel al-Rajub, had “converted Fatah offices around the territories into unofficial branches of his security service. He turned the most trusted of Fatah activists into his agents. He installed his men, and even women, in every single Arab town, village and refugee camp in the territories. He developed a network of agents in eastern Jerusalem.”¹⁰⁵

The PSA, which, in contrast to other agencies, was run by Fatah officials and former paramilitaries from the Inside, was uniquely placed to take advantage of the new situation after Gaza–Jericho, and it prided itself in being the first Palestinian police agency with a presence throughout the West Bank.¹⁰⁶ Its official position was ambiguous. Sometimes, it claimed that it engaged in no activity outside Jericho whatsoever. Palestinian policing activity elsewhere in the West Bank “is being carried out by Fatah and the social reform committees”, not the PSA, according to al-Rajub.¹⁰⁷ In other instances, the PSA did little to hide its policing activities outside Jericho.¹⁰⁸ For example, in April 1995, the PSA issued an announcement claiming credit for having recovered goods in East Jerusalem stolen in Hebron. Officially, it should not have been in either place.¹⁰⁹

Well-known local Fatah leaders, such as Samih Ka‘nan in Nablus, Husayn al-Shaykh in Ramallah, Ahmad Ghunaym in East Jerusalem, Ahmad Jaradat in Qabatiyyah and the Jenin region, Jibril al-Bakri in Hebron and ‘Adnan al-Damiri in Tulkarm had been designated as local

or regional PSA commanders prior to the deployment of the official police. These appointments were not successful everywhere, particularly not in Nablus, where 'Isam Abu Bakr was more or less ousted by a renegade Fatah militia leader, Ahmad Tabuq.¹¹⁰ Other Palestinian security agencies also expanded their informal presence ahead of deployment. For example, in July 1995, the Palestinian General Intelligence Service (GIS), whose presence in the West Bank had so far been limited, sent a large delegation to open offices in all the West Bank towns "in order to coordinate the entry of the Palestinian police forces".¹¹¹

During the critical withdrawal and redeployment phases in 1995 and later, Israel clearly appreciated the importance of a pre-deployed Palestinian security presence. The withdrawal represented a particularly vulnerable period for the Israeli army: its soldiers had been instructed to act with restraint to avoid casualties; but at the same time, the scaling down of the IDF's presence made it difficult to pursue potential attackers and confront rioters and stone-throwing youths. The degree of Israel's consent to the informal Palestinian Police presence varied greatly from one town to another, however. Both the Labor and Likud governments attempted to eradicate Palestinian policing activities in East Jerusalem, but were much more tolerant elsewhere.¹¹²

As part of the early empowerment agreement from August 1994, the Palestinian Police was authorized to direct traffic in West Bank towns, but Israel continued to investigate and suppress what it saw as "political intimidation" by PSA/Fatah operatives.¹¹³ Media publicity surrounding militant speeches by PSA commanders during a graduation ceremony in Jericho and the PSA's recruitment of 'wanted fugitives' led the Israeli army to ban Colonel Jibril al-Rajub from moving outside the Jericho enclave in December 1994 "for an indefinite period".¹¹⁴ The official pretext was al-Rajub's open defiance of Israeli soldiers' orders at an IDF roadblock in the West Bank. The ban was quickly lifted, however. The PSA had powerful supporters in Shin Beth, and was allowed considerable leeway in the West Bank despite fierce opposition from the Israeli police and army.¹¹⁵

Hebron was a special case owing to the presence of Israeli settlements in the heart of the city. Redeployment in Hebron was scheduled for spring 1996, but was repeatedly postponed. Israel was very sensitive to the need to maintain a Jewish presence in the historic town, even if the Hebron settlers were hard-line extremist radicals with a long history of

political violence and vigilantism. In an attempt to enhance Palestinian confidence in Israeli law enforcement and to contain the PSA's police activities in the town, the Israeli Police held meetings with Palestinian community leaders in Hebron in 1995.¹¹⁶ Until late 1996, the Israeli army in Hebron seemed less tolerant of informal PNA policing than elsewhere in the West Bank. But when redeployment seemed imminent, the two sides reportedly concluded a "gentleman's agreement" allowing an informal Palestinian (mostly PSA) policing presence in the city so as to facilitate redeployment.¹¹⁷ The fact that many PSA operatives were armed created friction, however. During talks on security arrangements in the city in late 1996, Arafat created a bit of a sensation when he ridiculed an Israeli proposal for a ceiling of 400 armed Palestinian policemen in the city, stating that he "already had more armed men in the city".¹¹⁸ In late 1996, scores of PNA-police in plainclothes were often detained in Hebron, even as the talks on redeployment made progress.¹¹⁹

In October 1996, there was a stream of media reports about PNA efforts to illegally stockpile arms in Hebron in anticipation of possible confrontations with the militant settlers. The reports were clearly part of the general media war: the powerful settler community was eager to provide plausible justifications for an abortion of the projected redeployment.¹²⁰ Several interviews with local Palestinians in fact confirmed that the general uncertainty surrounding the transfer of authority encouraged many local Hebronites to acquire arms for self-defence and to prepare for a possible confrontation.¹²¹ The militant Israeli settlers, many of whom still worshipped the perpetrator of the Hebron mosque massacre in 1994, provided a powerful motivation for Palestinians to arm themselves. In response to these reports, the PSA increased its undercover presence in the city and began confiscating illegal weapons from suspected radicals as a preventive measure.¹²² At the time of redeployment in mid-January 1997, the PSA's presence in the city had reportedly reached more than 1,000 men, demonstrating its determination to avoid incidents that would jeopardize the Israeli withdrawal.

Putting Strong Men in Power

Compared to the deployment process in 1994, Israel had by late 1995 become more willing to allow Palestinians with a 'terrorist' past to return

to the Territories and assume leading positions in the PNA's police and security agencies. A number of leading Fatah officials had been barred from entering the self-rule areas in 1994 because of fears about Terrorism. However, in October 1995, Prime Minister Rabin authorized the return of three leaders of Fatah's Western Sector, Abu Firas al-Liftawi, Mahmud al-Alul and 'Izz al-Din al-Sharif, whom Arafat had designated as 'governors' in Ramallah, Nablus and Tulkarm respectively.¹²³ As opposed to the heads of the municipalities, the governors wielded real influence over the Palestinian Police in their areas.¹²⁴

The Western Sector had been one of the PLO's key instruments in launching armed attacks against Israel during the pre-Oslo period. The Israeli defence establishment nevertheless advised the government to allow the PNA to put in place "strong people" in West Bank towns, assuming that they would be more capable of acting forcefully against the Islamist rejectionists than Palestinian moderates without a struggle record.¹²⁵ A key factor behind this decision was Israel's relatively positive experience with former Fatah 'terrorists' in important security positions, in particular the two PSA commanders, al-Rajub and Dahlan.

The Entry Procedures Dispute in Jenin

One of the first signs of official Palestinian Police deployment in the West Bank outside Jericho came in early October 1995, when the IDF's civil administration buildings were handed over to the PNA in the towns of Qabatiyyah and Salfit and a number of villages in the West Bank.¹²⁶ Although these areas would remain under joint security control, Palestinians celebrated the event, especially in Qabatiyyah, a traditional hotbed of Palestinian nationalism.¹²⁷ Fatah paramilitaries and the PLO's local security men joined the celebrations, "firing automatic weapons and pistols into the air in jubilation".¹²⁸

The official Palestinian Police deployment in the West Bank was to begin in Jenin, an agricultural town of 38,000, including a large refugee camp, in the northern West Bank. As opposed to the Gaza-Jericho handover, the transfer in Jenin was a relatively protracted affair.¹²⁹ Generally speaking, Israel's withdrawal from the West Bank towns was a far cry from its hasty departure from Gaza and Jericho in May 1994, which was completed in less than a week. Israel now insisted on a gradual and piecemeal withdrawal, which would provide no single history-making

moment of Palestinian liberation and Israeli retreat.¹³⁰ Israel also wanted the first Palestinian Police officers (the liaison team) to arrive in civilian cars and to store their weapons at the District Coordination Offices (DCOs), the local security liaison centres, established by the Oslo Agreements, until they formally took charge. By contrast, the PLO demanded that the Palestinian officers enter with their uniforms, weapons and military vehicles.¹³¹ Israel finally consented to this, but only after the Palestinian officers pledged to come with their guns unloaded.¹³²

On 25 October 1995, Brigadier Ziyad al-Atrash, head of the Palestinian side of the Joint Security Committee, and five other Palestinian officers arrived at the new liaison office on the outskirts of Jenin, where they were seen “raising their rifles in triumph”.¹³³ Scenes of celebrations and joy accompanied their arrival. And yet, the slow deployment process threatened to devalue the symbolic effect of their entry. The IDF seemed content to remain in the town for yet another three weeks, allowing no additional Palestinian forces into Jenin. In an attempt to regain the initiative, Arafat ordered 150 civilian policemen to go to Jenin and take over the police station, instructing them to move there with their arms; and Israel responded by threatening to put up roadblocks to stop them.¹³⁴ The key issue again was whether the Palestinian Police would be allowed to enter with their weapons. If they arrived unarmed with an IDF escort, they would appear emasculated, subdued and incapable of liberating Palestine.

The dispute did not hold up the technical preparations, and Palestinian officials continued to devote considerable attention to assure a smooth transfer of power. On 30 October, Palestinian Police moved about sixty vehicles from Gaza to Jericho after having gained Israeli permission.¹³⁵ On 9 November, about 340 Palestinian policemen travelled from Gaza to the West Bank in preparation for their deployment in Jenin and its surrounding villages.¹³⁶ Shortly afterwards, in a short ceremony, Israel handed over the main police station in Jenin to Palestinian Police commanders, while Israeli and Palestinian officers toured the military headquarters in Jenin making an inventory of the buildings.¹³⁷ These preparations went ahead despite considerable political repercussions caused by two high-profile assassinations at the time, those of Prime Minister Yitzhak Rabin and the Palestinian Islamic Jihad leader Fathi Shiqaqi.¹³⁸

The deployment of the Palestinian Police in Jenin took place on 13 November 1995. The two sides had originally agreed on entry procedures,

according to which the IDF would provide an escort for the main convoy of some 31 Palestinian Police vehicles with personnel and equipment travelling from Jericho to Jenin through the night. A few kilometres before reaching the town, the Israeli vehicles were to pull to the side and allow the Palestinian convoy to continue on their own, making their victorious entry as liberators.¹³⁹ The main convoy had apparently travelled from Jericho unarmed and received their weapons in Jenin, as agreed upon. However, in an obvious defiance of Israeli orders, one truck of armed Palestinian policemen had managed to make its way to Jenin outside the official convoy, arriving there as liberators, waving their Kalashnikovs and drawing great popular jubilation and much anger from Israeli officers.¹⁴⁰ The theme of national liberation was highlighted in all official statements. Tayyib 'Abd al-Rahim, the secretary-general of the President's Office, announced with great pathos on the day of deployment that "liberated Jenin is the next step towards the establishment of our independent Palestinian state with Jerusalem as its capital".¹⁴¹ Eyewitnesses described how the residents "joined hands and danced in the courtyard of the military headquarters".¹⁴² Fatah paramilitaries who were still on Israel's wanted list "emerged from hiding to parade in front of the military headquarters atop civilian cars, firing pistols in the air".¹⁴³ These were all familiar scenes from previous police arrivals in Jericho and Gaza.

'The Occupiers Fled from Nablus'

In most cities, the handover proceeded smoothly. On 9 December 1995, the Israeli army withdrew from Tulkarm, the third Palestinian West Bank town in which the Palestinian Police deployed.¹⁴⁴ A week later, the Israeli army also withdrew from Qalqilyyah, a day ahead of schedule. Nablus, the largest city in the northern West Bank, was the most problematic city to transfer. A city of more than 100,000 inhabitants, it had experienced the bloodiest confrontations during the intifada, and its Old City quarters hosted a renegade Fatah paramilitary group whose defiance of the PNA caused some concern.

The volatile situation in Nablus made the Israeli army reconsider its withdrawal plans. It preferred a surprise withdrawal ahead of schedule, to avoid riots and armed attacks. When the IDF attempted to slip out of the city under the cover of darkness on 11 December 1995,

however, the word got out. Thousands of Palestinians converged on the military headquarters, jumping on the fences and shooting in the air while Israeli soldiers were still inside.¹⁴⁵ There was neither time nor place for an orderly handover ceremony. Television footage showed thousands of Palestinians closing in on the last Israeli jeeps as they pulled out of Nablus.

The scenes of IDF soldiers seemingly being chased out of Nablus by Palestinian youths outraged Israeli opinion and politicians. Angry Jews, complaining about this national disgrace, had reportedly jammed the switchboards of the Knesset and radio talk shows.¹⁴⁶ In response, the IDF promised to review its withdrawal procedures ahead of the upcoming evacuation of Qalqiliyyah, Bethlehem and Ramallah.¹⁴⁷ Many Israeli critics of Oslo pointed to what they saw as the erosion of the IDF's deterrence, and the Nablus exit underlined those fears.

The Nablus affair once again demonstrated the importance of images and symbols in the Palestinian–Israeli conflict and the competing visions of the Palestinian Police's role in that conflict. The monthly journal of the Palestinian security forces in its January 1996 issue 'highlighted the Nablus incident in an article entitled *The Occupiers Fled from Nablus*', which underscored the theme of national liberation and the Palestinian Police's glorious role in that struggle.¹⁴⁸ But it was Palestinian streetfighters and youth rioters who 'chased' the IDF out of Nablus. The Palestinian Police had in fact moved in and "formed a human shield to protect the Israeli soldiers" from demonstrators, who had attempted to storm the IDF headquarters.¹⁴⁹ During all West Bank withdrawals, the Palestinian Police were eager to demonstrate their determination to enforce law and order and avoid incidents that would complicate their relations with the Israeli side. During the Jenin withdrawal, for example, the PSA West Bank Commander Jibril al-Rajub had urged the celebrating crowds to be calm "so that the Israelis could leave with respect".¹⁵⁰ Instructions were issued to the population to avoid triumphal shooting during celebrations, even though they seemed virtually impossible to enforce.¹⁵¹

By now, the national liberation vision had been strongly tempered by the existence of extensive security coordination mechanisms between the IDF and the Palestinian Police and by the latter's confrontation with Palestinian paramilitaries and rejectionist guerrillas. The Palestinian Police took much pride in fulfilling their commitments to enforce the

ceasefire and abide by their security obligations *vis-à-vis* Israel as stipulated in the Accords. Significantly, there was no overt gloating over the IDF's retreat in Nablus by leading Palestinian Police officials. Instead, they lost no time in commencing joint patrols with the IDF as scheduled. In an interview with Israeli radio, the new Nablus governor, Mahmud al-Alul, described at length his commitment to maintaining security in the Nablus area.¹⁵²

Bethlehem, Ramallah and the Hebron Villages

The transfer of authority in Bethlehem, a town of some 45,000 inhabitants, was scheduled to take place on 18 December 1995. On 3 December, the first Palestinian Police unit entered Bethlehem, to set up a DCO at Bayt Jala, on the outskirts of the city. Brigadier Ziyad al-Atrash, the head of the Palestinian liaison committee, struck a conciliatory tone at the arrival ceremony, calling upon the Palestinian public "to be calm so that we can have peace between us and our neighbours". He looked to the symbolically important event of celebrating Christmas in the Church of the Nativity for the first time under Palestinian rule.¹⁵³ On 21 December 1995, the Palestinian Police assumed full authority in Bethlehem.¹⁵⁴

The IDF was scheduled to pull out of the villages surrounding Hebron on 26 December 1995, postponing redeployment in Hebron city itself until 26 March 1996, after the Palestinian elections.¹⁵⁵ On 10 December, a Palestinian Police vanguard entered the Hebron area in order to set up a DCO there and prepare for the handover.¹⁵⁶ The DCO was inaugurated the same day, interrupted only by Israeli settlers from Hebron and Kiriya Arba who demonstrated against what they called "the seizure of land" for the DCO headquarters.¹⁵⁷ Palestinian celebrations accompanied the police deployment, especially when the infamous Israeli prison in Dhahariyyah was turned over. On 26 December, some 300 Palestinian policemen moved into the five Palestinian villages of Dhahriyyah, Nuba, Bani Na'im, Yatta and Dura in the Hebron area, which were all Area B, under shared Palestinian–Israeli security control.¹⁵⁸ Their deployment represented an important step towards PNA rule in the symbolically important city of Hebron. Thirteen months later, in mid-January 1997, Israel pulled out of most of Hebron city.

Compared to Nablus, the transfer of authority in Bethlehem and the Hebron area was very orderly. According to an Israeli radio correspondent

who witnessed the process in Bethlehem, the Palestinian Police had ensured that Israeli soldiers were not attacked, and Palestinian commanders had even “promised to do all they could to prevent Bethlehem residents from burning Israeli flags and firing in the air”.¹⁵⁹ In the Hebron area, joint Palestinian–Israeli patrols started almost immediately after the Palestinian Police’s arrival, and Palestinian and Israeli commanders agreed to visit each other’s military sites.¹⁶⁰

Ramallah was the last West Bank city to come under PNA rule before the Palestinian elections in January 1996. The transfer of authority was scheduled to take place on 28 December 1995, and the first Palestinian Police contingent entered on 11 December, opening a DCO on the outskirts of the city.¹⁶¹ The final handover was carried out slightly ahead of schedule, on 27 December.¹⁶² Ramallah, which is the hometown of Suha Arafat, Yasir Arafat’s wife, joined Gaza City as the PNA’s interim capital. The Palestinian Police’s entry there completed a dramatic expansion of the PNA’s territorial jurisdiction and responsibility.

Conclusion

This review of the negotiating history of the Palestinian Police’s deployment in Gaza and the West Bank underscores the PLO’s concerns about preserving the independent nature of the new PNA institutions and rejecting any subordination to Israeli authorities. The police and security institutions were particularly important in that regard, because of their close identification with the state-in-waiting and as potential symbols of national liberation. For this reason, the very choreography of police deployment was important. Placing the first Palestinian Police units entering the Occupied Territories under Israeli military command, for example, or denying them uniforms and arms during their arrival was seen as tantamount to political suicide.

The negotiations over an early police deployment to Hebron and the deployment procedures in Gaza and Jericho illustrated conflicting conceptualizations of the Palestinian Police’s future role: a police agency subordinate to Israeli command versus a national liberation army. Israel attempted to contain the PLO’s ambitions to turn the deployment process into a nationalist celebration over the forces of occupation. Although Israel finally gave in to a PLO demand to deploy 1,000 men

on the very first day after the Gaza–Jericho Accord was signed, its control over security arrangements at border crossings nevertheless enabled it to quash Palestinian attempts to march in like liberators. Israel forced the PLO forces instead to enter in small groups at night after tedious security checks. Formal handover ceremonies were arranged in order to prevent the notion that the Israeli army fled the territories, although fears of clashes and attacks prompted the IDF to evacuate flashpoints such as Nablus and Jabaliya without any ceremony. In 1994, the PLO successfully resisted repeated attempts to place Palestinian policemen under Israeli command during the deployment phase. The PLO achieved an important goal when their policemen entered the Gaza Strip and Jericho only after the Israeli army had retreated. The popular jubilation which greeted the first police officers turned the days of their arrival into a landmark in the Palestinian march towards statehood.

By identifying the Palestinian Police so closely with national liberation, the PLO raised popular expectations that would be hard to fulfil. It placed the Palestinian Police in a difficult position between its security commitments as stipulated in the Accords and popular expectations of a confrontation with the Israeli occupation. By the time of the West Bank withdrawals, however, the national liberation theme had been tempered by the growing importance that the PNA now attached to security coordination with Israel. As a sign of the new cooperative atmosphere, the PNA agreed to deploy Palestinian policemen in villages where Israel retained overall security responsibilities. A strong commitment by the PNA to abide by its basic security obligations had come to be seen as a safer way to territorial gains than tinkering with the option of armed struggle. The change of Israeli government in 1996 changed this equation, however.

NOTES

- 1 M. Curtius, "Attacks heat up debate on Israeli withdrawal", *Los Angeles Times*, 15 December 1995, p. 10.
- 2 For example, Foreign Minister Shimon Peres aired the idea in April 1993, and Israel's Police Minister Shahal reiterated the call in November 1993. See Chapter 3 of this volume and Y. Kotzer, "Shahal: Israel will agree to 15,000 Palestinian police", *Jerusalem Post*, 21 November 1993.
- 3 M. Colvin, "Peace deal hangs in the balance as Rabin meets Arafat", *Sunday Times*, 12 December 1993.
- 4 An Israeli draft proposal presented to the PLO negotiators in December 1993 ruled out any transfer of police authority until all details of the agreement were resolved. S. Rodan, "Israel ready to accept outside peacekeepers in Gaza Strip", *Jerusalem Post*, 17 December 1993. See also M. Colvin, "Peace deal hangs in the balance as Rabin meets Arafat", *Sunday Times*, 12 December 1993.
- 5 For more on this issue, see Chapter 4 of this book.
- 6 S. Greenhouse, "US urges Israel to consider role for the PLO in policing Hebron", *New York Times*, 16 March 1994, p. 1 and Y. Ibrahim, "PLO split on resuming formal talks", *New York Times*, 20 March 1994, p. 14.
- 7 According to Uri Savir's memoirs, Arafat had proposed "an international force", to move the settlers from Hebron City to nearby Kiriyyat Arba, and to send in "some of our policemen there, in cooperation with your army". A well-informed Middle East reporter, Lamis Adoni, reported that Arafat's proposal in mid-March included: (a) a combination of an international presence and a symbolic Palestinian force in Hebron; (b) the evacuation of settlers from a large number of buildings in Hebron; and (c) the prevention of armed settlers from entering Arab-populated areas or travelling on roads used by Arabs. Savir (1998), p. 127 and L. Andoni, "PLO demands actions in Hebron", *Christian Science Monitor*, 18 March 1994, p. 1.
- 8 In mid-March 1994, the Israeli government had reportedly signalled that it agreed in principal to the deployment of a Palestinian police force to Hebron, in addition to the early deployment of police units in the autonomous areas, but would allow only "an unarmed international presence" in Gaza and Jericho, not in Hebron. "Contacts to define deployment and arming of the Palestinian police force" (in Arabic), *al-Jumhuriyyah* (Cairo), 16 March 1994 and "The search for a formula", *Jerusalem Post*, 16 March 1994.
- 9 S. Greenhouse, "US urges Israel to consider role for the PLO in policing Hebron", *New York Times*, 16 March 1994, p. 1 and Y. Ibrahim, "PLO split on resuming formal talks", *New York Times*, 20 March 1994, p. 14.
- 10 "The White House conference", *Jerusalem Post*, 17 March 1994. See also H. Kuttler, "Clinton calls for 'concrete' steps to protect Palestinians", *Jerusalem Post*, 17 March 1994 and D. Makovsky, "Rabin takes another step in ongoing minuet with Syria", *Jerusalem Post*, 17 March 1994.
- 11 Statement by Mamduh Nawfal, a member of the Palestinian delegation to the security talks and one of the PLO's key police planners. Cited in L. Andoni, "PLO demands actions in Hebron", *Christian Science Monitor*, 18 March 1994, p. 1.

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- 15 L. Andoni, "PLO calls Israeli offers on security insufficient", *Christian Science Monitor*, 24 March 1994.
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- 37 “The return of tens of deportees and the arrival of the police is delayed” (in Arabic), *al-Hayat* (London), 6 April 1994.
- 38 Ibid.
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PART II

POLICING PALESTINE

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The Post-Oslo Order and Implications for Palestinian Policing

The Government of Israel initially conceived of this process ...
as a test, of which Israel itself will be judge.

Dr Mark Heller, JCSS analyst, 1995

[The Palestinians] have their own rules ... Maybe they will do it better
than us. Don't worry. There will be no appeals to the Supreme Court,
and human rights associations won't go there to investigate.¹

Prime Minister Yitzhak Rabin, September 1993

In the chapters of Part II, “Policing Palestine”, I shall explore challenges facing the Palestinian Police during its first years in Gaza, Jericho and the West Bank and discuss its responses and policy dilemmas. A comprehensive analysis of the criminal justice systems established by the Israeli occupation, the PNA and the Oslo Accords and their impact on police–society relations is outside the scope of this study. But the present chapter will outline some of the most characteristic features of the new legal and political structures within which the Palestinian Police operated and assess how they influenced Palestinian policing. It includes a discussion of the formal structures and practical experiences of Palestinian–Israeli police cooperation in the spheres of crime fighting, public order maintenance, joint patrolling and intelligence-sharing/anti-terrorism. The impact of Israel’s imposition of its security interests on the Police and the PNA’s lack of territorial contiguity are given consideration. A third issue to be examined is the weakness of political and judicial oversight of the Palestinian Police and effective mechanisms for its accountability. The other chapters of Part II look at the particular post-intifada or war-to-peace challenges that the Palestinian Police faced during the 1990s, with an in-depth focus on the issues of collaborators,

illegal arms and paramilitary groups. A general overview of the various agencies and branches of the Palestinian Police is also offered.

A recurrent theme in these chapters is the pervasive political constraints under which the Palestinian Police operated. The organization was faced with a number of dilemmas in which political considerations more often than not overrode professional judgements of what was good policing. Another theme is the prevailing assumption or expectation that the Police would serve in many roles, from an employment service to a liberation army, rather than exist simply as an instrument for crime fighting and public order. In spite of the political constraints under which the Police operated, the constant political interference in its work, the territorial fragmentation of the autonomous areas, the difficult material and economic conditions and a strong legacy of intifada-style vigilantism, it nevertheless demonstrated an ability to strike a balance between opposing forces of pressure.

The Palestinian–Israeli Accords

The legal and political framework for Palestinian policing was broadly defined in the Palestinian–Israeli Agreements, although PNA decrees and legislation passed after May 1994 and informal understandings and practices worked out during the implementation process modified this framework over time. Being essentially an autonomy agreement, the DoP and its subsequent implementation agreements underscored the limitations of the Palestinian Police’s jurisdiction and its linkage and subordination to the Israeli military. At the same time, they gave significant responsibility to the Police with regard to security cooperation with Israel and effective anti-terrorism.

The Agreements had a number of important implications for Palestinian policing that will be discussed in this chapter. First, their political content aroused strong opposition in Palestinian society, which manifested itself in waves of public disorder and political violence and resulted in Israeli retaliatory and punitive measures. This in turn forced the Palestinian Police to make public order maintenance and anti-terrorism its two main priorities, although contingency preparations for a military confrontation with Israel gradually assumed importance towards the end of the 1990s. Second, the numerous limitations upon the Palestinian

Police's jurisdiction and the fragmentation of its territorial control complicated regular policing and threatened the legitimacy of the PNA. These limitations prompted the Palestinian Police to violate the Accords, for example by turning to clandestine forms of policing to circumvent formal restrictions. Third, the Accords put in place no effective mechanisms to secure civil-democratic control over the Palestinian Police and devoted scant attention to the need for judicial and parliamentary oversight and human rights guarantees.

From a legal and political viewpoint, the Palestinian Police was a far cry from a national police force in an independent state. Its greatest anomaly was the fact that it was established not primarily to provide security and render services for the people among whom its members were recruited and on whose territory it exercised control but to ensure improved security for a foreign state and its citizens.² At first glance, it resembled more a local paramilitary militia, operating with considerable discretionary powers over the judiciary authorities, the rules of engagement and human rights constraints, a discretion it had been accorded with a view to undertaking internal security tasks delegated to it by the central government. But this image, often portrayed by PNA critics and perpetuated in the media, understated the strong state-building ambitions of the PNA. The police forces demonstrated time and again that they resisted the role of a local collaborationist militia. The Palestinian Police's numerous violations of the police and security provisions in the Accords pointed to a determination to liberate itself from the straitjacket imposed on it through the agreements.³

Negotiating Police and Security Arrangements

The Declaration of Principles contained only a few general references to the Palestinian Police. In the subsequent negotiations on implementing the DoP, which started in mid-October 1993 and ended with the conclusion of the Gaza–Jericho Agreement in Cairo on 4 May 1994, all security and policing arrangements for the Gaza–Jericho period were specified in meticulous detail. (For these and the later Palestinian–Israeli agreements, see Box 7.1.)

Box 7.1
The Palestinian–Israeli Agreements, 1993–9

The Palestinian–Israeli Agreements, popularly referred to as the ‘Oslo Accords’, include the following documents:

- Mutual Recognition between the PLO and Israel, 9 September 1993;^a
- The PLO Chairman’s call for an end to the intifada, 25 September 1993;^b and
- The Declaration of Principles on Interim Self-Government Arrangements (DoP), 13 September 1993.

During the period under study, the implementation of the Accords was regulated by a number of interim agreements, and the early agreements were partly or completely superseded by later ones. Only those agreements containing security and policing arrangements have been included here.

- The Cairo Agreement, 9 February 1994;
- Agreement on Security Arrangements in Hebron and the Resumption of Negotiations, 31 March 1994;
- Agreement on the Gaza Strip and the Jericho Area (‘Gaza–Jericho Agreement’, ‘Cairo Agreement’), 4 May 1994;
- Protocol on Further Transfer of Powers and Responsibilities, 27 August 1995;
- Interim Agreement on the West Bank and the Gaza Strip (‘Oslo II’, ‘Oslo B’, ‘The Interim Agreement’), 28 September 1995;
- The Hebron Protocol and US Letter of Assurance, 15 January 1997;
- The Wye River Memorandum, 23 October 1998; and
- The Sharm al-Shaykh Memorandum, 4 September 1999.

a This was effected in an exchange of correspondence between Arafat and Prime Minister Rabin on 9 September 1993.

b This call was made in a letter dated 25 September 1993 from Arafat to the Norwegian foreign minister Holst.

Negotiations on expanding self-rule to the West Bank resumed shortly afterwards.⁴ Sixteen months later, on 28 September 1995, the Interim Agreement on the West Bank and the Gaza Strip was concluded. It superseded previously signed agreements for the interim period, but its security arrangements followed largely along the lines of the Gaza–Jericho Agreement. The Interim Agreement allowed for a Palestinian Police force of up to 30,000 men, and extended Palestinian self-rule to seven major cities in the West Bank: Ramallah, Bethlehem, Jenin, Tulkarm, Nablus, Qalqiliyyah and Hebron. The last city was divided into a Palestinian controlled enclave (H-2) and an Israeli-controlled area (H-1), the latter encompassing some 20 per cent of the city, mainly the Old City with its Israeli settlements and holy sites (the Ibrahimi Mosque/Macpelah Cave). The PNA's civilian authority, which included the deployment of the Palestinian Civilian Police, not its paramilitary branches, was extended to an additional area comprising some 440 villages, hamlets and towns of the West Bank and occupying 23 per cent of West Bank territory. Although the PNA's authority was extremely fragmented and limited with regard to territorial control, the agreement did provide for Palestinian self-rule for the greater part of the Palestinian population in the Occupied Territories.

The Interim Agreement provided for a gradual territorial expansion of the PNA's jurisdiction through three stages of 'further redeployments', which in theory would bring most of the West Bank under full PNA control within 18 months after the Palestinian elections. For various political reasons, however, these provisions were renegotiated in a series of additional protocols – the Hebron Protocol (1997), the Wye River Memorandum (1998) and the Sharm al-Shaykh Understanding (1999). These protocols greatly undercut the scope of transfer of territorial control to the PNA while sharply increasing the PNA's policing responsibilities in the field of anti-terrorism.

Although the agreements greatly reduced some of the daily friction between the Israeli occupation authorities and the Palestinian population, they also created a host of new sources of daily impediments, frustration and anger, as well as far greater possibilities for mobilizing and organizing popular protest and armed resistance among Palestinians. As will be seen below, the Oslo Accords established a new socio-economic and political order that turned out to be very difficult to police.

The PNA and the Israeli Military Government

The non-state character of the PNA is most visible when studying the extent of its jurisdiction in the West Bank and Gaza – both its circumscribed territorial scope and narrow functional terms. These non-state features, whether spelt out in the Accords or established through policy practices, had a pervasive impact on Palestinian policing. In the broadest sense, it could be argued that the Accords generated new political and socio-economic grievances that translated into serious challenges for the Palestinian Police, particularly in terms of public order disturbances and political violence.

The promotion of Palestinian policing responsibility without sovereignty and territorial control is a characteristic feature of the Palestinian–Israeli Agreements. This can be seen from the very first agreement, concluded on 9 September 1993, when an exchange of letters took place between the Arafat and Prime Minister Rabin, with the Norwegian foreign minister serving as messenger. In this correspondence, Arafat specifically pledged to “assume responsibility over all PLO elements and personnel in order to assure their compliance [with the Accords], prevent violations and discipline violators”.⁵ In doing so, the PLO Chairman agreed to assume policing or at least disciplinary responsibility over personnel, but without any territorial control. The PLO was not one organization with strong internal cohesion and effective disciplinary mechanisms against dissenters but rather a loose confederation of independent-minded factions. Hence, the PLO laid itself open to accusations of violating the agreements every time members of PLO-affiliated factions called for and/or organized armed resistance against Israel. It established a precedent for ‘personal jurisdiction’ over Palestinians, as opposed to territorial jurisdiction as a defining aspect of the self-rule.

The most fundamental limitation on the PNA’s jurisdiction was the DoP’s de facto recognition of the Israeli military government as the legal source of authority throughout the Occupied Territories, even after the withdrawal of the Israeli army.⁶ The PNA could only exercise a set of specified powers and responsibilities as determined in the Accords. All residual powers, including powers and responsibilities for ‘overriding security’, remained in the hands of the Israeli military governor. Thus, in a strictly legalistic sense, the Palestinian jurisdiction was narrow and fundamentally limited, while Israeli jurisdiction throughout the territories remained paramount, encompassing (a) Israelis wherever they may be;

(b) Israeli settlements; (c) military locations; and (d) any functional issue which had not been transferred to the PNA.⁷ The last included, for example, Israel's authority to detain and prosecute any PNA resident (Palestinian or non-Palestinian) at its own discretion, with no exceptions for Palestinian Police and security personnel, not even top-echelon police commanders, a right to veto any PNA law or order and a right to demand the detention or transfer to Israeli custody of any resident of PNA-ruled areas.

In a legal sense, the Palestinian Police appeared to be nothing but a subordinate branch of the Israeli military government. (Its subordination manifested itself in many respects. For example, when the US donated military surplus vehicles to the PNA, the gift was formally part of US military assistance to Israel but designated "for the use by the Palestinian Police Force".⁸ Another example was Israel's demand that the Palestinian Police should use only one radio frequency, because this would greatly simplify Israeli monitoring of Palestinian Police communication.) Politically, however, the PNA could not possibly acquiesce to such an interpretation, nor did the Israeli government attempt to exercise all its powers *vis-à-vis* the PNA and the Palestinian Police. The Accords nevertheless created a situation in which the Palestinian Police were bound by multiple and competing sources of authority: politically by the PLO/PNA and legally and militarily by the Israeli military governor. This situation had at least two wide-ranging ramifications. It prompted the PNA's political leadership to exercise a high degree of political interference in the Palestinian Police's operations and to issue orders in violation of the Accords, if that were deemed politically necessary. Second, the supremacy of the Israeli military governor meant that independent and effective judicial and parliamentary oversight over the PNA's police forces would be impossible.

The PNA's Security Obligations *vis-à-vis* Israel

A corollary of the continued existence of the Israeli military government was the subcontracting of comprehensive security responsibilities to the PNA. A typical Palestinian criticism of the DoP was that it not only committed the Palestinians to recognize the legitimacy of the Israeli occupation but also made Israel's "stability and security a Palestinian

responsibility” by handing over policing responsibilities to the PNA while retaining overall territorial control in Israeli hands.⁹

Intelligence-Sharing, Counter-Terrorism

Although the PNA, legally speaking, was subordinated to the Israeli military governor, Israel nevertheless wished to imbue the new security system in the Territories with a façade of equality and mutuality in order to foster Palestinian cooperation. One of the reasons why the Rabin government agreed to the DoP was that the PLO professed its willingness to cooperate in the sensitive area of intelligence and internal security.¹⁰ Already at an early stage in the post-Oslo security talks, in November 1993, there was reportedly a degree of consensus on cooperation between Israeli and Palestinian intelligence.¹¹ Still, the issue remained difficult. Most Palestinians were deeply suspicious of any sort of overt cooperation with the Israeli army and intelligence services. The internecine killings of some 900 Palestinians during the intifada on charges of collaboration were a powerful reminder of how delicate the issue was.

At the first round of the security talks in October 1993, the extent of Palestinian–Israeli security cooperation was described as one of the “most difficult points” by Palestinian negotiators.¹² Even though security cooperation was deemed necessary from a practical point of view, it would “create a public relations problem for the Palestinian leadership” with their own people, the Palestinians argued.¹³ For Palestinian negotiators, it was paramount that the Palestinian Police remained visibly an independent body and not an extension of the Israeli security forces. On the other hand, Palestinian negotiators recognized that the extent to which the Palestinian Police would cooperate with the IDF was one of the few points of leverage they had.¹⁴ Israeli security experts also correctly predicted that Shin Beth would have to depend on the PNA’s intelligence-gathering inside the self-rule areas, as its network of informers would be reduced.¹⁵

Intelligence-sharing and Palestinian efforts to assist Israeli counter-terrorism endeavours were not accomplished to Israel’s full satisfaction, however. The question of whether the Palestinian Police did enough to enforce the ceasefire with Israel (or ‘fight terror’) constantly emerged as a disputed issue between the parties in the wake of armed attacks and suicide bombings by Palestinian rejectionist factions. The fact that the

PNA at various points declared a suspension of security coordination in order to express dissatisfaction with specific Israeli policies underscored the politically charged context for Palestinian–Israeli intelligence cooperation on anti-terrorism.¹⁶

For its part, Israel insisted that the future of the peace process would be judged in terms of the PNA's ability to 'fight terrorism' and ensure Israeli security interests. From an Israeli viewpoint, the agreements were only an exercise that tested whether the PLO was able and willing to enforce an end to anti-Israeli attacks.¹⁷ The DoP was ambiguous, however, on whether the further transfer of territory depended on Palestinian security performance, but Israel had tremendous economic and military powers to pressure the PNA on this issue.¹⁸ Hence, the Oslo process became gradually more focused on Israeli security needs. Although the Gaza–Jericho Agreement had stressed the PNA's responsibility for subduing anti-Israeli resistance and violence, it was still moderate in its wording compared with later agreements. In the Hebron Protocol, six of the ten specified "Palestinian responsibilities" pertained to security, and included sweeping requirements such as "combat systematically and effectively terrorist organisations and infrastructure".¹⁹ The Wye River Memorandum of 1998 spoke of the PNA's duty to pursue a "policy of zero tolerance for terror" and "dismantle the terrorism infrastructure", presumably meaning the shutdown of all civilian, political and public service activities of any organization suspected of not honouring the ceasefire with Israel or advocating opposition to it.²⁰

The growing counter-terrorism focus had a pervasive impact on the Palestinian Police. In no small measure did it account for the Police's repressive practices, in particular the use of mass arrests, administrative detentions, military tribunals and torture under interrogation.²¹ It also contributed to elevating those Palestinian Police commanders who appeared to be most effective in preventing anti-Israeli attacks to positions of great political influence and power. Indicative of that trend was the fact that the two PSA commanders, Dahlan and al-Rajub, were increasingly mentioned as Arafat's potential successors. This tendency was further reinforced as the United States (and to a lesser extent the European Union) intervened in the counter-terrorism efforts with substantial aid and training programmes for Palestinian security personnel.²² The influx of funds and aid, accompanied by strong political pressure for more effective counter-terrorism, benefited and strengthened the already

independent-minded specialized security agencies and made the possibility of bringing all police branches under civil-democratic control even more remote.

Joint Patrols and Public Order Policing

In addition to intelligence-sharing, Israel insisted on an extensive apparatus of joint patrols, coordination offices and liaison officers, in order to create a situation whereby the Palestinian Police could handle incidents involving Palestinians and the IDF and the Israeli Police could deal with Israeli civilians and settlers, especially on the main roads in and near the autonomous areas. As part of the compromise in the preliminary Cairo Agreement in February 1994, Palestinian negotiators agreed to the concept of joint patrols and security coordination offices. They turned down an Israeli proposal of joint Palestinian–Israeli patrolling cars, however, insisting on separate Israeli and Palestinian vehicles, which illustrated the typical Palestinian wariness of becoming too closely associated with the Israeli army.²³

Wide-ranging and elaborate security cooperation structures became a distinct feature of the Gaza–Jericho Agreement.²⁴ From an Israeli perspective, this was seen as the most remarkable innovation in the agreement. It allowed Israel to maintain its settlements and civilian infrastructure largely intact and served to integrate the Palestinian Police in a working relationship with the Israeli security establishment. The security cooperation structure was built around the patchwork of different security zones introduced in Gaza by the Gaza–Jericho Agreement and expanded throughout the West Bank by the Interim Agreement of 1995 (see below).²⁵

The joint security cooperation structure included a Joint Security Coordination and Cooperation Committee (JSC), reinforced by a number of joint District Coordination Offices (DCOs), and a set of mobile Joint Patrols, for monitoring roads 24 hours a day; Joint Mobile Units, for rapid response to emergencies; and a Liaison Bureau, for security coordination at the border crossings.²⁶ The JSC would recommend and implement “security policy guidelines”, “deal with security issues raised by either side”, provide a channel for exchanging information between the two sides and issue directives for the DCOs.²⁷ The JSC was to meet every two weeks, or within 48 hours on request. The DCOs were to

operate 24 hours a day, to “monitor and manage all matters of joint nature” within their districts and to investigate and report to the JSC. The list of events and activities to be reported to the DCOs and/or the JSC was very comprehensive, and amounted to an extensive exchange of information on all matters relating to security.²⁸

The overt part of the Palestinian–Israeli security cooperation was quickly boasted about as being one of the most successful aspects of PLO–Israeli relations in the 1990s, applauded by both Israeli and Palestinian officers as well as by international police advisers. And yet, even these ‘Patrols for Peace’, as they were termed, did not go unaffected by the political conflict, and some of them engaged in pitched gun battles during four days of riots in late September 1996, causing their suspension for several months.²⁹ During these clashes, Anthony Shadid noted how Palestinian policemen were caught between the conflicting obligations of defending Palestinians and cooperating with Israel:

Palestinian police began shooting after Israeli soldiers fired tear gas, rubber bullets and live rounds at stone-throwing Palestinian protesters. The battles were chaotic. Palestinian policemen went from trying to restrain the protesters, to firing on Israelis, then back to controlling the protesters again. And so it went during four days of fighting that killed 58 Palestinians, 15 Israelis and three Egyptians.³⁰

The September 1996 gun battles remained an exception in PNA–Israeli security relations during the 1990s, although a number of stand-offs and shooting incidents occurred, for example during the bloody riots at Erez checkpoint in July 1994 and when four Palestinian Border Guard policemen were killed in Bayt Lahya in early 1995 by an Israeli army patrol.³¹ For the most part, however, the joint security coordination structure, with its joint patrols and numerous DCOs, continued to function, even when the political talks were completely frozen.

After 1996, with a right-wing Israeli government in power, it became more important for the PNA to strike the right balance between allowing public protests against Israeli policies to escalate sufficiently to catch international attention while avoiding a repetition of the September 1996 gun battles. In this regard, its Public Order and Intervention Force (*quwat hafz al-nizam wa al-tadakhkhul*) was important. The 1,000-strong unit, under the command of the Palestinian Civilian Police, received much foreign training and grew into an effective and professional force

for containing mass protests.³² This enabled the PNA to orchestrate violent mass protests in support of its negotiating strategies at critical junctures during the late 1990s without losing control. Conversely, the Palestinian Police were able to enforce bans on public demonstrations when the PNA judged such disturbances to be detrimental to its wider national interests, such as during the US bombing of Iraq in late 1998.³³ Throughout the Oslo process, Palestinian public order policing remained highly dependent on the political situation.

Cooperation in Crime Fighting

In addition to joint patrols and intelligence-sharing, the Palestinian Police were obliged to cooperate with the Israeli Police in regular crime fighting. In this field, cooperation was less sensitive politically, as both shared a strong common interest in reducing non-political crime.³⁴ Still, ordinary crime fighting was also heavily coloured by the political conflict, which the following examples of policing car thefts' and combating drug trafficking will illustrate.

Car thefts in Israel assumed astronomic proportions during the 1990s. Its profitability gave rise to Palestinian–Israeli car-stealing mafias. Cars were stolen, brought to the border point between Israel and the Gaza Strip or to West Bank cities and sold to individuals or 'car dealers' at very low prices or were dismantled and used as spare parts. Some Israelis apparently also sold their cars cheaply to Palestinians in order to claim the insurance money.³⁵ In the mid-1990s, an estimated 30,000 cars were stolen annually in Israel, and its insurance companies paid out over 1 billion shekels (some \$300 million) against car thieves in 1996.³⁶

In the Gaza Strip, as many as 25,000 Palestinians, among them PNA ministers and top Palestinian Police officers, were driving stolen vehicles; and on a number of occasions, Israeli police detained top-echelon officers for involvement in car thefts or for driving stolen cars.³⁷ Israeli politicians were infuriated by the PNA's "cavalier attitude" towards the car theft business, and claimed that the PNA condoned the trade. As further evidence of this attitude, Israel referred to the Palestinian Police's practice of issuing temporary licences for stolen cars and its attempt to extract payment from insurance companies in exchange for returning stolen vehicles.³⁸ The internal security minister

Avigdor Kahalani of the Likud-led government saw politics and economy coming together in the PNA's inadequate policing of car thefts:

The Palestinians are stealing the state from under our noses ... It's no secret they want part of our country ... I think they [the PNA] encourage them to steal cars. They enjoy driving our Mercedes and BMWs and even turn up to meetings in these cars ... The reason they want Israeli cars is because it's an easy way to make money. From Kfar Sava to Kalkilya is just a three-minute drive and the Israel Police can't go into Kalkilya to catch the thieves, which is a problem.³⁹

After Israeli pressure, the PNA attempted to restrict the illegal car business, but made no decision to return all stolen cars.⁴⁰ The Palestinian Police began confiscating and returning hundreds of cars, and some dealers were apprehended, but the numbers were still minuscule compared to the total trade.⁴¹ Still, after the PNA took control of Palestinian West Bank cities in late 1995, the Israeli Police noticed a decline in crime along the Green Line, in particular a significant drop in car thefts, which were attributed to the Palestinian Police's efforts.⁴² In August 1997, the Israeli Likud-led government gave rare praise to the Palestinian Police, for its "quick action" in arresting a Palestinian car stealing gang which had murdered an Israeli cab driver.⁴³ In the late 1990s, there was a surge in incidents of Palestinian hold-ups of Israeli taxi drivers at knifepoint, forcing them out of their cars and fleeing with the taxis into PNA-ruled areas. Cases of involvement of Palestinian Police personnel in car thefts, including the murder of Israeli car owners, sowed doubt about the PNA's commitment.⁴⁴ From mid-1997 onwards, the Israeli arrest warrant for the PNA's top Civilian Police chief, Brigadier Ghazi al-Jabali, also soured the atmosphere for joint police cooperation in car thefts.⁴⁵

The PNA's confiscations of stolen cars were unpopular among Palestinians, who had often bought them from official 'car dealers' in Gaza.⁴⁶ Many also viewed such thefts as a legitimate payback because many Israelis lived in houses and on property confiscated from Palestinians since the 1948 war under the Israeli absentee law. *Watani*, the monthly journal of the Palestinian security forces, accused Israeli intelligence of instructing its Palestinian 'collaborators' to promote car thefts with a view to discrediting the PNA, jailing Palestinians and making profits.⁴⁷ Even so, police officers would justify their own acquisition of cars from

questionable sources by referring to the slow pace of required aid from the donor countries and Israel's 'economic war' against the Palestinians.⁴⁸ The paramilitary resistance groups, which used to mete out harsh punishments to thieves and drug dealers during the intifada, seemed to endorse the car theft business as a double way of weakening Israel's economy and promoting its moral dissolution though financing drug addiction, because Israeli drug addicts were often involved in car thefts.⁴⁹

Although the handling of car thefts remained a source of considerable friction in Palestinian–Israeli police relations, one would assume a larger confluence of interests in the field of combating illicit drugs, which historically has fostered international police cooperation. To a certain extent this was true, but the political context, and Israel's overwhelming preoccupation with anti-terrorism, retarded joint efforts in this field. Since its arrival in Gaza, the Palestinian Police had put serious effort into cracking down on illicit drugs and uncovering trafficking routes. By mid-1995, its specialized department for drug enforcement employed 146 officers and policemen, and boasted a series of important seizures of drugs and drug production sites.⁵⁰ A lack of laboratories and proper equipment for investigation led to many early releases of drug dealers.⁵¹ Although the Palestinian Police were hesitant to ask the Israeli Police for assistance, the technical aspects of anti-narcotics investigation and the involvement of both Palestinian and Israeli criminals in drug trafficking allowed for some joint cooperation.⁵² In 1997 the Palestinian Police for the first time detained Israeli drug dealers operating in PNA-ruled areas. They were handed over to the Israeli police, in accordance with the agreements.⁵³

Many obstacles remained however. The Palestinian Police complained that IDF officers at the DCOs were extremely slow in responding to their requests for moving outside the PNA-ruled areas (Area A) to apprehend drug dealers.⁵⁴ They also referred to Israel's unwillingness to hand over police records of drug dealers and other criminals in the Occupied Territories. IDF Radio's police affairs correspondent noted that "Israeli Police officers probably know that exposing these records would lead to the exposure of many collaborators. These are criminals who became collaborators after making a deal with the Israeli security services."⁵⁵ This belief was widely shared in the Palestinian communities, and contributed to the close association between criminals, especially drug dealers, and Shin Beth informers. As will be shown later, this situation led to illegal policing practices by the Palestinian Police, as legal methods seemed unworkable.⁵⁶

Oslo's Territorial Dimension

Border Controls and the Closure System

An important corollary of the DoP and its retention of an Israeli military government with supreme powers was the imposition of a security structure, enhancing Israeli control over Palestinians in and outside PNA-ruled areas. The most visible of these arrangements was the closure system, which severely limited freedom of movement for Palestinians and deepened the territorial fragmentation of the PNA-ruled areas.

Although the DoP put heavy emphasis on economic cooperation, envisaging a Palestinian autonomous regime integrated into and not separated from Israel, Israel had moved decisively towards a separation model ever since the intifada broke out, especially in 1992–3. The DoP's integrationist rhetoric reflected the emphasis of only one segment of the Israeli policy-making elite.⁵⁷ As the Israeli security establishment, which had not been involved in the Oslo negotiations, entered the talks, the cooperative optimism was replaced by an overwhelming stress on security arrangements designed to ensure maximum protection for Israeli settlers and operational freedom of the Israeli army.⁵⁸ In preparing for redeployment in Gaza, the IDF took additional steps to maximize physical separation. A massive border fence hermetically closed off the Gaza Strip. It was reinforced by new watchtowers around the settlements and stronger barricades at checkpoints, paving the way for what most Palestinians termed the "world's largest prison".⁵⁹

In the preliminary Cairo Agreement, the contentious issue of border crossings with Egypt and Jordan offered a small gesture to the Palestinian demand for symbolic sovereignty. The PNA was allowed to post policemen and flags at border points, and Israeli security officers would be posted discretely behind partitions and mirrored windows, monitoring travellers with electronic devices in such a way that Palestinian visitors would see only Palestinian officials during their entry at the border crossings.⁶⁰ This gesture notwithstanding, Israel retained a veto over all security matters. In fact, all provisions of the Gaza–Jericho Agreement were subjected to the priority of Israeli security concerns, in particular with regard to the movement of individuals and goods.⁶¹

The Accords allowed Israel to impose long-term closures on all populated Palestinian areas at will. Successive Israeli governments used this prerogative very actively in order to influence PNA conduct and

coerce it if necessary. The closure regime was the single most important factor behind the deterioration of the Palestinian economy between 1994 and 1997, and had obvious ramifications for Palestinian policing.⁶² The economic decline came at the very moment when the Palestinian public had been promised multi-billion dollar aid packages and economic prosperity in return for territorial concessions to Israel. Derek Fatchett noted in January 1998 that “the economic ‘fruits of peace’ many experts predicted would flow from the Oslo agreement in 1993 must now seem like a cruel irony to the Palestinians”.⁶³

Undoubtedly, the combination of grandiose aid promises and Israeli closure policies contributed to a socio-economic situation ripe for social unrest and revolution.⁶⁴ Under these volatile conditions, public order policing and anti-terrorism inevitably became top priorities, not public police services. Not only average Palestinians but also Palestinian Police and security personnel suffered from numerous and often humiliating checks and occasional detainment at Israeli checkpoints, which fuelled anti-Israeli sentiments within their ranks. Given the widespread grievances over Israeli restrictions, the Palestinian Police became disinclined to devote resources to prevent illegal infiltration, car thefts and smuggling across the PNA’s delineation lines, which, after all, were temporary, blurry and too long to allow effective monitoring.⁶⁵

In principle, physical separation would make the Palestinian Police’s efforts at enforcing the ceasefire and preventing anti-Israeli riots somewhat easier, but not without a substantial removal of the most exposed Israeli settlements. These were scattered throughout the Occupied Territories close to, and even within, Palestinian towns. The potential preventive effects of the closure policies were further reduced by the absence of a physical border between the West Bank and Israel.⁶⁶ In fact, a recent study has shown that owing to the extreme permeability of the ‘Green Line’, Israeli closures during the 1990s had only a very limited impact on the flow of Palestinian labour from the West Bank into Israel, while they dramatically curtailed the labour flow from Gaza.⁶⁷ Hence, Israeli closure policies assumed a far more punitive than preventive character, and aimed at pressuring the PNA and its police forces to round up and detain specific suspects, not to stop potential ‘terrorists’ from entering Israel.⁶⁸

Extreme Territorial Fragmentation

A characteristic feature of the PNA was its extreme territorial fragmentation, sometimes sarcastically described as a Swiss cheese: Israel kept the cheese and left the holes for the Palestinians. Terms such as ‘cantonization’ and ‘bantustanization’ (a term deriving from ‘Bantustan’, a territory to which many black South Africans were transferred and forced to live under apartheid) were commonly used to describe the situation. During the Gaza–Jericho stage, territorial fragmentation within the tiny Gaza Strip was increased as the Israeli army retained the right to limit or stop movements by way of its control over three lateral roads intersecting Gaza Strip territory. Numerous new checkpoints, both Israeli and Palestinian, were erected; and in 1995, some 18 checkpoints slowed down travellers along the 40-km road from Erez to Rafah in Gaza, giving rise to popular resentment against Palestinian policemen who manned the new roadblocks.⁶⁹

The expansion of Palestinian self-rule to West Bank cities (except Hebron) in late 1995 created a far more difficult policing situation, however. Palestinian self-rule then became a large set of non-contiguous territorial entities, a patchwork of zones with different jurisdictions, no uniform legal system and two police authorities. Israeli withdrawals after 1996 were limited in scope and did not create more territorial contiguity. In fact, by December 1999, territorial fragmentation had reached absurd extremes, with 227 separate areas in the West Bank under full or partial control by the PNA, 199 of these being less than 2 km² in size.⁷⁰ On top of this came the imposition of Jewish holy sites and small Israeli settlements at the very entrance to or inside PNA-ruled cities, such as the Shalom Al Yisrael synagogue in Jericho and the yeshiva (Jewish college) at Joseph’s Tomb, near the Balata refugee camp, or the four Israeli enclaves in the middle of Hebron City. These were all inhabited or frequented by radical and armed Jewish settlers with a long history of vigilante violence against Palestinians. The potential trouble spots were countless, and the challenges of maintaining order and preventing incidents could hardly be understated.

For ideological reasons, Israel nevertheless insisted on a low number of Palestinian policemen, even in trouble spots such as Hebron where the Accords, upon Israeli insistence, allowed only 400. In order to cope with the situation, however, the PNA deployed more than a thousand plainclothes police officers, to prevent incidents during redeployment,

and maintained much larger forces in the city than formally allowed, despite incurring Israeli protests. The West Bank's PSA chief Jibril al-Rajub moved his HQ to Hebron to oversee the complicated security situation in the city.⁷¹

A lack of full territorial control, especially in the West Bank, weakened Palestinian policing in many respects, not least *vis-à-vis* Palestinian rejectionist groups. Significantly, nearly all attacks inside Israel originated from the West Bank, often from hideouts in the hilly villages and hamlets outside the PNA-ruled cities. According to IDF statistics, anti-Israeli violence was 14 times more frequent in the West Bank than in the Gaza Strip during the first half of 1997, despite the relative similarity in population numbers. That difference was, at least in part, due to the extreme weakness of PNA sovereignty in the West Bank as opposed to the Gaza Strip. A *Yediot Aharonot* columnist neatly summed up the security situation in the West Bank: "minimum (Palestinian) sovereignty plus an intangible border (with Israel) equals maximum terror".⁷²

In terms of regular crime fighting, territorial fragmentation also hamstrung Palestinian policing, as any movement of Palestinian Police personnel outside Area A had to be coordinated with the Israeli side, and such cooperation was dependent on the climate in the political talks.⁷³ Palestinian criminals exploited that weakness. IDF Radio's police affairs reporter noted, for example, that drug traffickers "know very well the differences between Areas A, B and C and conduct their drug deals undisturbed 100 metres from the Palestinian roadblock".⁷⁴ The cantonization of the West Bank also meant that bringing in reserve police forces rapidly in times of disturbances and crises was virtually impossible, and communication and coordination between different police units and agencies operating in different enclaves were similarly hamstrung. Hence, the PNA had to retain a much larger standing police force in each enclave than would have otherwise been needed.⁷⁵

The Consolidation of Israeli Settlements

Although the closure policies were a source of daily frustration, political grievances over the Accords usually centred on the absence of any written Israeli commitment to halt settlement expansion, expropriation of property and confiscations of land in the Occupied Territories, allowing

Israel to continuously change the status of the very territory under negotiation.⁷⁶

In the security talks in Taba and Cairo, Israel insisted on retaining substantial territory between Israeli settlements, under the notion of 'settlements blocs', which would then fall exclusively under Israeli control for the entire interim period. PLO negotiators finally agreed to these demands, but only in return for an unwritten commitment previously made by the Israeli government not to establish new settlements.⁷⁷ But, the so-called settlement freeze was not very 'frozen' after all.⁷⁹ Under its four-year rule, the Labor-led government allowed the settler population in the West Bank and Gaza (Israeli-occupied East Jerusalem not included) to grow by 50 per cent, from approximately 96,000 in June 1992 to nearly 145,000 by June 1996. By 2001, it had increased to more than 205,000. Large swathes of land were confiscated, primarily to build new highways to connect the settlements with Israel proper and with each other, bypassing and in effect segmenting Palestinian towns and villages into isolated cantons.⁷⁹

Settlement expansion was one of the politically most disruptive factors for Palestinian policing, on a par with Israeli moves to change the status of Jerusalem and its holy places or Israeli assassination of leading Palestinian militants. Broad popular support for riots, and violent protests against Israel's policies, made it very difficult politically for the PNA to instruct its police forces to clamp down on such disturbances and prevent anti-Israeli attacks. In protest against Israel's settlement project in Har Homa/Jabal Abu Ghunaym in East Jerusalem in 1996–7, the PNA decided to suspend intelligence coordination with Israel, and ordered a partial withdrawal of its police forces from active public order maintenance in areas bordering Israeli settlements, such as Hebron Old City.⁸⁰ Israel claimed that the PNA had ordered the release of jailed Hamas militants against the advice of its own intelligence service, the PSA, thereby giving a "green light to terrorism".⁸¹ The PNA responded by accusing Israel of perpetrating 'terrorism' by using its bulldozers at the Har Homa settlement. In such a politically charged atmosphere, effective cooperation in policing was very difficult.

Weak Formal Jurisdiction and Widespread Informal, Clandestine Policing

An important and probably unintended side effect of the territorial and functional limitations on PNA jurisdiction was an upsurge in informal and partly clandestine policing activities in areas lying beyond the PNA's direct control. The causes of this were many. The 'Early Empowerment' Agreement of 29 August 1994 highlighted a particular dilemma in Palestinian policing, as it created a situation in which functional self-government responsibilities were not matched by territorial control and policing powers. The agreement transferred to the PNA power and responsibility in the West Bank for health, tourism, social welfare policy, education and taxation.⁸² This raised the problem of how to enforce laws concerning these areas without any Palestinian Police presence outside the Jericho enclave. At the negotiating table, the Palestinians stressed that without any enforcement structures such as tax inspectors, local security guards, security officials at the courts etc., implementation would be difficult, but Israel was unwilling to accept an official Palestinian Police presence outside Jericho before the Interim Agreement.

The 'Early Empowerment' Agreement reinforced a trend towards investing the PNA with steadily more administrative powers and responsibilities *vis-à-vis* the civil population without transferring territorial control. This started in earnest with the introduction of the concept of shared security control in the Gaza–Jericho Agreement for a few small pockets in the Gaza Strip and around Jericho, the so-called Yellow Areas, later termed 'Area B'. When the Interim Agreement extended Palestinian self-rule to the West Bank in 1995, areas of shared security control were greatly expanded, but not without significant controversy with regard to the Palestinian Police's operational freedom in these areas. Because the Israeli army retained the right to enter and operate freely in Area B, these arrangements seemed to undermine Arafat's strategy of portraying his policemen as liberators, not as subordinate servants of the occupation.⁸³ In the end, the PNA was forced to accept a compromise whereby the PNA's policing presence in Area B would be limited to only 25 police stations for some 440 villages, hamlets and towns. Only its civilian police units would be deployed there, and they would have to coordinate their 'movements' with the Israeli army when operating in areas without a Palestinian police station. (Israel had initially insisted

that the PNA should go further and commit itself to coordinating its 'activities' in these areas too.⁸⁴

The Interim Agreement also introduced a third category, 'Area C'. Here the PNA would assume "civilian powers and responsibilities not relating to territory" during "the first phase of redeployment", i.e. some six months after the scheduled Palestinian elections.⁸⁵ Areas A and B were well defined, but Area C remained a largely undefined West Bank territory lying beyond Areas A and B and outside Israeli 'settlements' and 'military locations'. The agreement provided for a gradual transfer of Area C to the PNA within 18 months, but the extent of this territory was subject to further negotiation.⁸⁶ These redeployments were repeatedly postponed, however, ostensibly a result of Israeli misgivings about the PNA's security performance. The coming to power of a Likud-led government in mid-1996 that was opposed in principle to the Oslo process greatly contributed to this decision. Both the US "Note for the Record" of 17 January 1997, which accompanied the Hebron Protocol, and the subsequent Wye River Memorandum of 23 October 1998 attempted to address the twin issues of further redeployment and the Palestinian counter-terrorism performance, but the territory transferred to full PNA control (Area A) still remained very limited.⁸⁷

For political reasons, the Rabin government wanted to limit the Palestinian police presence in the West Bank. It therefore insisted on only 25 Palestinian police stations in Area B, and none in Area C, despite the fact that as many as 68 per cent of the Palestinian West Bank population lives in this rural hinterland. It also specifically limited the Palestinian police presence in the West Bank as a whole to merely 6,000, to be increased to 12,000 at later stages. In the Hebron village of Dura, for example, there were only seventy Palestinian policemen, far too few to control the area, which had 40,000 people and a history of clan feuds and political violence.⁸⁸

The consequences of a thinly stretched official Palestinian police presence in the West Bank were significant in several respects. Numerically too few, divided into secluded enclaves with weak lines of communications, and cumbersome and politically sensitive entry-exit procedures, the official Palestinian Police could not possibly perform well in the West Bank. These considerations prompted the PNA to deploy its various clandestine plainclothes police agencies there, and it instructed Fatah activists and PSA-affiliated paramilitaries to undertake various

unofficial police missions on behalf of the PNA.⁸⁹ Hence restrictions on the official police presence strengthened clandestine and informal policing practices. This informal policing had increased substantially in the early post-Oslo period, particularly with the establishment of the PSA in Jericho in May 1994, and it continued to be informal after the Interim Agreement too. The patchwork of different and competing policing regimes was unhealthy, and left civilian authorities in limbo between an occupation army and clandestine agencies composed of former paramilitaries acting mostly outside civil-democratic and judicial control.

In the Protocol on Further Transfer of Powers and Responsibilities, signed on 27 August 1995, expanding Palestinian civil autonomy in the West Bank, Israel attempted to contain the PNA's informal policing activities. Under the Article on 'Law Enforcement', only 'civilian inspectors' were permitted to monitor compliance with laws and regulations and to conduct internal inquiries. These inspectors should not be considered a police and should "not wear uniforms of a police or military nature or carry arms".⁹⁰ Article VII specifically insisted that the PNA "shall prevent the activity with a military or police orientation within each of the Eight Spheres" of civil autonomy.⁹¹ In theory, Palestinian civilian inspectors and municipal officials would have to resort to the Israeli police for enforcing regulations. But given the strong inhibitions against calling upon Israeli security authorities in intra-Palestinian disputes, the result was that PNA's plainclothes police agencies emerged as the real authorities in these areas, operating largely under their own discretion, which again highlighted the structural problems of institutionalizing democratic control over the police.

Territorial Inviolability: Israel Abandons 'Hot Pursuit'

One of the few PNA victories in the Oslo Accords was Israel's implicit recognition of the principle of territorial inviolability for the PNA-ruled cities (Area A), the most explicit state-like characteristic of the PNA.⁹² In this regard, the issue of 'hot pursuit' had been particularly contentious. It referred to Israel's demand that the IDF should be able enter Area A when actively pursuing a suspect, a claim the PLO rejected. Despite disagreements within the Israeli military establishment about the importance of 'hot pursuit' to Israeli security, Prime Minister Rabin clearly viewed it as a bargaining chip for extracting Palestinian concessions

on the difficult settlement and border issues. The issue remained a problem for the Israeli government, however, not least because Israel's counter-insurgency doctrine rested to a large extent on the principle of pre-emptive strikes. The possibility that Israel might not be able to conduct raids against suspected 'terrorists' inside the PNA-ruled areas was the Israeli security establishment's most fundamental reason for criticizing the Accords.⁹³ According to Joel Singer, the Israeli MFA's legal adviser and perhaps the principal legal architect of Oslo, Israel was fully entitled to insist on 'hot pursuit', as well as a continued military role throughout the autonomous areas. The IDF "will be able to go anywhere in the Palestinian autonomous area to defend Jewish lives", Singer argued.⁹⁴

Such a position was politically untenable, as it would draw the IDF back into the populated Palestinian areas from which it wanted to disengage, and it would also discredit the PNA. For these reasons, the Rabin government abandoned the demand in late 1993.⁹⁵ Israel did not formally renounce its right to 'hot pursuit', but during the 1990s both the Labor and Likud governments acknowledged that it could not be applied.⁹⁶ The understanding was that the Palestinian Police would remain the only legal coercive force inside PNA-ruled areas, and would have a monopoly over the use of legitimate force, the key attribute of a state. This obviously enhanced the statehood of the PNA entity, and it also strengthened the image of the Palestinian Police as 'liberators', not as protectors of the occupation.

True, Israel did not always respect the PNA's territorial inviolability during the 1990s. For example, it continued to carry out undercover operations in the self-ruled areas, including assassinations of suspected militants, but in principle if not in scope, these practices were not much different from what Mossad had done abroad for many decades.⁹⁷ The massive popular attendance at funerals for assassinated militants illustrated perhaps more a fury over Israel's lack of respect for Palestinian sovereignty than genuine support for the Islamist opposition.

During the al-Aqsa intifada, however, the PNA's territorial inviolability has been completely shattered, and the Israeli army has successfully reasserted its right, domestically and internationally, to enter and hold PNA-ruled areas at its own discretion.

Oslo's Legal Apartheid

The Capitulations Reborn? Extra-Territorial Immunity for Israelis and Collaborators

The legal differentiation within one and the same territory based only on ethnicity and nationality is basically an anachronism in a legal context, mostly reminiscent of the capitulations imposed by the European colonial powers on the Ottoman Empire. It nevertheless became a key characteristic of the Palestinian–Israeli Agreements. Extra-territorial immunity for all Israeli citizens and a general amnesty for Palestinian collaborators with Israel were illustrative aspects of the general curtailment of the PNA's jurisdiction, even within Area A. During the Taba and Cairo talks in 1994, the issue of the PNA's jurisdiction over Israelis and other non-Palestinian residents present in the autonomous areas had been very contentious. The question was particularly sensitive for the Israeli government because powerful settler groups had rallied much support against the Oslo Accords by playing on Israeli fears of ending up in Palestinian jails or being shot or harassed at Palestinian checkpoints.

The Palestinian delegation demanded full jurisdiction over anyone in their areas, including Israeli citizens, and a right to prosecute collaborators, and they wanted to restrict the settlers' right to carry firearms outside their settlements.⁹⁸ Israel refused to disarm the settlers, and forced through a full amnesty for collaborators with important ramifications for Palestinian policing, as will be shown in Chapter 9. It also demanded that Palestinian Police officers should not be able to detain, interrogate or prosecute non-Palestinians at all, even if the latter committed crimes within PNA-ruled areas. The issue was reportedly “a major sticking point”, and was resolved only in late April 1994 after a compromise was reached whereby extra-territorial status was extended only to Israelis, not to non-Palestinians in general.⁹⁹ Israeli civilians committing crimes against persons or property in PNA-ruled areas might be detained in place by the Palestinian Police while awaiting the arrival of the Israeli military or police, but could not be prosecuted. Israeli military or police personnel could not be detained or stopped for any reason whatsoever.¹⁰⁰

The reverse was not true, however. Israel retained its right to arrest, detain and prosecute any PNA-resident at its own discretion. The PNA's top police commanders with VIP cards were no exception to this rule, and enjoyed no diplomatic immunity. Several top security officials were

put on Israel's wanted list in the late 1990s, including the Civilian Police chief Brigadier Ghazi al-Jabali and General Intelligence's West Bank chief, Colonel Tawfiq al-Tirawi, in both cases on suspicion of involvement in 'terrorism'.¹⁰¹ Others, such as the PS/Force-17 commander in Bethlehem Colonel Kifah Barakat, were detained and questioned for hours at border crossings, and many other top police commanders had their VIP cards revoked, preventing them from travelling freely from one enclave to another.¹⁰² Clearly, the IDF viewed the Palestinian Police as a subordinate unit, not an equal partner. Also in civil jurisdiction, the intermeshing of two legal authorities was a characteristic feature, with the Israeli system remaining the ultimate source of authority.¹⁰³

Legal immunity for Israelis and Palestinian collaborators presented a serious legitimacy problem for the PNA and its police forces. It also complicated Palestinian crime fighting and policing on a practical level, especially involving criminals with Israeli citizenship. Although most Israelis visiting PNA-ruled areas usually stopped at Palestinian checkpoints and accepted security checks, there were examples of Israelis, often from the Arab or Russian-speaking communities in Israel, taking advantage of this loophole to organize criminal activity in the self-rule areas, for example document forgery and car thefts. Some criminal activity involving Israelis was solved by joint security coordination and joint patrols, but the PNA sometimes charged that the Israeli Police often released apprehended Israeli criminals and allowed them back into the self-rule areas.¹⁰⁴

The 'Extradition' System

The issue of extradition was a sensitive one, especially if it involved Israeli requests for the extradition of Palestinians for political or security-related offences. Israeli negotiators had pressed for wide-ranging powers to demand the transfer of Palestinians wanted by Israel or suspected of security offences. The Gaza-Jericho Agreement and subsequent agreements did not use the term "extradition", which is associated with interstate relations; it used instead the term "transfer of suspects and defendants".¹⁰⁵ As Geoffrey Watson has noted, the Oslo Accords' extradition provisions "contain highly unusual features" inconsistent with international norms and practices in the field of extradition.¹⁰⁶ For example, the scope of extradition was very broad, including even

persons 'suspected' of a crime; the evidentiary requirements were also more relaxed than was usual for an international extradition; there was no requirement that the offence was criminal in both jurisdictions; and it extended only to offenders of a particular nationality. Israel was required to extradite only non-Israelis, whereas the PNA was obliged to extradite all individuals, including Palestinians. The Accords' extradition provisions did not explicitly exclude 'political offences', which is common in international extradition treaties. Finally, as opposed to Israel, the PNA "has only limited authority to prosecute in lieu of extradition".¹⁰⁷

Despite the existence of these agreed extradition provisions, the PNA generally ignored Israeli extradition requests, and occasionally rejected them in public statements. The PSA chief in Gaza Colonel Dahlan stated in September 1995 that the PNA "has decided with Arafat's approval, not to extradite our fellow Palestinians to Israel – even though this is a breach of our agreement with Israel".¹⁰⁸ It appears that the Labor-led governments largely tolerated this as long as the PNA acted on Israeli orders and jailed the wanted or suspected individuals. The Netanyahu government made some publicized efforts to pressure the PNA on the issue, although in practice it also acknowledged that the extradition clause in the agreement "cannot be implemented".¹⁰⁹ When the Israeli army snatched two suspected al-Qassam militants from Palestinian Police custody during their transport between Hebron and Nablus in mid-November 1997 in the so-called 'Surif cell' affair, it seriously affected Palestinian–Israeli intelligence cooperation for many months.¹¹⁰

In purely criminal cases, the PNA was less adamant about not handing over Palestinians, and permitted extradition in a number of cases.¹¹¹ The Palestinian Police also handed over Israeli Arabs who fled to the PNA-ruled areas to escape Israeli prosecution in criminal cases.¹¹² With regard to anti-Israeli militants, however, the PNA often gave the fugitives a very perfunctory trial, usually in one of its military tribunals, and imposed a lengthy sentence in order to satisfy Israeli demands. Then, if things calmed down, the prisoners would be released within a few months, the so-called 'revolving door practice'.¹¹³ These practices stemmed from an important loophole in the Accords, subparagraph (7. f.2). This stipulated "if the individual is detained in custody or serving a prison sentence, the side receiving the request may delay the transfer to the requesting side for the duration of the detention period".¹¹⁴

The extradition system highlighted the extreme asymmetry between the PNA and Israel in the field of law enforcement powers. The PNA's response – to routinely flout Israel's extradition requests or to apply military tribunals as a stopgap measure – highlighted its ambition to assert some degree of sovereignty despite its weak legal position. By doing so, however, it had little choice but to resort to policing methods and judicial practices contrary to the ideals of democratic policing.

The Absence of Mechanisms for Accountability

There can be little doubt that the Palestinian–Israeli Agreements concluded during the 1990s were characterized by their scant attention to human rights guarantees for Palestinians living under self-rule. None of the accords provided mechanisms for accountability and civil-democratic control over the security forces, apart from general platitudes about the need to uphold human rights and the rule of law. When specific issues such as the conduct of Palestinian and Israeli police personnel were concerned, the human rights dimension was clearly not an issue.¹¹⁵ Specified human rights obligations were conspicuously absent, and so was the need for a constitution and a separation of powers between the legislature, the judiciary and the executive. No procedures or mechanisms for identifying and disciplining human rights violators were mentioned. The independence of the courts was mentioned in the Gaza–Jericho Agreement, but concrete steps or measures to implement it were notably absent. Instead, power was concentrated in a 24-member body with both “legislative and executive powers”, to be appointed by the PLO, and accountable only to the PLO Executive Committee chairman.¹¹⁶ The Gaza–Jericho period was to be ruled exclusively by this body until elections to the Palestinian Legislative Council (PLC) could be held, preferably not more than nine months later. In reality, it took 21 months; and even then the PLC, the courts and the Attorney-General remained hamstrung by the powers invested in the presidency and by the continuous interference of the Palestinian Police, especially its powerful security agencies.

Palestinian–Israeli agreements, especially those concluded after 1996, reflected Israel's all-consuming preoccupation with anti-terrorism, which overruled any pretence of strengthening the rule of law and

protecting human rights in the PNA. The Israeli journalist Pinhas Inbari noted in 1993 that Prime Minister Rabin was “full of contradictions” on the issue of human rights and democracy in the PNA.¹¹⁷ Other critics went further and accused him of delegating policing authority to the Palestinians because he believed that their police forces would be more brutal than the Israeli army and hence more effective in suppressing the resistance.¹¹⁸ The absence of mechanisms for police accountability and the rule of law in the Accords also stemmed from the Palestinians’ insistence that they would not be lectured to by Israel on human rights.

Chairman Arafat was very ambivalent on human rights accountability after the PNA took over. Similarly, the Palestinian Police, when criticized, displayed an ambiguous and often hostile attitude *vis-à-vis* the human rights community. Arafat paid attention to human rights concerns by ordering investigations into police abuses, promising human rights organizations full access to detention facilities and dispensing harsh disciplinary action in high-profile cases of police abuses. But he failed to institutionalize civil-democratic control through judicial and legislative oversight, full media freedom to report on and criticize the police performance and other mechanisms for accountability. He repeatedly postponed the ratification of legislation that would limit the powers of the security forces, reduce functional overlaps and confusing chains of command and strengthen judicial and parliamentary oversight. The Palestinian Basic Law, for example, was passed by the PLC in 1997 but remained thereafter on Arafat’s desk. By using his dual position as the ‘president’ of the PLO and the PNA, he refused to ratify PLC law proposals that limited the powers of the executive, referring such issues instead to PLO bodies on which he exercised greater influence.¹¹⁹

Another example was the Supreme Council for National Security (SCNS), formed in 1994 to provide guidance and policy directives in operational matters to the Palestinian Police. The Council was composed of the heads and their deputies of all Palestinian Police branches, but its rules of procedures and areas of functional responsibility remained informal; its subordination to civilian authorities was not clearly acknowledged, and its very size, thirty to forty persons at a meeting, made it an unwieldy and relatively inefficient forum. (Because it could never convene except in the presence of Arafat, the Council also served to marginalize its Director-General, Major-General Nasr Yusuf.) Towards the end of the 1990s, the SCNS was credited with reducing the initial

overlap and confusion of functions between the Palestinian Police branches, leading to “greater observance of proper rules of legal procedures, including the use of warrants”, according to an international evaluation report.¹²⁰ In 1998, the Council also drafted standardized mission statements and rules of engagement for all Palestinian Police branches, but Arafat failed to ratify them, obviously wishing to retain maximum flexibility with regard to the use of the police and security forces. The lack of political backing for the reform efforts resulted in the deplorable fact that police personnel at all levels were “often frankly ignorant of the existence of or pertinence of formal rules of engagement”.¹²¹ For the same reason, the Palestinian Police were not answerable to a minister of the interior but to Arafat in his capacity as the commander-in-chief of all PLO forces and the chairman of the SCNS. To be sure, he also assumed the minister of the interior’s portfolio. In these two capacities, he appointed or dismissed judges, prosecutors and all senior police commanders, including the heads of all branches, sub-branches and departments. All Palestinian Police branches reported directly to him, including even their subordinate branches and departments. The PLO leader also micro-managed detentions, releases and arrests in a neo-patrimonial fashion, undercutting the authority of the prosecution, the courts, the Ministry of the Interior and the director-general of the Palestinian Police.

The reasons for this leadership style were not simply Arafat’s personal inclination towards authoritarianism. The very security system imposed by the Accords hinged entirely on the effectiveness of Palestinian policing of anti-Israeli militants. It induced Arafat to place all policing activities under his direct control and to reduce the powers of the courts, ministries and prosecutors. Any movement towards institutionalization, in particular the independence of the courts, ran against the political imperatives of effectiveness in counter-terrorism. Similarly, the political usefulness of riots and public order disturbances in protesting against Israeli policies made it logical for the PNA to retain direct political control over the Palestinian Police and to marginalize the mechanisms for accountability.

Undoubtedly, nothing has tarnished the reputation of the Palestinian Police more in the eyes of the international community than the failure of elements in nearly all its branches to abide by basic human rights standards, in particular their detention and interrogation practices. Still,

as has been pointed out repeatedly throughout this study, Palestinian policing faced a number of irreconcilable dilemmas that made it virtually impossible to institutionalize democratic policing. At the same time, it should be noted that democratic policing is more than procedurally correct policing. Cottam and Marenin remind us that substantive democratic policing “is defined by the range of social interests served and protected by the police”.¹²² This does not mean that procedurally more correct policing would necessarily have made Palestinian policing more democratic in substantive terms. On the contrary, Arafat clearly judged that the PNA would jeopardize other widely shared Palestinian social and political interests, such as progress in the negotiations on the transfer of land and territorial control, the containment of intra-Palestinian conflicts and effective crime fighting, if the Palestinian Police were strictly subjugated to the Oslo straitjacket and greater restrictions were placed on its conduct and freedom of operations.

The following chapters will highlight the dilemmas of Palestinian policing in more detail by empirically exploring how the Palestinian Police handled a number of post-intifada challenges, notably the issues of collaborators, vigilante killings and illegal arms proliferation. As a backdrop to this analysis, the next chapter offers a brief outline of the Palestinian Police branches and departments.

Conclusion

There can be little doubt that the legal and political framework for Palestinian policing as it was formulated in the Palestinian–Israeli Agreements was not particularly conducive to the evolution of civil-democratic policing in the PNA-ruled areas. This chapter has shown that the outcome of the political negotiations did not create ideal conditions for the creation of a civilian-accountable police force, as illustrated by the paramilitary nature of the force, the strong emphasis on public order maintenance and counter-terrorism tasks, its weak institutional legal and legislative constraints and the scant attention to human rights guarantees, to mention a few. This does not mean that both parties favoured an unaccountable and abusive police force, merely that other political considerations were paramount and, furthermore, that some of the negative side effects for policing were probably unforeseen. Finally,

for much of the 1990s, the all-consuming attention devoted to the political conflict between the parties made the quality of Palestinian policing, other than the effectiveness of its anti-terrorism efforts, only intermittently a primary concern.

Many of the obstacles and hurdles placed in the way of the development of civil-democratic policing in the PNA-ruled areas can also be found in other war-torn societies emerging from civil strife. What is typical of the Palestinian case is the near absence of a whole range of common instruments and mechanisms by which external actors have facilitated police reform in other post-conflict situations. Much of this stemmed from the asymmetrical power relationship between the parties, reflected in Israeli opposition to the UN and its peacekeeping and police reform instruments and to any third-party role in the realm of security. Given these adverse conditions, it seems fair to say that it was the extraordinary international and domestic concern for the fledgling police force and a strong willingness to assist in its establishment and reform, not the institutional framework put in place, that led to a comparatively effective Palestinian police force during the 1990s.

NOTES

- 1 Cited in A. La Guardia and C. Cordahi, "Protest by Jewish settlers as pressure grows for PLO deal", *Daily Telegraph*, 8 September 1993, p. 11.
- 2 This point is also made by Meyers (2000).
- 3 One good and fairly objective legal analysis of the PNA's compliance with the letter of the Accords is Watson (2000).
- 4 Arafat and the Israeli foreign minister Shimon Peres held talks in Oslo, Norway on 18 May 1994; they agreed on principles and an agenda to begin negotiations on widening the authority of Palestinian self-rule in the occupied West Bank. *Keesing's Record of World Events*, Vol. 40 (May 1994 – Middle East), citing Voice of Israel radio on 19 May 1994.
- 5 "Exchanged letters" in Jerusalem Media and Communication Centre (JMCC), Occasional Document Series, No. 3 (November 1994), p. 27.
- 6 In this sense, the DoP had considerably strengthened the Israeli position in the field of authority, jurisdiction and legislation as compared to the Camp David Framework, which had spoken of the military government being "replaced" by a Palestinian self-governing authority; the DoP contained no such provisions. In fact, it did not refer to the transfer to the PNA of all powers and responsibilities exercised by the Israeli military government and its civil administration, but spoke

- only of specified powers and responsibilities, to be detailed in the subsequent implementation agreements. Singer (1994), p. 6
- 7 The agreement stipulated, for example, that “withdrawal of the military government will not prevent Israel from exercising the powers and responsibilities, not transferred to the Council”. Agreed Minutes to Art. VII.5. of the DoP.
 - 8 “Clinton orders \$5 million for PLO police”, Reuters, 17 March 1995.
 - 9 Abu Lughoud et al. (1995), pp. 12–13.
 - 10 See the discussion in Chapter 3 of this book.
 - 11 For example, Nizar ‘Ammar, a top Fatah intelligence official and a member of the Palestinian delegation to the security talks in Taba and Cairo, stated in an interview with the Israeli daily *Ha’aretz* that “we are prepared to do so, there should be coordination between the intelligence in both countries, we have common interests now.” Cited in “Nizar ‘Ammar in an interview with Haaretz: ‘Coordination possible between the Palestinian and Israeli security agencies’” (in Arabic), *al-Quds*, 4 November 1993, p. 7.
 - 12 L. Lahoud, “Round four of Taba talks begins tomorrow”, *Jerusalem Post*, 31 October 1993.
 - 13 For this reason, General Abdel Yahya, the Palestinian chair of one of the subcommittees, had insisted during the opening of the Taba security talks that the Palestinians would discuss only “[security] coordination, not cooperation, with Israel”. Cited in L. Lahoud, “Taba negotiators report progress as panels meet”, *Jerusalem Post*, 27 October 1993 and “Round four of Taba talks begins tomorrow”, *Jerusalem Post*, 31 October 1993.
 - 14 At several stages in the Oslo process, the PNA would actively use this, for example by partly suspending security cooperation and intelligence sharing in order to express dissatisfaction with particular Israeli policies, especially its settlement expansion.
 - 15 Interview with Israeli security analysts in D Makovsky, “Israel and the PLO: Partners in opposing crime”, *Jerusalem Post*, 15 October 1993.
 - 16 See, for example, “Rajoub warns Hebron settlers”, *Biladi/The Jerusalem Times*, 20 March 1998, p. 3.
 - 17 Heller (1995). For a legal assessment, see Singer’s statements in D. Izenberg, “IDF to have freedom of movement in autonomous areas”, *Jerusalem Post*, 15 December 1993 and Singer (1994), p. 10.
 - 18 The DoP stated, for example, that “further [Israeli] redeployments to specified locations will be gradually implemented commensurate with the assumption of responsibility for public order and internal security by the Palestinian police”. On the other hand, it also contained specific timetables for the further transfer of powers and responsibility and for further redeployment, and there was no mention of procedures in the event of failure on the part of the Palestinian Police to assume responsibility for internal security. Declaration of Principles, Art. XIII.3.
 - 19 The Hebron Protocol, Palestinian Responsibilities, 2c.
 - 20 Wye River Memorandum, 23 October 1998, Security Actions (II/A/1/a).
 - 21 See, for example, Amnesty International (1996), Human Rights Watch (1995) and Human Rights Watch (1997).
 - 22 I have dealt more with this issue in Lia (1998) and Lia (1999), pp. 157–70.
 - 23 B. Hutman, “Shahal: Palestinian police will number only a few thousand”, *Jerusalem Post*, 15 February 1994 and the Cairo Agreement, 9 February 1994.

- 24 For an analysis of the Gaza–Jericho Agreement from a Palestinian security perspective, see Weinberger (1995).
- 25 The Gaza–Jericho Agreement divided the Gaza Strip into three categories regarding security control. The Israeli settlements and surrounding areas were placed solely under Israeli authority. In areas in the vicinity of Israeli settlements along the southern borders and the seashore, Israel retained “the overriding responsibility and powers for security”; the Palestinian Authority was to have “responsibility and powers for civilian affairs”. In these areas, termed ‘Yellow Areas’ (or later called ‘Area B’, as opposed to ‘Area A’ under ‘full’ Palestinian authority), coordination and cooperation in security matters would be implemented. Palestinian police personnel would be able to enter and operate in this area only with Israeli consent. The Gaza–Jericho Agreement, Annex I, Art. IV(4).
- 26 *Ibid.*, Annex I, Art. I, II, IV and X.
- 27 *Ibid.*, Annex I, Art. II(1)
- 28 *Ibid.*, Annex I, Art. II(2).
- 29 The Israeli army suspended all joint patrols, demanding that the Palestinian policemen who shot at Israelis were removed from the police and prosecuted. The PNA rejected this, but by the end of 1996 all joint patrols had resumed.
- 30 A. Shadid, “Mideast violence shines tarnished image of Palestinian police”, AP, 2 October 1996.
- 31 A. La Guardia, “Israelis kill three Arafat policemen”, *Daily Telegraph*, 3 January 1995, p. 8; T. Shriteh, “Israeli troops kill three Palestinian policemen”, Reuters, 3 January 1995; C. Haberman, “Israeli soldiers in Gaza kill 4 Palestinian police officers”, *New York Times*, 3 January 1995, p. 2; and M. Curtius, “Israeli army kills 4 Palestinian policemen”, *Los Angeles Times*, 3 January 1995, p. 10.
- 32 On the professionalism of the Public Order Force, one of my sources is the assessment by UN Police Training Coordinator Erling Sørensen.
- 33 The Palestinian press noted sarcastically that the PNA feared “the opinion of Palestinian citizens would be found inflammatory to Israelis and Americans”. Cited in “In brief”, *Biladi/The Jerusalem Times*, 20 February 1998. See also “PNA puts brakes on pro-Saddam demonstrations”, *Biladi/The Jerusalem Times*, 13 February 1998, p. 3.
- 34 The public security minister Avigdor Kahalani in the Likud-led government in 1997 noted that “the joint efforts in fighting car theft were much easier than in the fight against terrorism”. Cited in “Two Palestinians given life sentence for murdering Israeli taxi driver”, Xinhua, 16 August 1997. See also “Palestinian, Israeli police commissioners discuss cooperation”, VOI, 1200GMT, 22 November 1994.
- 35 “Israeli police detain Palestinian police officer”, Reuters, 20 September 1994.
- 36 According to official figures of the Israeli Police, in 1995 the total number of car thefts was 33,144, compared to 26,091 in 1994. Later in the 1990s, the figures for annual car thefts in Israel were even higher, but reportedly dropped from 48,000 to 26,000 in 1998–2000. A. Harel and N. Pinto, “A ban whose time has gone: Demand for Razi Jebali’s extradition hinders work with PA”, *Ha’aretz*, 10 January 2000 and “Israel battles soaring rate of car thefts”, *Insurance Day*, 6 February 1996.
- 37 Helicopters with investigators were sent to spy on certain cities and villages in the PNA areas, and discovered many of the stolen cars being driven by Palestinian

- police officers or by ordinary citizens. In 1995, 1996 and 1997, high-ranking Palestinian Police officers were caught red-handed in stolen Israeli cars. “PNA ask Israel police to hand over Arafat guard caught with stolen Israeli car”, VOI-Ex, 1100GMT, 20 September 1994; “Israeli police detain Palestinian police officer”, Reuters, 20 September 1994; D. Abu-Nasr, “Stolen cars undercut trust between Israel And PLO”, AP, 6 April 1995; “Israel battles soaring rate of car thefts”, *Insurance Day*, 6 February 1996; “PA releases architect of 1996 suicide attack”, IPR-SBID; “News in brief: 4 Preventive Security men held for car theft”, *Jerusalem Post*, 23 August 1996; and “Israeli police detain Palestinian police station commander”, IDF Radio, 1600GMT, 29 October 1996.
- 38 The cars were given lavender and red license plates and registration papers valid for three months at a cost of \$115. D. Abu-Nasr, “Stolen cars undercut trust between Israel and PLO”, AP, 6 April 1995.
- 39 L. Collins, “Kahalani: I don’t trust PA to return cars”, *Jerusalem Post*, 4 November 1997, p. 3.
- 40 T. Marshall, “Car theft a price of peace”, *Los Angeles Times*, 16 June 1995, p. 1 and “PLO to license stolen cars in Gaza”, Reuters, 2 April 1995.
- 41 In early 1996, for example, the Palestinian Police returned some 220 cars. “PLO sends alleged car smugglers back to Israel”, Reuters, 6 January 1995; “Israel: stolen car capital”, Xinhua, 31 May 1997; and “Israel battles soaring rate of car thefts”, *Insurance Day*, 6 February 1996.
- 42 According to information from the Israeli Police Inspector-General Assaf Hefez, cited in “Number of Israeli fatalities decreases sharply”, Xinhua, 13 January 1996. See also B. Hutman, “PA, Israeli police chiefs meet, praise cooperation”, *Jerusalem Post*, 5 February 1996, p. 2.
- 43 “Taxi driver slain by Palestinians buried”, AFP, 17 August 1997. For a similar incident of Palestinian Police cooperation, see “News in brief: Palestinian police help Israeli taxi driver retrieve stolen vehicle”, *Jerusalem Post*, 18 January 2002, p. 2.
- 44 See, for example, E. Wohlgeernter, “Suspect remanded in Koka murder”, *Jerusalem Post*, 29 March 1997, p. 3 and M. Dudkevitch, “Police: Jabali behind lack of cooperation”, *Jerusalem Post*, 13 January 2000, p. 3.
- 45 A. Harel and N. Pinto, “A ban whose time has gone: Demand for Razi Jebali’s extradition hinders work with PA”, *Ha’aretz*, 10 January 2000.
- 46 J. Immanuel, “Indignant Gazan demands return of his car”, *Jerusalem Post*, 17 February 1995, p. 3 and “PLO to license stolen cars in Gaza”, Reuters, 2 April 1995.
- 47 “From here and there” (in Arabic), *Watani*, No. 7 (August 1995), p. 86.
- 48 S. Bhatia, “Where stolen car salesmen do a roaring Jihad”, *Observer*, 18 December 1994, p. 15.
- 49 Ibid.
- 50 A Palestinian Civilian Police report to the donor community reported of seizures encompassing “3 kg of heroin, 3.5 kg of hashish, and 118.5 kg of bango, 10.599 plants of opium and 4.315 plants of bango”. UD-TE, PPF-files, Palestinian Civilian Police report to the donors, undated, circa mid-1995.
- 51 Øverkil, interviews. See also “Gaza police make first drug bust”, Reuters, 13 June 1994; “PLO police arrest drug dealers in Gaza”, Reuters, 18 March 1995; and “Palestinian police seizes opium worth over NIS 3m”, (AP) *Jerusalem Post*, 19 March 1995, p. 12.

- 52 See, for example, “Israel, Palestinian police make first joint drugs bust”, AFP, 14 February 1996.
- 53 “Palestinian police detain two Israelis for drug smuggling”, AFP, 27 October 1997.
- 54 “Palestinian police complain Israel precluding effective fight against crime”, IDF Radio, 0400GMT, 12 August 1996.
- 55 Ibid.
- 56 See in particular Chapter 9 of this volume.
- 57 The DoP reflected Shimon Peres’s vision of a new Middle East in which increasing economic cooperation and integration produced prosperity, removed barriers and reduced ancient hatred and hostility. The agreement was indeed, as Professor Shlomo Ben-Ami of Tel Aviv University remarked, “not a peace agreement based on separation”. Other Israeli commentators at the time went further and maintained that “the new agreement could be regarded as a form of de facto confederation”. A. Shapiro, “Jordanian option that was”, *Jerusalem Post*, 10 September 1993 and A. Barron, “Palestinians look at their economy”, *Jerusalem Post*, 14 September 1993.
- 58 C. Richards, “Israeli army ‘kept in dark over negotiations’”, *Independent*, 2 September 1993, p. 6; Aronson (1994); and Savir (1998).
- 59 S. Helm, “Giving peace a chance in Gaza”, *Independent*, 12 December 1993, p. 11 and S. Helm, “‘Vacuum’ fear as Israelis get ready to leave”, *Independent*, 9 December 1993, p. 15.
- 60 The Cairo Agreement, 9 February 1994.
- 61 The Gaza–Jericho Agreement, Annex I, Art. V(5), VII (1) and IX.
- 62 Israel’s direct control over the PNA’s economy was further enhanced by its control over the so-called clearance revenues, accounting for some 60 per cent of the PNA’s budget. See Lia (2006), Chapter 5.
- 63 D. Fatchett, “How the EU can work with Israel to help the Palestinians”, *Biladi/The Jerusalem Times*, 6 February 1997, p. 5.
- 64 In its quarterly report on economic and social conditions in the West Bank and Gaza, the UNSCO office observed in 1996 that “Real GNP was 15.2 per cent less in 1994 as compared to 1992, due to the drastically reduced income from employment in Israel, resulting from the closure policy.” UNSCO, “Economic and Social Conditions in the West Bank and Gaza Strip”, *Quarterly Report*, 29 August 1996, p. 1.
- 65 The active participation of Palestinian police personnel in smuggling Fatah fugitives and deportees back to the Gaza Strip was one example. See “Wanted Palestinian returns to Gaza from Egypt”, Reuters, 26 February 1995; “Wanted Fatah terrorist evades navy, arrives in Gaza”, *Jerusalem Post*, 26 February 1995, p. 1; Liat Collins, “Shahak: 160 anti-tank mines found in Gaza”, *Jerusalem Post*, 1 March 1995, p. 2; and J. Immanuel and A. Pinkas, “Terrorist, two PA Policemen, killed in gunfight with IDF”, *Jerusalem Post*, 15 June 1995, p. 1.
- 66 The Rabin government seriously considered the construction of physical border fences to separate large parts of the West Bank from Israel, but rejected the plan for economic and political reasons. Newman (1995).
- 67 Layla Farsakh, lecture at Center for Middle Eastern Studies, Harvard University, spring 2002.

- 68 In the West Bank, where nearly all suicide attacks inside Israel originated, closures only made travel more difficult, and could in no way stop ‘terrorists’ from entering Israel.
- 69 N. Turner, “Policing’s new face – is the Palestinian security force a sham?”, *International Defense Review*, 1 May 1995, p. 25.
- 70 Aronson (2001).
- 71 P. Cockburn, “Palestinians await fruits of Hebron deal”, *Independent*, 18 January 1997, p. 11.
- 72 According to an IDF spokesman’s report, since the beginning of 1997 there had been 309 recorded incidents of stone-throwing and shooting in the Strip and as many as 4,314 such incidents in the West Bank. *Mideast Mirror* 11 (157), 14 August 1997, reprinting Meron Rappaport’s column “Metaphysical Conflict” in the Israeli newspaper *Yediot Aharanot*.
- 73 For a good description of these problems, see “Telephone interview with Abdallah al-Franji, PLO representative in Bonn, by Monika Engels” (FBIS title), *Deutschlandfunk Network*, 0521GMT, 31 July 1997 via FBIS.
- 74 Cited in “Palestinian police complain Israel precluding effective fight against crime”, IDF Radio, 0400GMT, 12 August 1996.
- 75 “Draft Evaluation Report”, December 1996. Unpublished manuscript on the Palestinian Police written by a joint Swedish–Dutch–Danish evaluation team.
- 76 See, for example, Dajani (1994); Shehadeh (1994); Abu Lughoud et al. (1995); and Jirbawi (1995).
- 77 Aronson (1994).
- 78 The ‘freeze’ meant primarily that the Israeli housing ministry would not for a limited period of time sign further contracts for government-subsidized housing, but ongoing contracts proceeded as normal. Prime Minister Rabin also stated that settlements along the Jordan Valley and on the Golan Heights were ‘strategic’ and exempt from any restrictions. Moreover, settlements near Jerusalem would likewise not be subject to ‘political or security’ categorizations. PHRIC (1992), p. 1.
- 79 “Myths and facts about Jewish settlements”, Israeli Government Press Office, Jerusalem, 2 December 1997; B’Tselem (1997a) and B’Tselem (1997b); PHRIC (1994); and Usher (1995), p. 84. See also the very detailed “Settlement Monitor” in *Journal of Palestine Studies* beginning in 27 (3), Spring 1994.
- 80 See, for example, “Radio reports ‘freeze’ in security contacts between PNA and Israel”, IDF Radio, 0400GMT, 3 September 1996 and interviews with TIPH observers in May 1998, Hebron City.
- 81 See, for example, “Arafat reportedly gives ‘green light’ to attacks – report by Ron Ben-Yishay” (FBIS title), *Yedi’ot Aharanot*, 17 March 1997, p. 2, via FBIS.
- 82 UD 308.87 Vol. 2, Cairo Embassy to Oslo, 1 and 25 August 1994; and UD 308.87 Vol. 3, Tel Aviv Embassy to Oslo, 7 September 1994.
- 83 M. Curtius, “New accord expands Israeli pullout, Palestinian self-rule”, *Los Angeles Times*, 25 September 1995, p. 1.
- 84 M. Curtius, “New accord expands Israeli pullout, Palestinian self-rule”, *Los Angeles Times*, 25 September 1995, p. 1; “Text of Israel-PLO statement on Taba agreements”, Reuters, 11 August 1995; “Quray discusses agreement reached in Taba, outstanding issues”, IsrTV 1, 1600GMT, 11 August 1995 and “Prime Minister presents agreement with Palestinians to Knesset for approval”, IsrTV 3, 1048GMT, 5 October 1995.

- 85 The Interim Agreement, Art. XI.
- 86 The agreement stipulated that “power and responsibility relating to territory will be transferred gradually to Palestinian jurisdiction that will cover West Bank and Gaza Strip territory”. The agreement also committed Israel to transfer “internal security responsibility to the Palestinian police in areas B and C ... to be completed 18 months after the inauguration of the Council”, i.e. the elections. *Ibid.*, Art. XI and XIII(2).
- 87 The US “Note for the Record” of 17 January 1997 spoke of the US “belief that the first phase of further redeployment should take place as soon as possible, and that all three phases of the further redeployments should be completed ... not later than mid-1998”. This did not happen, however; and the Wye River Memorandum specified two of the three further redeployments in more detail, committing Israel to a roughly 15 per cent transfer of Area B to Area A and 13 per cent of Area C to Area B.
- 88 P. Cockburn, “‘The Palestinians believe the Oslo Accord is just an extended truce’”, *Independent*, 15 January 1996, p. 9.
- 89 For Palestinian policing in areas B and C after the Interim Agreement, see Grange (1998), pp. 23–4.
- 90 Protocol on Further Transfer of Powers and Responsibilities, Art. V.
- 91 The ‘Eight Spheres’ referred to the eight specified areas: labour, commerce and industry, gas and petroleum, insurance, postal service, local government and agriculture. The Protocol transferred to the PNA a range of new powers and responsibilities within all these areas. *Ibid.*, Art. VII.
- 92 The PLO’s most important state attribute was probably the remarkable international recognition of the organization as a state-in-waiting, which manifested itself in the PLO’s membership and representation in international organizations and bodies usually reserved for states.
- 93 See, for example, C. Richards, “Israeli army ‘kept in dark over negotiations’”, *Independent*, 2 September 1993, p. 6.
- 94 According to a statement to the Knesset Law Committee on the legal implications of the DoP in December 1993. Singer was quoted as saying that “there are no restrictions on the IDF ... The army’s responsibility to protect Israelis is not restricted in time or space”. D. Izenberg, “IDF to have freedom of movement in autonomous areas”, *Jerusalem Post*, 15 December 1993.
- 95 The preliminary Cairo Agreement contained no provision on ‘hot pursuits’. According to Makovsky, the omission was deliberate. The Israeli side had dropped the demand in return for Palestinian concessions on settlement blocs and border control. Makovsky (1996), p. 145. See also “Rabin says Israeli forces will not pursue ‘terrorists’ in PLO-controlled areas”, *IsrTV* 1, 1800GMT, 21 December 1993.
- 96 See, for example, statement by Public Security Minister Avigdor Qahalani cited in “Israeli political figures react to Bet El attack”, *VOI*, 1700GMT, 11 December 1996.
- 97 For militants believed to have been assassinated by Israel in the mid- and late 1990s, see Chapter 9 of this book.
- 98 Interview with Nabil Sha’th in Y. Kotzer, “Shahal: Israel will agree to 15,000 Palestinian police”, *Jerusalem Post*, 21 November 1993 and B. Hutman, “Talks focus on police, prisoners”, *Jerusalem Post*, 15 February 1994.

- 99 The Palestinian Police's right to detain or arrest "tourists" in the autonomous areas was circumscribed. Israel claimed the exclusive right to detain and question tourists in transition on roads controlled by joint Israeli–Palestinian patrols, and could hand them over to the PNA at its discretion. If a tourist was arrested or detained elsewhere in the autonomous areas, the PNA was obliged to notify Israel immediately and enable Israel to meet the detainee and provide any necessary assistance. The Gaza–Jericho Agreement, Annex III, Art. I (6). See also interview with Nabil Sha'ath in D. Makovsky and A. Pinkas, "Rabin: only security issues must be settled before signing", *Jerusalem Post*, 26 April 1994.
- 100 The Gaza–Jericho Agreement, Annex III.
- 101 Israel issued a formal arrest warrant for Colonel al-Tirawi in early June 1997, after implicating him in a spate of land dealer killings. For Brigadier al-Jabali's case, see Chapter 9 of this book.
- 102 "Israelis detain Palestinian colonel for traffic violations", AFP, 14 October 1997. For the detention of Brigadier Ahmad Balushah for alleged involvement in car theft, see "PA releases architect of 1996 suicide attack". IPR-SBID.
- 103 Although Israelis conducting commercial activity in the autonomous areas "are subject to the prevailing law in the Territory ... nevertheless any enforcement of judicial and administrative judgement and orders issues against Israelis and their property shall be effected by Israel". The Gaza-Jericho Agreement, Annex III, Art. III (2).
- 104 In 1997, a Russian mafia gang operating a prostitution network in Marfie near Nablus was discovered. Grange (1998), pp. 20–1; T. Marshall, "Car theft a price of peace", *Los Angeles Times*, 16 June 1995, p. 1; and "PLO to license stolen cars in Gaza", Reuters, 2 April 1995.
- 105 Gaza–Jericho Agreement, Annex III, Art. II (7). See also The Interim Agreement, Annex IV, Art. II (7) f); and Hebron Protocol (15 January 1997), Palestinian responsibilities (2 e).
- 106 Watson (2000), p. 227.
- 107 *Ibid.*, p. 231.
- 108 Cited in M. Zak, "The importance of alternative", *Jerusalem Post*, 14 September 1995.
- 109 See, for example, "PNA sentences Bet El 'murderers' – Israel demands their extradition" (SWB title), *Yediot Aharonot*, 18 December 1996, via SWB.
- 110 The relationship between Shin Bet and the PSA was restored only in mid-1998. "West Bank aide denies handing over Hamas members for money" (SWB title), *al-Sharq al-Awsat*, 15 November 1997, via SWB; "Hamas militants accuse Palestinian intelligence of treason", DPA, 18 November 1997; "PNA hesitant to cooperate with Shin Beh on Jerusalem attack", VOI, 0700GMT, 20 November 1997; "Israel radio reports more on events surrounding death of Sharif", VOI, 1400GMT, 1 April 1998; and "The secret peace process", *Foreign Report*, 15 October 1998.
- 111 In the spring of 1998, for example, the PNA extradited the killers of an Israeli Arab. Another extradition case in 2000 was that of Hisham Fu'ad Najm from Nablus, who was accused of taking part in the assault and murder of a child in Nazareth. "Palestinian police hand over defendant to Israel" (FBIS-title), *al-Quds* (Internet version), 18 January 2000, via FBIS; A. Miller, "No artful dodging", *Jerusalem Post*, 6 April 1998; and interview with Shlomo Dror, spokesman for

- the IDF coordinator in the Occupied Territories on the IMRA website, 8 September 1996.
- 112 See, for example, “Palestinian police hand two Arab murder suspects to Israel”, AFP, 1 April 1998.
- 113 See, for example, E. Gordon, “PA routinely flouts extradition requests for terrorists”, *Jerusalem Post*, 13 December 1996.
- 114 Gaza–Jericho Agreement, Annex III, Art. II (7).
- 115 For example, in the section on “The Rules of Conduct in Security Matters”, the agreement confined itself to stating that “subject to the provisions of the agreement, security and public order personnel of both sides shall exercise their powers and responsibilities pursuant to this Agreement *with due regard* [my emphasis] to internationally accepted norms of human rights and the rule of law.” Khalil Shiqaqi and Yezid Sayigh have also noted in their review of the Palestinian Police in 1999 that “the Oslo framework provides no guide to its rights and to the limits of its power. This leaves the door open for intrabranh rivalry, human rights abuses, and poor procedural practice.” The Gaza–Jericho Agreement, Annex I, Art. VIII.1 and Sayigh and Shikaki (1999), p. 114.
- 116 The Gaza–Jericho Agreement, Art. IV.
- 117 *Jerusalem Post*, 26 November 1993.
- 118 He was quoted on several occasions, stating, for example, that the Palestinians had “their own rules ... Maybe they will do it better than us. Don’t worry. There will be no appeals to the Supreme Court, and human rights associations won’t go there to investigate.” A. La Guardia and C. Cordahi, “Protest by Jewish settlers as pressure grows for PLO deal”, *Daily Telegraph*, 8 September 1993, p. 11.
- 119 Brown (2000), pp. 32–3, 42.
- 120 According to a report published by an independent task force sponsored by the US Council of Foreign Relations. Sayigh and Shikaki (1999), p. 113.
- 121 Cited in *ibid.*, p. 116.
- 122 Cottam and Marenin (1989), p. 592.

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8

A Multitude of Security Forces, Agencies and Branches

Arafat has so many intelligence services in the self-rule areas that if you open your window, Preventive Security peeps in; if you open your door, the Presidential Security Service comes in; if you go out to your garden, you bump into Military Intelligence; and if you go out to the street, you come across General Intelligence.¹

Dr Ramadan Shallah, Islamic Jihad leader, October 1996

We are living in a world of militias. The problem is that there are no laws or regulations governing relations between the several security apparatus and with the people.²

Ghassan al-Khatib, Palestinian political analyst, February 1999

Introduction: The Challenge of Coordination

With the return of the PLO leadership to Gaza and Jericho, various Tunis-based military, security and intelligence agencies were transformed to meet the new challenges. While the Inside Fatah organization and its Revolutionary Security Apparatus served as basis for one prominent police/intelligence organization (the PSA), the range of security agencies, intelligence units and guerrilla forces based in Tunis and at other PLO outposts coalesced into a variety of new police branches, creating a situation of overlapping and competing security organs. Mechanisms for coordination and judicial oversight were not in place, and several incidents of armed clashes between members of different agencies, a string of arbitrary arrests and releases by competing police branches and the emergence of security services not recognized in the Gaza–Jericho Accord led to growing concern about the new police and security structures.³

Instead of relying upon a unified command headed by a director-general as stipulated in the Gaza–Jericho Agreement, or delegating supervisory powers to a minister of the interior, Arafat formed in

1994 the Supreme Council for National Security (SCNS). This was composed of the heads and their deputies of all Palestinian Police branches. An unwieldy body of some thirty to forty members, the Council was considered relatively inefficient in providing coordination, guidance and unity of command. Gradually, some joint training, the formation of regional and local security committees comprising the various Palestinian Police branches and also the establishment of joint operational rooms in many but not all main areas of deployment provided for some coordination among branches and with local authorities in the absence of a unified central police command.⁴ The appointment of governors responsible for internal security matters in their provinces assisted as well in providing better cross-branch coordination.

In response to complaints about the police's organization and its lack of judicial accountability and inter-branch coordination, the PNA made official promises to review the mandate of the various branches, reduce their powers to make arrests, delegate arrest powers to the Civilian Police only and strengthen judicial oversight and the attorney-general.⁵ In practice, however, most branches continued to operate as semi-autonomous police forces with wide discretionary powers. In May 1997, a correspondent depicted the situation as follows:

Twelve different security services, many with overlapping jurisdictions, operate in the West Bank and Gaza, competing for the attention and patronage from Palestinian President Yasser Arafat. At least four are responsible for internal security, a task that has often resulted in suspects being repeatedly arrested for the same offense by different forces. Tales abound of incidents in which a suspect in the custody of one security force was kidnapped and spirited away by members of another security force for questioning.⁶

This description was only partly correct; it suggested that the PNA was modelling its police and security units on the Arab *mukhabarat* state, preferably the Ba'hist model of Syria and Iraq consisting of a system of competing agencies so as to concentrate maximum power in the hands of the dictator. This model, which was especially popular among journalists and commentators on Palestinian affairs, was flawed, for several reasons.⁷ It underplayed the popular legitimacy of the PNA and Chairman Arafat and the extent to which the PNA shied away from using its power to oppress and coerce, relying instead on co-optation,

persuasion and political legitimacy. Palestinian military and police commanders were surely influenced by their education and training at Arab and communist army schools during the 1970s and 1980s. Still, the many flaws of the Palestinian Police in terms of organizational structure, chain of command, internal discipline and coordination and mechanisms of accountability were rather a result of the PNA's non-state reality and the policing dilemmas that this forced upon the organization as outlined in Chapter 7. Arafat's neo-patrimonial leadership style was certainly a factor, and inhibited the institutionalization of power outside his immediate reach. Still, the growing number of branches was also a result of the fact that he and the PNA constantly strove to acquire steadily more state attributes and thereby more international legitimacy as a near-state entity.

The PNA therefore established police branches and units that would serve as nuclei of typical national state organizations such as an air force, a navy or coastguard, a national army and a military intelligence agency, an external intelligence service etc. These were banned under the Palestinian–Israeli Agreements, and the PNA therefore chose to disguise them as police branches. Hence the inflated police organization and its numerous branches served an entirely different purpose from traditional authoritarian regime preservation. This is not to say that regime preservation played no role in the creation of a multitude of police branches. Arafat probably judged that an opaque and multiheaded security structure was the best way to prevent Israeli intelligence penetration and to foil assassination attempts by the most radical fringe of the Palestinian opposition.

Finally, the *mukhabarat* model underplayed the fact that the Palestinian National Security Forces and the Civilian Police were by far the two largest police branches, accounting for perhaps as much as three-quarters of all salaried police personnel. By labelling all police branches “security services”, as one recent study of the Palestinian Police does, the multi-dimensional character of the Palestinian Police and the wide variety of its services to the Palestinian public other than regime preservation is deliberately downplayed and ignored.⁸

In this chapter, I present profiles of the most important police branches and security agencies with a view to showing the breadth and variety of the Palestinian Police's activities. The Appendices also contain useful organograms of the organization. The sources used for this chapter

are admittedly of varying quality. It has been difficult to verify all figures and names presented in Table 8.1, especially for the most secret agencies.

TABLE 8.1
The Palestinian Police: Legal and Semi-legal Units, 1994–7

	September 1994	January 1995	1997
Civilian Police	2,500	2,600	10,500
National Security Forces (PNSF)	5,000	7,900	15,000–16,500
General Intelligence Service (GIS)	1,000	2,500	3,500
Emergency Service and Rescue			
Civil Defence	500	400	550
Coastal Police	–	600	1,200
Semi-legal police branches			
Preventive Security Agency (PSA)	<i>c.</i> 600	<i>c.</i> 1,300–1,800	4,500–5,000
Presidential Security/Force-17	<i>c.</i> 100	<i>c.</i> 1,000	5,500
Military Intelligence			1,000
Total	<i>c.</i> 10,000	<i>c.</i> 16,800	<i>c.</i> 42,000

Source: Where the sources offer different figures, I have indicated the range between the estimates. Based on figures given in Crown Agents (1995), p. 5; A. Øverkil, “Report on the Palestinian Police Force: Status and Progress”, 31 January 1995; UD-RG, “Note to the Record, PPF Salaries – January 1995”; “Security and Political Stability in Gaza”, confidential report, 21 September 1994 (source withheld on request); and UNRWA/PPF-files, El-Omari to Türkmen, UNRWA inter-office memo, 13 October 1994. Figures from 1997 are taken from Peake (1998), Appendix.

Intelligence and Bodyguard Units

The General Intelligence Service

There had been a dramatic upheaval in the PLO’s security and intelligence agencies in 1991–3, producing much uncertainty as to the structure and lines of command; this lingered on long after deployment in Gaza and Jericho. The crisis dated back to the assassination of the PLO’s top intelligence officer Abu Iyad (Salah Khalaf) and his deputy Abu al-Hawl on 14 January 1991 by a PLO bodyguard who had been recruited by the Abu Nidal/Fatah Revolutionary Council Group. With their deaths, key intelligence data and expertise were lost. The PLO intelligence agencies were further shattered when, in June 1992, ‘Atif Bsaysu, who had worked for Abu Iyad for nearly twenty years, was assassinated in Paris, most

probably by the Israeli Mossad. Together with Colonel Amin al-Hindi, Bsaysu had been the PLO's main liaison officer with French and several other Western intelligence agencies.⁹

After Oslo, Arafat made efforts to reform the PLO's various intelligence organizations, which consisted of the Unified Security Agency, directed primarily by Colonel al-Hindi after the deaths of Abu Iyad and Bsaysu, and Central Intelligence, headed by Hakam Bal'awi, a wealthy businessman, a Fatah Central Committee member, the PLO's ambassador to Tunisia and widely considered to be the head of the PLO's internal security. It was expected that these two agencies would merge, with Hakam Bal'awi becoming the overall director of the new agency.¹⁰

A third crisis erupted in November 1993, when 'Adnan Hasan Yasin, deputy to Bal'awi and one of Arafat's closest confidants, was discovered to be an Israeli informer. He had bugged the office of Abu Mazin (Mahmud 'Abbas) and passed on various classified information to Israel. Together with repeated assassination threats against the PLO leader and reports of serious holes in the security around the PLO leadership, the 'Adnan Yasin affair triggered a new round of reorganization of the PLO intelligence organizations. In late November 1993, Arafat decided to merge the United Security Agency and the Central Intelligence Agency into one intelligence agency, to be run by a tripartite leadership of Amin al-Hindi, Tariq Abu Rajab and Fakhri Shaffurah.¹¹ Al-Hindi became the overall director of what was now termed the General Intelligence Service (*al-mukhabarat al-'ammah*, the GIS), which was based in Gaza and Jericho from mid-1994.¹²

Despite Israel's objections to al-Hindi owing to his alleged involvement in the Munich hostage-taking in 1972, he was allowed into the Territories in May 1994. He was at that point the PLO's main intelligence liaison officer with Western intelligence services, including the CIA, and this, together with his reputation for professionalism, strengthened his position.¹³ In June 1994, he was reported to have some 200–300 agents at his disposal, among them “field agents, intelligence-gathering personnel, researchers, analysts, and intelligence implementation experts”, and he also transferred to his Gaza Strip offices the PLO's intelligence archives from Tunis.¹⁴

The West Bank GIS branch was established probably only in 1995, much later than its PSA counterpart. Al-Hindi's deputy in the West Bank was Colonel Tawfiq al-Tirawi, who from 1997 onwards topped

Israel's list of 'wanted' PNA security officials after it issued an arrest warrant for his alleged involvement in the abductions and killings of Palestinian land dealers in June 1997. (Later, he was also accused of facilitating the suicide operations of the al-Aqsa Martyrs Brigade in spring 2002.)

In contrast to the home-grown PSA, whose two chiefs in Jericho and Gaza combined the role of intelligence chief with their role as Fatah politician with a primary interest in the well-being of former Fatah paramilitaries and (ex-)prisoners, the new GIS under al-Hindi's command kept a low profile but worked steadily to recruit agents and to expand the organization on the new and unfamiliar territory in the Inside. Its core personnel consisted of around 800 experienced professional intelligence officers, mainly from Tunis.¹⁵ (By 1997, it reportedly had some 3,500 agents and employees, divided between 2,000 in the West Bank and 1,500 in Gaza, and manned its own detention facilities.¹⁶) The transfer to Gaza in 1994 meant that the PLO's previously extensive external intelligence activities were reduced. Although it continued to retain responsibility for "security both in the self-rule areas as well as abroad" and for developing relations with foreign intelligence services, in actuality monitoring the Palestinian opposition Inside, uncovering collaborators and conducting general counter-intelligence activities consumed most of the effort of the new agency.¹⁷

The Preventive Security Agency

The Preventive Security Agency (*jihaz al-amn al-waqfi*) grew out of the Inside Fatah security organization, as described in Chapter 5. As opposed to most other police branches, the PSA was in reality two separate agencies, divided into Gaza and Jericho branches with no overall commander. (Major-General Misbah Saqr held the formal position as the PSA's overall director, but his authority remained nominal only until his removal in April 1996.) Being the only truly homegrown Inside-based police branch, the PSA commanded considerable respect and credibility on the Palestinian 'street', as nearly all its officers had been jailed by Israel for security offences. Owing to its close association with the Fatah organization, the PSA was the first PNA security organization to establish a presence in all West Bank villages. The branch grew quickly, from an estimated 685 men in October 1994 to about 2,500 in May 1995, reaching more than 5,000 by mid-1997.¹⁸ As with most other police

branches, the PSA's mandate was not clearly defined, but its activities remained focused on fending off internal security threats to the PNA from the armed Islamist opposition and collaborators. Together with the GIS, the PSA maintained security coordination with Israel with regard to the exchange of intelligence. The PSA styled itself as a kind of "Palestinian FBI", combining intelligence work and counter-intelligence with special police duties relating to serious crime.¹⁹ PSA personnel wore a number of different uniforms as well as plainclothes. Often PSA personnel wore brown and yellow mottled trousers. When travelling in vehicles, they appeared civilian, but would quickly appear in uniform in the streets. Being probably the most effective Palestinian counter-terrorism agency and commanded by two well-known nationalist figures with outspoken political ambitions, the PSA represented the most high-profile branch in the Palestinian Police in terms of media coverage. In addition to its unquestionable political influence, the PSA reportedly controlled a number of import-export monopolies, which invited hard-to-refute charges of economic corruption and malfeasance.

Military Intelligence, the Special Security Agency

One part of the new intelligence apparatus transplanted by the Outside PLO into the Occupied Territories from mid-1994 was the so-called Military Intelligence (*al-istikhbarat* or *istikhbarat al-'askariyyah*) and Special Intelligence or the Special Security Agency (*al-amn al-khass*). The unit consisted of only a few dozen plainclothes officers, according to Israeli sources.²⁰ The former was comprised of remnants of the extensive PLO Military Intelligence Agency in Lebanon, and was expected to assume primarily a military police role in investigating the conduct of PLO military personnel and taking disciplinary action. In reality, it also became involved in political surveillance, detention and interrogation of members of the opposition. By 1997, Military Intelligence, under the command of Colonel Musa 'Arafat, had an estimated 1,000 men, with 600 in the West Bank and 400 in Gaza and its headquarters in Gaza.²¹ It was not recognized as a separate branch of the Palestinian Police in the Interim Accords and was therefore sometimes classified either as a sub-branch of the National Security Forces (see below) or as a general directorate, not a separate police branch of the Palestinian Police.²² Major-General 'Abd al-Raziq al-Majaydah, in his

capacity as the secretary of the Supreme Council of National Security, made unsuccessful attempts to enforce a SCNS ruling which limited the Military Intelligence's jurisdiction to military personnel only.

The Special Security Agency appears to have been more of an internal monitoring and oversight body than a full-blown intelligence organization. Its main mission was allegedly to "snoop around the other intelligence networks in the Gaza Strip and the West Bank" and, if necessary, report directly to Arafat on their findings.²³ There was little publicly available information about this mysterious agency, however. Some reports indicated that the Special Security Agency was a covert sub-unit of PS/Force-17 (see below). Others suggested that the Agency's primary mission was Chairman Arafat's personal security.²⁴ It was originally headed by Abu Yusuf al-Wahidi from its establishment in early 1995, but later Abu Tayyib (Mahmud Natur), a prominent Force-17 commander, assumed responsibility for the unit.²⁵

VIP Security, Bodyguard Service

Presidential Security/Force-17

At the time of Oslo, PS/Force-17 was one of the PLO's elite units, with an estimated strength of 1,000–1,500 men. Its mission spanned from protecting Arafat and PLO personalities to conducting various commando operations. In view of that orientation, the al-'Asifah, Fatah's guerrilla forces established back in the 1960s, had been integrated into Force-17 in March 1990. Force-17's former head, Mahmud al-Natur (Abu Tayyib), who had been 'Ali Hasan Salamah's deputy and successor, returned to the Occupied Territories only in March 1996. In March 1993, Abu Tayyib had temporarily returned to his previous office at Arafat's urging to rebuild and reform Force-17 ahead of deployment in Gaza and the West Bank. Recruitment was expanded and a major 'clean-up operation' was mounted to remove unreliable personnel in the light of serious concern about the existence of holes in the security around Arafat, numerous assassination threats and the profoundly divisive effect of the DoP on the Palestinian communities.²⁶ Abu Tayyib was also instrumental in working out an "overall security plan for the Palestinian autonomous areas" and in enlisting the support of Colonel Mu'ammār Qaddafi for transferring Force-17 units in Libya to the self-rule areas.²⁷

In November 1993, Arafat decided that Force-17 would be entrusted with ‘presidential security’ upon his return to Gaza and Jericho, in effect merging previous presidential guard units with Force-17 into one organization, but both names (Presidential Security/Force-17, *amn al-ri’yasah/quwwat-17*, hereafter PS/Force-17) were nonetheless retained. There was much uncertainty as to who would become its new commander. In June 1994, Israeli commentators speculated as to whether the former PLO military intelligence chief ‘Atallah ‘Atallah (Abu Za‘im) would assume the post after several rounds of consultations between him and the PLO leader.²⁸ Another PS/Force-17 commander, Colonel ‘Adil Salih, resigned in protest after an armed confrontation between his forces and the more powerful PSA near the West Bank city of Tulkarm. The West Bank departments of the Presidential Security were temporarily closed down in order to restore order, and some 27 PS/Force-17 members were jailed for indiscipline.²⁹

In the end, a former Force-17 deputy, Brigadier Faysal Abu Sharakh, who had been released from Israeli jail, was appointed commander of the new PS/Force-17 in Gaza, with Colonel Fathi Furayhat as his deputy in Jericho. Later, Mahmud Damra became the West Bank commander of Force-17.³⁰ While Force-17 as an exile-based guerrilla unit declined, with the exception of its continued presence in the camps in Lebanon, PS/Force-17 in the Territories quickly developed from a small group of returnees to a large force of mostly locally recruited personnel. By 1997, it numbered 5,500 officers, with 3,000 in the West Bank and 2,500 in Gaza.³¹

The new PS/Force-17 was rebuilt around the multiple tasks of VIP protection of Arafat and other important PNA personalities, serving as an intelligence unit and acting as an elite paramilitary force for special operations and emergency situations. It would be a kind of “Republican Guard”, as PS/Force-17 officers liked to describe themselves.³² Outside Gaza City, the unit was placed at the disposal of the governors in their capacity as “regional commanders”.³³ Its armoured units deployed throughout Gaza and in West Bank cities in the aftermath of several suicide bombings in February–March 1996, to enforce the martial law declared by the PNA. Organizationally, the PS/Force-17 operated as a separate branch and was recognized as such in the Interim Accord.³⁴ Like most other branches, it also made arrests and had its own detention facilities.

A Foreign Bodyguard Service?

Arafat was far from satisfied with his bodyguards, and repeatedly sought external assistance in this regard in 1993–4. Egyptian security service personnel served with Arafat in Tunis and during his international tours. They also provided professional assessments of the VIP protection around the Chairman and the PLO leadership. These revealed serious gaps in the security system in Tunis in late 1993; they recommended a purge and reorganization of the PLO security services and the selection of new cadres in a more varied and careful manner in view of the strong divisions in the Palestinian community over the DoP.³⁵ The Damascus-based PFLP–GC, headed by Ahmad Jibril, issued a direct threat to assassinate Arafat for concluding the DoP. Rumours of a foiled assassination attempt against him served as the background for purges that took place in late 1993 removing a number of bodyguards from Arafat and other PLO figures closely associated with the Oslo Accords.³⁶

Arafat's security concerns were not eased, however; and he sought European and US assistance in training his personnel and even in providing VIP protection. In late spring 1994, the Norwegian secret police service, the *Overvåkningspolitiet*, received a most unusual request, namely to provide the PLO leader with a team of bodyguards and security service experts during his arrival in Gaza. The Police Headquarters in Oslo prepared a team, which remained on high alert until the request was cancelled at a later point.³⁷ The request was obviously aimed at maintaining a back-up team in case his regular bodyguard service was found to be unreliable. Perhaps the request was meant to be a symbolic expression of confidence and trust *vis-à-vis* Norway in appreciation of its new role in the peace process. In the light of the scandal which had rocked the Norwegian secret police service in 1991 when Israeli Mossad agents had been provided with Norwegian passports and allowed to secretly interrogate nearly a dozen Palestinian refugees and alleged PLO defectors in Oslo, Arafat's request to the secret police was obviously to prove that as far as he was concerned, their past sins were buried and forgotten.³⁸

An Army-in-Waiting: The Military Units

The Interim Accord endorsed the formation of six operational police branches, of which the Public Security Police, usually referred to in Arabic

as the (Palestinian) National Security Forces (PNSF), constituted the largest branch. Nominally, the PNSF comprised a number of additional sub-units, including an intelligence unit, the so-called Military Intelligence (see above), the Coastal Police, the Aviation Police, the Border Police, the Customs Police and the Disciplinary Police (or the Military Police, Military Security). Some of these units, in particular the Military Intelligence, appeared to operate largely independently of the PNSF command, however.

The National Security Forces

The officer core of the PLA forces returned from exile became the backbone of the PNSF, which was the most military-like branch, with an estimated 16,500 troops in 1997 and some 30 BRDM-2, the PNA's Russian-made armoured personnel carriers.³⁹ In contrast to the identity of its officers, its rank and file were heavily staffed with personnel recruited from the Inside. The PNSF was commanded by Brigadier Hajj Isma'il Jabr in the West Bank and by Major-General 'Abd al-Raziq al-Majaydah in Gaza, although the latter was clearly the senior figure. He had coordinating responsibilities for both the West Bank and Gaza sector of the PNSF, in addition to certain other units, including Military Intelligence, the Coastal Police/Naval Forces, the Border Police forces, the Air Police and the Customs Police (see organogram of the de facto Palestinian Police organizations in the Appendices). The PNSF was a gendarmerie-type force whose responsibilities covered policing outside the cities, public order maintenance, patrolling along the borders of Area A etc. As the most army-like branch, it was the body most deeply involved in the September 1996 clashes when the Palestinian Police engaged the IDF in pitched gun battles.

Two important sub-units of the PNSF were the Border Security Forces and the Liaison Forces. The first manned border posts and checkpoints and patrolled the border areas. This unit was headed by the PLA army's Brigadier Khalid Sultan and derived from the al-Quds Forces, a PLA unit in Libya. The Liaison Forces manned the extensive apparatus of joint security offices and joint patrols with the Israeli army.⁴⁰ In addition, the PNSF fielded Military Police units, also termed Military Security (al-amn al-'askari), for maintaining internal discipline and a range of other units, including the Cavalry Force, indicating an

ambition to transform the PNSF into an army for the future Palestinian state.⁴¹

The Naval Police

The Coastal Police (*al-shurtah al-bahriyyah*), also known as the Marines, the Coast Guard and the Navy, was composed largely of exile-based forces; but unlike most other branches, it was allowed to retain its pre-Oslo organization largely intact. The Coastal Police derived from the PLO Naval Forces, a small and highly trained elite commando force previously stationed in Yemen and Lebanon. It wore distinctive black uniforms and was headed by Brigadier Jum'ah Ghali (Abu Zaki) in Gaza and by Brigadier Jawad Abu Hasan in the West Bank. In 1997, it comprised some 1,200 men, with 700 in the West Bank and 500 in Gaza.⁴² During the early self-rule, the Palestinian Police lacked boats, causing considerable frustration among the elite troops who staffed the unhappy Coastal Police branch in Gaza.⁴³ For this reason, the Coastal Police was also used for duties other than strictly maritime policing, in particular for certain special operations and for public order maintenance. The unit also made arrests and maintained its own detention facility. It gained a reputation for cruel interrogation methods after the death in its custody in Nablus of a well-known Fatah Hawk.⁴⁴

Civilian Police Branches

The Civilian or 'Blue Police'

The Civilian Police (*al-shurtah*), also known as the 'Blue Police', started almost from scratch in May 1994, having only a few trained officers from exile. Headed by an experienced police officer, Brigadier Ghazi al-Jabali, who in contrast to the leaders of the other branches was not a former guerrilla, a street fighter or a PLA general, the Civilian Police grew into one of the largest and important branches. It had an estimated 10,500 men in 1997, with 6,500 in the West Bank and 4,000 in the Gaza Strip. It underwent a significant improvement in its professionalism, expanded its infrastructure and formed many new specialized units (traffic police, criminal investigation department, anti-drug unit etc.);

and by 2000, the main Civilian Police complex in Gaza, the so-called Arafat Police City, comprised some 23 departments. Over the years, it received considerable donor assistance and training.⁴⁵ Towards the end of the 1990s, a specialized unit for tribal disputes was established in response to an upsurge in clan violence and feuding.⁴⁶ An important sub-branch was the Public Order and Rapid Intervention Unit, which was established in January 1995, and expanded to a relatively professional force of about a thousand men by late 1996.⁴⁷ It was trained by Dutch and British assistance programmes, and provided the PNA with a capability to handle riots and public order disturbances.

The Civilian Police had a special Female Police Department with about 350 policewomen in 1997, headed by Colonel Fatima Barnawi. The PNA encountered strong criticism from conservatives in Gaza for employing women as police. According to Barnawi, female police officers faced negative reactions in the beginning, when graffiti spoke of them as “shameless prostitutes”.⁴⁸ Female police cadres generally received gender-segregated training, although specialized training courses were mixed, and male police instructors acknowledged that their training of female cadres was particularly difficult “due to the sensitivity of interaction between the trainer and the participants”.⁴⁹ Many female officers were employed as secretaries of high-ranking officers and in other non-operational functions, such as public relations and outreach. They were also employed at checkpoints and border crossings where searches of female individuals required their presence, in female prisons or during the apprehension of women. Female officers were found mostly in the Civilian Police, but a small number were also employed in other branches, including the GIS, the PSA and the PNSF.⁵⁰

Civil Defence, the University Police, the Aviation Police and Other Civilian Units

The Palestinian Police also established other, smaller branches or units to fulfil special civilian police functions. The smallest official police branch was Civil Defence (*al-difa' al-madani*), which included rescue units, emergency medical services and firefighting units. In 1997, it fielded some 400 firefighters in the West Bank and 150 in Gaza. Other units not mentioned in the Accords were formed at various times, mostly as sub-units or directorates to existing branches; or they were

considered as guards, inspectors or local police units subordinate to municipal authorities or the governors. These included the Municipal Police, the Court (or Judicial) Police, the Tourist Police, the Legislative Council Police, the Aviation Police and the University Police, also termed the University Security Administration.

Before Oslo, the municipalities in the West Bank employed Palestinians as unarmed and semi-uniformed security personnel. After Oslo, the presence and visibility of these municipal police forces was somewhat reduced by the arrival of the official Palestinian Police. One particularly sensitive area was Eastern Jerusalem, especially the Old City with its many religious sites. Successive Israeli governments attempted to prevent the establishment of any official Palestinian Police presence in Jerusalem. Still, most Israeli police ministers tolerated an unarmed semi-uniformed Palestinian security service in East Jerusalem, including the Old City, in order to deal with intra-Palestinian conflicts and crime. This semi-official municipal security service grew out of the Orient House bodyguard service established by the late Faysal al-Husayni in 1992–3 (see Chapter 3 of this book). Its members wore an arm patch with “security” written in English. By 1995, it consisted of several hundred personnel and dealt with everything from business feuds, burglaries and drugs to immorality and sexual harassment among students. The Municipal security service was eventually banned by the Israelis on suspicion that it had become involved with the Preventive Security Agency. Attempts to replace it with private security companies also ran into difficulties owing to Israeli restrictions.⁵¹

The University Police was established following clashes between the Palestinian Police and students at al-Najah University in late March 1996, when armed policemen stormed the campus in search of arms and suspects. Prior to this event, the Palestinian Police had generally respected the unwritten ban on entering university campuses unless explicitly invited by the university itself.⁵² The new police unit consisted of some 200 personnel in the West Bank and none in Gaza, and was headed by Colonel Khalil ‘Arafat. Initially, the PNA Chairman had promised that the new police would remain under university control, but as soon as it was established, it became subordinate to the PNA instead. The University Police’s stated purpose was to maintain order and to guard entrances and exits to the campuses, but it was also involved in political surveillance, apparently employing nearly a hundred informers

on various campuses; and for this reason, its establishment provoked criticism from student bodies and human rights organizations.⁵³

The Aviation Police, consisting of some two hundred members, was established in connection with the opening of an airport in Gaza. Its members consisted mainly of guards and security personnel. Originally, the unit also comprised crew and pilots responsible for operating and maintaining the PNA's helicopters and three small jet planes, which were all destroyed during the al-Aqsa intifada. The unit was based on the former Force 14, Fatah's aviation unit, and was re-established under the PNA as part of the Palestinian Civil Aviation Department, commanded by Brigadier Fayiz Zaydan.

NOTES

- 1 Cited in A. La Guardia, "Israel fears 'anniversary' suicide attacks", *Daily Telegraph*, 26 October 1996, p. 13.
- 2 Cited in W. Amr, "Palestinians fear militia style society", Reuters, 8 February 1999.
- 3 See, for example, VOI-E, 0500GMT, 28 September 1994; VOI, 1200GMT, 10 September 1994 via SWB; "Trouble flares among rival PLO security services", *Mideast Mirror*, 8 (168), 1 September 1994; "Sharp conflicts and struggles within autonomous authority's security agencies" (in Arabic), *Sawt al-Haqq wa'l-Hurriyah*, 16 September 1994, p. 8, via FBIS; and "Security and Political Stability in Gaza", confidential report, 21 September 1994 (source withheld on request). For a later example, see D. Horan, "Palestine: crimes of the secret police not so secret", IPS, 30 May 1997.
- 4 Sayigh and Shikaki (1999), p. 115. For the existence of local joint operational centres, see, for example, "Tulkaram is Reborn: the National Security Forces, the confident guardian of the citizens' security" (in Arabic), *Watani*, No. 12 (May 1996), p. 29.
- 5 See, for example, interview with Hikmat Zayd in "Insight Story: Jenin" (in Arabic), *Watani*, No. 10 (January 1996), pp. 40–51 and "Arafat to form military committee to determine mandate of security services", MENA, 31 October 1998.
- 6 Cited in D. Horan, "Palestine: crimes of the secret police not so secret", IPS, 30 May 1997.
- 7 For prominent commentators citing the Arab *mukhabarat* model, see Usher (1996) and Usher (1998); R. Fisk, "Arafat quietly builds his little dictatorship", *Independent on Sunday*, 6 August 1995, p. 16; and S. Peri, "This is how the Palestinian Shin Bet will operate" (in Hebrew), *Yedi'ot Aharonot* (Leshabat supplement), 10 June 1994, pp. 2–3, via FBIS.
- 8 Luft (1998) and Luft (1999).

- 9 According to one source, Bsaysu liaised with Spanish, British, German and Dutch intelligence. It was also reported that shortly before his death, 'Atif Bsaysu had been named the head of the so-called Western Sector, a special PLO unit consisting of an estimated 200 men responsible for conducting armed attacks in the Occupied Territories. It was led by Abu Jihad (Khalil al-Wazir) until his assassination in 1988 by Israeli commandos and then by Abu al-Hawl. "Who was Atef Bsissou?", *Intelligence Newsletter*, No. 196 (24 June 1992) and "Struggle over the Palestinian security services" (in Arabic), *al-Watan al-'Arabi*, 12 November 1993.
- 10 "Palestine: the new intelligence services", *Intelligence Newsletter*, No. 224 (16 September 1993) and Sayigh (1997), p. 654.
- 11 "Palestinian police appointees named", MENA, 1050GMT, 23 November 1993.
- 12 "PLO tightens security to foil assassins" (Reuters), *Jerusalem Post*, 11 October 1993; "The truth about the story of Arafat's assassination" (in Arabic), *al-Watan al-'Arabi*, 22 October 1993; D. Makovsky, "Reviving Taba talks focus of Moussa visit", *Jerusalem Post*, 4 November 1993; "Struggle over the Palestinian security services" (in Arabic), *al-Watan al-'Arabi*, 12 November 1993; "Palestinian police appointees named", MENA, 1050GMT, 23 November 1993; and "Amine al-Hindi", *Intelligence Newsletter*, No. 229 (24 November 1993).
- 13 Danish intelligence official, interview and "Amine al-Hindi", *Intelligence Newsletter*, No. 229 (24 November 1993).
- 14 S. Peri, "This is how the Palestinian Shin Bet will operate" (in Hebrew), *Yedi'ot Abaronot* (Leshabat supplement), 10 June 1994, pp. 2–3, via FBIS.
- 15 Avner Avrahami, "The powers that be", *Ha'aretz*, 7 June 2001.
- 16 Peake (1998), Appendix. A slightly lower estimate is given in Meyers (2000), p. 107.
- 17 Cited from interview with GIS Chief Colonel Amin al-Hindi in "Security affairs", *Biladi/The Jerusalem Times*, 16 January 1998, p. 2. See also Meyers (2000), p. 107.
- 18 For complete figures on the Palestinian Police's expansion, see Lia (2006), Chapter 5.
- 19 Surani, interview.
- 20 Avner Avrahami, "The powers that be", *Ha'aretz*, 7 June 2001.
- 21 Peake (1998), Appendix and Meyers (2000), p. 108.
- 22 Meyers (2000), p. 108.
- 23 S. Peri, "This is how the Palestinian Shin Beth will operate" (in Hebrew), *Yedi'ot Abaronot* (Leshabat supplement), 10 June 1994, pp. 2–3, via FBIS; *Ma'ariv* (Shabat supplement), 9 August 1996, via SWB; "Palestinian services vs Islamists", *Intelligence Newsletter*, 16 June 1995; Luft (1998); and Meyers (2000), pp. 106–7.
- 24 "Palestinian services vs Islamists", *Intelligence Newsletter*, 16 June 1995.
- 25 "New Palestinian 'Special Security Force' headed by Col. Natur established" (in Hebrew), *Ha'aretz*, 3 February 1997. See also Avner Avrahami, "The powers that be", *Ha'aretz*, 7 June 2001.
- 26 "Palestine: the new intelligence services", *Intelligence Newsletter*, No. 224 (16 September 1993) and *Mideast Mirror* (7), No. 233, 1 December 1993, the latter citing the Jordanian daily *Sawt al-Sha'b*.
- 27 In late November, Chairman Arafat used Abu Tayyib's services to convey his request to Colonel Qaddafi that the latter permit Palestinian units deployed in Libya, mostly in Tripoli, al-Sarah and al-Kafra, to leave for Gaza and Jericho.

- These forces reportedly were said to be “the heart of Arafat’s new personal guard”. *Mideast Mirror*, 7 (233), 1 December 1993 and M. Widlanski, “Arafat reappoints Force-17 commander”, *Jerusalem Post*, 1 December 1993, p. 8, both citing the Jordanian daily *Sawt al-Sha’b*.
- 28 S. Peri, “This is how the Palestinian Shin Beth will operate” (in Hebrew), *Yedi’ot Aharonot* (Leshabat supplement), 10 June 1994, pp. 2–3, via FBIS.
 - 29 “Trouble flares among rival PLO security services”, *Mideast Mirror*, 8 (168), 1 September 1994.
 - 30 Abu Sharakh had been snatched by Mossad on a ferry between Beirut and Larnaca just a month before the Israeli air attack on PLO bases in Tunis in 1985, and was given a long prison sentence. Thomas (1999), p. 271; “List of Palestinian Organizations, Officials”, *FBIS Daily Report Near East and South Asia*, 14 February 1995, Supplement, FBIS-NES-95-030-S; and Meyers (2000), p. 106.
 - 31 The numerical estimates are taken from Peake (1998), Appendix.
 - 32 See, for example, interviews with Force-17 officers in “Force-17: The vigilant eye ... and the strong arm” (in Arabic), *Watani*, No. 16 (January 1997), pp. 108–15. See also for Force-17’s sub-units Luft (1998) and Luft (1999).
 - 33 See, for example, interview with Lieutenant-Colonel ‘Azim Muh Talib (Abu Ra’d), the commander of PS/Force-17 in Tulkaram, cited in “Tulkaram is reborn: the National Security Forces, the confident guardian of the citizens’ security” (in Arabic), *Watani*, No. 12 (May 1996), pp. 26–32.
 - 34 In 1997, however, a PNA reorganization drive, headed by Major-General al-Majaydah, attempted to put its local commanders under the authority of the (PNSF’s) “regional commanders”, but it is uncertain whether this had any practical implications. This is according to a memorandum by the PNA’s Supreme Council for National Security, reprinted in Meyers (2000), p. 243.
 - 35 “The truth about the story of Arafat’s assassination” (in Arabic), *al-Watan al-Arabi*, 22 October 1993.
 - 36 These measures included “a large-scale campaign of interrogations” of PLO bodyguards. In October 1993, the PLO removed nine bodyguards, including four bodyguards working for Arafat and one working for the PLO Executive Committee member Yasir ‘Abd Rabbuh, three bodyguards of Ahmad Quray’ (Abu ‘Ala’) and one working for Hakam Bal’awi. These measures were described as “purely preventive”, in the light of the threat stemming from the fact that “the opinion of the armed guard is not necessarily that of the leader he protects”. Cited in “The truth about the story of Arafat’s assassination” (in Arabic), *al-Watan al-Arabi*, 22 October 1993 and “PLO tightens security to foil assassins” (Reuters), *Jerusalem Post*, 11 October 1993.
 - 37 Interview with Norwegian secret police service official; name withheld on request.
 - 38 Mossad’s involvement was investigated by the Norwegian Intelligence Control Commission, and led to the resignation of the head of the Norwegian secret police, Sven Urdal, in October 1991. The case was not exceptional. According to a book by the former Mossad agent Victor Ostrovsky, the Danish intelligence agencies allowed Mossad the same kind of access to interrogate Palestinian refugees suspected of links with ‘terrorist’ organizations. *Intelligence Newsletter*, No. 193 (13 May 1992).

- 39 Slightly different estimates are given in Meyers (2000), p. 109 and Peake (1998), Appendix, but Peake's estimate appears to be the most reliable. See also Avner Avrahami, "The powers that be", *Ha'aretz*, 7 June 2001.
- 40 For a discussion of the joint security coordination structure, see Chapter 7 of this book.
- 41 See, for example, "Graduation of border guard cavalry personnel" (in Arabic), *Watani*, No. 8 (October 1995), p. 6.
- 42 Different estimates are given in Meyers (2000), p. 110 and Peake (1998), Appendix, but Peake's estimate appears to be the most reliable.
- 43 Øverkil, interviews.
- 44 For more on this incident and its repercussions, see Chapter 10 of this study.
- 45 See Lia (2006), Chapter 8.
- 46 Roy (2001), p. 7.
- 47 *Training Programme Maintenance of Public Order for the Palestinian Police Force – Monitoring Report* (Amsterdam, April 1995), p. 7.
- 48 Cited in "Palestinian women's police official Fatimah Barnawi tells *al-Sharq al-Awsat*: what has been achieved with the Israelis is less than a reunion because it ignores emigrants and refugees" (in Arabic), *al-Sharq al-Awsat* (London), 11 August 1997, p. 3, via FBIS.
- 49 Cited in "Tulkaram is reborn: the National Security Forces, the confident guardian of the citizens' security" (in Arabic), *Watani*, No. 12 (May 1996), p. 31.
- 50 According to Sarah Meyers's study, the PSA was the only police branch to employ married women, and it employed several high-ranking female officers. As opposed to women in the Civilian Police, who tended to be very young, female officers in the PSA were somewhat older, reflecting the PSA's recruitment of intifada activists and Fatah community leaders from that period. Meyers (2000), p. 112.
- 51 Abdel Hadi, interview and correspondence.
- 52 Meyers (2000), p. 104.
- 53 H. Watzman, "Report criticizes Palestinian authority for using informers to monitor campuses", *The Chronicle Of Higher Education*, 15 October 1999 and Peake (1998), Appendix.

9

In the Midst of Informers, Avengers and Death Squads

During the intifada, there were many negative phenomena,
and it will take years to heal them.¹

Gaza Mayor Mansur al-Shawwa, May 1994

For blood feuds and revenge are dominating the
minds of some people ...²

Brigadier Mazin 'Izz al-Din, August 1994

Palestinian policing during the 1990s has frequently been associated with abuses and corruption, and amply documented reports of human rights violations have received wide attention in the media. Academic literature too has lambasted the PNA for its authoritarian and 'police state' character.³ This criticism usually takes as a starting point the assumption that the PNA is a state-like or near-state entity. After all, the state is the obvious reference point for any human rights discourse. Although pro-democracy and human rights advocacy should be welcomed, its use in academic literature as simple proof of PNA's distorted state-building and corrupt character contributes to obscuring the political, social and historical context of Palestinian policing. Criticism of the Palestinian Police has focused mostly on procedural aspects, such as abusive interrogation practices or detention without trial. A narrow focus on whether or not policing methods were within the confines of internationally defined human rights standards tells us little about the substantive dimensions of Palestinian policing, however.⁴ To what degree did the Palestinian Police serve and protect key social and political interests of the Palestinian public such as national liberation, effective crime fighting and the containment of intra-Palestinian conflicts?

When assessing the Palestinian Police's record in the 1990s, the intractable politico-security and legal dilemmas and constraints under

which it operated must be fully appreciated. Like most transitional societies emerging from civil strife, post-Oslo Palestine was ravaged by strong internal conflicts. Changing elite patterns, caused by the return of the formerly exile-based PLO, produced strong socio-economic and political grievances. Disagreements over the peace accords with Israel led to strong tensions between armed supporters of Oslo and rejectionist factions. Clan feuds and revenge killings threatened to escalate when thousands of former guerrillas and paramilitaries were released from jail or returned from exile. Rising crime rates after Oslo were followed by popular calls for summary justice, reinforced by a strong intifada legacy of vigilantism. Any assessment of the Palestinian Police must also take into account to what degree it was able to contain these conflicts, not just whether its policing methods were in compliance with international norms.

In this chapter, I shall focus on one of the most intractable post-intifada problems, the question of ‘collaborators’.⁵ I shall also examine how the Palestinian Police dealt with this issue and how it affected Palestinian policing and PNA–Israeli relations. Given the strong intra-Palestinian tensions concerning this issue and the sheer extent of vigilante executions during the intifada, it was not far-fetched to expect that the first Israeli withdrawals would be followed by more collaborator killings. For various reasons, however, there was a sharp decline in these killings after the arrival of the Palestinian Police and very few revenge killings against former paramilitaries. This was a remarkable success, yet it is largely overlooked in the academic literature on the PNA and the Palestinian Police. Other post-conflict situations have witnessed the rise of an official police unwilling or unable to deal with politically motivated and vigilante violence, but the Palestinian Police were highly committed to controlling and containing such violence. This success did not come without a price, however; and the discussion below will highlight those circumstances which encouraged the Palestinian Police to adopt extra-judicial and abusive policing practices.

The Agreements: Do not Touch Israel’s Informers!

The Palestinian–Israeli Agreements did not define or deal with the issue of collaboration, but basically postponed the problem. During the security

talks in 1993–4, Israel had demanded an unconditional amnesty for all collaborators and their full reintegration into Palestinian society. These demands met with strong objections from Palestinian negotiators, who argued that the issue should be handled at the discretion of the PNA on a case-by-case basis and that the most important figures should be deported to Israel.⁶ Israel viewed the release of Palestinian prisoners from Israeli jails and the PNA's compliance with the amnesty pledge as 'interlocking issues'. It threatened to suspend or delay the agreed release of 5,000 Palestinian prisoners if the PNA began to prosecute collaborators.⁷ The Gaza–Jericho Agreement did not spell out this linkage, however. It stipulated only that the Palestinian side should "commit itself to solving the problem of those Palestinians who were in contact with the Israeli authorities, ... and until an agreed solution is found, the Palestinian side undertakes not to prosecute these Palestinians or harm them in any way".⁸ The provision was reiterated in slightly different wording in the Interim Agreement of September 1995.⁹

Depriving the PNA of any formal authority to prosecute collaborators had several important consequences for Palestinian policing. It undoubtedly constituted a fundamental challenge to the legitimacy of the Palestinian Police, as collaboration was seen as betrayal of Palestinian identity and the nationalist struggle, resulting in social ostracism and even the physical liquidation of those accused. The ban obviously prevented open and transparent prosecution procedures. It also rendered impossible the establishment of reconciliation commissions, which have been a crucial component in other post-conflict transitions. International legal aid organizations and judicial agencies with important experience in this field could not offer much assistance without an explicit Israeli–Palestinian understanding on this issue. Again, the agreement offered highly inadequate solutions for Palestinian law enforcement, and encouraged instead clandestine and vigilante forms of policing.

Searching for a Loophole

From the very beginning, the PNA was unwilling to honour the ban on collaborator prosecutions, insisting that this was a Palestinian internal matter. According to the PSA's chief in Jericho Jibril al-Rajub, a decision to prosecute collaborators was taken during a meeting of the Fatah Central Committee in late April 1994, in disregard of the agreement to

be signed with Israel.¹⁰ The official position of the PNA was reformulated, however, to fit into a loophole in the Gaza–Jericho Agreement. Because it referred to collaborators in the past tense – “those Palestinians who *were* in contact with the Israeli authorities” – and because Israel had not agreed to release Palestinians being held for acts of violence committed after Oslo, the PNA insisted that collaborators who continued to work for Israel after the Oslo Accords were not included in the amnesty.¹¹

In anticipation of the Palestinian Police’s arrival, a large number of collaborators fled and were reallocated to Israel.¹² A significant number chose to turn themselves in, however, responding to a general PNA call to do so and probably also reflecting a fear of summary retribution.¹³ Some of them were detained by the Palestinian Police, who by mid-June 1994 had some 26 suspects in custody, with nine or ten being quickly released, but the number increased considerably at later stages.¹⁴

Shortly after entering Gaza and Jericho, the Palestinian Police turned their attention to the issue of collaborators, announcing that bringing them to justice was “a top priority”.¹⁵ In a long interview with the Voice of Israel’s in Arabic, the PNA’s justice minister Furayh Abu Middyayn expressed strong determination to prosecute anyone continuing collaboration, promising “no mercy” and “no leniency” in this regard and hinting even at the possibility of using the death penalty to deter potential collaborators.¹⁶ Those “who were collaborators” presented a different issue, and, striking a conciliatory tone, he stated that:

We are thinking seriously of those who stopped collaboration and even those who were killed. We will rehabilitate the children and sons of those who were killed. There is a plan to absorb the families of those killed into society again. We consider them victims. . . . We ask the ones who collaborated with the authorities in the past to report to the security centres and we will give them guarantees, provided that they stop any collaboration with the Israeli intelligence organ.¹⁷

Such rehabilitation did not receive much attention. Neither did the need for formal trials of former collaborators. In June 1994, Abu Middyayn promised that formal trials would be held; but owing to Israeli pressure and an unwillingness to jeopardize the release of prisoners, no such trials were held in the early phases of self-rule as far as can be ascertained.¹⁸ Nor were there mass purges of suspected collaborators by the Palestinian

Police.¹⁹ Instead, the most prominent suspects languished in long-term detention without formal charges, a practice which the PNA justified by referring to the need to defend them against popular retribution.²⁰

The Israeli journalist Roni Shaqed described in September 1994 how the Palestinian Police so far had handled the challenge of collaborators: "Over 300 suspects have been interrogated in Gaza and Jericho so far, and some of them tell stories of torture. To avoid annoying Israel, the Palestinians always release the suspects at the end of the interrogation. The agreement prohibits the Palestinians from punishing collaborators, and the Palestinians have been careful not to stretch the rope too far".²¹

After the signing of the Interim Accord in September 1995, the general pattern seems to have been that as Israel withdrew its forces from the West Bank cities, in each case a small number of suspected collaborators was detained, in order to encourage others to surrender and pledge allegiance to the PNA.²²

For Israel, it was important to protect its current and previous informers on "moral grounds" and for legal reasons, but also in order not to damage its chances of eliciting "such aid in the future".²³ The PNA's policy on collaborators therefore provoked misgivings in the Israeli government, and even more so among the right-wing opposition. In mid-June 1994, Prime Minister Rabin issued a warning that the Palestinian Police's detainment of suspected collaborators "may affect the release of Palestinian prisoners".²⁴ Over the summer, the position hardened, in response to new developments. The Israeli Police investigated charges that PLO security officials at Orient House, the PLO's unofficial headquarters in East Jerusalem, were involved in interrogating suspected collaborators. A suspected collaborator had been tortured to death in Palestinian Police custody in Gaza, and a Palestinian officer still employed in the Israeli Police was killed for collaboration by Fatah paramilitaries.²⁵ In a statement to the Knesset Foreign Affairs and Defense Committee on 15 August 1994, Rabin reportedly charged that 11 Palestinians had been killed in the Jericho area for collaboration, mostly by the Fatah Hawks, since the Palestinian Police arrived, a charge the PSA denounced as "completely false".²⁶ Instead, al-Rajub attacked Israel for "allow[ing] collaborators to enter the self-rule Jericho area with their arms, provoking people there".²⁷ Israel also charged that Fatah Hawks involved in executing collaborators found a safe haven in PNA-ruled Jericho; it issued formal protests against the PSA's recruitment of "suspected murderers

of collaborators”, and the Israeli Police investigated a possible PSA involvement in the killing of a collaborator in the northern West Bank.²⁸ Against this background, Rabin decided in August 1994 to authorize a delay in prisoner releases until the killing of collaborators stopped.²⁹

The PNA nevertheless continued to target collaborators despite the negative effects such acts had on Palestinian–Israeli relations. For example, shortly after the Palestinian Police moved into Hebron villages at the end of 1995, Isma‘il Abu Humayd, a former (Israeli-appointed) mayor in the village of Yatta, widely seen as a ‘big collaborator’, and forty others were arrested after a shootout. The PSA had raided his and other homes in Yatta as part of a campaign to “arrest arms and drug smugglers as well as collaborators with Israel”.³⁰ The news of their arrest was reportedly greeted with celebrations in the streets of Yatta but must have infuriated Israel. During 1997, the Palestinian Police further escalated its anti-collaborator efforts by putting more than two hundred suspects in detention.³¹ The reasons for this were many, as will be seen below. To assert some degree of sovereignty, the Palestinian Police had to stem Israeli intelligence penetration. Perhaps more important, however, was the need to respond to popular pressure to confront collaborators, which threatened to translate into vigilantism and tribal feuding. By going after collaborators, the Palestinian Police were successful in containing the widespread phenomenon of lynching, which had tarnished the final years of the intifada.

Reducing Vigilante Killings

According to numbers given in a document prepared by Israeli intelligence for distribution by the Israeli Foreign Ministry in October 1995, some 31 Palestinians had been killed on suspicion of collaboration since the Israeli withdrawal from Gaza and Jericho in May 1994.³² Three years later, the total number had risen to 67, with 96 others injured.³³ Despite the widespread media outcry over such killings, these numbers were in fact remarkably low, and represented only a minor fraction (less than 10 per cent) of the nearly 150–200 killings that took place annually during the last phases of the uprising, when there were more than two dozen killings a month at the worst. Moreover, nearly all the killings took place outside the PNA-ruled areas, where the IDF still retained control, or in Israeli prisons.³⁴

The common Israeli charge that the Palestinian Police did little to protect collaborators from intimidation, extortion or violence by vigilante squads was not entirely fair, although suspected collaborators remained in limbo with minimal legal protection. Compared to the intifada legacy, the figures of the Knesset collaborator lobby were in fact a testimony to the successes of the Palestinian Police in stemming vigilante killings. By striking a difficult balance between handling popular pressure for swift retribution, on the one hand, and imposing some degree of order and honouring the highly imperfect Accords, on the other, the Palestinian Police contributed to a radical decrease in lynch killings and street executions. Its very active pursuit of drug dealers, both inside and outside the PNA-ruled areas, also helped in this regard, as such criminals often were targets of lynch killings. With the deterioration of the political process from 1996 onwards, the pressure to go after collaborators, especially land dealers, increased. Instead of disregarding popular pressure, which most certainly would have resulted in a return to lynch killings, the Palestinian Police devoted much resources to tracking down collaborators, and did not shy away from patently illegal and harsh methods.³⁵

Facing Down Hamas on the Collaborator Issue

An important challenge for the Palestinian Police and its intelligence agencies was how to deflect popular pressure to deal with collaborators, in particular threats from Hamas paramilitaries, who vowed to continue lynching collaborators. The strife between Fatah and Hamas over the right to perform executions had plagued the latter part of the intifada, and continued well into the post-Oslo era. On 22 April 1994, when the Palestinian Police's arrival seemed imminent, the Fatah and Hamas movements in Gaza reached an understanding on a one-month moratorium on collaborator executions, with the other factions supporting the understanding.³⁶ The period was termed a "repentance period", presumably to encourage collaborators to recant their past involvement.³⁷ The main reason for the moratorium, however, was to avoid interfactional fighting during the arrival of the Palestinian Police. With the expiry of this deadline, collaborator killings resumed.

On 27 May 1994, Hamas militants killed two suspected collaborators, hanging them on two electric pylons in Gaza City, the first recorded vigilante execution after self-rule began. The killings prompted

a surprisingly harsh response from the Palestinian Police Command. It used such strong words that Hamas felt it necessary to quickly issue a communiqué calling on its paramilitaries to suspend punitive executions for the time being and urging the Palestinian Police “to confront the danger of collaborators and speed up a solution to this matter”.³⁸ “Only then”, a Hamas statement threatened, “Hamas would not need to do it itself.”³⁹

The lynch killings were undoubtedly perceived as a move towards undermining the authority of the new Palestinian Police and its top chief Major-General Nasr Yusuf and highlighting the political constraints under which the Police operated. Nasr Yusuf’s immediate reaction was, as pointed out above, to issue a fierce condemnation of the killings and to pledge to arrest and try the vigilantes. He also sent his senior police officers to attend the funerals of the two victims. In a public statement, Yusuf described the killings as the “continuation of a phenomenon which our people have suffered for too long”.⁴⁰ He vowed that the Police would “reject [that our people] return to the state of fear and extortion” which had prevailed during the latter part of the intifada and described the killings as a crime committed by “gangs within Hamas”, demanding that Hamas hand over the killers.⁴¹ It is unacceptable, Nasr Yusuf stated in a speech to the Gaza Lawyers Association, that Hamas “kill people living under our authority ... and act as prosecutor, lawyer, judge and hangman”.⁴² He even vowed to “martyr 100 police officers” to catch the vigilantes.⁴³ Hamas attempted to up the rhetoric, calling him a “protector of collaborators”, and refused to surrender their men and guns; but significantly, it backed away from continuing the killings, at least in the PNA-ruled areas.⁴⁴

The tone was now set for a completely new policy on the issue of suspected collaborators. The new judge of the Jericho civil court, Muhammad Abu Ghawsh, a former PLA colonel from Jordan, indicated, as a case in point, that Palestinians involved in killing and wounding suspected collaborators would be dealt with in the PLO’s military courts.⁴⁵ The Palestinian Police took legal action against some militants engaged in vigilante killings. In mid-January 1995, for example, three Hamas paramilitaries were apprehended on such charges, and two other suspected executioners from Hamas were arrested after a shootout with the Police in Khan Yunis in early April 1995.⁴⁶ On 24 April 1995, the PNA for the first time put several Hamas members on trial in the State Security Court for involvement in collaborator killings. The sentences

were relatively mild, but the verdict was nevertheless important in signalling that lynch killings would not be tolerated under the PNA.⁴⁷ No Fatah paramilitaries had so far been convicted; but when the Palestinian Police took over Nablus in late 1995, it apprehended a number of renegade Fatah paramilitaries and convicted them in military tribunals of vigilante violence. More often, however, the PNA found Fatah activists more susceptible to persuasion and co-optation, employing them instead in its security agencies in order to keep them under control.

‘Moral Collaborators’, A Moral Guardian Police

Another step to prevent a return to vigilante killings and to deflect pressure from Hamas and a conservative public was the formation of the Moral Guardian Police unit (*shurtat muhafazat al-khuluq*). Its establishment followed shortly after a call by a Hamas leader, Shaykh Wajih Yazji, during a sermon in Gaza City’s Palestine Mosque to form an Islamic morality police.⁴⁸ During the intifada, the notion of collaboration had commonly been extended to include moral deviancy and decadence. encompassed everything from prostitution, drug addiction and trafficking to adultery, drunkenness and other forms of moral depravity that allegedly weakened the morale of the resistance and paved the way for Israel’s recruitment of informers.⁴⁹

The intifada’s legacy of punishing ‘moral collaboration’ was sometimes visible in the post-Oslo era.⁵⁰ For example, four Palestinians claiming to be PSA security agents were implicated in an incident of the torture of a Palestinian woman accused of having premarital sexual relations with Israeli soldiers. In a 1995 report, B’Tselem charged the PSA and/or PSA-affiliated personnel with detaining and mistreating people it suspected were collaborating with Israel, selling drugs or engaging in activity it deemed immoral such as prostitution or homosexuality.⁵¹ Although these violations were serious, they paled in comparison to the extent of moral policing and punishments during the intifada. Perhaps more than anyone else, Palestinian women in the camps where the paramilitaries had been particularly active appreciated the arrival of the Palestinian Police and the disappearance of the ever-present threat of night-time raids by adolescent vigilantes.⁵²

The arrival of the PLO leadership from exile and the formation of the Palestinian Police came to be seen as ushering in a new era of moral

liberalization in the profoundly conservative Gazan society. Women in Gaza no longer feared attacks from Islamic militants, who previously enforced Islamic dress codes by throwing stones, eggs and even paint at those considered immodestly dressed.⁵³ Fashion shows, video stores and cinemas were now permitted, and the Palestinian Police in many cases punished people who harassed women for allegedly immoral behaviour, such as swimming or dancing in public places.⁵⁴ The exile-based police forces and PLO officials gained a reputation for “enjoying a drink or two and being fond of women”, with the result that Hamas put out a leaflet warning against importing “the manners and morals of Tunis and Beirut”.⁵⁵ Still, the Hamas leadership clearly understood that the popular mood was drifting in a liberal direction, and put their own moral policing on hold as long as the Palestinian Police proved to be tough on informers and drug dealers. The Police also attempted to mollify the Islamist opposition by offering their cadres jobs in a separate police unit similar to the Moral Guardian Police.⁵⁶

Preventing Revenge Killings and Feuding

The early focus of the Palestinian Police on the collaborator issue was dictated not only by pressure from remaining militant groups but, more importantly, by widespread concern about revenge attacks and blood feuds involving families of slain collaborator suspects and former paramilitaries. During the intifada, revenge attacks had mostly been the work of known collaborators, armed by the IDF, not of unaffiliated families who merely sought tribal vengeance for their slain relatives. (B’Tselem has recorded a total of 14 killings by collaborators during the intifada until mid-1993.⁵⁷)

After the intifada ended, the power of the paramilitary groups was much reduced. The diminished threat of the Israeli occupation, the existence of a strong formal police force and the increasing availability of arms enabled large and wealthy families or clans (*hamulah*) to assert themselves in defending the rights and honour of their members. The general acceptance during the intifada that the imperatives of the resistance overruled the principle of clan members’ co-liability gradually eroded, and the establishment of the PNA was accompanied by a degree of retribalization of Palestinian society. Family members of individuals slain as collaborators now sought to avenge their relatives, to restore the honour of their clans and cleanse their names.

The first revenge killings of former paramilitaries or their family members had begun before the Palestinian Police arrived. In March 1994, a sixty-year-old Palestinian camp resident was shot dead, apparently in revenge for his son's paramilitary activities.⁵⁸ The release of a large number of former paramilitaries from Israeli jails or their return from exile increased the number of potential targets for such attacks, and presented an obvious challenge to the Palestinian Police. As the Palestinian Police arrived, former Fatah Hawks whom the PNA wanted to co-opt into the new police force were deeply concerned about their own security; and in late May, they staged various protests in order to receive extra arms for self-defence and demanded a search for the possible presence of informers in the Police.⁵⁹

The PSA registered a number of attempts on the lives of former Fatah paramilitaries in 1994.⁶⁰ In response, the top PSA chiefs Dahlan and al-Rajub published a statement in June 1994 in the main Palestinian daily *al-Quds* warning against any vigilante acts against "returnees, freed prisoners or activists".⁶¹ The PSA also warned that those families attempting to exact revenge "will face our iron fist".⁶² Despite these warnings, the prospect of a vicious cycle of revenge killings seemed very real. On 23 June 1994, a Hamas member, Nasir Salluhah, was shot dead in the village of Beit Lahya in Gaza apparently in a revenge attack. The killing prompted a large crowd of angry Hamas demonstrators to roam the streets demanding revenge and threatening to suspend their pledge to cease vigilante activities. A crowd estimated at tens of thousands attended Salluhah's funeral, illustrating the degree of public outrage at the revenge killing.⁶³

A number of people were now arrested, and the Palestinian Police compelled relatives of slain collaborators to sign written pledges not to seek vengeance. Still, in mid-1994, former Fatah Hawks continued to complain that the Palestinian Police did not do enough to pursue "the families of collaborators and traitors executed during the blessed intifada, who have dared to shoot our wanted brothers who came back recently", as one of their leaflets put it.⁶⁴ Protecting released prisoners and returnees emerged as a key priority, so much so that the PSA in the early phases of self-rule seemed to be just as much an alumni and bodyguard organization for former Fatah prisoners as an intelligence agency.⁶⁵ Freed Palestinian prisoners, who were mostly from Fatah, were often recruited into one or another of the Palestinian Police branches, in particular the PSA, with a

view to protecting them and enabling them to offer protection to other released prisoners.⁶⁶ Undoubtedly, the rapid growth of the Palestinian Police and its intelligence branches in this early post-deployment period must be understood in the context of their need for protection. Others were provided with arms for self-protection, including members of the rejectionist factions. They were also offered special police protection. In late June 1994, there were Palestinian policemen in plainclothes guarding former Hamas paramilitaries in Gaza City, a part of the Palestinian Police's efforts to prevent further revenge killings.⁶⁷ After the assassination of the Islamic Jihad leader Hani 'Abid on 2 November 1994 in which collaborators were implicated, the Palestinian Police authorized most of the organization's leaders to bear arms for self-defence purposes. Prominent Hamas members were also given weapon permits.⁶⁸

In 1994, Jericho became a focal point in the Palestinian Police's efforts to protect released prisoners when a large number of former paramilitary members were transferred to PNA custody there under the Gaza-Jericho Agreement. Many were subsequently placed under special police protection, and most of them were housed temporarily in unsatisfactory conditions at police bases, schools and later at a primitive caravan camp.⁶⁹ Among them were dozens if not hundreds of well-known 'wanted men' with long records of brutal interrogations and executions: for example, the Black Panther commander Ahmad 'Awwad, sentenced to 16 life terms by an Israeli court, and Mahmud Abu Muhammad, the head of the Fatah-affiliated 'Masked Lion' squad, convicted of killing 12 collaborators during the intifada.⁷⁰

Tensions between them and the Palestinian Police erupted into clashes in September 1994 over living conditions and general misgivings over having accepted release from Israeli jails only to end up in confinement in Jericho.⁷¹ Over the summer and autumn of 1994, many of them left Jericho, and some of them were later rearrested by the IDF and sentenced to new life terms.⁷² However, no revenge killings against former paramilitaries were recorded in 1994 in Gaza or the West Bank, a significant and remarkably unnoticed success of the Palestinian Police in a critical phase of self-rule.⁷³ The prisoners still confined to Jericho nonetheless remained a source of friction.⁷⁴

As the Palestinian Police expanded, the danger of revenge attacks came not only from outside but also from within, from influential clans with well-placed members in the police and security forces. The

Palestinian Police were swift in meting out harsh disciplinary punishments when cases of revenge killings occurred. In March 1997, a PS/Force-17 major and several other security force officers, all members of the Bayzi family from Gaza, ambushed and gunned down Isma‘il Hasunah, a PSA officer and a former Fatah Hawk, reportedly involved in executing a Bayzi family member during the uprising for alleged collaboration. The Palestinian Police acted with surprising severity, and its military tribunal promptly sentenced three of them to death and seven other family members to prison terms for complicity.⁷⁵

Collaborators and Israel’s Policy of Covert Assassinations

Popular calls for collaborator executions often came as a direct response to assassinations of Palestinian militants at the hands of Israeli intelligence.⁷⁶ The Palestinian Police’s harsh treatment of collaborators was in no small measure a direct response to these liquidations. In the Palestinian community, there was a widespread (and probably correct) belief that Palestinian informers provided critical assistance in such operations. Assassinations of this sort were not very common until the outbreak of the al-Aqsa intifada, but they had an extremely unsettling impact on the legitimacy of the PNA and its police forces, as they exposed the PNA’s inability to provide protection and to defend Palestinian territory.

The two best-known cases of assassinations in 1994–6 were the killings of the journalist and Islamic Jihad activist Hani ‘Abid by a car bomb on 2 November 1994 and the Hamas bomb-maker Yahya ‘Ayyash (the ‘Engineer’) by a booby-trapped mobile phone in early January 1996.⁷⁷ An indication of the extent of popular anger at these assassinations was the large popular attendance at their funerals. An estimated 120,000 people attended ‘Ayyash’s funeral ceremony, and around 20,000–40,000 people attended a rally in Gaza City in commemoration of his death a week later.⁷⁸ Following ‘Abid’s assassination, Arafat was booed and had his headscarf knocked off when he showed up at the funeral. Hamas spokesmen called upon the PNA to take forceful action against collaborators, and banners at an Islamic Jihad rally urged the Palestinian Police to “flex their muscles” to find Abid’s killer and to end its cooperation with Israel.⁷⁹ Following ‘Ayyash’s assassination, the PNA quickly requested the extradition from Israel of Kamal Hamad, a Gazan building contractor and suspected Shin Beth informer. The PSA regularly updated Hamas

on the progress of its investigation, and took a series of new measures to protect the lives of all Islamist leaders in Gaza.⁸⁰ (The assassination also had repercussions for internal Palestinian Police discipline. The PNA was forced to set up a military tribunal to try two police colonels who participated in Ayyash's memorial service after one of them was filmed on television stamping on the Israeli flag.⁸¹)

Two other less-known assassinations were the killing of Ibrahim Yaghi, a member of Hamas's military wing, in Jericho on 23 December 1994 and of Mahmud al-Khawajah, a middle-ranking Islamic Jihad member, near his home in the Shati refugee camp in Gaza on 22 June 1995.⁸² Both killings were followed by a series of arrests of suspected collaborators, while the Islamist factions issued fiercely worded leaflets threatening to resume collaborator executions and promising new attacks on Israel.⁸³ It was obvious that any leniency on the part of the Palestinian Police in pursuing collaborators would invite a speedy return to lynching campaigns. To keep the lid on public rage, Colonel al-Rajub himself attended Yaghi's funeral, and his PSA forces immediately rounded up a number of suspects, subjecting them to harsh interrogations. On 18 January 1995, one Palestinian suspected of involvement in Yaghi's murder died from torture in a PSA interrogation cell.⁸⁴

Blaming collaborators was a convenient vehicle for bridging intra-Palestinian differences and diffusing tensions. The Palestinian Police would typically round up suspected collaborators after incidents of intra-Palestinian violence. In the wake of the bloody riots in Gaza on 18 November 1994 in which 13 Palestinians were killed, mostly by the Palestinian security forces, some twenty collaborators were immediately arrested by the PSA; and Hamas demanded the immediate execution of at least four 'traitors'.⁸⁵ In public speeches, many police officials blamed them for instigating the violence, although among the police donor community they would readily admit that the causes of the killings lay elsewhere and, in particular, that their forces were insufficiently trained and equipped for riot control operations.⁸⁶

When the political climate was favourable for delegitimizing the rejectionist factions, the Palestinian Police put the blame squarely on them, even in homicide cases in which Israeli and collaborator involvement was later proved or seemed highly likely. The reason for doing so was that Israeli-sponsored assassinations were usually followed by revenge attacks against Israelis, usually a series of suicide bombings, which in

turn led to closures and had a negative impact on Palestinian negotiations with Israel. The Palestinian Police even attempted to put Hamas in the collaborator's role and prove a link between the militants and the hidden hand of Shin Beth, Mossad or other, unspecified dark forces on the Israeli right. The GIS chief, for example, frequently hinted at 'evidence' proving that collaborators and Israeli intelligence were in fact directly involved in the anti-Israeli attacks for which Hamas had assumed responsibility and that Shin Beth had penetrated Hamas and encouraged it to carry out attacks to provide Israel with a justification for stopping further withdrawals.⁸⁷ (Although these allegations usually relied on no other evidence than orchestrated confessions, during the al-Aqsa intifada there were credible reports of settler involvement in arms smuggling to Palestinian insurgents.)

The Shaykh Radwan affair in 1995 was the first prominent test case of the Palestinian Police's strategy of blaming Hamas, not Israel. On 2 April 1995, an explosion inside a Hamas bomb factory in the Shaykh Radwan district in Gaza killed Kamal Kuhayl, one of the top al-Qassam commanders, and three other Hamas militants. In commenting on the incident, the Palestinian Police condemned Hamas's bomb-making activities in a heavily populated neighbourhood, at first calling the incident an accident but later providing 'evidence' of a presumed Hamas link to the Israeli army.⁸⁸ In what appeared to be a cover up, the Palestinian Police detained a journalist who did not support the official police version of the event for passing "disinformation", while a key Hamas witness was whisked away into custody by Palestinian intelligence.⁸⁹ The Israeli media quickly undermined the Palestinian Police's version, however, as the *Davar* newspaper congratulated the Shin Beth's director for the 'successful' operation. It was later confirmed that the blast was caused by a briefcase bomb handed to Kuhayl by a child after he was spotted on a rooftop by Shin Beth operatives in Gaza.⁹⁰ Another episode, in September 1995 in the Tuffah district in Gaza where the Hamas militant Ibrahim Naffar was killed in an explosion, similarly aroused contradictory versions. The Palestinian Police again flatly rejected the Hamas version of a Shin Beth-collaborator plot, claiming he was killed as one of his bombs went off prematurely.⁹¹

Another prominent case was the mysterious killing of the so-called Second Engineer Muhi al-Din al-Sharif, whose bullet-riddled corpse was found lying beside a burning car after an explosion in a garage in

Ramallah on 29 March 1998. The Palestinian Police quickly blamed the killing on Hamas and infighting within its military wing. Under this pretext, ‘Adil ‘Awadallah, another Hamas military commander, was arrested; but when he later escaped from prison under murky circumstances, he too was killed. Hamas believed that both had been assassinated in a joint PNA–Israeli effort. Several sources, including an investigative report by the *Guardian* also claimed to have found “convincing evidence” that the Palestinian Police were covering up the facts behind al-Sharif’s assassination.⁹² The circumstances of these killings were never fully clarified, and there is little doubt that the political sensitivities surrounding the collaborator issue and Israeli undercover operations turned Palestinian policing of such incidents into a highly politicized affair in which the ‘results’ of criminal investigations were determined quite as much by political considerations as by actual findings. During most of the 1990s, the overall aim of Palestinian policing was to reduce intra-Palestinian conflicts and to produce a stable environment for Palestinian–Israeli peace talks. For this purpose, cover-ups and manipulations were seen as justified.

A National Reconciliation?

In mid-1994, the Palestinian Police appear to have had in mind a broader national endeavour to deal with the collaborator issue and to handle the underlying causes of vigilante violence and killings. In the second issue of *Watani*, the monthly journal of the Palestinian security forces, Mazin ‘Izz al-Din (alias Salamah Abu Qasim), the deputy chief of the important Political and Moral Guidance Department, wrote an open letter to Abu ‘Ammar (Arafat) calling upon the PNA to take the collaborator challenge more seriously. ‘Izz al-Din warned about the consequences of not facing the legacy of the previous intifada:

The most prominent of these phenomena are those suspected of collaboration, those who were liquidated for the same reason or those who were investigated, but not prosecuted. All those have inflicted upon their families a severe ‘moral frustration’ (*ihbat ma’nawi*). This obliges us to confront this issue with strong determination, without hesitation, because a great security danger is hidden here if we don’t confront and resolve this phenomenon.⁹³

‘Izz al-Din then went on to propose a detailed plan for “national reconciliation”. He suggested that forums and mass meetings should be convened to discuss the problems and that a national committee should be formed encompassing “a number of elders with a good reputation” and “experienced cadres from the political factions” that would investigate all collaborator cases. It should begin with minor cases involving non-lethal punishments and gradually move forward to more serious cases involving executions.⁹⁴ The process should begin with “the situation in Fatah” and gradually expand to the other factions.⁹⁵

‘Izz al-Din’s proposal received support from Major-General Nasr Yusuf, who was very conscious of the need to address the underlying causes of collaboration and vigilante killings.⁹⁶ Prominent PNA politicians also aired the option of a customary reconciliation process (*sulhab*) as one means to resolve specific collaborator issues, particularly to assist the reintegration of freed prisoners.⁹⁷ But the obstacles to a national reconciliation process were many. The political agreement with Israel prevented a formal prosecution process; the dominance of Fatah paramilitaries in the PNA’s security agencies would probably prevent cases of unjustified killings from getting a fair hearing; and Israeli assassination policies made it difficult to look at the collaborator problem as an issue of the past.

Little came out of the national reconciliation proposals.⁹⁸ In fact, sensitivities and passions surrounding the issue only increased from 1996 in response to cases of Palestinian land sales to Israeli settlers. On a rare occasion in which a collaborator was allowed to address Palestinian media, serious complaints were raised about the failure of the PNA and its security agencies to promote his conversion and rehabilitation:

For the victim to report to the security organs, he needs a power that directs, moves and protects him, and ensures his security, safety and future. Regrettably, thus far, the [Palestinian] National Authority or the security organs in particular have not adopted any practical programme that gives victims the confidence to report their past actions or crimes or the crimes they may commit. We call on the brothers in the security organs to adopt an educational and health programme for the victims or those who may be blackmailed in order to deal with this phenomenon.⁹⁹

As the national reconciliation proposals came to nothing, many collaborators felt that their way back to Palestinian society could be secured

only if they could offer the PNA something more than just a plea for forgiveness and mercy. Hence, former or current collaborators turned to espionage in an attempt to redeem themselves and their families.

Turning Collaborators into Spies

The collaborator issue remained a constant irritant in Palestinian–Israeli intelligence relations. Even when the political atmosphere was relatively good, Israeli intelligence sources complained about their counterpart’s focus on disrupting and foiling their intelligence-collection efforts.¹⁰⁰ By 1995–6, collaborators had become not only a threat but also potentially an asset for the Palestinian Police in several respects. Some collaborators were wealthy and could contribute significantly to the Palestinian Police’s finances and other “worthy causes”.¹⁰¹ (For this reason, criticism was levelled at the Palestinian Police that rich collaborators were released but poor collaborators remained in prison.¹⁰²) More important was their expertise in intelligence-gathering and their knowledge of Shin Beth’s intelligence methods and its network of informers. Well before the Palestinian Police arrived, the PLO had been aware of the possibility of ‘turning’ collaborators. Colonel Ibrahim Muhanna noted, for example in an interview in January 1994, that “some of the collaborators have offered their services and information to the Palestinian Authority”.¹⁰³

There is significant evidence of PNA efforts at turning collaborators into double agents. A number of reports from Israeli security sources suggest that such efforts were made.¹⁰⁴ According to one source, many collaborators began cooperating with the PSA “after going through its interrogation rooms”.¹⁰⁵ Israeli critics alleged that the PSA exploited Israel’s tacit acceptance of its freedom of operation in the West Bank in order to eliminate Israel’s informers instead of preventing anti-Israeli attacks and, moreover, that the PSA was in the process of establishing its own network of informers in the Israeli Arab community.¹⁰⁶ An investigative report from mid-1995 by two Israeli journalists stated that “Since the 1993 PLO–Israel agreement on self-rule, Rajoub’s agents have fingered hundreds of informers in the territories. Most have fled their homes and have been resettled in Israel. Some have chosen to cooperate with Rajoub.”¹⁰⁷

The process of turning collaborators could be very violent. During the intifada, there were several cases of suspected collaborators who

undertook various anti-Israeli operations in order to cleanse their names or to rehabilitate their families. The continuation after Oslo of the phenomenon of informers setting an ambush for their controlling Shin Beth agent or betraying Israeli undercover squads inspired the belief that the Fatah leadership Inside and/or the PSA actively encouraged such acts. A number of suspected collaborators reportedly approached Palestinian Police officials, the PSA in particular, to seek their endorsement for various operations to rehabilitate their families. The PSA chief in Jericho noted sarcastically: "I have received phone calls from collaborators in Tel Aviv offering to kill Israelis. Of course, I tell them to go to hell."¹⁰⁸

In 1995, Israeli courts convicted several former collaborators of spying on behalf of the PNA. In one of the cases, Muhammad 'Abdallah, a Shin Beth informer since 1989, had reportedly approached a Palestinian intelligence agency on his own initiative and "proposed to provide information about his Shin Bet controllers and about other collaborators and also proposed to murder one of those collaborators".¹⁰⁹ In a similar case in 1995, an Israeli indictment asserted that a 24-year-old informer, Barakat Muhammad Jarrar, had agreed to work for the PSA in Jericho in December 1994 in return for forgiveness for his past. Jarrar was instructed to continue to work with Shin Beth with a view to eliciting names and addresses of other informers as well as classified Israeli intelligence documents. His efforts were sufficiently impressive to the PSA that al-Rajub allegedly offered to appoint him as head of a special anti-collaborator unit shortly before he was apprehended.¹¹⁰

In early 1996, several Shin Beth informers were arrested and charged with spying for Palestinian intelligence. Two of them were charged with relaying names and information about other collaborators, handing over weapons and trying to recruit more Israeli Arabs to the PSA.¹¹¹ In 1997, a former Shin Beth informer (until 1992) was convicted in Israel of selling information about his activities to PS/Force-17.¹¹² In mid-1998, two more Palestinians living in Tel Aviv were charged with espionage. They had reportedly passed "a variety of information" to Palestinian intelligence over the past year while living in Shin Beth-arranged housing in Israel.¹¹³

The above-mentioned examples were only part of a steady stream of reports of new 'double agents' among former and current Shin Beth informers that must have been disconcerting to the Israeli intelligence community. A similarly bitter experience was the fact that even after the Oslo Accords, the continued strength of the collaborator stigma prompted

some Palestinians to volunteer for suicide operations in order to rehabilitate their families.¹¹⁴ Palestinian intelligence also had some success in sowing doubt about the loyalty of the Bedouin population in the IDF-protected collaborators' camp in Dahaniyyah in Gaza after it was discovered that Palestinian militants involved in the Beit Lid bombings in January 1995 had passed through the camp using Israeli vehicles and fake Israeli ID cards, ostensibly supplied by double agents in the camp.¹¹⁵

These cases illustrated the growing ambition of the Palestinian Police's intelligence agencies, for whom collaborators were no longer considered a mortal threat to be hanged on the closest pylon but instead an important intelligence asset, a weak point where the almighty Shin Beth could be penetrated and exposed. Looking back at the 1990s, the GIS chief Colonel Amin al-Hindi noted in 2001 that the collaborators had provided "useful information and revealed secret matters" about Israeli intelligence operations.¹¹⁶ The new utility of collaborators in espionage and counter-espionage was also reflected in what appeared to be a division of labour between the PSA and the GIS. The latter took the lead role in pursuing collaborators and turning them into spies, while the PSA, seeing itself as 'the Palestinian FBI', gradually came to focus more attention on the internal political opposition and the militant groups.¹¹⁷ This development confirmed the growing state-like character of the PNA whereby intelligence-gathering on Israel was modelled on traditional inter-state espionage. But the intifada-style revolutionary justice *vis-à-vis* collaborators had not disappeared entirely, as will be shown below.

Intifada Methods: Abductions, Torture and Extra-Judicial Killings

The social and political complexities surrounding the collaborator issue, combined with the legal and structural weaknesses of formal Palestinian jurisdiction, provide an important background to understanding the prevalence of police abuses and human rights violations in the PNA-ruled areas. Although the general human rights situation has been thoroughly studied elsewhere, less attention has been devoted to its underlying influences. The collaborator perspective sheds new light on what caused these abuses.

The Palestinian Police's record in dealing with collaborators from a human rights perspective was admittedly very poor. Despite its early

success in stemming vigilante killings, the Palestinian Police was rightly criticized for offering insufficient protection to Palestinians branded as collaborators. More importantly, several security agencies were involved in a significant number of cases of intimidation, torture, abduction and even extra-judicial killings of Palestinians suspected of collaboration crimes. Characteristically, the first Palestinians who died from torture during interrogation in Palestinian Police custody were suspected collaborators.¹¹⁸

The impact of the intifada legacy was visible not just in the harsh treatment of suspected informers.¹¹⁹ Typical victims of paramilitary punishments during the uprising, especially drug dealers, were likely to be mistreated and tortured in Palestinian Police detention. The PSA in particular saw its mission very much through the perspective of intifada paramilitaries, fixated by the dual threat of moral deviance and collaboration. As Zakariya Muslih, the head of the PSA Office in Ramallah, noted:

During the Occupation we undertook to preserve security and resolve disputes. As for the present, our main task is to defend the PNA's institutions and our achievements, protect our people from moral deviance (*inhiraf*) and disclose cases of corruption and penetrations (*ikhтираqat*), which the Occupation has left behind.¹²⁰

In sharp contrast to their heavy-handed policing of collaborators and drug dealers, the Palestinian Police usually treated members of the rejectionist factions well and often released them without charge during early self-rule.¹²¹ Only when their anti-Israeli attacks seemed to threaten the PNA's existence were harsher interrogation methods applied, but suspected collaborators still remained the most vulnerable group.¹²² The great majority of deaths in custody from mistreatment remained suspected collaborators or land dealers.¹²³ Human rights organizations involved in training the Palestinian Police noted that many police interrogators still “justify what they do by saying a certain person under interrogation is a collaborator”.¹²⁴ Long-term detention without charges or trial was also applied predominantly to suspected collaborators, although after 1996 a number of suspected militants also suffered a similar fate.¹²⁵

Illegal abductions of suspected informers and drug dealers by Palestinian security agencies occurred on a number of occasions from 1994. Suspects were ‘picked up’ from the remaining West Bank territory

still under Israeli occupation as well as from East Jerusalem.¹²⁶ An Israeli security report to cabinet members reviewing the activities of the Palestinian Police in 1998 stated that PNA security agencies had carried out 21 “kidnappings” and four “kidnapping attempts” and had detained fifty persons in Jerusalem during that year and that even this was a reduction from the year before.¹²⁷ In 2000, there were also reports of a Palestinian intelligence cell in Jaffa near Tel Aviv preparing to abduct a Palestinian resident and former Shin Beth informer.¹²⁸

Such kidnappings were usually directed against collaborators and criminals, and more rarely against ill-disciplined cadres and officials against whom the PNA wanted to take disciplinary action. In the autumn of 1994, for example, several PSA operatives were detained in East Jerusalem for having kidnapped Samir Samarah, a former director of the PLO’s Baghdad radio station and Arafat’s speechwriter. The well-known media man had been caught red-handed at the American Colony Hotel, where he was in bed with a woman who was not his wife. He was bundled into a Land Rover and driven to the PSA headquarters in Jericho for interrogation on charges of immoral behaviour.¹²⁹ Such actions had strong resonance on the Palestinian ‘street’, but in Israel it was seen as an affront to Israel’s sovereignty over the ‘undivided eternal capital’. When the PSA abducted an Israeli citizen, ‘Abd al-Salam Hirbawi, from his East Jerusalem home in July 1996 after he had offended the PNA by petitioning an Israeli court in order to resolve a real estate dispute in the Old City, the Israeli army imposed a siege on Ramallah, where Hirbawi was held for interrogation, until the PNA relented and released him.¹³⁰ The Palestinian Police had nonetheless sent an important message to the Palestinian Jerusalemites of its determination to displace Israeli sovereignty in east Jerusalem, and PNA spokesmen noted with satisfaction that Hirbawi had “agreed to resort to Palestinian channels to settle the problem”.¹³¹

Crime Fighting

Towards the end of the intifada, Palestinians in the Occupied Territories increasingly complained about the Israeli Police’s lack of attention to ordinary crime fighting and public service.¹³² After the PNA’s establishment, this continued to be a problem for Palestinians living outside the self-rule areas, especially East Jerusalem. Security-related crimes and

anti-terrorism dominated Israeli policing of Palestinian communities while preventing and investigating non-political crime received low priority.¹³³ In fact, the Israeli Police often waived prosecution of Palestinian criminals if they agreed to work as informers, and settler violence against Palestinians was rarely investigated and prosecuted.¹³⁴ Palestinians were also reluctant to seek the services of the Israeli Police, because of fears of being suspected of collaboration. Such fears were amplified by the fact that the Israeli Police exploited every avenue to gather intelligence on the resistance. There were stories of Palestinians who went to report a crime but ended up in jail on trumped-up charges.¹³⁵ The weakness of Israeli crime fighting was also a result of the rather low police–population ratio in the Occupied Territories compared to Israel.¹³⁶

Dissatisfaction with the Israeli Police translated into public support for informal (and ‘illegal’) policing practices. The PSA filled an important vacuum as it moved to assert its policing authority outside the confines of Jericho in 1994–5, and its effectiveness as crime fighter and problem-solver was highly appreciated, although its harsh methods were often frowned upon.¹³⁷ As the PSA’s activities outside Jericho were formally illegal and therefore not regulated by any law (with the possible exception of the PLO’s Revolutionary Code from 1979), its policing practices obviously assumed the character of vigilantism.

The Land Dealer Affair

Land dealers topped the list of the most hated collaborators, only rivalled perhaps by informers causing the death of other Palestinians. In spring 1997, the PNA pursued a massive political mobilization locally and internationally against an Israeli settlement project at Jabal Abu Ghunaym/Har Homa in East Jerusalem, where over 70 per cent of the site had been purchased from local Palestinians. As the campaign failed to halt construction, the PNA took several unprecedented steps, including the introduction of the death penalty in May 1997, to prevent further Palestinian land sales, prompting unknown assailants to abduct and kill a number of Palestinian brokers. After arresting six Palestinians during an abduction attempt in the Jerusalem area, Israel implicated the GIS in a series of illegal arrests, abductions and extra-judicial killings.¹³⁸ Israeli security sources claimed the PNA had produced a death list of some 16 land dealers.¹³⁹ In 1996 and 1998, there were also reports of assassinations

of suspected land dealers in which Palestinian security agencies were allegedly involved.¹⁴⁰

In explaining the causes of the return to what a *Times* correspondent termed “gangland-style killings”, Ghassan al-Khatib, a political analyst and cultural studies professor at Bir Zayt University, pointed to the political changes under the new Likud government and its land acquisition campaign: “young activists came to feel that there still is a need for the old methods”.¹⁴¹ The respected Israeli journalist Jon Immanuel noted that lacking both legal powers and financial means to prevent land sales in strategic areas of contested sovereignty, the Palestinians “have nothing to resort to but intimidating the dealers (who being outside PA control, can only be reached by illegal means)”.¹⁴² Hence, intifada methods were applied again. Suspicion of land sales and collaboration remained the main driving force behind the expansion of the Palestinian Police’s activities outside its legal area of operations and the resort to extra-judicial methods.¹⁴³

Matching Israel’s Snatch Operations?

Snatch operations and ‘extra-judicial’ killings were methods long practised by the Israeli occupation, and the Palestinian Police were obviously tempted to use the same methods to defend their vital security interests. In 1997, Israel arrested three plainclothes Palestinian officers at the Israeli Har Bracha settlement south of Nablus after the latter had opened fire on settlers, although their original aim had been to abduct a Palestinian collaborator who had sought refuge there. Israel went so far as to issue an arrest order for Brigadier Ghazi al-Jabali, the top Palestinian Civilian Police chief in the PNA, referring to electronic evidence which purportedly proved his authorization of the botched operation.¹⁴⁴ Palestinian commentators believed the Har Bracha adventure was meant to be a payback for an unprecedented Israeli undercover operation in the PNA-ruled town of Tulkarm to snatch Ghassan al-Mahdawi, an Islamic Jihad militant, which had occurred only days earlier.¹⁴⁵ The fact that even the Palestinian Civilian Police got themselves involved in such highly unorthodox police work was a disappointment for the donor community, whose aid and training efforts largely went to this police branch.¹⁴⁶

Unruly Militiamen and Policing Intifada-Style

Extra-judicial violence and killings were sometimes a result of the deplorable fact that owing to rapid recruitment, the Palestinian Police was staffed with a high number of poorly trained and ill-disciplined policemen, many of whom thought of themselves more as ‘freedom fighters’ than as crime fighters.¹⁴⁷ One vigilante killing in early 1995 was an exact replica of the typical street executions of the intifada. On 2 April, three Palestinian intelligence officers took Muhammad al-Jundi, a collaborator suspect from Gaza City, out of his prison cell and summarily executed him in Jabaliya refugee camp. He was accused of aiding an Israeli undercover unit which had shot down six Fatah Hawks, including several of the PSA chief Dahlan’s confidants, in 1994.¹⁴⁸ In what was clearly a highly symbolic revenge killing, al-Jundi was executed at the place where the six Hawks had been killed almost exactly a year earlier.¹⁴⁹

The case was not extraordinary. Typical intifada-style punishment methods were applied against collaborator suspects, criminals and, more rarely, political opponents and critics. During disturbances in late April 1996, for example, a group of PSA operatives summarily punished a college teacher at Najah University by shooting him in the legs.¹⁵⁰ The PSA also meted out harsh punishments for moral offences such as making passes at girls in the street, in a manner which echoed the policing style during the intifada.¹⁵¹ Political critics were also targeted. In late 1999, a group of prominent Palestinian public figures, intellectuals and lawmakers signed a manifesto denouncing corruption in the PNA administration and Palestinian police abuses and accusing the PNA of deceiving the public with regard to the peace talks.¹⁵² In response, masked Palestinian security agents beat up several of the petitioners. One of them, Mu‘awiya al-Masri, a PLC delegate, was beaten and shot in the leg outside his home.¹⁵³

‘Political Collaborators’

As during the intifada, under the PNA the term ‘collaborator’ was frequently used to brand and stigmatize political opponents, even by top Palestinian Police officials. The PSA chief in Jericho, for example, attacked Bassam ‘Ayd, a prominent human rights field researcher. He had written a scathingly critical report, published by B’Tselem in August 1995,

which documented several cases of PSA involvement in extra-judicial punishments, abductions, unlawful arrests and torture in the West Bank. Although the B'Tselem report might have wrongly attributed certain Fatah abuses to the PSA, the latter was obviously concerned that reports of this kind would discredit the agency and limit its freedom of action outside Jericho.¹⁵⁴

Another Palestinian critic who faced serious charges by the PSA of collaboration was Fathi Subuh, an Azhar University professor in Gaza. He was held for several months in detention and mistreated, allegedly for asking his students in an exam about their view on corruption at the university and in the PNA.¹⁵⁵ Subuh's arrest was apparently caused by his conflict with Colonel Muhammad Dahlan, the powerful PSA chief in Gaza. Subuh had opposed Dahlan's request that 'underqualified' PSA recruits be enrolled at the university.¹⁵⁶

Yasir Arafat, who retained the minister of interior portfolio and was the supreme chief of all Palestinian security forces, also used the collaborator label to stigmatize political opponents, which prompted their immediate detention and/or harassment by the Palestinian Police. In one prominent case, the *al-Quds* editor Mahir al-'Alami was briefly detained after Arafat branded him "a collaborator who planted confusion between Moslems and Christians".¹⁵⁷ Mahir had failed to give front-page coverage of an event demonstrating Arafat's Jerusalem ambitions and his fostering of good inter-faith relations during his election campaign. In some cases, political dissenters faced not only the menacing collaborator label and brief detention but also hints that the State Security Court might be used against them, as was the case for Dr Iyad al-Siraj, the head of the Gaza Mental Health Center and a prominent human rights activist. His detention followed a *New York Times* interview in 1996 in which he had slammed the PNA for being worse than the Israeli occupation.¹⁵⁸ And yet, as Barry Rubin has pointed out, during the 1990s, the PNA never became a totalitarian 'police state', despite press reports alleging the contrary. Political dissidents and critics were very rarely held in long-term detention, and the degree of free speech and political freedom under the PNA was in fact unparalleled in the Arab world.¹⁵⁹

The causes of the PNA's continued use of collaborator terminology should not be reduced to a political culture of Arab authoritarianism, neo-patrimonialism and corruption, although that was certainly a factor in many cases, such as Subuh's. There was also serious concern that

extensive freedom of speech worked to the PNA's disadvantage. Given its weak judicial system for handling injurious statements, sedition and/or the instigation of violence and given the existence of strong external and internal opposition to its rule and its delicate political talks with Israel, the PNA felt it had little choice but to limit dissent. The 'political collaborator' term and the resort to extra-judicial action were thus necessary instruments to keep dissent within certain boundaries, counter Israeli propaganda and defuse the venomous rhetoric of political critics and armed rejectionists. The opposition rarely shied away from violent and seditious propaganda, branding Arafat and Palestinian Police chiefs as Israeli agents, traitors and collaborators.¹⁶⁰ A widely quoted petition by PNA critics in late 1999, for example, called for an intifada against the PNA.¹⁶¹ In late 1994, a Palestinian radio broadcast from Syria and Beirut called for Arafat's assassination; Islamist demonstrators marched through the streets of Gaza chanting "Arafat is a traitor, Arafat is an Israeli agent living in Tel Aviv"; and a statement by Hamas's military wing demanded the "expulsion" of the "traitors" Police Director Nasr Yusuf and Civilian Police Chief Ghazi al-Jabali and the "corrupt lawyer" Justice Minister Furayh Abu Middyayn.¹⁶² Most states would have taken action to limit free speech under such circumstances – even more so the non-state PNA – but it simply lacked the sophisticated legal methods for doing so.

Dispensing Emergency Justice: The Military Tribunals

The use of military tribunals provides an additional example of the combined effect of the intifada legacy and the post-Oslo policing dilemmas on the PNA's practice of criminal justice. A discussion of the PNA's judicial system is outside the scope of this study. Suffice it to mention that its military tribunals included both the PLO's Military (or Revolutionary) Courts, established back in the 1970s for trying PLO cadres and other Palestinians judged to be under PLO jurisdiction both outside and inside Palestine, and the PNA's State Security Courts (SSCs), which handled a wide range of 'security' and 'political' crimes. After Oslo, the PLO's military courts were in principle reserved for military and police personnel only, but the PNA's security services nevertheless continued to consider the PLO Revolutionary Penal Code of 1979 as "the applicable law ... in military and security matters".¹⁶³ As the Palestinian civilian courts were

woefully understaffed and malfunctioning, although rapidly improving, during the early phases of self-rule, the Palestinian Police continued to enforce the 1979 laws in Gaza, as they offered more operational freedom.¹⁶⁴ The PNA's military tribunals differed considerably from the Palestinian civilian courts, and were in most cases simply a way of dispensing summary disciplinary actions with little or no semblance to formal judicial courts.¹⁶⁵ Arafat announced the formation of the SSCs in February 1995 after coming under heavy Israeli and US pressure for not prosecuting militants implicated in anti-Israeli violence in the civil court system. On 25 January 1995, the Israeli government issued for the first time a direct threat to reoccupy Gaza and Jericho if the PNA did not act on its orders.¹⁶⁶ The new courts were obviously patterned after the Israeli military courts, which had sentenced some 18,000 Palestinians to 'administrative detention' (up to six months in prison without trial) during the intifada.¹⁶⁷

Upon their establishment, Justice Minister Abu Middyayn avoided mentioning anti-Israeli militants, and announced instead that "anyone violating the security of the state – that is, collaborators, arms dealers and people who sell spoiled food – would be tried there".¹⁶⁸ In spring 1995, Abu Middyayn prepared a large court trial against 17 suspected collaborators, including al-Jundi and others charged with involvement in Hani 'Abid's assassination, with a view to making that trial the first hearing for the SSCs.¹⁶⁹ The move was obviously an attempt to deflect criticism by the Islamist opposition that the courts were designed exclusively to "fight political opposition in a fashion similar to other Arab regimes".¹⁷⁰ Palestinian human rights organizations too had roundly condemned the Court, for offering insufficient legal protection, arguing that only spies and collaborators could be tried in a court established under the existing Egyptian military law to protect 'state security'. The vigilante execution of al-Jundi by Palestinian intelligence officers, new suicide attacks and strong Israeli displeasure with a collaborator trial prompted the PNA to shelve the case, however. The first sentence in an SSC was handed down to an Islamic Jihad suicide bomb instructor.¹⁷¹

Owing to the ban on prosecuting collaborators, the PNA began referring to the SSCs certain criminal cases deemed sufficiently dangerous to invoke the notion of state security. These included both social and resistance-related crimes – for example rape, some cases of manslaughter and murder, and trading in expired and bad food supplies – which

aroused much popular resentment, and also, towards the end of the 1990s, certain cases of tax invoice forgeries. Activities by rejectionist groups prosecuted in the SSCs ranged from incitement against the PNA, arms dealing, illegal weapon possession, the planning and/or mobilizing of suicide bombers to engage in “terrorist activities and damaging national unity”.¹⁷² The preference for prosecuting such crimes in the SSCs instead of the civil court system was a curious parallel to PASC, the PLO’s police in the Palestinian refugee camps in Lebanon, which handled crimes deemed to be a serious danger to the community. Less serious transgressions were handled at a lower level, by customary adjudications, by the factions or by the local popular committees.¹⁷³

The use of military tribunals was justified as a necessary instrument in the difficult transitional stage of the Palestinian revolution. Civilian courts were seen as highly inadequate in view of the PNA’s need of instruments for swift and firm justice to further its post-Oslo strategy of maintaining political stability, calming popular unrest and fulfilling security requirements *vis-à-vis* Israel. Tayyib ‘Abd al-Rahim, the secretary-general of the PNA presidency, gave an illustrative account of the pressing need for instruments of emergency justice:

We have drug traffickers here as well as people who trade in spoiled food and who threaten the security of the state and the citizens. They murder individuals under the pretext of collaboration. We are in a transitional stage. When these cases are referred to a normal civilian judiciary, it could take two to three years. It is impossible to deal with these cases quickly in a transitional stage. The most dangerous thing that most frequently faces states is the transitional stage ... To date there are also some judges who are afraid and are not sure that the Authority [i.e. the PNA] will protect them. If there is no strong authority that stands behind the judges, they will be confused and indecisive. For example, a problem occurred two months ago, and an individual entered the court and opened fire inside the court. The judges retired and refused to deal with the case ...¹⁷⁴

Although human rights groups, both Palestinian and international, decried the military tribunals for their disregard of international standards of justice and fair trial, they nevertheless provided the PNA with a much-needed instrument to respond swiftly to strong popular pressure to deal with crimes, abuses or ill-disciplined militiamen and police officers

who had outraged the community. In that regard, they obviously served an important function in preventing a return to vigilantism and feuding. There is little doubt that such pressure existed. The impression of this author after numerous conversations in Gaza in the latter half of 1996 and in mid- and late 1998 was that many Palestinians felt the Palestinian Police were too soft on criminals, ill-disciplined policemen, corrupt officials and collaborators, and they called for harsher and swifter 'justice'. Press reports also suggest that this was the case. Indicatively, the Hamas movement even denounced the PNA's attempt to legally prosecute collaborators. For example, 'Imad al-Faluji, one of its leaders in the Gaza Strip, stated that collaborators "were dealt with perfectly by the intifada".¹⁷⁵ Also, local Fatah activists and paramilitaries could push very hard for summary justice. After a well-known Fatah Hawk, Mahmud Jumayyil, died from torture in August 1996, Fatah threatened widespread riots if his interrogators were not summarily punished.

In early July 1997 a similar incident occurred when a group of Force-17 officers and bodyguards illegally detained and beat a Gaza resident, Nasr Radwan, into a coma and he subsequently died from the injuries. Radwan had reportedly "insulted" the honour of one of the Force-17 officers by telling his wife to dress more modestly in public. The incident caused such public outrage in Gaza that the PNA immediately court-martialled the officers, including a top Force-17 officer, Colonel Fathi Furayhat, and sentenced three of them to death. According to witnesses, the sentencing had been "greeted with applause and cries of 'fair, fair' in the court, and there had been demands for immediate execution".¹⁷⁶ (In response to the incident, the Palestinian Police established special complaint offices, asking those with grievances against policemen to come forward. Civil Police Director Ghazi al-Jabali published a statement in local newspapers condemning police brutality, and he vowed to "show no mercy" to any security official found guilty of assaulting a citizen and to personally oversee each investigation to make sure it was properly handled.¹⁷⁷)

In 1998 and 1999, three other cases – a deadly clan feud between the Abu Sultan and al-Khalidi families, the Military Intelligence's shooting of Wasim al-Tarifi and the rape case against Colonel Abu Mustafa – demonstrated how the PNA applied its military tribunals to implement swift punishments in response to popular demand.¹⁷⁸ The Civilian Police chief Brigadier al-Jabali noted after the execution of Colonel Abu Mustafa,

convicted of raping a five-year-old boy in Khan Yunis refugee camp, that “the people are pleased, and justice has been served”. To underline the political dimension of this sentence, the military tribunal gave Abu Mustafa 15 years for rape and the death penalty for “inciting the public against the Palestinian Authority”.¹⁷⁹

The fact that the military tribunals were able to produce a conclusive verdict before the three-day ‘tribal truce’ between the aggrieved’s clan and the perpetrators’ clans expired was of no small significance in preventing feuding and blood vengeance. But the inherent dilemma in resorting to military tribunals was that they were a double-edged sword. Although they were important as an instrument in reaching a swift settlement, their verdicts were seen as negotiable, and reflected the degree of pressure which the involved clans and/or political factions were able to muster in the streets. Hence, verdicts sometimes triggered new rounds of popular unrest as families and local factional leaders attempted to influence Arafat to reverse the tribunals’ verdicts.¹⁸⁰

Probably for these reasons, and owing to the gradual strengthening of the regular justice system, collaborator cases began to appear before civil courts by 1997. In an important case in that year, a court ruling judged that testimonies obtained under torture were inadmissible in court, which was widely seen as a small victory for the human rights community. But the slow-working civil courts too faced the problem of interested parties rioting in the streets in order to influence the outcome of their cases, highlighting the dilemmas of Palestinian justice.¹⁸¹

The PNA’s military tribunals bore more resemblance to judicial proceedings than did popular trials during the intifada, when the paramilitaries sought the crowd’s endorsement before executing a collaborator or a drug dealer. The tribunals were still a far cry from a judicial system based on international standards of justice and a fair trial. The PNA was not a state, however, despite having many of the formal trappings of one, and it could not implement modern bureaucratic and procedurally correct law enforcement without jeopardizing the political talks with Israel and risking widespread internecine killings.

A Return to Street Justice: The al-Aqsa Intifada

After the outbreak of the al-Aqsa intifada, the issue of collaborators and Palestinian policing attracted renewed attention in the wake of an

upsurge in vigilante killings, which the Palestinian Police has been both unwilling and unable to prevent.¹⁸² In spring 2002, lynch killings spiralled out of control, reaching up to a dozen executions a day, mainly in response to Israel's stepped up assassination policies and its general destruction of Palestinian Police institutions. Israel's shelling of the Palestinian Police and its physical infrastructure, its widespread arrests of Palestinian security personnel and its repeated reoccupations of PNA-controlled areas have severely weakened Palestinian law enforcement, forcing the PNA to hold court hearings in makeshift courtrooms and to transfer prisoners to private apartments. Another unfortunate side effect has been an increase in blood feuds and revenge killings in the PNA-ruled areas. Among some clans the perception has spread that the Palestinian security forces "were so weakened by months of Israeli bombings that they could safely restore the honour of the dead men's families".¹⁸³ The cycle of tribal and collaborator killings in spring 2002 demonstrated the unravelling of Palestinian justice under the dual pressure of Israeli military attacks and popular demands for summary justice.

Conclusion

The collaborator issue offers a useful perspective for investigating dilemmas of Palestinian policing during the 1990s. Since their arrival in Jericho and the Gaza Strip, the Palestinian Police had much success in reducing vigilante killings, which had bedevilled the latter part of the intifada. This success did not come without a price. As Israel basically vetoed any legal prosecution of collaborators and retained control over much of the Occupied Territories, the Palestinian Police had to resort to flagrantly illegal and abusive methods to punish and deter collaboration; and for this it incurred sharp international criticism and punitive Israeli actions. By persisting in pursuing collaborators and land dealers, however, the Palestinian Police demonstrated that it was unwilling to leave such matters in the hands of self-styled vigilante squads and paramilitary groups.

Being a non-state entity with weak sovereignty, the PNA faced a number of policing challenges, which translated into the adoption of many abusive policing practices. These were procedurally very undemocratic and heavy-handed; but whether by way of military tribunals

or extra-judicial abductions, they served at least three important social and political interests of the Palestinian public. First, they contained intra-Palestinian conflicts by swiftly delivering verdicts in cases where tribal feuding and intra-factional strife were very likely. Second, they satisfied popular demands for more effective crime fighting in areas where the Israeli Police's lack of attention to this had created a law enforcement vacuum. Third, such methods, when directed against rejectionists and PNA critics, created, at least temporarily, a more conducive environment for the PNA's peace diplomacy *vis-à-vis* Israel.

The continued relevance of the collaborator perspective illustrates the significant degree to which the PNA remained an insurgent-based organization whose formal trappings of statehood belied its resistance-based identity. In many respects, Palestinian police officers were more in tune with intifada militants and paramilitaries than they were professional officers in a national police. This aspect of the Palestinian Police was nowhere more manifest than in the intermeshing between the police and the loyalist paramilitary groups, as will be shown in the next chapter.

NOTES

- 1 "Interview with Gaza Mayor Mansur al-Shawwa by Huda al-Husayni in London" (FBIS title), *al-Sharq al-Awsat*, 20 May 1994, p. 8, via FBIS.
- 2 Cited in "Let us begin to create an atmosphere of national reconciliation" (in Arabic), *Watani*, No. 2 (August 1994), p. 10.
- 3 See, for example, Robinson (1997a) and Robinson (1997b). For a less harsh judgement, see Ghanem (2001) and Rubin (1999).
- 4 For the distinction between the procedural and the substantive in democratic policing, see the Introduction to this study and Cottam and Marenin (1989), p. 592.
- 5 The use of the term 'collaborator' here refers to a whole range of perceived and/or real assistance to the Israeli occupation, and does not imply any judgement of proven guilt. For definitions and conceptualizations of collaboration, see the analysis in Chapter 2 of this book.
- 6 According to interviews with the future PSA chiefs Jibril al-Rajub and Muhammad Dahlan. L. Lahoud, "Palestinian negotiator: Israel should take all the collaborators", *Jerusalem Post*, 12 January 1994 and "PLO won't pardon suspected collaborators", *Jerusalem Post*, 28 April 1994, p. 2.
- 7 "PLO won't pardon suspected collaborators", *Jerusalem Post*, 28 April 1994, p. 2 and M. Olster, "Main obstacles to Palestinian self-rule overcome", Reuters, 2 May 1994.
- 8 The Gaza-Jericho Agreement, Art. XX(4).

- 9 They shall “not be subjected to acts of harassment, violence, retribution or prosecution”. The Interim Agreement, Art. XVI.
- 10 “PLO won’t pardon suspected collaborators”, *Jerusalem Post*, 28 April 1994, p. 2 and “Rabin gets go-ahead for pullout pact”, *Guardian*, 2 May 1994, p. 8.
- 11 When the Palestinian Police detained a number of suspected collaborators in May and June 1994, the PNA’s justice minister Furayh Abu Middyayn defended the move, claiming that the Palestinian Police only detained informers who were active after the DoP had been concluded. PHRMG (2001); R. Mahoney, “Guns, goodwill but not much cash for Gaza police”, Reuters, 26 May 1994; S. Aboudi, “Palestinian police talks tough on killings”, Reuters, 30 May 1994; D. Makovsky and J. Immanuel, “Prime Minister links amnesty to treatment of collaborators”, *Jerusalem Post*, 15 June 1994, p. 1; and “Head of PNA judicial apparatus on security, relations with Tunis, collaborators”, VOI-A, 0930GMT, 15 June 1994.
- 12 The exact number of reallocated collaborators and families was classified. In March 1995, Israeli security sources gave estimates of a few hundred, but Ahmad Hamarshah, a former *mukhtar* of the Fahmah collaborators’ camp near Jenin, put the figure – including wives and children – at 5,000 or more. Menachem Einan, the head of a government committee for dealing with collaborators, stated during a government hearing in mid-July 1995 that some 750 families, around 4,000 people, had been moved into Israel from the Territories, and he expected that perhaps another 350 to 700 families would follow. In 1996, Shlomo Dror, the spokesman of the IDF coordinator in the Territories, put the number of families “who were collaborators” at a thousand. J. Immanuel, “In time of peace, war on ‘collaborators’ continues”, *Jerusalem Post*, 17 March 1995, p. 9; E. Gordon, *Jerusalem Post*, 19 July 1995, p. 2; and interview with Shlomo Dror, spokesman for the IDF coordinator in the Occupied Territories, by IMRA website, 19 November 1996.
- 13 S. Aboudi, “Palestinian police talks tough on killings”, Reuters, 30 May 1994 and “First collaborator surrenders”, *Jerusalem Post*, 26 May 1994, p. 3.
- 14 An MFA background note in August 1994 referred to unofficial Palestinian estimates putting the number of suspected collaborators in detention at fifty persons. Similar estimates were given by Palestinian sources, cited in the Israeli press. In mid-1995, the Israeli pro-collaborator lobbyists in the Knesset reported that some 15 collaborators remained detained in Jericho and a slightly higher number in Gaza. In 1997, the number had risen to two hundred owing to the land dealer affair (see below). UD 308-87 Vol. 2, Background note for the Norwegian Foreign Minister Godal’s visit to the Middle East, 18–20 August 1994; S. Abu Ramadan, “Order without law”, *Jerusalem Report*, 25 August 1995, p. 22; E. Gordon, *Jerusalem Post*, 19 July 1995, p. 2; “Palestinian police detain suspected collaborators”, Reuters, 11 June 1994; “Palestinian police hold 26 ‘collaborators’”, *Jerusalem Post*, 12 June 1994, p. 1; and J. Immanuel, “‘Collaborators’ families warned against revenge”, *Jerusalem Post*, 14 June 1994, p. 1.
- 15 “Palestinian police detain suspected collaborators”, Reuters, 11 June 1994.
- 16 Cited in “Head of PNA judicial apparatus on security, relations with Tunis, collaborators”, VOI-A, 0930GMT, 15 June 1994. See also J. Immanuel, “‘Collaborators’ families warned against revenge”, *Jerusalem Post*, 14 June 1994, p. 1.
- 17 “Head of PNA judicial apparatus on security, relations with Tunis, collaborators”, VOI-A, 0930GMT, 15 June 1994.

- 18 According to the PNA's Attorney General Fayiz Abu Rahmah, "under the present circumstances [collaborators] remain in custody, knowing that the chances of their appearing in court are, at least for the time being, extremely slim". Cited in "A judicial system performing well", *Biladi/The Jerusalem Times*, 13 March 1998, p. 6.
- 19 "Palestinian police detain suspected collaborators," Reuters, 11 June 1994.
- 20 PHRMG (2001).
- 21 R. Shaqed, "Security services structure reviewed" (FBIS title), *Yedi'ot Aharonot* (7 YAMIM supplement), 9 September 1994, pp. 5–6, 8, via FBIS.
- 22 Rigby (1997), p. 60; *Palestine Report*, 24 November 1995, p. 3; and *Palestine Report*, 5 January 1996, p. 1.
- 23 Statement to Knesset by Menahem Eitan, the head of a government committee for dealing with collaborators. Reported in E. Gordon, *Jerusalem Post*, 19 July 1995, p. 2.
- 24 Cited in "Rabin on 'collaborators'", *Jerusalem Post*, 15 June 1994, p. 6. See also S. Aboudi, "Rabin cautions PLO on arrests of collaborators", Reuters, 14 June 1994; D. Makovsky and J. Immanuel, "Prime Minister links amnesty to treatment of collaborators", *Jerusalem Post*, 15 June 1994, p. 1; and D. Izenberg, "Special authority set up to handle fate of Palestinian informants", *Jerusalem Post*, 29 June 1994, p. 2.
- 25 B. Hutman, "Police probe Orient House over suspected questioning of collaborators", *Jerusalem Post*, 11 August 1994, p. 1 and "Israel holds PLO men as suspects in 10 killings", Reuters, 25 August 1994.
- 26 The claim was surprising given that Jericho, as opposed to Nablus, Jenin and Gaza, had never suffered from much internecine Palestinian killings, but the press might have misinterpreted his statement. "Rabin freezes discussions on Palestinian prisoners", Reuters, 15 August 1994; S. Aboudi, "PLO arrests Hamas men in Gaza Strip", Reuters, 15 August 1994; D. Brown, "35 Militants are held in Gaza Strip," *Guardian*, 16 August 1994, p. 18; and S. Bhatia, "Dream shatters for Palestinians", *Observer*, 28 August 1994, p. 13.
- 27 "Rabin freezes discussions on Palestinian prisoners", Reuters, 15 August 1994.
- 28 The allegations were based on testimonies by members of an apprehended Fatah Hawks squad charged with the murder of suspected collaborators in Tulkarm and Qalqiliyyah. "PNA – Rujub's office reportedly ordered killing of collaborators in Northern West Bank", Voice of Israel, (in Hebrew), 1500 and 1605GMT, 17 November 1994 and A. Pinkas, "Army considers measures against Rajoub", *Jerusalem Post*, 18 November 1994, p. 2.
- 29 Ya'ir Bruj, Foreign Minister Peres's information adviser, also confirmed that when Arafat raised the detainee issue, Peres had said that "it would be difficult to meet that demand while the Palestinians continued to liquidate collaborators". A. Pinkas and D. Makovsky, "Rabin: No prisoner release unless collaborator killings end", *Jerusalem Post*, 16 August 1994, p. 1; B. Burston, "Israel seeks PLO crackdown on fugitives in Jericho", Reuters, 25 August 1994; B. Lynfield, "PLO given warning over killers", *The Times*, 26 August 1994; and "Hamas spokesman hits Arafat spy swap proposal" (in Arabic), *al-Sharq al-Awsat*, 29 August 1994 p. 3, via FBIS.
- 30 "Election candidate reportedly killed in West Bank village by Palestinian police", RMC, 0500GMT, 14 January 1996 and "One dead, election candidate arrested in gunbattle", AFP, 14 January 1996.

- 31 This figure was given by Amin al-Hindi, the chief of the Palestinian General Intelligence Service, in “Palestinian intelligence head denies cooperating with Mossad, confirms coordinating with Shin Bet” (in Arabic), *al-Sharq al-Awsat*, 21 February 1997, via SWB.
- 32 E. Rabin, “The Collaborators” (in Hebrew), *Haaretz*, 6 October 1995.
- 33 According to a statement by the Israeli government issued in April 1998. Cited in *Jerusalem Post*, 7 April 1998, p. 2 and in PHRMG (2001), subchapter, “Israel and the issue of collaborators”.
- 34 It is also noteworthy that an Israeli analyst critical of the PNA acknowledged in late 1995 that “despite reports of some harassment [of collaborators] by Palestinian security forces, the PA itself has apparently not undertaken any organized campaign of reprisals”. M. A. Heller, “One doesn’t abandon one’s allies”, *Jerusalem Post*, 22 December 1995, p. 6. For Hamas executions of collaborators in Israeli prisons, see, for example, “Asir calls on Hamas to stop killing prisoners”, *Biladi/The Jerusalem Times*, 23 February 1996, p. 3.
- 35 “Palestinian intelligence chief denies cooperating with Mossad, confirms coordinating with Shin Bet” (in Arabic), *al-Sharq al-Awsat*, 21 February 1997, via FBIS.
- 36 “Palestinian police detain suspected collaborators”, Reuters, 11 June 1994.
- 37 “Fatah official gives details of Hamas forces-Fatah Hawks agreement in Gaza Strip”, VOI, 1300GMT, 22 April 1994.
- 38 “Hamas says it will stop killing collaborators”, Reuters, 29 May 1994. For details of the event and its aftermath, see “Palestinian police to arrest collaborator killers”, Reuters, 28 May 1994; S. Aboudi, “Palestinian police talks tough on killings”, Reuters, 30 May 1994; “Hamas ‘to halt, for the time being, the pursuit of agents and their execution’”, AFP, 29 May 1994; “Hamas rejects surrendering killers of collaborators”, Reuters, 31 May 1994; and J. Immanuel, “Hamas promises to stop killing ‘collaborators’ if Palestinian police takes care of them first”, *Jerusalem Post*, 30 May 1994.
- 39 “Hamas rejects surrendering killers of collaborators”, Reuters, 31 May 1994.
- 40 J. Immanuel, “Wanted: Civilians for jobs now done by police”, *Jerusalem Post*, 10 June 1994, p. 2.
- 41 S. Aboudi, “Palestinian police talks tough on killings”, Reuters, 30 May 1994. See also J. Immanuel, “Palestinian police chief to Hamas: stop violence”, *Jerusalem Post*, 31 May 1994, p. 1.
- 42 “Hamas ‘to halt, for the time being, the pursuit of agents and their execution’”, AFP, 29 May 1994 and J. Immanuel, “Hamas kill two Gaza residents as collaborators”, *Jerusalem Post*, 29 May 1994, p. 2.
- 43 J. Immanuel, “Wanted: civilians for jobs now done by police”, *Jerusalem Post*, 10 June 1994, p. 2.
- 44 Ibid.
- 45 J. Immanuel and L. Lahoud, “If clothes make the man, in this city it’s uniforms”, *Jerusalem Post*, 17 June 1994, p. 1.
- 46 “PLO police detain Hamas men in killing of Arab”, Reuters, 19 January 1995 and W. Amr, “Suicide bombers spur crackdown on Gaza militants”, Reuters, 10 April 1995.
- 47 They were charged with assisting in the murder of a collaborator; and two of them were sentenced to three years’ imprisonment and to three months and a

- fine respectively. "First Hamas men jailed for helping kill 'collaborator'", *Jerusalem Post*, 25 April 1995, p. 2 and LAW (1999), p. 16.
- 48 J. Immanuel, "Wanted: civilians for jobs now done by police", *Jerusalem Post*, 10 June 1994, p. 2.
- 49 For a discussion of the collaborator concept, see Chapter 2 of this book.
- 50 For the paramilitaries' inflation of the collaboration concept to various forms of crime, social deviation and moral crimes, see in particular B'Tselem (1994a), pp. 39 ff.
- 51 S. Aboudi, "Palestinian police torture detainees – rights group", Reuters, 24 August 1995 and B'Tselem (1995), in particular I. S.'s testimony, pp. 46–50.
- 52 Usher, interview.
- 53 J. Greenberg, "Women in Gaza see gains", *New York Times*, 17 July 1994, p. 4.
- 54 W. Amr, "First fashion show in West Bank under PLO", Reuters, 30 December 1996.
- 55 See, for example, J. West, "Gaza relaxes under self-rule – but not too much," Reuters, 27 October 1994.
- 56 "Hamas supporters sign up for Palestinian police", Reuters, 17 November 1994 and "Report on Hamas 'morals unit', Islamic Jihad 'suicide unit'", IDF Radio, 0600GMT, 17 November 1994.
- 57 For comparison, in the same period 1,046 Palestinians in the Occupied Territories were killed by the Israeli security forces, 47 more by Israeli settlers and another 738 on suspicion of collaboration, according to B'Tselem figures presented in "Fatah Hawk cell captured", *Jerusalem Post*, 11 July 1993, p. 12.
- 58 The assailants were unknown, but they had reportedly left a note with the body stating that the killing was a revenge attack because his son, a known Fatah paramilitary, had killed a member of their family the previous year in a collaborator execution. "Collaborator's family avenges his murder", *Jerusalem Post*, 14 March 1994.
- 59 Some seventy Hawks threatened to quit the Police if their demands were not met. A. La Guardia, "'Friendly fire' may have killed Israeli soldier", *Daily Telegraph*, 31 May 1994, p. 16 and J. Immanuel, "Palestinian police chief to Hamas: stop violence", *Jerusalem Post*, 31 May 1994, p. 1.
- 60 For example, in early June 1994 the deputy PSA chief in Gaza Colonel Rashid Abu Shubak, who himself had been a top Fatah paramilitary commander in Gaza until his deportation in 1988, referred to at least three recent incidents in the southern Gazan town of Rafah, where certain families had tried to "retaliate against our honourable strugglers" by shooting or beating them. "PLO fears revenge killings in Gaza", Reuters, 12 June 1994.
- 61 Cited in J. Immanuel, "Collaborator families warned against revenge", *Jerusalem Post*, 14 June 1994, p. 1.
- 62 "PLO fears revenge killings in Gaza", Reuters, 12 June 1994.
- 63 "Hamas activist shot dead in Gaza", Reuters, 23 June 1994 and J. Immanuel, "Murder may be revenge act by family of 'collaborator'", *Jerusalem Post*, 24 June 1994, p. 2.
- 64 Cited in J. Immanuel, "Murder may be revenge act by family of 'collaborator'", *Jerusalem Post*, 24 June 1994, p. 2.
- 65 Abu Rashid's statement that "We are not going to abandon our strugglers. We will protect them and take decisive action against their assailants" reflects the

- attitude of the PSA in the early phase. "PLO fears revenge killings in Gaza", Reuters, 12 June 1994.
- 66 In early September 1994, the PSA chief in Jericho noted that the prisoners were "already part of the security apparatus" and were being paid accordingly but that they had not yet been given any specific functions. "Freed prisoners clash with Palestinian police in Jericho", AFP, 4 September 1994.
- 67 J. West, "Officials in Gaza scramble to prepare for Arafat", Reuters, 29 June 1994.
- 68 "Islamic Jihad criticizes PNA but expresses interest in dialogue", IDF Radio, 1100GMT, 13 November 1994 and J. Immanuel, "PA's gun-licensing campaign lacks pop", *Jerusalem Post*, 12 May 1995, p. 9.
- 69 " Hamas activist shot dead in Gaza", Reuters, 23 June 1994; "First group of prisoners handed over to Palestinian police", VOI, 1200GMT, 19 August 1994; J. Immanuel, "'Collaborators' families warned against revenge", *Jerusalem Post*, 14 June 1994, p. 1; "Palestinian police having 'trouble' absorbing prisoners handed over by Israel", VOI-Ex, 1000GMT, 20 August 1994; and "Palestinian prisoners rampage in Jericho", Reuters, 26 June 1995.
- 70 E. Rabin, "Arafat orders recruitment of released murderers" (in Hebrew), *Ha'aretz*, 10 July 1994, p. A1, via FBIS.
- 71 S. Helm, "Freed prisoners nurse their wrath in Jericho", *Independent*, 5 September 1994, p. 9; "Freed Palestinian prisoners vow to wreck peace", Reuters, 3 September 1994; and "Freed prisoners clash with Palestinian police in Jericho", AFP, 4 September 1994.
- 72 A part of the approximately 300 who had left by late September 1994 had not obtained Israeli permission, and were in some cases rearrested by Israel. A. Pinkas, "300 Palestinian ex-prisoners 'missing'", *Jerusalem Post*, 28 September 1994, p. 1 and "Israel to allow some ex-prisoners out of Jericho", Reuters, 9 September 1994.
- 73 Only an AP reporter noted in August 1994 that "on the good side, police have won high marks for keeping Gaza's fractious clans under control". In mid-1995, three separate murders, of a Fatah activist in the West Bank and of two police officers in Gaza (at least one of them had been a PLO-backed camp leader during the intifada), suggested that revenge killings were about to resurface. But I have found no reports confirming that these killings were revenge attacks by families of slain collaborators. S. Ghazali, "Doubts grow about Palestinian police, once symbol of hope", AP, 13 August 1994; "Palestinian police arrest suspected murderer in West Bank", AFP, 6 June 1995; "Palestinian policeman killed in Gaza shooting", DPA, 23 July 1995; and "Gunmen kill Palestinian detective in Gaza Strip", (AP) *Jerusalem Post*, 24 July 1995, p. 2.
- 74 See, for example, reports of clashes between some 100 prisoner-demonstrators from the caravan camp and the Palestinian Police in June 1995. "Palestinian prisoners rampage in Jericho", Reuters, 26 June 1995.
- 75 "News in brief", *Jerusalem Post*, 7 March 1997, p. 18.
- 76 For reports on Israeli 'death squads', see T. Shriteh, "Palestinian police say Israelis arrested in Gaza", Reuters, 3 January 1995; S. Bhatia, "Death squads revived as Rabin falters", *Observer*, 8 January 1995, p. 15; and HRW (1993).
- 77 Three Palestinians, who allegedly planted the car bomb at the instructions of Shin Beth, were detained by the Palestinian Police in December 1994. Collaborators

- implicated in Yahya Ayyash's assassination reportedly fled to the United States. Others were tried and convicted in May 2001. J. Immanuel, "Suspects arrested in Abed killing", *Jerusalem Post*, 13 December 1994, p. 2 and PHRMG (2001), section 4.C.
- 78 These assessments were based on press and eyewitness reports of election observers. See Tuastad (1996), p. 75 and "Thousands at Hamas rally for dead bomber", Reuters, 12 January 1996.
- 79 Cited in "PNA – Islamic Jihad and Hamas demonstrate against Abid killing", IsrTV 1, 1800GMT, 4 November 1994. See also "Islamic Jihad vows to retaliate 'in the heart of Tel Aviv'", VOI, 1500GMT, 3 November 1994.
- 80 "Self-rule authority to seek extradition of suspect from Israel", VOI, 1605GMT, 9 January 1996.
- 81 "PNA sets deadline for turning in illegal weapons", Xinhua, 28 February 1996.
- 82 "Hamas vows to avenge death of fighter in Jericho", Reuters, 23 December 1994; N. al-Mughrabi, "Islamic Jihad official killed in Gaza", Reuters, 22 June 1995; and J. Immanuel, "Jihad vows to avenge activist's murder", *Jerusalem Post*, 23 June 1995, p. 1.
- 83 In addition to the arrests made immediately after the assassination, the Palestinian Police made a number of arrests in October 1995 of Palestinians suspected of aiding Israeli intelligence. As was usual in such cases, the Israeli army denied any involvement. In the case of al-Khawajah, the assassins had used a pistol fitted with a silencer, reinforcing the widespread belief that Israeli intelligence was involved. According to Palestinian police sources, the arrested men had been recruited prior to the establishment of Palestinian self-rule, and the group of collaborators had been reactivated to aid Israel in liquidating al-Khawajah in June 1995. "Hamas warns: truce over", (Reuters) *Jerusalem Post*, 25 June 1995, p. 2; "Four Palestinians detained in connection with killing of Islamic Jihad leader", VOI, 1800GMT, 25 June 1995; and "PLO police arrest collaborators over killings", Reuters, 23 October 1995.
- 84 Another Palestinian suspected of involvement in Yaghi's killing remained in detention until December 1996, when he was killed, reportedly during a fight with one of the prison guards. The latter was subsequently sentenced to life in prison and hard labour by a Palestinian military court. S. Ghazali, "Death in police custody underscores Palestinian police abuses", AP, 27 January 1995; "Palestinian police kill suspected collaborator", AFP, 4 December 1996; and "Palestinian guard gets life sentence for killing prisoner", AP, 6 December 1996.
- 85 J. Immanuel, "Hamas, PLO try to pin blame on Israel for Gaza killings", *Jerusalem Post*, 21 November 1994, p. 1 and J. West, "Armed Palestinians march in support of Arafat", Reuters, 21 November 1994.
- 86 SWG/Police meeting minutes, 9 February 1995 (draft), p. 4 and Bleikelia, interview.
- 87 See, for example, "Palestinian TV broadcasts news conference with alleged Israeli agent", Palestinian TV, Gaza (in Arabic), 1830GMT, 4 May 1997, via SWB. For two examples in 1996, see "Arafat: Jewish extremists helped prepare Jerusalem, Asqalan attacks", *Biladi/The Jerusalem Times*, 1 March 1996, p. 1 and "Crackdown on collaborator ring", *Biladi/The Jerusalem Times*, 22 March 1996, p. 2.
- 88 See, for example, the interview with PNA Spokesman Tayyib Abd al-Rahim in which he refers to several bombs bearing the insignia of the Israeli army that

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- 89 The detained Palestinian journalist was Taher Nunu, who had reported on the incident in the pro-Jordanian daily *al-Nahar*, in which he cited Palestinian Civil Defence guards stating that a time bomb had been set in the Hamas bomb factory. This obviously supported the theory of a conspiracy and that it was not merely an accident. *Al-Nahar* subsequently published the official "clarification" by the Palestinian Police. J. Immanuel, "PA police: no Israeli hand in bomb blast", *Jerusalem Post*, 7 April 1995, p. 2; S. Aboudi, "Key witness to Gaza explosion has gone missing", Reuters, 7 April 1995; and "Police raid Gaza journalist's home in connection with report on explosion", VOI, 0800GMT, 5 April 1995.
- 90 "First Hamas men jailed for helping kill 'collaborator'", *Jerusalem Post*, 25 April 1995, p. 2; "Hamas leader says no-one will hand over weapons to PNA", RMC, 1710GMT, 11 April 1995; and the investigative report of L Derfner, "How to stop terror", *Jerusalem Post*, 15 March 1996, pp. 8 f.
- 91 "Palestinian police find cache of weapons in Gaza", Reuters, 23 September 1995.
- 92 J. Borger, "Enemies turn bedfellows to cover up murder of Hamas bomb-maker", *Guardian*, 1 June 1998, p. 11 and "Doubts cast on 'jailbreak' of Hamas militant", *Guardian*, 17 August 1998, p. 14.
- 93 "Let us begin to create an atmosphere of national reconciliation" (in Arabic), *Watani*, No. 2 (August 1994), p. 10.
- 94 Ibid.
- 95 Ibid.
- 96 Yusuf, interview.
- 97 See, for example, J. Immanuel, "'Sulha' proposed for resolving issue of restricted, freed prisoners", *Jerusalem Post*, 13 June 1994, p. 3.
- 98 In September 1998, in an interview with this author, Major-General Nasr Yusuf still spoke of the dire need for national reconciliation efforts on the issue of collaborators.
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- 100 See, for example, H. Huberman, "Most Palestinian intelligence officers busy gathering information on the IDF" (in Hebrew), *Hatzofe*, 18 July 2000, p. 1, via FBIS.
- 101 Rigby (1997), p. 62.
- 102 Interview with GIS Chief al-Hindi in "Guidelines to security", *Biladi/The Jerusalem Times*, 23 January 1998, p. 6.
- 103 "A Palestinian police official in Gaza to *al-Sharq al-Awsat*: Our forces will never become an instrument for repression" (in Arabic), *al-Sharq al-Awsat*, 27 January 1994.
- 104 See, for example, "Tel Aviv court charges Arab with spying for Palestinian intelligence service", VOI, 1100GMT, 9 August 1995; "Palestinian Intelligence reportedly tried to infiltrate Israeli security agency", IDF Radio, 0500GMT, 3 November 1995; "Israeli court jails former collaborator turned by Palestinian intelligence", VOI, 1600GMT, 6 February 1996; and "Israel charges two Palestinians with spying for Palestinian security service", VOI, 1600GMT, 29 February 1996.

- 105 R. Shaqed, "Security services structure reviewed" (FBIS title), *Yedi'ot Aharonot* (7 YAMIM supplement), 9 September 1994, pp. 5–6, 8, via FBIS.
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- 107 S. Rodan and B. Hutman, "Order in Jericho – Part I", *Jerusalem Post*, 19 May 1995, p. 10.
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- 112 "Palestinian jailed by Israel for spying for Arafat", AFP, 13 January 1997 and "Former Shin Bet collaborator sentenced for 'spying for Fatah's Force-17'", VOI, 0900GMT, 13 January 1997.
- 113 "Israel accuses two Palestinians of spying", Reuters, 25 June 1998.
- 114 See, for example, the case of Zakariyya Zakarnah from Qabatiyyah, whose family name was associated with the first collaborator lynching during the first intifada. When he was apprehended in April 1995, Zakariyyah Zakarnah told Israeli interrogators that he had approached Hamas and proposed to carry out a suicide operation as a way to clear his and his family's name. Another of his relatives, Ra'id Zakarnah, was implicated in the suicide operation in Afula in April 1994. A. Pinkas, "Suicide attack planned for Netanya foiled", *Jerusalem Post*, 28 April 1995, p. 1.
- 115 J. Immanuel, "Tel Sheva: Divided loyalty of Israel's Beduin exposed", *Jerusalem Post*, 31 March 1995, p. 8.
- 116 A. 'Isa, "Palestinian intelligence chief: We have weakened Israel's spying activities in the Authority areas" (in Arabic), *al-Sharq al-Awsat*, 9 February 2001 p. 2, via FBIS.
- 117 PHRMG (2001), Section 2.B.
- 118 Farid Jarbu', a 28-year-old taxi driver, died on 4 July 1994 after having been detained by a Palestinian security agency and held in Gaza Central Prison for ten days without being charged and without access to a lawyer. On 18 January 1995, Sulayman Julaytah, a life guard at the Dead Sea, died after having been detained for three days and tortured in a Jericho prison. He had been accused of collaboration and running over and killing a Hamas activist. For a summary of all cases of deaths in Palestinian Police custody, see Ghanem (2001), pp. 119 ff. See also "Palestinian inquiry ordered into prison death", Reuters, 8 July 1994; PHRMG (2001); and PHRMG statistics from http://www.phrmg.org/phrmg_per cent20documents/, checked June 2002.

- 119 At the time, that parallel was not lost on foreign correspondents, who wrote about the first death in custody as being “reminiscent of countless killings during the intifadah . . . , when Palestinian militants kidnapped suspected collaborators, interrogated them and then executed them”. P. Ford and L. Andoni, “Palestinian police probed after death of beaten detainee”, *Christian Science Monitor*, 11 July 1994, p. 3.
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- 121 See, for example, N. Sammakia, “Torture on the rise in Palestinian jails, rights groups warn”, AFP, 19 March 1995.
- 122 According to PHRMG reports, there was in fact a decrease in torture of ‘political prisoners’ during 1997 after the harsh crackdown on the rejectionist factions in 1996. “PNA: a reduction in torture?”, *Biladi/The Jerusalem Times*, 17 April 1998, p. 8.
- 123 PHRMG (2001).
- 124 Interview in Meehan (1999).
- 125 For example, by 1996, there were 14 ‘collaborator cases’ of long-term detention without charges and trial. J. Immanuel, “Palestinian rights activist freed from Gaza jail”, *Jerusalem Post*, 28 May 1996, p. 4.
- 126 For example, in April 1996, 12 members of the Palestinian Police narcotics division were detained by the Israeli Police outside the Shu’afat refugee camp in East Jerusalem. The Palestinian team had reportedly gone there to detain a known drug dealer. B. Hutman, “12 Palestinian policemen detained in Shuafat camp”, *Jerusalem Post*, 11 April 1996, p. 12.
- 127 Report cited in H. Huberman, “Palestinian ‘violent activity’ said to continue” (FBIS title), *Hatzofé*, 17 March 1999, pp. 1–2
- 128 PHRMG (2001), citing *al-Quds*, 13 Sept 2000.
- 129 “Fatah commission recommends end to security service activity outside autonomy”, VOI-E, 0500GMT, 28 September 1994; “Palestinian guard turns himself in”, UPI, 7 April 1995; and E. Silver and K. Abu Toameh, “‘An iron fist’ against Hamas”, *Jerusalem Post*, 15 December 1995, p. 26.
- 130 The dispute revolved around Hirbawi’s conflict with the Coptic Church over a piece of real estate in the Christian quarter of the Old City. See “Ramallah under siege”, *Biladi/The Jerusalem Times*, 26 July 1996, p. 3.
- 131 Cited in *Ibid*.
- 132 See interviews in Murish (1993), pp. 43 ff and “No Palestinian police in West Bank ahead of accord, Israel says”, AFP, 15 December 1994.
- 133 The Israeli Police openly admitted that they devoted little attention to regular crime fighting in the Palestinian communities. A. Wallfish, “No law enforcement in areas, Shahal admits”, *Jerusalem Post*, 3 November 1992; B. Hutman, “Report: serious breakdown in police operations in territories”, *Jerusalem Post*, 11 August 1994, p. 2; B’Tselem (1994b) and B’Tselem (2001); and “The Israeli Police 50 Years of History”, www.police.gov.il/english/en_history.html, p. 5.
- 134 B’Tselem (1994b) and B’Tselem (2001).
- 135 Interviews with Palestinians in Hebron, October–December 1996. See also B’Tselem (2001).
- 136 The Israeli police deployment in the Occupied Territories in mid-February 1994 was still merely 1,200, even after a beefing up of the police presence from

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- 165 The SSCs were formally established on the basis of Egyptian law introduced during the Egyptian military administration before 1967. Verdicts of life imprisonment and even the death penalty were commonly passed after short hearings of around twenty minutes. The judges were all military officers, and defendants had minimal access to lawyers and no options of appeal etc. The speed with which verdicts were passed was partly a consequence of a loophole in the Palestinian–Israeli Accords that allowed the PNA to ignore Israeli extradition requests if the defendant had already served a sentence; in other cases, the speedy verdicts were a result of popular pressure. See the discussion in LAW (1999).
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Illegal Weapons, Paramilitary Groups and Terrorists

[Fatah Hawks commander Ahmad Tabuq] brightened when kneecappings in Belfast were mentioned. 'Do they also do it in Ireland? Really? I never knew that.' Suddenly, his world seemed less lonely.¹

Anton La Guardia, *Daily Telegraph* correspondent, December 1995

In the peacekeeping literature, the disarmament and demobilization of former combatants are seen as fundamentally important processes for a variety of reasons.² If successful, these processes enhance the law enforcement capacity of the police forces, increase the security of the civilian population and facilitate maintenance of the ceasefire. Both demobilization and the surrender of arms are powerful symbols of change, marking the transition from civil war to peace. Thus the supervision of disarmament and demobilization are tasks which external sponsors through a peacekeeping or observer presence frequently take on, using various measures ranging from 'gun buy-back' programmes to checkpoint searches for arms and the locating of arms caches. However, as I have already shown in the case of Palestinian paramilitaries and collaborator families, disarmament and demobilization might also create new security dilemmas. Mats Berdal reminds us that disarmament alone does not necessarily enhance security unless it is part of a broader political process. It will often fail if those who are being disarmed are dissatisfied with the security and economic incentives offered in return.³

Demobilization measures in a peacekeeping environment are usually a mixture of incentive packages, retraining and support programmes to assist the return of former combatants to civil life or their integration into the new military or police forces.⁴ In the Oslo process, the absence of a peacekeeping presence prevented a prominent third party role in disarmament and demobilization. The Palestinian–Israeli agreement made no references to disarmament, demobilization and reintegration programmes, despite these being a regular and essential component of

peace processes following protracted civil wars. To be sure, the donor community assisted in the civilian integration of ex-detainees, ex-prisoners and returnees, many of whom were affiliated to the resistance.⁵ With regard to reintegration and ‘vetting’ recruits for the new police force, however, there was no international monitoring.

The difficult tasks of disarmament and the decommissioning of illegal arms also remained outside international supervision, and came to depend only on the new Palestinian Police. The Accords referred to a prohibition on “other armed forces” and the PNA’s obligation to criminalize “possession or carrying weapons without a license”.⁶ The Palestinian side was permitted to grant licences to possess or carry pistols for civilian use, but only after Israel had agreed to “the modalities for granting such licenses, as well as categories of persons who may be granted such licenses”.⁷ The Palestinian Police was furthermore obliged to confiscate all illegal arms after a one-month grace period in every area within which they assumed security responsibility.⁸

In the light of experiences of similar processes elsewhere, it was wholly unrealistic to assume that the PNA would be able to carry out disarmament effectively without external involvement and supervision.⁹ Not surprisingly, the Palestinian Police never came close to fulfilling the Accords’ provisions for arms control with regard to illegal arms collection or to abiding by the provision for agreed modalities for gun licences.¹⁰ The collection of small arms is widely recognized as one of the most difficult tasks to accomplish in a post-agreement peace process. Former combatants, even if they agree to demobilize, will often exhibit an ingrained unwillingness to surrender their small arms, partly owing to personal security considerations and partly owing to expectations that hostilities either will or should resume. Moreover, the possession of arms is often a source of power and social prestige; it is part of what Joanna Spear calls ‘gun cultures’, which often predate the onset of civil war. Guns can be “symbols of superiority and prestige; symbols of the successful transition to manhood; signifiers of masculinity and *Machismo*; a reliable firm of currency ...”.¹¹

As opposed to regular crime fighting, coercive disarmament puts police and security forces at severe physical risk. Well-armed, hard-bitten resistance groups often possess combat skills and guerrilla experience that are quite superior to those of regular police forces. As coercive small arms collection is so difficult, the common approach is to try to win local

support for a campaign to reduce the availability of arms and to control their use.

In this chapter, I shall explore how the PNA and its police forces dealt with the twin issues of small arms proliferation and the existence of paramilitary groups. It will be noted that the Palestinian Police failed to generate a wide consensus on the need for disarmament despite considerable popular support for curbing the widespread (ab)use of small arms in public. It conducted several campaigns of forcible arms collection from 1995 onwards, significantly curbing the military or 'terrorist' capabilities of the rejectionist factions. By 2000, the latter had been reduced so much that the PNA earned rare praise from the Israeli government. From 1996 onwards, in response to new Palestinian–Israeli tensions, the PNA also began pursuing a policy of rearmament and 'popular' military preparations, and its loyalist Fatah-affiliated militias grew in strength and militancy. Ironically, as the level of anti-Israeli violence steadily decreased and terrorist groups were reined in, the ground was prepared for a new war.

The Problem of Small Arms Proliferation after Oslo

There is much evidence of the greater availability of weapons after Oslo, especially from early 1994 onwards when the issue of arms proliferation hit the local and international media.¹² Paramilitary group members, arms dealers and Israeli security sources all confirmed that it had become considerably easier to buy and sell arms in Gaza. A French investigative report from January 1994 noted that "The phenomenon has reached unprecedented proportions in Gaza. Whereas only three months ago, fighters scarcely dared show their weaponry, today there are hardly any parades or rallies by Palestinian organizations without a show of assault rifles. A huge underground firearms market has come into being."¹³ Three months later, Lara Marlowe and Jamil Hamad gave a similar description: "Both Palestinians and Israelis say weapons have poured into the Gaza Strip over the past few months. Residents hear shooting every night. Any Gaza City taxi driver is able to quote the going price of M-16 and Galil automatic rifles and Uzi submachine guns."¹⁴

This change was partly a result of the downscaling of Israel's military presence in Gaza, which significantly reduced the number of

checkpoints, patrols, house searches and raids. Consequently, arms and ammunition caches hidden during the intifada could be reopened with less chance of being detected. Palestinian paramilitaries claimed to have firm knowledge that collaborators assisted in the arms trade, which largely originated in Israel through a chain of middlemen.¹⁵ Illegal weapons in Gaza were mostly stolen or bought for cash, gold or drugs from Israeli arms dealers and criminals often operating from Beersheba.¹⁶

The new demand pushed up the prices of arms, and weapons dealers could obviously make huge profits. The popular M-16 assault rifle had reportedly risen from about \$2,000 to a staggering \$9,000 or more, and a Beretta pistol went for \$3,000 upwards. By comparison, in certain conflict areas in Asia and southern Africa, an AK-47 Kalashnikov could be traded for as little as \$20.¹⁷ Smuggling ammunition was also very lucrative, as a bullet costing thirty cents in Israel would be sold for \$4 in Gaza. Some weapons, particularly pistols and AK-47s, were also smuggled in from Egypt via tunnels crossing beneath Gaza's southern border fences. (Such tunnels remained a constant source of irritation in Palestinian–Israeli security relations during the 1990s.) In the northern West Bank too, the hiding ground for several paramilitary groups, a thriving black market in illegal weapons emerged after Oslo whose supplies originated from Israel and Jordan (see below).¹⁸

In principle, Fatah, Hamas and the political factions agreed that only their military wings should be allowed to carry arms. Fatah warned arms dealers in leaflets not to sell to private individuals, and tried to enforce a ban on arms proliferation, especially to people with dubious nationalist credentials.¹⁹ In practice, however, wealthy individuals and clans were still able to buy arms. The political assassinations in late 1993, the rekindling of family feuds and rising crime rates created an atmosphere in which people felt a need for weapons. Some families also acquired guns to settle scores with old foes or to avenge family members executed on collaboration charges during the intifada. In a society where arms had been banned and reserved only for the Israeli army and settlers, guns had a powerful attraction “as a symbol of prestige”.²⁰ According to arms dealers interviewed by the Palestinian weekly *Biladi*, their main clients were “the powerful families of high status within the tribal society”.²¹ This led to a strengthening of the rich and conservative families in Gaza at the expense of the young radicals in the militias and paved the way for a gradual retribalization of Palestinian society after Oslo.²²

Henceforth, the new Palestinian Police faced armed groups acting on behalf of powerful tribal clans in addition to armed resistance groups affiliated with the political factions.

The increased availability of arms prompted public protests. On 22 January 1994, some 600 al-Azhar University students marched silently through the streets of Gaza to the PLO headquarters demonstrating against the spread of weapons and the surge in fratricidal clashes.²³ Accidental shootings increasingly became a problem. During the celebrations of the Palestinian Police's arrival in mid-May 1994, more than six Palestinians were killed in shooting accidents according to one report.²⁴

In early spring 1994, the new theme in the public debate on self-rule was the danger of Gaza becoming "a second Lebanon" or "a second Afghanistan".²⁵ The top Arab newspaper *al-Hayat* wrote about a black market "armament race" in Gaza, where Katyusha rockets and bombs could also be bought. The Israeli army was accused of turning a blind eye, "with the aim of instigating civil strife and undermin[ing] the Gaza Strip before their departure".²⁶ PLO politicians interviewed at the time downplayed the risks of civil war and arms proliferation, describing such reports as "exaggerated".²⁷ The accusations against Israel nevertheless became a staple in PLO rhetoric, in particular the claim that 20,000 or more illegal arms had been smuggled into Gaza ahead of the PNA's arrival with Israel's blessing.²⁸ (Such estimates were highly unreliable. A Fatah security official put Fatah's own arms arsenal in Gaza at 13,000 pieces, which probably was too high.²⁹)

The accusations against Israel were not entirely baseless, however. In February 1994, Prime Minister Rabin admitted the involvement of Israeli criminals in gun running to the Territories, especially to Gaza; and in spring 1994, there were several court cases against Israelis involved in such trafficking.³⁰ At the same time, the Israeli army set its security ambitions to not much more than "staying alive" and protecting the settlers.³¹ The military scaling down was a deliberate policy to reduce tension and avoid clashes ahead of the transfer of authority. That this also boosted arms trafficking only highlighted the dilemmas facing both the Israeli army and the incoming Palestinian Police during the transition period.

After the establishment of the PNA, small arms proliferation continued unabated. The business remained very profitable because of the steep prices of small arms in the Occupied Territories compared to

the neighbouring countries. Also, the risks associated with arms trafficking were much reduced after the Palestinian Police's arrival. The new authority enforced its gun laws with considerable flexibility. Well-connected offenders usually faced having their contraband confiscated by the PNA. Towards the end of the decade, the Palestinian Police also bought arms from dealers at reduced prices in order to arm their personnel and build up reserves.³²

The Problem of Accidental Shootings, Gun Culture

Although disarming the Palestinian resistance was a hotly disputed issue (see below), there was a greater degree of Palestinian consensus that the availability of arms among individuals and clans was a problem because, as one PLO politician put it, such people turned their arms "against the honor, property, and lives of the public" and not "against the occupation".³³ The public debate on this issue was less coloured by political sensitivity. Throughout the 1990s, police officials, political factions and community leaders repeatedly issued statements calling on people to refrain from brandishing arms in public or using them on social occasions or in settling disputes.³⁴

The tradition of firing guns during weddings and other celebrations has its roots in the Bedouin lifestyle. Desert tribesmen used to shoot in the air in order to let neighbours know they were celebrating. When the Palestinian Police took over Gaza in 1994 and West Bank towns in late 1995, every occasion was celebrated with endless bursts of 'happy fire'. Brigadier Ziyad al-Atrash commented in mid-May 1994 after taking over Gaza that most of the 25,000 bullets they had brought in had been fired.³⁵ Writing about illegal weapons in the West Bank, Jeffrey Boutwell noted in 1999 that "Evidence of a growing gun culture in the West Bank and Gaza Strip, especially in the aftermath of Israeli withdrawals, could be seen in cities like Ramallah, where restaurateurs openly wear pistols while serving customers; in villages near Jenin, where volleys of shots are fired during wedding ceremonies; and in pastures near Hebron, where Palestinian shepherds carry firearms to protect their flocks."³⁶

In a long exposé of Palestinian gun culture in late 1994 and the role of the Palestinian security forces in controlling the use of small arms, Brigadier Muhammad al-Masri viewed the phenomenon as part of "our popular heritage", and people also experienced a "catharsis" in

such 'happy fire' shootings because it was a forbidden thing during the intifada.³⁷ He readily admitted that many would probably view such practices as "an expression of a civilizational retardation, and an inclination to demonstrate force to conceal weakness".³⁸ Although calling for measures to stem the rising gun culture, al-Masri did not see a leading role for the security forces in this matter. The main responsibility resided with the public and the individual citizen, he argued. The Palestinian Police's role could only be secondary in this field; stringent laws deterring arms abuses might help, but all societal institutions had to assume their responsibility to change the underlying attitudes that motivated the fascination with arms.

Even though al-Masri's observations about the social complexities of the problem were probably correct, the Palestinian Police did perhaps have a larger responsibility than he acknowledged, not least because ill-disciplined police personnel were a big part of the problem. According to statistics on accidental shooting compiled by the Palestinian watch group LAW, police personnel were implicated in at least twenty accidental killings between 1996 and 2000.³⁹ In an attempt to impose order on his gunmen, Arafat decided for the first time, in August 1998, to uphold a death sentence against two policemen who had used their service weapons to settle a family dispute, killing two members of the influential al-Khalidi family in Gaza.⁴⁰ Instructions banning security personnel from bearing weapons off-duty were also issued after the al-Khalidi affair, but they did little to stem the widespread weapons abuse.

The total number of people killed in accidental shooting incidents while attending celebrations reached a record high at the end of the 1990s, giving rise to Palestinians' concern about a militia-style society arising in their midst.⁴¹ Calls for more gun control followed, and the Palestinian Police now took the highly unusual measure of threatening to detain the groom and his family for up to forty days if 'happy fire' shots were fired at their wedding.⁴² (Entertainment columns in foreign newspapers were quick to pick up this news item!⁴³) However, such orders would be respected and enforceable only if fewer arms were available and a profound change in the gun culture took place. Usually, Palestinian Police officers attempting to enforce such orders at wedding parties were driven away by gunmen and the bodyguards of senior PNA officials, themselves often employed in the Police. The intermeshing of Fatah-affiliated gunmen and militias with the Palestinian Police and its

numerous semi-autonomous agencies meant that improved gun control hinged upon a fundamental restructuring of the Palestinian Police.

Between Consensual and Forcible Disarmament

After the formation of the PNA, the Israeli government explicitly cited the disarmament of anti-Israeli guerrillas and the containment of 'terrorism' as preconditions for negotiating a further expansion of PNA self-rule. Some Israeli politicians, in particular Foreign Minister Shimon Peres, also hoped that the PNA would do so out of self-interest, but that assumption proved misguided; and the PNA's disarmament efforts came mostly as a result of strong Israeli and US pressure. For most of the 1990s, Arafat linked his policy of containing armed rejectionist groups entirely with the ups and downs of the political negotiations. This implied a high level of political interference in the Palestinian Police's efforts at disarming and containing militant groups, manifest in the lack of long-term and clear-cut policy.

When the Palestinian Police arrived in Gaza, the issue of illegal arms collection was raised immediately. At a press conference in Gaza City on 11 May 1994, Major-General Nasr Yusuf hinted that the Police might confiscate weapons from individuals and civilians; but he was more cautious with regard to the armed factions: "They had the right to carry weapons under occupation. But now we will work in an organized manner for control."⁴⁴ In an interview with the Arab daily *al-Sharq al-Awsat* in June, Nasr Yusuf dismissed any forcible disarmament campaign: "We have not requested the collection of arms, but, rather, the control, licensing, and organization of the possession of arms. ... So we are not talking about collecting arms, but controlling them. As for the factions' arms, we have not requested them to hand over their arms. We have requested that [the possession of] these arms be organized."⁴⁵

The justice minister Abu Middyayn also confirmed that the PNA had no plans for disarming the militants.⁴⁶ A policy of forcible arms collection at this early point, while the Palestinian Police was still in its infancy, was clearly not realistic. As the issue was raised, a Hamas spokesman from Damascus threatened that the "Palestinian police must first of all disarm the Zionist occupation forces. ... Any person who tries to deprive us of our right to confront the enemy will be killed."⁴⁷ Similar menacing statements came from the PFLP and the DFLP too. The

issue of disarmament was commonly described as a “red line” which the Palestinian Police would be well advised not to cross.⁴⁸ Prior to deployment, the Police had been instructed by the political leadership in Tunis to do its utmost to maintain good police–society relations, which also explains why police commanders were unwilling to go after the weapons of the opposition groups. That unwillingness cooled relations with Israel, as Hamas and Islamic Jihad gunmen often sought refuge in the PNA-ruled areas after drive-by shootings and guerrilla-style attacks against Israeli soldiers and settlers in the Gaza Strip.⁴⁹

The issue of disarming the opposition was left in abeyance, but the Palestinian Police nevertheless moved ahead with a number of arms control measures. Arms were searched for and confiscated at the many new checkpoints in the Gaza Strip; orders were issued banning the carrying of weapons openly in the street, at weddings and on other occasions; and the wearing of masks, a common practice by militant factions under the intifada, was also prohibited. A licensing system for guns was now initiated; it was primarily an internal Palestinian measure, not coordinated through the Palestinian–Israeli Joint Security Coordination Committee.⁵⁰ In late May 1994, a number of arms-wielding Fatah paramilitaries were for the first time detained and disarmed, and others were given the choice of either joining the Palestinian Police or giving up their arms. The PNA pursued an active policy of co-opting paramilitaries, seeing this as the most effective measure for controlling weapons and unruly militants.⁵¹

Following the transfer of authority in Palestinian West Bank cities in late 1995 and most of Hebron City in mid-January 1997, the Palestinian Police usually issued orders to the public to register their arms, and collected illegal arms from well-known paramilitary groups. With regard to the Black Panthers in Jenin, for example, nearly 100 paramilitaries agreed to turn over their weapons, but others were allowed to keep their guns, as they had officially joined one of the Palestinian Police branches.⁵² Israel also collected weapons it had issued to those collaborators who chose to stay under the PNA. Only in Nablus, where the infamous Ahmad Tabuq’s renegade gang of Fatah Hawks held sway, did the Palestinian Police forcibly disarm an entire militia (see below).

Disarming Terrorists

The PNA's stated policy *vis-à-vis* the rejectionist factions was that they would be allowed to organize a political opposition as long as they did not violate the ceasefire or in any way continue the resistance with violent means. In implementing this policy, the PNA did not simply rely on coercion but attached great importance to its 'national dialogue' with the opposition, in particular Hamas. The dialogue was the PNA's attempt to persuade the rejectionists to abide by the ceasefire and, more broadly, to defuse other issues which might lead to internecine fighting. The dispute over the right to carry arms went to the very core of the PNA's conflict with the rejectionist factions in general and Hamas in particular. The PNA argued that Hamas's armed resistance activities created an intolerable situation of 'dual authority' and sabotaged its strategy of liberating Palestine through negotiations.

Interestingly, the choice to carry out armed struggle was seen as a political right by many Palestinians. Polls in mid-1995, for example, showed that as many as 42 per cent of Palestinians in the Occupied Territories thought that "armed resistance against Israel is legitimate under the current political situation", and 32 per cent also responded 'yes' when asked whether they "supported continued Hamas and Islamic Jihad suicide operations against Israeli targets".⁵³ Against this background, the Palestinian Police remained in tune with public opinion when it recognized detainees from the rejectionist factions as 'political prisoners', not criminal or 'security' prisoners (the latter category referred mainly to collaborators), even if they were implicated in armed activities. This was very unfortunate, because it blurred distinctions between political dissenters and violent guerrillas and made the Palestinian Police's ceasefire enforcement look like a human rights violation.

Israel understood that the PNA faced a severe legitimacy crisis on the disarmament issue and proposed various ways of getting around the problem. In talks with Sa'ib 'Urayqat, Yoel Singer, the Israeli MFA's legal adviser, suggested that the PNA might, for example, use the upcoming elections as a pretext for disarming the rejectionist groups in a move similar to the South African government's action *vis-à-vis* the Zulu leader Buthulezi, who threatened violence during elections.⁵⁴ For Palestinian critics, however, Singer's South African parallel was inappropriate. Israel was the apartheid regime, not Mandela's new South Africa; and Arafat, not Hamas, was the Palestinian version of Buthulezi.⁵⁵ Convincing the

Palestinian public that the rejectionist factions should be disarmed as long as the occupation continued and its armed Israeli settlers roamed the territories seemed an impossible task.

From July 1994, the Palestinian Police did move against individual Hamas members, and disarmed them if they were involved in shooting incidents, but no systematic policy of disarmament was pursued.⁵⁶ In August 1994, in response to the first killing of an Israeli civilian by Palestinian militants in Gaza, Abu Middyayn announced that the Palestinian Police would launch “a campaign to confiscate unlicensed weapons”, but the Civilian Police chief Ghazi al-Jabali seemed to reverse this order by saying that the Police had no plans to disarm Hamas members.⁵⁷ In August 1994, Brigadier al-Jabali, who was known to be very loyal to Arafat, stated to Israel radio that it was “impossible to protect the Jewish settlers scattered throughout the Gaza Strip” and thus that they “should be evacuated”.⁵⁸ His statement illustrated how the political agenda of trying to encourage or pressure Israel into removing its settlements was closely interwoven with the Palestinian policing of illegal arms and paramilitary groups. Indeed, at this point, the Palestinian Police had received specific instructions from the political echelon (i.e. Arafat) not to embark on a disarmament campaign or to interfere too much with the armed opposition groups. In an interview with the *Financial Times* and Reuters in late August 1994, the Palestinian Police director Nasr Yusuf asserted that his forces could easily disarm and stop Hamas and the other armed groups if a political decision were forthcoming.⁵⁹ His claim contradicted the PNA’s previous statements that it was impossible to prevent all attacks, and it was clearly a gift to Israeli politicians who argued that Arafat wished to maintain an operative and armed Hamas presence as a useful political weapon against Israel.

Owing to these political sensitivities, arms control measures and confiscation campaigns fluctuated with the vicissitudes of the PNA’s politico-security relations with Israel. The announcement of new disarmament initiatives usually came in the aftermath of anti-Israeli attacks, about which the PNA was blamed for not having prevented. For example, after the Waxman affair in October 1994 (the Hamas kidnapping of an Israeli soldier), the Palestinian Police announced that they would start confiscating unlicensed weapons in Gaza and Jericho, allowing residents one week to register arms in their possession.⁶⁰ Another

arms confiscation drive was declared in late December 1994 after a Hamas suicide operation in Jerusalem. This time, the Palestinian Police launched a search for illegal weapons belonging to Hamas paramilitaries, raiding private homes in Gaza City and the Jabaliya refugee camp.⁶¹ The Hamas leadership was defiant, however. It organized a large illegal rally, of some 3,000 people, in Khan Yunis, where al-Qassam gunmen fired their weapons in the air in what was widely seen as an open challenge to the Police.⁶² Police spokesmen denounced the rally and the shooting as a violation of a previous understanding with Hamas that no arms would be used in public places, but Hamas leaders again threatened that “the attempt to gather weapons is a red line no one can cross”.⁶³ Similar defiance was displayed in early April 1995 after the Shaykh Radwan blast in which several senior Hamas militants were killed in what was later acknowledged to be a covert Israeli operation. A large rally of some 2,500 Hamas supporters gathering near the site of the blast was joined by a group of masked al-Qassam gunmen firing “long bursts into the air as speakers vowed revenge for the blast”.⁶⁴

As pressure mounted on the PNA to move more forcefully against the rejectionists, especially after two suicide bombings in Gaza in early April 1995, the Palestinian Police announced its most serious arms confiscation campaign.⁶⁵ The PNA was losing patience with the Islamists, who failed to transform into a non-violent political opposition. On at least two occasions, the Palestinian Police had been met with gunfire as they tried to round up suspected militants; there had been two shooting attacks on Colonel Musa Arafat, the unpopular Palestinian military intelligence chief, and talks with Israel remained deadlocked owing to the suicide attacks.⁶⁶

On 12 April 1995, the PNA issued an official decree banning the unlicensed possession, acquisition, sale, production or import of “all types of firearms”, ammunition, explosives and poisonous gases. This decree was based on an Egyptian military law of March 1956,⁶⁷ and it stipulated up to five years’ imprisonment in illegal arms cases and up to ten-year jail terms for the possession of illegal explosives. Article 9 of the decree provided for the use of a “special court” which would be “exclusively responsible” for hearing cases involving illegal arms. This meant that all such cases would be referred to the State Security Courts, where harsh sentences were meted out with minimal regard for legal niceties.⁶⁸ The decree stipulated a one-month grace period (i.e. until 11 May 1995).⁶⁹

The PNA's justice minister Abu Middyayn vowed in a statement to Voice of Palestine Radio that the campaign would continue until "the roots of anarchy" were eliminated.⁷⁰

Despite the new and more confrontational tone, the Palestinian Police was instructed to quickly scale down the ambition and scope of the disarmament campaign, to avoid too much infighting and public disorder problems. Nabil Sha'ath explained that "Of course, we shall not break into houses and homes. This is not in our plans. However, we shall confiscate any weapon that appears on the streets or is used in a public place if its holder has no licence. We try to minimize effects of police raids."⁷¹

To sweeten the deal and avoid accusations of depriving the opposition of weapons for self-protection while Fatah kept their guns, Abu Middyayn promised that opposition leaders would be able to carry pistols. Arafat also issued new orders to the Palestinian security agencies that all plainclothes security personnel (many of whom were former Fatah gunmen) should not carry arms openly in the streets.⁷²

The new disarmament drive was a mixed success. An important new element in the PNA's campaign was the prosecution of illegal arms' possessors and dealers. At the end of April 1995, a military court convicted Akram Abu Shanab to 12 years' imprisonment for resisting arrest and illegally acquiring arms.⁷³ With regard to the actual number of confiscated or registered arms, the results were ambiguous. According to the Palestinian Police's director Nasr Yusuf, some 500 of the estimated 1,500 to 2,000 pieces of illegal arms were registered by their owner before the deadline expired on 11 May. Most of the owners were Palestinian businessmen, but "collaborators (with Israel), and the political factions, did not [register them] ... They hid them," Yusuf lamented.⁷⁴ As for the number of confiscated illegal arms, it probably remained relatively low, although the PNA was keen to exaggerate the amount of arms seized.

The Palestinian Police never mounted a house-to-house search for illegal arms; but acting on specific intelligence, they raided a number of private houses and mosques. At a press conference, the Civilian Police chief Ghazi al-Jabali displayed to the media a number of rifles and guns reportedly seized during the raids.⁷⁵ The arrest of Ziyad Kishawi, whose house was an important Hamas arms depot containing rockets and explosives, was also highlighted at PNA press conferences.⁷⁶ Later in May 1995, the PNA announced that yet another underground Hamas bunker,

whose trapdoor was concealed by a chicken coop, had been unearthed in Gaza, and dozens of automatic weapons and ammunition clips, explosives, military uniforms and forged documents were confiscated.⁷⁷

As part of the disarmament campaign in April-May 1995, the Palestinian Police also launched a propaganda war against Hamas. At press conferences, police commanders displayed their findings, which reportedly included 1,300 authentic Israeli ID cards, 1,700 forms for birth certificates and identity cards from the Israeli interior ministry seized at a Hamas hideout in Gaza. The fact that such documents were found in Hamas's possession, the Civilian Police chief Brigadier al-Jabali asserted, "proves there is cooperation between Israeli officials and Hamas".⁷⁸ The announcement of the arrest of several al-Qassam militants for drug trafficking and drug cultivation also served the purpose of defusing opposition to the disarmament campaign, presenting it as a fight against collaborators and criminals, not the resistance.

The disarmament campaign abated somewhat after the May 1995 deadline, even though the Palestinian Police continued to actively pursue armed rejectionists during the critical Interim Accord talks in mid-1995 on extending self-rule to the West Bank. In August, for example, a shootout erupted between four Hamas paramilitaries and the Police as the latter moved against their hideout in the Shaykh Radwan district in Gaza.⁷⁹ A month later the Palestinian Police unearthed and confiscated a large Hamas arms cache in Gaza City containing a large quantity of TNT explosives, anti-tank mines, explosive belts and thousands of M-16 and Kalashnikov bullets.⁸⁰

There is little doubt that the disarmament campaign in 1995 reduced the arsenal of the rejectionist factions in Gaza and gradually forced them to relocate their armed activities to West Bank areas outside PNA control. In August 1995, Nasr Yusuf estimated that only one hundred Hamas and forty Islamic Jihad armed operatives remained in the PNA-ruled areas.⁸¹ This estimate was obviously meant to assuage Israeli concerns about the PNA's ability to take over and control West Bank cities, but it seemed to be supported by the fact that anti-Israeli attacks originating in Gaza were declining.

From 1995 onwards, the focus on illegal arms and paramilitary groups shifted to the West Bank, where the PNA's jurisdiction and territorial control was much weaker. The previous focus on small arms was overshadowed by an all-consuming concern about bomb factories

and the support structure needed for preparing and smuggling suicide bombers into Israel proper.⁸² It was indicative of their shift in both geographical scope and choice of weapon that Islamic Jihad paramilitaries interviewed by *al-Sharq al-Awsat* in 1995 “doubted the benefit of further purchase and stockpiling of weapons due to the burden of guarding them, and the limited need for such weapons in Gaza”.⁸³

March 1996 was a turning point in the PNA’s disarmament drive against the rejectionist factions. Following four suicide attacks on 25 February and 2 and 3 March 1996, the Palestinian Police launched a very aggressive disarmament and counter-terrorism campaign in close cooperation with Israel. Nearly 1,300 suspects were rounded up, and numerous safe houses, arms caches and bomb factories were uncovered, inflicting the most devastating blow to date upon Hamas and Islamic Jihad’s military wings. Periodically, their civilian institutions were also targeted as the Palestinian Police responded to pressure to dismantle the ‘terrorist infrastructure’ in the Territories.⁸⁴ Although the Palestinian Police’s iron grip was periodically loosened owing to PNA grievances over the new Likud-led government of Binyamin Netanyahu, they proved themselves surprisingly effective in curbing the rejectionist groups, some of whom were widely acknowledged to be among the world’s most sophisticated and deadly terrorist organizations.⁸⁵

At the end of the decade, with the return of a Labor-led government in 1999, the PNA intensified its counter-terrorism efforts, making wide-scale arrests of Hamas activists. Its official position was, for the first time, reformulated so as to detach counter-terrorism entirely from the political track and ensure maximum efforts “whatever the political situation”.⁸⁶ The new policy received much praise from the Israeli government and Shin Beth.⁸⁷ Significantly, Prime Minister Barak noted in his opening statement to the Knesset in May 2000 before the vote on the handover of three Palestinian East Jerusalem villages⁸⁸ to PNA control that there had been a dramatic reduction in anti-Israeli violence over the past few years: “In 1992, there were 2,400 attacks in Judea and Samaria; in 1999, there were only 140.”⁸⁹ During the final year preceding the al-Aqsa intifada, there was no major terrorist attack against Israelis.⁹⁰ The irony on the eve of the new uprising in September 2000 was that Israel had never before been so satisfied with the PNA’s efforts at combating and disarming Palestinian rejectionists. And yet, this did nothing to prevent the outbreak of a new war.

Co-opting the Rejectionists? Police Recruitment of Hamas Militants

A particularly sensitive issue was the recruitment of members of the rejectionist factions into the Palestinian Police. Israel was most likely to oppose such a move, referring to its right to veto approval of the police roster, as provided for in the Accords. On the other hand, recruiting the members of the opposition would reduce chances of their involvement in anti-Israeli operations. It would also make the Palestinian Police a more supra-factional and 'national' police force and diminish its image as a purely "Fatah police", as Hamas spokesmen sometimes accused it of being.⁹¹

During the recruitment drive in May 1994, the issue of inducting members of Hamas, the PIJ, the PFLP and the DFLP was raised. Police recruitment officers promised that criteria for recruitment would not be based on political affiliation.⁹² In early June 1994, the Palestinian Police's director Nasr Yusuf professed that it was in favour of political pluralism, and called upon "our brothers in the nationalist and Islamic political groups", in particular "those who carried weapons", to join the Palestinian Police.⁹³

It is uncertain how many responded to his call. In July 1994, a foreign correspondent came across a Marj al-Zuhur deportee who had joined the Palestinian Civilian Police, but he seemed to be more an exception than the rule.⁹⁴ Hamas members faced a number of obstacles if they wished to join the force. Islamist supporters who had signed up for the Police claimed that they had been beaten up during initial training and accused of being spies.⁹⁵ Many Hamas members did nevertheless apply for the Palestinian Police on an individual basis after the leadership gave the green light for them to seek employment in the Civilian Police. The smaller PFLP faction eventually decided to allow its members to join the the Civilian Police and the National Security Forces, but not the intelligence branches, because of their close cooperation with Israel. Those who joined other branches risked being ousted from their respective organizations.⁹⁶

In mid-November 1994, just ahead of the deadly clashes between Hamas demonstrators and Palestinian security forces on 18 November, it became known that some eighty to ninety Hamas supporters had signed up for the Palestinian Police in Gaza. They sort to join a planned 'Moral Affairs' unit, which Islamist preachers had called for on several

occasions.⁹⁷ The new unit would consist exclusively of Hamas activists, and would eventually incorporate 400 undercover policemen. It was a product of the ongoing ‘national dialogue’ between the PNA and Hamas. Although Hamas had rejected the PNA’s offer that it formally command the moral police unit, the Hamas leadership would nevertheless allow members to join the unit of their own volition. The move did not signal a broad co-optation of Islamist militants in the PNA administration, however; and Hamas leaders in Gaza made it clear that members’ “entry into this unit is on their own responsibility, without a mandate from the movement and they do not represent the movement”.⁹⁸

The clashes on 18 November greatly soured Hamas relations with the Palestinian Police, and Hamas leaders demanded the suspension of top Palestinian Police commanders such as Nasr Yusuf and Ghazi al-Jabali. Reports circulated about the existence of a Hamas hit list that targeted members of the Palestinian Police and the PNA administration, and Hamas graffiti in Gaza promised swift vengeance against those police officers involved in the clashes. Incidents such as an ambush by unknown gunmen injuring Captain Jamal Abu Tawhah, a former Hamas ‘wanted man’ who had switched sides by joining Palestinian intelligence, reinforced tensions between the two sides.⁹⁹ Any significant co-optation of Hamas supporters into the Police seemed very unlikely.

Despite the tense climate, the PNA–Hamas dialogue continued, and a few Hamas leaders were won over, in particular Shaykh Hamad al-Baytawi, who was appointed deputy magistrate for the West Bank; and at a later stage, ‘Imad al-Faluji joined the PNA cabinet. With regard to police recruitment, both civilian activists and paramilitary members were inducted. An article in Hamas’s mouthpiece *Filastin al-Muslimah* in January 1995 deplored Arafat’s success in “persuading a few fighters close to the al-Qassam Brigades to join the Palestinian morals police”.¹⁰⁰ The Hamas movement’s position remained firm, however: as individuals, they were free to do so, but they would not be considered Hamas members nor be able to speak on behalf of the movement.¹⁰¹

A complicating factor in the Palestinian Police’s co-optation efforts was Israel’s interference. Concerns over Palestinian Police recruitment had been a prominent issue in the Israeli public debate on self-rule. These apprehensions were heightened by reports that a Hamas gunman, ‘Isam Muhanna Isma‘il al-Jawhari, 24 involved in a deadly shooting spree in Jerusalem on 10 October 1994, had been a member of the

Palestinian Police.¹⁰² Although those rumours were quickly discounted, one of the assault rifles used in the attack was a registered Palestinian Police weapon, which raised again the issue of the Police's relationship with the rejectionist groups.¹⁰³ Foreign Minister Peres commented that Arafat "definitely has to make sure that his police force does not recruit terrorists in disguise or impersonators".¹⁰⁴

These worries became even greater after a Hamas suicide attack at a Jerusalem bus stop on 25 December 1994. The bomber himself, Ayman Radi, 21 had been a traffic policeman in the Palestinian Police in Gaza for several months until he went missing six days before the blast.¹⁰⁵ He had reportedly been under investigation for his suspected links to Hamas militants, and PNA spokesmen claimed Radi was mentally unstable and had been discharged from service.¹⁰⁶ The Israeli economy minister Shimon Shitrit, a hard-line cabinet member, now charged that the recent attacks suggested a "high-level policy" by Hamas: to encourage militants to join the Palestinian Police in order to "have access to armaments and have access to perhaps better transportation, and they use their status to commit crimes".¹⁰⁷ Statements by Hamas's military wing also suggested that the organization encouraged infiltration of PNA security agencies.¹⁰⁸

Acting under US and Israeli pressure to avoid a repetition of the Ayman Radi affair, the Palestinian Police undertook a purge of unconverted militants within its ranks. In January 1995, some sixty policemen belonging to Hamas and Islamic Jihad were disarmed and reallocated to administrative responsibilities. Police spokesmen now vowed that "political activities" which might lead to anti-Israeli attacks would no longer be permitted within the force.¹⁰⁹ These efforts did not prevent Hamas militants from exploiting Israeli apprehensions about Hamas militants in the PNA's security agencies. In December 1996, two al-Qassam members who previously had been officers in the Palestinian Police were sentenced to death in a Palestinian military court for killing another policeman and stealing his weapon.¹¹⁰ On 1 April 1997, an anti-Israeli attack carried out by persons wearing Palestinian Police uniforms, including one apparently also employed in the Police, seemed to confirm that Hamas militants had infiltrated the Palestinian Police.¹¹¹

The issue of current or former terrorists serving as policemen grew into a major controversy during the time of the Netanyahu government, which pursued a more legalistic, less pragmatic policy with regard to the

Palestinian Police. The presence of Hamas militants in the Police was presented as one of the PNA's most "egregious" violations of the Oslo Accords.¹¹² In March 1997, Israeli security sources claimed that 19 Hamas terrorists had been drafted into the West Bank branch of the PSA and seven others into the Civilian Police.¹¹³ The list of police conscripts-terrorists was an impressive display of Hamas militants. It ranged from three key al-Qassam commanders, one previously serving as top Hamas bomb-maker Muhammad Dayf's right-hand man and the two others as Yahya 'Ayyash's assistants, to a number of Iranian-trained operatives. Several others had a solid record of involvement in anti-Israeli operations, including the planning of suicide attacks. If the list was correct, it was a powerful testimony of the Palestinian Police's ability to co-opt and 'turn' key Hamas operatives. From an intelligence perspective, the recruitment of so many former top-level Hamas commanders was a stunning success.

For the ideological purists in the Israeli government, however, the recruitment of former Hamas militants simply proved that the PNA supported or condoned terrorism. Failing to see the importance of the PNA's intelligence efforts, the Netanyahu government also provoked misgivings in its own intelligence community, which had grown more dependent on intelligence cooperation with the PNA after self-rule was expanded to the West Bank. Despite the constant stream of Israeli criticism of the PNA's failures to fight terrorism during the late 1990s, it was precisely the latter's mixture of co-optation and repression which proved so successful in reducing the level of anti-Israeli attacks by the end of the decade. By then, loyalist Fatah militias, commanding strong influence among Palestinian Police personnel, had emerged as the most powerful challenge to the post-Oslo order, not the rejectionists.

The Fatah Militias: An Auxiliary Army or Defiant Rebels?

By the late 1990s, the Palestinian Police faced a growing challenge from within from its own Fatah movement: many armed members were disillusioned with Oslo and the PNA leadership, and maintained local militia organizations. Any disarmament of Fatah-affiliated cadres touched upon the delicate issue of Fatah's role in PNA politics.

The Intermeshing of Fatah and the PNA's Security Agencies

The Palestinian Police's relationship with the Fatah movement and its paramilitary elements was complex, and evolved significantly after the arrival of the exile-based forces in 1994. Since the early preparations for a police force, Fatah's dominance of that process had led the Palestinian opposition and some observers to term the new Palestinian Police "the Fatah police".¹¹⁴

When the Palestinian Police arrived, Fatah members were ordered not to come out as a movement to hail the returnees, in order to underline that the new police was "the people's army, not Fatah's".¹¹⁵ Still, the distinctions between the two bodies were blurred by a number of factors. Fatah members in civilian jobs began receiving salaries from the Palestinian Police, while some Fatah officials receiving salaries elsewhere were "lent' to the security establishment".¹¹⁶ Formally, Fatah's military wing, the Hawks and the Black Panthers, were disbanded in Gaza and Jericho when the Palestinian Police deployed, but in practice Fatah continued to maintain autonomous paramilitary organizations. The Palestinian Police largely tolerated their existence, and, furthermore, it did not require recruits to end their political affiliation to Fatah before joining a police agency. Distinctions were further distorted owing to the role which top police commanders, especially the two PSA chiefs al-Rajub and Dahlan, played in Fatah politics and to the fact that the important PSA branch was based largely on Fatah activists and their organizational infrastructure Inside.¹¹⁷ Other top police commanders, such as Police Director Nasr Yusuf, also held formal positions in the Fatah organization.¹¹⁸

The intermeshing of Fatah and the Palestinian Police meant that intra-Fatah conflicts were imported into the police organizations, for example the tension between the Inside and Outside constituencies which divided both the PLO and Fatah. Nearly all top-echelon officers were drawn from the exile-based forces, creating grievances among Inside-based Fatah leaders. In consolidating its power, the Outside PLO leadership preferred to build alliances with non-Fatah elite groups of 'tribal and economic influence', with the result that Inside Fatah cadres fared less well in the competition for jobs. Differences over internal Fatah elections, as well as favouritism and nepotism in the PNA's expanding bureaucracy, alienated the more educated and ideologically-minded cadres in the Inside Fatah.¹¹⁹ On occasions, the latter hinted that their *shabab*

would very soon “burn all the cars and rebel against the leadership”.¹²⁰ The distrust appeared to be mutual: senior police officials from Outside considered Gazan society “backward” and adopted at times an arrogant colonial attitude towards “the natives”.¹²¹

Local clan and Fatah politics also tended to become embedded in the police organizations. This was a result of the large-scale and rapid recruitment of former paramilitaries without a thorough vetting of applicants, the lack of long-term professional retraining and the absence of a systematic policy of splitting up and reassigning local recruits so as to break up former organizational culture and clan loyalties. The dominant role of the Abu Samhadanah clan in the security agencies in southern Gaza was a case in point.¹²² Often, in the case of the PSA, the transition from Fatah’s informal policing to policing in the name of the Palestinian Police was a slow process with long periods of overlapping ‘jurisdiction’, reflecting the PNA’s need to extend its authority beyond the narrow confines of the PNA-ruled enclaves.¹²³

The exact relationship between armed Fatah members and the Palestinian Police was the subject of much controversy. Formally speaking, the political role of Fatah’s military wing was governed by special Fatah by-laws in order to ensure “military discipline” and its subordination to the civil–political leadership.¹²⁴ The intermeshing of Fatah’s military wing and the Palestinian Police after Oslo created an obvious conflict of interest for both parties. In the case of a junior police officer winning an internal election in Fatah over a more senior officer, the latter would have to obey the organizational instructions of a subordinate officer. The Fatah Central Committee member Sakhr Habash (Abu Nizar) pointed out the new dilemmas in an interview in 1998:

We now have numerous cadres in the various security agencies, the police, the intelligence service, the preventive security, and the national security forces. During our experiment with convening conferences in the Gaza Strip, we realized that those who nominate themselves and win in reaching an organizational command position [in Fatah] have to leave [the Palestinian Police]. We were surprised by the amount of competition among these brothers to nominate themselves to reach an organizational position. We ended up by having a struggle among these [security] agencies, so we had to put a stop to it. A decision was reached to have military personnel participate in elections without nomination. The organization is the head and whoever joins the organization has to leave the security

organs and vice versa. Violations took place, and this is what the press is talking about and blowing out of proportion.¹²⁵

The links between Fatah and the Palestinian Police were probably understated in this interview. The monthly journal of the Palestinian security forces *Watani* often highlighted the high degree of interweaving between Fatah politics and the security forces. In particular, the important Political and Moral Guidance Department, headed by Brigadier 'Uthman Abu Gharbiyyah, himself a leading Fatah member, played a very active role in linking the Police to Fatah. One prominent example was the attaching of 'political commissars' (*mufawwadun siyasiyyun*) to every police unit of a certain size in order to ensure that the policies of Fatah and Arafat were properly understood and embraced.

The PNA's Reserve Militia

In 1994–5, the Palestinian Police's dependence on the Fatah organization, especially in times of crisis, reinforced the impression that the latter had become not only the political mainstay of the PNA regime but also an indispensable reservist militia. Such a role was the logical extension of Fatah's role as an auxiliary security agency in those areas still beyond the PNA's official jurisdiction. As the Palestinian Police grew in size with regard to territorial control, however, freelancing Fatah militias came to be seen as a liability as well as an asset by the Police and the PNA.

The role of Fatah as an auxiliary militia, underlined on several occasions, was problematic. One prominent manifestation of this came during the Waxman crisis in October 1994, when the Fatah movement in the West Bank was instructed to obtain information on the kidnapping.¹²⁶ Overt intelligence-gathering for the benefit of the PNA and Israel heightened existing tensions with the Islamist movement,¹²⁷ brought Fatah/PSA operatives into direct conflict with the rejectionist factions. In January and February 1995, there were several reports of Fatah–Hammas clashes and of sporadic attacks on Fatah security personnel and PSA operatives operating outside Jericho by Islamist supporters.¹²⁸

The intermingling of Fatah and the PSA also met with resistance within the Fatah movement. Many cadres favoured a more well-defined role for the movement, as a political party capable of addressing and criticizing the PNA, not only as an instrument of political mobilization

and security/intelligence support. Several incidents of rough justice by PSA operatives, reminiscent of Fatah's previous policing activities during the intifada, had paradoxically become a main theme in its criticism of the PSA. The killing of a Fatah cadre in the Tulkarm area in late summer 1994 provided the pretext for setting up a commission of inquiry to investigate Fatah's relationship with the PNA and its police agencies. The commission reportedly recommended "stopping Palestinian security service activity outside the autonomous areas, ... more coordination between the various Palestinian security services, and the speeding up of the establishment of a judicial system."¹²⁹

These recommendations were not much heeded, however. The growing strategic importance of the PNA's security performance *vis-à-vis* Israel dictated a continued Fatah role in assisting the Palestinian Police. Although the political leaders of Fatah, especially local leaders from the Inside, could be very vocal in their opposition to the PNA and its 'returnee' bureaucrats and officials, they rallied behind Arafat whenever the latter seemed threatened. And when Hamas militants vowed to attack police commanders, Fatah responded aggressively. In late February 1995, for example, when the Palestinian Military Intelligence chief Colonel Musa Arafat received several death threats via a Hamas leaflet, the Fatah Hawks issued a stern warning to Hamas.¹³⁰ Notably, the Fatah statement was made on Arafat's orders, illustrating his policy of threatening an inter-factional war if Hamas dared to attack the Palestinian Police.¹³¹

The most obvious manifestation of Fatah's role as an auxiliary militia came in the aftermath of 18 November 1994, when 13 Palestinians were killed, most probably by Palestinian security forces during riots following a Hamas rally outside the Palestine Mosque in Gaza City. The legitimacy crisis of the PNA's police forces was now acute. Tensions in Gaza were so high that the Palestinian Police almost ceased patrolling the streets in order to avoid further clashes, and for a moment Hamas supporters appeared to be ruling the streets. At this critical juncture, when Hamas demanded the execution of those police officers who had given orders to fire on the demonstrators, Arafat called upon the Inside Fatah leaders, in particular former Hawks commander Sami Abu Samhadanah. He responded by mobilizing Fatah's largest display of force since the PNA's establishment. On 21 November 1994, some 10,000 Palestinians, including hundreds of armed paramilitaries, marched through the streets firing shots in the air and threatening the Hamas

movement with aggressive slogans: “Whoever wrongs Fatah, Fatah will open his head” and “Where are you, Zahhar, where are you? Abu ‘Ammar will rip your eyes out!”¹³² A similar rally, of some 3,000 Fatah supporters, was also organized in Jericho two days later.¹³³ Counter-rallies by Fatah were not uncommon during times of Hamas–Fatah tension, but they had not previously reached such proportions.¹³⁴

When Arafat and the Palestinian Police’s director Nasr Yusuf addressed the Fatah rally in Gaza, they called it a “referendum of the National Authority, a referendum of the PLO” and exhorted Fatah to stand up against the threats to the PNA: “you are the protector of security”.¹³⁵ Arafat specifically addressed the paramilitaries: “Now, the Fatah Hawks, the heroes of the PLO, with all its factions, strugglers and people both inside and outside the homeland – you brothers, are the protectors of this PLO. You, along with the Palestinian security forces and the police must protect this march until Jerusalem, until Jerusalem, until Jerusalem.”¹³⁶

Fatah responded by setting up seven “emergency committees” made up of former Hawks. These covered the entire PNA area of the Gaza Strip with a view to deploying Fatah activists for policing duties alongside the Palestinian Police.¹³⁷ A Fatah leader in Gaza, Diyab al-Lawh, justified the measure in the light of threats of a coup d’état by the Islamist opposition: “We feel and believe that the opposition is planning a confrontation with the authorities. For its part, the Fatah movement will not let anybody make a mockery of the [PNA] authorities or harm the historic achievement we have attained.”¹³⁸

According to the new guidelines, Fatah’s efforts would be directed at keeping Hamas at bay, by establishing armed plainclothes Fatah units in sensitive areas to guard institutions, gather intelligence on Hamas plans for rallies and demonstrations, recapture and dominate the important graffiti media and in general disrupt and prevent anti-PNA riots.¹³⁹

Palestinian Police commanders did not unanimously welcome the mobilization of Fatah as an armed militia in November 1994. Significantly, the PSA chief in Gaza Colonel Muhammad Dahlan warned that Fatah’s arms wielding could “escalate matters” at a time when mediation efforts between Hamas leaders and Fatah officials had succeeded in brokering a temporary accord barring armed civilians from the streets.¹⁴⁰ Dahlan’s position was that “we do not want any armed presence from any political

grouping, including Fatah".¹⁴¹ Many Fatah leaders, including some paramilitary commanders, were also eager not to be too closely associated with the PNA and its police forces.¹⁴²

Indeed, the bloody outcome of the November clashes had been a demonstration of the Palestinian Police's inability to manage crowd control, much less a Hamas coup attempt. By mobilizing Fatah and its unruly Hawks, the PNA leadership risked losing further legitimacy as it associated itself so closely with one of the political factions. Arafat's critics, including some from the Fatah movement, warned that the return of the Fatah paramilitaries "is a measure of Arafat's helplessness" and that by resorting to these "trigger-happy amateurs", the PNA leadership would only undermine the Palestinian Police.¹⁴³ In Arafat's eyes, however, the mobilization of Fatah was necessary in order to deter Hamas.¹⁴⁴ He did not seem to have envisaged a permanent policing role for Fatah in Gaza, only an emergency support role. His strategy was probably wise in order to avoid polarization and antagonism inside the police branches and also among the public that might easily have occurred if the Police – the object of the November crisis – were to re-establish the public order that it itself had disrupted by its own unprofessional conduct. By bringing in for a moment Fatah's popular forces, which had a long history of clashing with Hamas, Arafat created the necessary counterweight to the Islamists in the streets without further discrediting or fractionalizing his police forces.

The role of armed Fatah activists as a loyalist popular militia for the PNA did not preclude occasional tension between Fatah militants and the PNA's security agencies. In the early pre-deployment period of 1994–5, clashes between Fatah and the Palestinian Police were mainly the result of rash actions by hot-headed Hawks, who had to be restrained in order not to disrupt the PNA's delicate relationship with Israel. In June 1994, for example, the Fatah Hawks leader Sami Abu Samhadanah became so provoked by Israeli settlers shooting at his car that he rallied 15 of his armed comrades to set up a roadblock near an Israeli settlement and prevent settlers from passing. For this, he and his group were detained and questioned by the Palestinian Police, but they were quickly released. Sympathy for his actions was widespread.¹⁴⁵ Sami Abu Samhadanah played a key role in rallying the Hawks to Arafat's support after the 18 November clashes, and later he was rewarded with a very senior position in PS/Force-17 in Gaza, another important 'alumni'

organization for Fatah paramilitaries.¹⁴⁶ The co-opting of renegade Fatah Hawks who continued the armed struggle in violation of the PLO's ceasefire order in September 1993 or otherwise defied the Fatah leadership was more complicated, but they too were usually allowed back into the ranks if they promised to mend their ways. One of these prodigal sons in Fatah was Ahmad Tabuq in Nablus.

Disarming Renegades: The Ahmad Tabuq Militia in Nablus

The first major challenge to the PNA posed by Fatah-affiliated paramilitary groups was the so-called Ahmad Tabuq militia operating primarily in in Nablus's Old City since early 1995. The popular support for this militia illustrated broader tensions in post-Oslo Palestinian society. The intifada had brought to power a new Fatah leadership, mainly from the poor and lower-middle classes, whose authority rested not on land, commerce, clientism and family ties but on their very control of the resistance. In consolidating its power in the West Bank, however, the PNA strived to forge alliances with elite families from the wealthy landowning and commercial class, leaving many intifada youths disenchanting and turning their support to populist militiamen such as Tabuq.¹⁴⁷

Nablus, a focal point of the intifada with four refugee camps and two Gush Emunim settlements in its immediate vicinity, had been home to a large number of Palestinian paramilitaries. They thrived in the Nablus casbah, the Old City's maze of twisting alleyways and narrow streets that now also hosted the Tabuq militia. The rise of Ahmad Tabuq began with his release from prison after Oslo. Formerly a Fatah deputy commander, he broke away from its West Bank military wing, the Black Panthers, and established his own 'Fatah Hawk' group while continuing to profess loyalty to Arafat. He rose to prominence in spring 1995 when the PLO leader appointed 'Isam Abu Bakr, a Fatah commander as the head of the PSA in Nablus. He failed to assert his authority, however, and was ousted by Tabuq's militia.¹⁴⁸

The estimated strength of this militia varied between twenty and more than 100 hardcore gunmen, with a much larger number of assistants and supporters.¹⁴⁹ As a typical intifada-style paramilitary leader, Tabuq was a 'wanted man'. He called frequent strikes; his men punished moral and security 'crimes' by kneecappings; and they also executed a few suspected collaborators. His militia was also notorious for assisting in

‘collecting’ municipal taxes from merchants as well as for extorting money directly as ‘revolutionary taxes’ for its own use and burning the properties of those who refused.¹⁵⁰

The proprietary classes in Nablus and also many PNA officials saw the Tabuq militia as not much more than local gangsters who had taken advantage of the power vacuum between the Israeli departure and the PNA’s arrival. But certain segments of the Nablus population viewed Tabuq differently, especially the young intifada generation of students, street activists and the less well-to-do families in the Old City of Nablus.¹⁵¹ An Associated Press correspondent who met him in late 1995 portrayed him thus: “In the Casbah, at least, Tabouk is a hero. His crew cut and rugged good looks are reminiscent of action movie hero Jean Claude Van Damme. No one speaks against him, and he is clearly admired as a Robin Hood figure who came from the poor to keep the streets free of corruption.”¹⁵²

Some popular support also derived from the fact that Tabuq’s men proved themselves efficient in apprehending criminals and fighting drug dealers, as the Israeli police devoted minimal attention to regular crime fighting in the Palestinian areas.¹⁵³ On the other hand, Tabuq’s punishment practices – his group’s record included at least three executions and more than twenty corporal punishments, including kneecappings – triggered counter-violence from aggrieved families as well as intra-Fatah clashes.¹⁵⁴ There were contradictory reports as to whether the Tabuq militia actually enjoyed unofficial support from the PSA in Jericho. Many Nablus leaders reportedly saw the PSA as “the source of many of the town’s problems”, and responded by courting rival security agencies, including PS/Force-17, which were eager to extend their influence in the West Bank.¹⁵⁵

The PNA typically attempted to co-opt Ahmad Tabuq, offering him the opportunity to leave Nablus for a year, to go to Gaza or to study at Cairo’s military academy, where a number of Palestinian military officers graduated during the late 1990s, and return to a job in the security forces. Tabuq apparently rejected that particular offer, although he and his militiamen welcomed promises of jobs in the Palestinian Police, not least because “we will need to keep our guns”, as he put it.¹⁵⁶ But by openly defying the PSA and Fatah’s orders on a number of occasions, he temporarily lost their patronage. On one occasion in early December 1995, his men surrounded the PSA office in Nablus after it had attempted to limit Tabuq’s vigilante activities.¹⁵⁷ Increasingly, the PNA considered

unruly Fatah paramilitaries a liability rather than an asset. Moreover, leading members of the Nablus elite exerted strong pressure on Arafat to put Tabuq in jail.¹⁵⁸ The stage was set for the first showdown between the PNA's police forces and a local Fatah militia.

When the Palestinian Police entered Nablus, Ahmad Tabuq and his militiamen went into hiding, and appeared publicly only during a street demonstration organized by his followers called "the march of flowers instead of bullets" to demonstrate support for the PNA's takeover of Nablus.¹⁵⁹ Initially, the tone was conciliatory: Tabuq professed his support for the agreements with Israel; and Major-General Nasr Yusuf responded by hinting that he "would not try to confront the Hawks right away, and would not immediately demand they surrender their weapons".¹⁶⁰ Tabuq and his comrades' main concern was that they did not want to remain fugitives, and as a guarantee they wanted positions in the Palestinian Police and a banning of any trials for their previous defiance of PLO orders.¹⁶¹

After several attempts at negotiations failed, the Palestinian Police began rounding up the Hawks, and gun battles erupted as some of Tabuq's gunmen resisted arrest and opened fire on the Police.¹⁶² Around 150 paramilitaries were rounded up, and two were shot in the legs during a large police operation against the militia.¹⁶³ After a two-day police blockade of the Nablus casbah and a ten-hour stand-off with the Fatah Hawks there, the confrontation ended on 17 December 1995 with the incarceration of Tabuq, his deputy Ashhab Abu Rabi'ah and a number of his top militia members.¹⁶⁴ As a precaution, Tabuq and four of his most prominent militiamen were taken to a Jericho detention centre, because the Palestinian Police judged that his detention in Nablus might provoke resistance among his many followers there.¹⁶⁵

Tabuq and his top lieutenants were tried and convicted at a military tribunal for defying PLO orders and refusing to turn over their arms. Although Tabuq received a long-term jail sentence, he was rehabilitated in early 1997, having served only a small part of his prison term. He was reportedly appointed to a senior position in the PSA in Hebron in February 1997, although he lacked formal police training.¹⁶⁶ (Like many other Hawks, he joined the fighting of Fatah *tanzim* (military organization) during the al-Aqsa intifada, and was killed during the fierce fighting in the Jenin refugee camp in spring 2002.)

The PNA's practice of rehabilitating renegade Fatah Hawks was not limited to Ahmad Tabuq. The Associated Press estimated in late 1995

that “dozens of renegade street fighters have been recruited by Palestinian police, mainly in the Gaza Strip, to neutralize them”.¹⁶⁷ Another example was the two cousins Rajah and ‘Umar Abu Sittah from Khan Yunis. They had joined the Ahmad Abu Rish Brigades, a breakaway Fatah Hawks group in Gaza, and had defied the PLO’s ceasefire order in spring 1994.¹⁶⁸ They were co-opted into Palestinian intelligence in May 1994 but were briefly detained when they set up roadblocks near Netzarim in protest against settler shootings.¹⁶⁹ In February 1995, they were summonsed and questioned again after Israel began to push for their extradition, but they did not lose the PNA’s patronage.¹⁷⁰

Yet another example was the controversial paramilitary commander Yasir Abu Samhadanah from Rafah, who had been in conflict with Fatah leaders owing to his excessive zeal and brutality in meting out vigilante punishments in Gaza in the early 1990s. The Fatah leadership did not disavow him, however, although the PNA did not officially request Israeli permission for his repatriation. He nevertheless managed to make his way back to Gaza, where he was granted a senior position in the PSA in Khan Yunis.¹⁷¹ The PNA’s policy of co-opting rogue elements such as Abu Samhadanah into the Palestinian Police highlighted its strong preference for appeasing all militiamen with a struggle record instead of screening the security forces for persons obviously unsuited for police duties.

Disciplining the Jenin Black Panthers

The disarmament of the Black Panthers militia in the Jenin area in late 1995 illustrated in a similar vein the PNA’s balancing act between co-opting Fatah paramilitaries and making good on its promises *vis-à-vis* Israel to discipline and punish renegades.

On 30 November 1995, an Israeli undercover unit approached and attempted to apprehend Samir Zakarnah, a leading member of the Black Panther militia in the West Bank town of Qabatiyyah, in ‘Area B’ under shared Palestinian–Israeli control.¹⁷² Zakarnah was one of many Fatah paramilitaries who had served Israeli prison terms for executing collaborators during the intifada, and been released after Oslo on condition that he remain in ‘PNA custody’ in Jericho. Israeli authorities had launched the undercover expedition on suspicion that Zakarnah had resumed vigilante practices in the Jenin area. The operation failed,

however, as Zakarnah escaped into a local coffee shop and a long stand-off ensued, with hundreds of Palestinians pelting the Israeli forces with rocks and bottles and Zakarnah and some thirty sympathizers barricading themselves inside the coffee shop. The incident assumed crisis proportions when Zakarnah's comrades in the Black Panthers' group abducted two Israeli border police serving in Palestinian-Israeli patrols, apparently with a view to trading them for Zakarnah. Both Arafat and the acting Israeli prime minister Peres intervened to secure the release of the two Israelis.¹⁷³ After a few hours of negotiations, the PSA persuaded the kidnappers to release the two border policemen in a deal in which the Israeli army allowed PSA officers to return Zakarnah to Jericho and put him on trial along with three other militants.

The Israeli army characterized the incident as "extremely serious", but did not slow down the redeployment process, especially as the Palestinian Police appeared to deal firmly with the paramilitaries.¹⁷⁴ The PSA chief al-Rajub told IDF Radio that he felt "hurt" by the abduction affair, and repeated the PNA's standard slogan *vis-à-vis* the rejectionist groups: the Palestinian Police would "punish whoever disturbs the peace. ... There is one authority, one police force and it's their right to achieve security and order."¹⁷⁵ Vigilantism and armed freelancing should no longer be condoned, and al-Rajub underlined the PNA's commitment to reining in the renegades by arresting more Palestinians involved in the kidnapping. A speedy military trial in Jericho sentenced two paramilitaries involved in the kidnapping to nine and six years' imprisonment respectively with hard labour.¹⁷⁶ And yet, less than a week later, the well-publicized disciplinary action seemed to have given way to the traditional policy of discreet co-optation, as the militants were released and given employment in one of the PNA's security agencies.¹⁷⁷

The crackdown on the Ahmad Tabuq militia in Nablus and the Black Panthers in Jenin reflected not only an increasing self-confidence on the part of the Palestinian Police, which now numbered more than 20,000 men, but also a lingering defiance among the core of the PNA's power base in the Inside. The Palestinian Police had handled the challenge of the Tabuq militia well, disarming it with minimal casualties and without provoking public order disturbances. But a continued disarmament of Fatah militias encountered serious difficulty, as the combined effect of stalled negotiations and socio-economic grievances

proved a fertile ground for Fatah radicalism and calls for a new intifada to sweep away both the occupation and corrupt and collaborationist elements in the PNA.¹⁷⁸

Growing Defiance and Unrest: Who Controls the Palestinian ‘Street’?

During the latter half of the 1990s, there were many signs of a remobilization of Fatah and a growing defiance within its ranks *vis-à-vis* the PNA and its security agencies, especially with regard to the right to carry arms. A series of developments caused this shift. After the quadruple bombing attacks in Israel by Islamist groups in February–March 1996, the PNA complied with Israel’s most urgent requests, namely the outlawing of all armed militia groups operating in the self-ruled areas.¹⁷⁹ A PNA statement aired on Voice of Palestine banned the activities of “all paramilitary organizations”, not just those affiliated with the rejectionist factions, and it specifically mentioned by name the Fatah Hawks and the Black Panthers.¹⁸⁰ Although the ban was far less strictly enforced *vis-à-vis* the Fatah-affiliated groups, it nevertheless inaugurated a period of growing tension between the Palestinian Police and Fatah. Its supporters now joined the popular mobilization against the PNA in a series of public disturbances following the massive police raids and arrest campaigns that took place in spring 1996.

The killing of a popular Fatah activist brought matters to a head. In early April 1996, Taysir Ahmad ‘Ali al-Lawzi, 22 the Fatah faction leader in the al-Birah refugee camp, was shot and killed at a Palestinian Police checkpoint by General Intelligence agents.¹⁸¹ Al-Lawzi and his brothers-in-arms were travelling in a stolen car, and the intelligence officers had presumed that they belonged to Hamas, which was distributing leaflets in the camp. An official police statement referred to “the presence of a dangerous arms dealer [in the car]” who refused to stop after several warning shots.¹⁸² The confrontation escalated as masked intelligence personnel raided the hospital to which al-Lawzi’s body had been transferred, but they were blocked by armed Fatah activists when they attempted to snatch the body, apparently to cover up the killing.¹⁸³ The al-Lawzi incident was one of many indications of a power struggle within Fatah between the disenfranchised activists and those working in the PNA’s security agencies. It also pointed to a more fundamental

struggle over authority in the local communities in which local Fatah activists resisted the banning of their traditional policing role. A leaflet distributed by the Fatah faction in al-Birah was illustrative:

To Our Heroic Palestinian People: The so-called Palestinian Intelligence has assassinated one of our faction leaders, Taysir al-Lawzi, in cold blood. This assassination comes after a series of despised measures that have nothing to do with security or morality. They have reached the level of breaking into the homes of members of our factions for searches. We have warned against such measures to no avail. Fatah in Birah, which maintains security in our city and stood up to occupation and the settlers in the absence of the authority, decided to prohibit the activities of the General Intelligence apparatus in this area. This is until all of the employees of the apparatus from the Ramallah region are fired. We warn their patrols from entering for they will be held accountable. [Signed] Fatah, Birah.¹⁸⁴

Tension between Fatah activists and the Palestinian Police reached another climax following the death in custody of one of Tabuq's top lieutenants, Mahmud Jumayyil, 26 at the end of July 1996. His body bore obvious marks of torture, and several other former Fatah Hawks, including his brother, remained in detention and were reportedly mistreated.¹⁸⁵

Although previous deaths in custody had provoked only muted public protest, as victims were usually believed to be collaborators, Jumayyil's death triggered widespread unrest.¹⁸⁶ Fatah organized the first-ever general strike in protest at the PNA since its establishment, seeing Jumayyil's death as "the culmination of a series of violations by the security agencies against the rights of the fighters in the Fatah movement and ordinary citizens".¹⁸⁷ Demonstrators filled the streets in Nablus while the PNA's security forces wisely kept well out of sight. They were seen only on the rooftop of Nablus prison or in their police stations, where activists gathered to throw stones and hurl abuse.¹⁸⁸ It was obvious that Fatah activists and fighters once again ruled the 'street' and commanded the crowd. As the West Bank National Security Forces commander Brigadier Hajj Isma'il Jabr attempted to return Jumayyil's body to the family, a huge crowd gathered to support the family's demand that their other son, Mu'ayyid, should also be released. Brigadier Jabr was forced to relent.¹⁸⁹ In an attempt to calm the situation, Arafat talked to

Jumayyil's father, appointed a commission of inquiry and ordered the immediate detention and prosecution of three naval police officers responsible for Jumayyil's interrogation. They were all swiftly convicted to 10–15 year prison terms and hard labour by a military tribunal at the headquarters of the National Security Forces in Nablus.¹⁹⁰

The Jumayyil and al-Lawzi incidents showed that even leading Fatah paramilitaries could no longer count on the PNA's protection and patronage. Such incidents obviously contributed to the widespread sense of retribalization and refactionalization of Palestinian society in the late 1990s as people sought protection and patronage from their extended families and from local Fatah-affiliated militias rather than the Palestinian Police.¹⁹¹ The Police's territorial fragmentation and numerous and sometimes competing security agencies weakened its authority, permitting powerful clans to exercise significant influence over it. The two incidents showed also that the PNA was heavily dependent on Fatah support for controlling the Palestinian 'street'. Arafat now instructed the police and intelligence agencies to hold regular security coordination meetings with the Fatah Higher Committee in order to elicit its cooperation so as to calm the popular mood and "keep them posted on all issues".¹⁹²

Fatah's new radicalism was rooted in the deadlocked peace process after 1996, which strengthened those hardline factions within it which had never given up the option of armed struggle. From 1997 onwards, Fatah activists inspired and mobilized for many occasions of unrest and riot, leading to clashes with the Palestinian Police.¹⁹³ Fatah rallies increasingly included typical intifada elements such as resistance slogans and masked gunmen firing volleys into the air.¹⁹⁴ Such rallies by masked gunmen, who were both Fatah gunmen and Palestinian Police officers, underscored that Fatah's militancy had wide-ranging ramifications for the official police.¹⁹⁵ Marwan Barghuthi, Fatah's undeclared leader in the West Bank, noted in September 1997 that "people are becoming angrier under the [current] circumstances. They don't like talk and to make festivals every year. They demonstrated by guns. That means that this is the message: that they are ready to fight also."¹⁹⁶

As Arafat attempted to balance Fatah radicalism with the PNA's commitments in the peace process, the Palestinian Police's mission became steadily more complicated, and the limitations on its monopoly of legitimate violence were increasingly evident. In a dramatic episode shortly after the conclusion of the Wye River Memorandum in October

1998, for example, Fatah paramilitaries in Ramallah organized widespread riots against the Military Intelligence after it had attempted to raid Fatah offices in search of illegal arms or fugitives. A crackdown on unlicensed arms was part of the Wye River deal, but Sakhr Habash (Abu Nizar), one of the Outside Fatah's hardline leaders, spelt out the limits of the Palestinian Police's power and legitimacy: "The storming of an office that belongs to Fatah – which protects the PNA – should not have happened. An agent did this and he was arrested, along with all members of the group that stormed this office. ... Shots were fired, which shows that there are more spies within the ranks of the PNA."¹⁹⁷

The crisis in Ramallah worsened after a Fatah activist, Wasim al-Tarifi, a nephew of the powerful PNA minister for civil affairs Jamil al-Tarifi, was killed by the Military Intelligence during the riots.¹⁹⁸ The situation seemed more serious than the demonstrations following Jumayyil's killing in 1996. Now, riots and a general strike spread and virtually shut down several West Bank cities.¹⁹⁹ In Nablus, Fatah activists erected roadblocks in the city's main streets, burned tyres and fired their weapons in an intifada-style show of force. In Ramallah, Fatah paramilitaries openly chased the Military Intelligence in the centre of the city, the capital of the PNA in the West Bank. One report noted that "armed Fatah members are to be seen roaming the streets of Ramallah with their machine guns, opening fire from time to time and searching for the Palestinian self-rule authority's intelligence officers".²⁰⁰

Fatah graffiti denouncing the operation again pointed to the PNA's inability to assert legitimate policing authority: "The revolution's principles and not those of the [Palestinian National] Authority safeguard the dignity of the individual."²⁰¹

In response to this show of popular force, Arafat sided with the 'street'. It was not very statesmanlike, but then he was not the head of a state. Maintaining support from Fatah and its streetfighters was more important than standing firm with his Military Intelligence and its mission to collect small arms and impose order on the paramilitaries. Junior officers were sacrificed for the sake of 'national unity'. Despite having followed their commander's orders and acting broadly in accordance with an agreement recently signed by Arafat himself, the four Military Intelligence officers who raided the Fatah offices in Ramallah were sentenced to three to four years in prison by a court-martial in Jericho on charges of "violating the sanctity of the Fatah office and harming national unity".²⁰²

With regard to those officers accused of shooting Wasim al-Tarifi during the riots, Fatah leaders called for the execution and ousting of Colonel Musa Arafat, the head of Military Intelligence.²⁰³ A special military tribunal was instructed to investigate the case; and when it dropped charges for lack of sufficient evidence, the decision sparked a strike and renewed rioting in Ramallah, forcing the PNA to reverse the ruling.²⁰⁴ Ironically, demonstrators outside the court waved banners stating that “We want a state ruled by law rather than terrorism”, but clearly their main interest was the outcome of the trial, not whether procedural standards of justice were upheld or whether the defendants received a fair trial. They in effect protested against the very state-building objective of asserting a monopoly on violence and disarming competing factions and militias. Indicative of the Palestinian Police’s weakness in the face of competing tribal and militia forces was the fact that when the al-Tarifi family was apparently pursuing tribal revenge against Military Intelligence for Wasim’s death, it was another Fatah militia, not the Palestinian Police, which deterred the family from doing so.²⁰⁵

Negotiating Justice

The availability of arms, especially in the refugee camps, produced an environment in which policing and criminal justice increasingly turned into a matter of negotiations between the PNA, Fatah, powerful clans and their streetfighters. The ideal that the maintenance of law and order should be the sole prerogative of law enforcement institutions seemed more far-fetched than ever.

By the end of the 1990s, several developments pointed to the emergence of local clan-based and/or faction-based militias operating with growing defiance of the PNA’s authority. Complaints were increasingly heard that Fatah activists used their membership to cover up their involvement in crime, especially the trade in stolen vehicles. Rivalries over territory and markets erupted in bloodletting, creating lawlessness and anarchy in the camps.²⁰⁶ The public prosecutor Khalid al-Qidrah lamented “the spread of gangs”, which “terrorize” the citizens and “take the law into their own hands”.²⁰⁷ The gang phenomenon was rooted in the overall political context as local Fatah leaders, especially in the impoverished camps, mobilized an increasingly vociferous opposition to the PNA’s peace diplomacy and internal rule.

A number of incidents illustrated the growing defiance of the Palestinian Police. In April 1999, confrontations erupted between the PNA and Fatah paramilitaries, this time in the al-Am'ari refugee camp near Ramallah, over the right to confiscate arms. A Military Intelligence officer was kidnapped and had his weapon, documents and money "confiscated" by a self-appointed camp militia.²⁰⁸ In September 1999, 13 West Bank refugee camp leaders refused orders to hand in their unlicensed weapons, in protest against the political negotiations with Israel. Their refusal was meant to highlight their lack of confidence in the PNA's ability to reach an acceptable solution to the refugee problem in the final status talks. The latter responded by sending a large force of police to the Balata refugee camp near Nablus, a known hotbed of illegal arms dealing. It arrested several camp leaders, including both Fatah activists and police officers.²⁰⁹ In early September 2000, a kidnapping incident took place in Gaza followed by a new wave of intifada-style streetfighting when Military Intelligence moved to enforce a PNA order banning people from opening fire at celebrations and attempted to disarm Fatah activists in the al-Shuja'iyyah camp.²¹⁰ In most incidents, the PNA was forced to negotiate with the parties and to appoint an investigative commission to calm the 'street'.

Violent streetfighting was seen more and more as a legitimate tool with which to influence the course of justice. A severe case occurred in March 1999 when two days of bloody riots erupted in Rafah in response to a State Security Court verdict. The violence was commonly described as the worst intra-Palestinian violence in the Gaza Strip since 1994, and Arafat was forced to intervene with promises to review the sentences. The SSC had convicted three police officers and former Hamas militants for the killing in February 1999 of a PSA officer, Captain Rif'at Judah, and a six-year-old girl hit by their speeding car. One of them, Ra'id al-Attar, was sentenced to death.²¹¹ Both al-Attar and Judah were from powerful families; but the balance of power in the 'street' apparently favoured al-Attar, whose family had rallied Hamas supporters to their side, forcing the PNA to review the verdict.²¹² Nearly all detained rioters were quickly released, and no charges were brought against them despite the severity of the violence in which two civilians had been killed and 85 civilians and scores of Palestinian policemen had been wounded. Typically, the Palestinian Police chief blamed some four or five "collaborators" for the riots, not the 500–700 participants.²¹³

Another prominent instance occurred in July 1999 when a State Security Court sentenced Raji Ibrahim Saqr, a former Fatah paramilitary, to death for manslaughter after he shot a 16-year-old woman during a brawl with a rival car theft gang. Saqr's family and brothers-in-arms mobilized their militiamen in the al-Am'ari camp and blocked the Ramallah–Jerusalem road in an attempt to induce the PNA to overturn the verdict. The incident escalated into a shootout with a unit from the National Security Forces which had rushed to the scene, and at least a dozen people were injured.²¹⁴ This author witnessed a mini-intifada in Khan Yunis in September 1998. After the night-time arrest of a senior PNA official belonging to a powerful clan, his kinsfolk hastily rallied a large group of streetfighters and armed men, who set up road blocks and threatened violence. Their man was quickly released.

The frequent rioting after arrests or verdicts in the military tribunals reflected the widespread notion that Palestinian policing was not governed by an agreed upon law and was therefore open to negotiation. As a result, street violence, the main instrument used during the intifada to express discontent, was still the only way to defend one's rights, not the justice system.

Towards War: Illegal Arms and Military Preparations after 1996

The PNA's dependence on the Fatah movement and its network of streetfighters and paramilitaries increased as a result of growing Palestinian–Israeli tension after 1996. Fatah was an indispensable tool of the PNA in bringing about violent, large-scale street demonstrations against Israel. The armed clashes between the Palestinian Police and the Israeli army in September 1996 (the al-Aqsa/Hasmonean Tunnel riots) resulted in Israel's reassessment of its military strategy, strongly suggesting that future confrontations of this sort would be far more fatal to the Palestinian security forces.²¹⁵ It was generally understood that the next battle had to be fought by popular forces; the Palestinian Police would not be directly involved. Consequently, the arming and training of Fatah activists became a PNA priority, even if it meant a weakening of the Palestinian Police's authority.

In the late 1990s, military preparations took place on both sides, and a number of tense stand-offs kept alive the prospect of a coming

war.²¹⁶ In late January 1998, for example, the Palestinian Police and Israeli troops came close to opening fire on one another on at least two occasions.²¹⁷ Israeli military preparations and muscle flexing played an important role in reinforcing tension, as did settlement expansions in the sensitive East Jerusalem area. Israeli fighter jets were sent roaring over the self-ruled areas, deliberately breaking the sound barrier at low attitudes in early morning hours.²¹⁸ The IDF rehearsed new contingency plans for a complete reoccupation of the PNA-ruled areas. Military preparations were accompanied by frequent threats of Israeli incursions and raids.²¹⁹

The PNA took a series of measures to prepare for a new military confrontation. It attempted to introduce a kind of mandatory military service, but owing to Israeli objections, this ambition was scaled down.²²⁰ The PNA nevertheless organized military training for selected Fatah fighters with credentials from the first intifada but without any formal position in the security forces, with a view to preparing them to fight an Israeli invasion.²²¹ Preparatory activities for younger activists took place as part of the annual summer camps organized by the Palestinian Police's Political and Moral Guidance Department at which military marches, arms training and manoeuvres were a part of the programme. The scope of these camps broadened steadily during the late 1990s. In 2000, on the eve of the al-Aqsa intifada, more than 1,800 Palestinian teenagers at six summer camps in the Gaza Strip received training in various military skills ranging from the use of light weapons to self-defence techniques.²²² Other PNA preparations allegedly included the building of a new command bunker, four stories deep, for Arafat, as well as a chain of command centres and ammunition and weapons-storage areas in underground and fortified locations.²²³ Palestinian police buildings were also reinforced in expectation of an Israeli incursion.²²⁴

Arms procurements formed an important part of the PNA's military preparations. Reports in 1997 suggested that rudimentary arms factories had been established to provide weaponry such as hand grenades and explosives which, formally speaking, was illegal according to the Accords.²²⁵ Although the existence of illegal arms production in the self-ruled areas was proved beyond doubt, it was uncertain to what degree the PNA condoned or sponsored such activities. In 1998, Palestinian intelligence uncovered an Uzi submachine gun factory in Gaza, reportedly run by weapons dealers who purchased spare parts and assembled them in the factory.²²⁶ Israeli security sources sometimes dismissed PNA

discoveries of arms factories as pure propaganda, intended to impress US mediators.²²⁷

The PNA also acquired arms from outside. Israeli intelligence sources claimed to have evidence of the PNA 'importing' heavy machine guns, anti-tank and anti-aircraft missiles and single-barrel Katyusha rockets.²²⁸ By mid-2000, the Palestinian Police had reportedly accumulated around 100 anti-armour missiles, mostly of the RPG type.²²⁹ (Before the al-Aqsa intifada, such reports were perhaps erroneously dismissed as Israeli propaganda, but later developments demonstrated that the scope of Palestinian arms procurement and production had been quite substantial.) The PNA's military preparations were aided by the significant illegal trafficking of small arms in the Territories. The Palestinian Police periodically launched arms confiscation campaigns. Targeted at the rejectionist factions, these campaigns fitted well into the new PNA policy of military preparation and demonstrated at the same time the PNA's determination to act against the 'opponents of peace'.²³⁰ The Palestinian Police thereby discreetly built up an arsenal of light arms and explosives while striving to maintain a formal semblance of adherence to the Accords.

There were many indications of direct PNA involvement in the arms trafficking.²³¹ A number of the estimated fifty to sixty Palestinian arms dealers in the West Bank seemed to enjoy excellent relations with the PNA's security agencies, and were often seen in the company of prominent intelligence officers.²³² Israel also claimed that senior PNA figures smuggled weaponry with the help of their VIP passes.²³³ Although some of these claims may have been politically motivated, there is little doubt that the Palestinian Police acquired a weapons arsenal far beyond the limits set out in the Accords. An investigative study by the *Jerusalem Report* weekly suggested that the PNA had bought, confiscated or acquired half of the total number of illegal arms among Palestinians in the Occupied Territories.²³⁴ (Estimates of the total number of illegal arms commonly ranged from 10,000–15,000 to 40,000 or more.²³⁵)

The Palestinian Police as a whole seemed to be careful not to endanger the political process by pursuing too overt a armament and smuggling programme. They made many high-profile gestures to demonstrate good intentions while making serious attempts at disarming the rejectionist factions. In January 1998, for example, they uncovered a bomb factory in Nablus that contained hundreds of kilos of explosives.

In March 1998, after an Israeli army patrol vehicle was stolen from its base in Israel and its mortars and machine guns were sold in the Territories, the PSA quickly located and returned the arms. At the same time, the PSA in Gaza arrested a number of arms smugglers, impounded arms caches and uncovered seven large explosive factories reportedly containing more than 1,000 hand grenades along with guns, anti-tank missiles and large quantities of explosives.²³⁶ In the Wye River Memorandum signed in October 1998, the PNA committed itself to collecting and confiscating illegal arms, with America monitoring its compliance and allocating funds to police training programmes via the US International Criminal Investigation Training Assistance Program to help the Palestinian Police in implementing this provision.²³⁷

Until the al-Aqsa intifada, the Palestinian Police pursued a dual agenda: on the one hand, it maintained a commitment to the Accords in support of the PNA's negotiating strategy on the other hand, it prepared itself militarily for the collapse of the political process. These two policy aims became increasingly irreconcilable as more extensive military preparations sowed doubts about the sincerity of the negotiated option. In mid-2000, these contradictions were no longer possible to contain, and both parties accused each other of preparing to launch widespread military attacks.²³⁸

A serious forewarning of the coming war came during the so-called *nakbah* riots in May 2000 in which Fatah gunmen exchanged fire with Israeli forces during nearly eight days of serious riots and the Palestinian Police failed to intervene forcefully to stop them. Israel's demand that the militias be disarmed fell on deaf ears.²³⁹ Fatah radicalism received an immense boost from Israel's unilateral withdrawal from southern Lebanon in May 2000. Ariel Sharon's provocative march on the al-Haram al-Sharif mosque in September 2000 and massive IDF retaliations against Palestinian rioters and gunmen during the early confrontations provided the final push needed to unleash a war which quickly escalated into the most violent Palestinian–Israeli conflict since 1948. Although Arafat was quickly blamed for starting the new uprising, its underlying causes were to be found in the combined effect of arms proliferation, increased Fatah radicalism and the absence of a centralized and powerful police institution whose identity and loyalty rested solely with the PNA's political institutions, not with local clans or factions. By 2000, the Palestinian Police had seen its authority undermined by the growing strength of

popular forces, whether clan-based or faction-based militias. Arafat's strategy of combining negotiations with the threat of street violence had previously proved successful precisely because the masses were not heavily armed and could easily be restrained by the police. But by September 2000, this was no longer the case.

Conclusion

This chapter has explored the issue of small arms proliferation in the Occupied Territories in the context of Palestinian policing under the PNA. As has been shown, the growing availability of arms had a number of political and social ramifications that were not necessarily discernible in 1993–4. At the social level, access to arms translated into manifestations of a gun culture in Palestinian society, exacerbating in particular the problem of accidental shootings. At the political level, the illegal arms issue played a key role in Palestinian–Israeli security relations. The PNA's arms confiscation efforts came about largely as a result of intense Israeli and US pressure to rein in the rejectionist factions. Towards the end of the decade, the Palestinian Police had made great strides in curbing the military potential of these groups.

As for the loyalist factions, however, arms control measures were applied with a very light hand. Indeed, Fatah paramilitaries increasingly made themselves indispensable as popular forces in anti-Israeli riots and clashes. Arms training for Fatah volunteers became a staple in the PNA's new military preparations during the late 1990s. At the same time, the greater availability of small arms gave rise to a number of local Fatah-affiliated and/or clan-based militias whose defiance and assertiveness underlined the Palestinian Police's lack of authority. While the PNA pursued a negotiated solution with Israel, it also prepared seriously for a possible armed confrontation during which its popular forces were supposed to play the major role. By mid-2000, these two policy aims had become nearly impossible to reconcile. The widespread availability of arms turned rioting into deadly gun battles which the Palestinian Police were neither politically nor physically prepared to contain.

NOTES

- 1 A. La Guardia, "West Bank 'enforcer' pays the price of peace", *Daily Telegraph*, 13 December 1995, p. 17.
- 2 See for example Berdal (1996); Spear (1999); UNDPKO (1996); and UNIDIR (1996).
- 3 Berdal (1996), pp. 36–7, 38.
- 4 See, for example, UNDPKO (1996), p. 43; Hansen (2002); and Hansen and Lia (1998).
- 5 Various programmes existed. For example, the Australian Red Cross ran a "Reintegration of Released Detainees" project at a total cost of \$150,000 from June 1994 to April 1996, and Germany and Switzerland ran similar programmes. The largest was a \$13 million project sponsored by the EU entitled "Rehabilitation of ex-detainees in the West Bank and the Gaza Strip". It focused on the social and economic integration of Palestinians who had spent more than one year in jail. It started in 1994, established 14 offices throughout the Territories and employed around 59 social workers. As of early 1998, about 11,000 ex-prisoners had joined the programme. Lia (1998), pp. 62–4; A. Antonelli, "Prisoner rehabilitation: from jail to a new life", *Palestine Report*, 4 (38), 13 March 1998; and UNSCO and World Bank (1996), pp. 153, 158.
- 6 The parties could permit civilians to carry arms, which allowed Israel to maintain armed settlers in the Territories. The Gaza–Jericho Agreement, Annex I, Art. VIII.8.
- 7 Ibid., Annex I, Art. VIII (8b) and the Interim Agreement, Annex I, Art. XI (2b).
- 8 The Interim Agreement, Annex I, Art. XI (2c).
- 9 The decommissioning of illegal arms of paramilitary groups in Northern Ireland after the Good Friday Agreement is a striking example of the complexity and political sensitivity of disarmament in peace processes.
- 10 See, for example, "No legal Palestinian civilian gun licenses", IMRA website, 7 January 1997.
- 11 Spear (1999), pp. 3–4. See also Ayoob (1995), p. 3.
- 12 For example, R. Mahoney, "Gaza goes for guns", Reuters, 23 January 1994 and "French report says arms increasingly easily available in Gaza", France 2 TV, 1900GMT, 23 January 1994, via SWB.
- 13 Ibid.
- 14 L. Marlowe and J. Hamad, "Peace postponed as violence escalates", *Time Magazine*, 18 April 1994.
- 15 Fatah Hawks member interviewed in R. Mahoney, "Gaza goes for guns", Reuters, 23 January 1994.
- 16 See, for example, "Jihad, Hamas arms said smuggled in via tunnels" (FBIS title), *al-Sharq al-Awsat*, 8 February 1995, pp. 1, 4, via FBIS.
- 17 Boutwell (1999).
- 18 "PLO collects weapons in self-ruled Jenin", Reuters, 14 December 1995.
- 19 Fatah Hawks member interviewed in R. Mahoney, "Gaza goes for guns", Reuters, 23 January 1994.
- 20 "Weapons spread in Gaza Strip", *Biladi/The Jerusalem Times*, 25 March 1994, p. 7 and 'U. N. al-Din, "Gaza's Afghanistan syndrome (2)" (in Arabic), *al-Hayat* (London), 3 March 1994.

- 21 “Weapons spread in Gaza Strip”, *Biladi/The Jerusalem Times*, 25 March 1994, p. 7.
- 22 According to observers, “[s]ome families in Gaza have more weapons than the Palestinian factions themselves”. Cited in *ibid*.
- 23 “French report says arms increasingly easily available in Gaza”, France 2 TV, 1900GMT, 23 January 1994, via SWB and “Two gunmen slay village mukhtar as collaborator”, *Jerusalem Post*, 24 January 1994, p. 2.
- 24 Report in the pro-Jordanian daily *al-Nahhar*. Cited in J. Immanuel, *Jerusalem Post*, 12 May 1994, p. 2.
- 25 See, for example, interview with a Fatah leader in “French report says arms increasingly easily available in Gaza”, France 2 TV, 1900GMT, 23 January 1994, via SWB; ‘U. N. al-Din, “Gaza’s Afghanistan syndrome (1) and (2)” (in Arabic), *al-Hayat* (London), 2 and 3 March 1994; and S. Qallab, “Palestinians brace for Afghan-style clashes”, *Arab News*, 18 February 1994.
- 26 ‘U. N. al-Din, “Gaza’s Afghanistan syndrome (1)” (in Arabic), *al-Hayat* (London), 2 March 1994. For another report that Katyusha rockets were available for sale in Gaza, see “Interview with Gaza Mayor Mansur al-Shawwa by Huda al-Husayni in London” (FBIS title), *al-Sharq al-Awsat*, 20 May 1994, p. 8, via FBIS.
- 27 According to Fa’iq Warrad, a former secretary-general of the Jordanian Communist Party and a member of Palestinian National Council, and Nabil Amr, a former Palestinian ambassador in Moscow. S. Qallab, “Palestinians brace for Afghan-style clashes”, *Arab News*, 18 February 1994.
- 28 See, for example, interview with Arafat in the *New York Times* on 17 February 1994 in which he stated that “this weapons trade is being carried out under the auspices of some Israeli officers in the West Bank and Gaza. ... This is part of a wicked plan. Once the Israelis withdraw these weapons will not be used against the Israelis, but against whom? It could lead to another Afghanistan among the Palestinians.” Similarly, Abu Muddayn stated to Paris Radio Monte Carlo that Israel opened “an arms market ahead of the arrival of the Palestinian National Authority. Twenty thousand guns were sold prior to the arrival of the [PNA].” Cited in “Another Afghanistan”, *Jerusalem Post*, 18 February 1994 and “Telephone interview with Furayh Abu-Middayn, Justice Minister in the Palestinian Authority, in Gaza by Salim Badawi”, RMC, 1803GMT, 14 April 1995, via FBIS. See also “Interview with PA Chairman Yasir ‘Arafat by Salwa Abu Sa’dah in Gaza” (FBIS title), *al-Musawwar* (Cairo), 30 December 1994, pp. 20–1, via FBIS.
- 29 “Palestinian police disarms Fatah activists”, Reuters, 25 May 1994.
- 30 R. Powell, “Rabin – Palestinian security force could be 8,000”, Reuters, 23 February 1994; R. Marcus, “Rafiah man remanded for selling Uzi to terrorist”, *Jerusalem Post*, 15 March 1994; and R. Marcus, “Five indicted for dealing in stolen IDF weapons”, *Jerusalem Post*, 20 March 1994.
- 31 See, for example, interviews with Israeli officers in P. Ford, “Israeli army prepares to exit Gaza – but pullout date remains uncertain”, *Christian Science Monitor*, 6 April 1994 and A. Pinkas, “IDF evacuation under way in Gaza and Jericho”, *Jerusalem Post*, 6 April 1994.
- 32 Boutwell (1999).
- 33 “Interview with Sulayman al-Najjab, PLO Executive Committee member and leader of the Palestinian People’s Party, by Fathi al-Barqawi in Tunis” (in Arabic), *al-Quds al-Arabi*, 27 June 1994, p. 4, via FBIS. See also “Palestinian official warns against spread of weapons in West Bank and Gaza”, VOP, 1515GMT, 21 September 1994.

- 34 See, for example, statement by Husayn al-Shaykh, a top PSA official in Ramallah and member of Fatah's Higher Committee, to Palestinian radio in "Palestinian official warns against spread of weapons in West Bank and Gaza", VOP, 1515GMT, 21 September 1994. See also J. Immanuel, "Soldiers kill Palestinian fleeing roadblock", *Jerusalem Post*, 21 September 1994, p. 1 and a series of articles in *al-Quds* in mid-September 1994.
- 35 C. Walker, "Israelis abandon Gaza to Palestinians' joy", *The Times*, 19 May 1994.
- 36 Boutwell (1999).
- 37 M. al-Masri, "The phenomenon of carrying illegal arms, and random shooting" (in Arabic), *Watani* (November–December 1994), pp. 28–9.
- 38 Ibid.
- 39 "More accidental shootings by Palestinian police. Fatalities on the rise due to police negligence", LAW report, 24 August 1996 and "Weapon abuse in the Palestinian territories", LAW report, undated but 2000.
- 40 N. al-Mughrabi, "Palestinian Authority executes two killers", Reuters, 30 August 1998 and "Palestinian court gives security men death penalty", Reuters, 29 August 1998.
- 41 Some twenty people were killed in only the first nine months of 1999. M Kalman, "Palestinians ban gunshot weddings", *Sunday Times*, 19 September 1999 and W. Amr, "Palestinians fear militia style society", Reuters, 8 February 1999.
- 42 The order followed several accidental shooting incidents injuring and killing several prominent Fatah officials. M. Kalman, "Palestinians ban gunshot weddings", *Sunday Times*, 19 September 1999.
- 43 The *Toronto Star* commented jokingly: "No word on whether the new rules apply to shotgun weddings." "The big smoke", *Toronto Star*, 26 September 1999, Entertainment Section.
- 44 J. Immanuel, "Deir el-Balah becomes first Gazan town 'free' of IDF", *Jerusalem Post*, 12 May 1994. See also "Second police group arrives", AFP, 12 May 1994.
- 45 "Maj.-Gen. Nasr Yusuf tells *al-Sharq al-Awsat*: self-rule police's problems due to starvation and spread of specialized gangs phenomenon" (in Arabic), *al-Sharq al-Awsat*, 23 June 1994, p. 5.
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- 50 S. Helm, "The lot of Palestine's destitute policemen is not a happy one", *Independent*, 24 May 1994, p. 11 and "Israeli cabinet briefed on difficulties faced by Palestinian police", VOI-E, 1500GMT, 22 May 1994.
- 51 According to an interview with Abd al-Salam Abu 'Askar in "Palestinian police disarms Fatah activists", Reuters, 25 May 1994.
- 52 See, for example, " PLO police asks Jenin citizens to register arms", Reuters, 18 November 1995.

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- 55 See, for example, Said (1996).
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- 59 J. West, “We can stop Hamas if PLO lets us, commander says”, Reuters, 24 August 1994.
- 60 “More prisoners released in Gaza; police to confiscate unlicensed weapons”, VOI-Ex, 1100GMT, 17 October 1994.
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- 62 Ibid. and “Palestinian Authority says Hamas broke understanding”, Reuters, 28 December 1994.
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- 64 N. al-Mughrabi, “Hamas steps up war of words with PLO in Gaza”, Reuters, 5 April 1994.
- 65 “Hamas warns Arafat Gaza crackdown has gone too far”, Reuters, 11 April 1995 and R. Mahoney, “PLO steps up crackdown on Islamic groups in Gaza”, Reuters, 11 April 1995.
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- 67 “PNA statement announces ban on possessing guns and explosives”, VOP, 1730GMT, 12 April 1995.
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- 69 Ibid.
- 70 “Palestinian justice minister says police to collect unlicensed weapons”, VOP, 0900GMT, 11 April 1995.
- 71 “Nabil Sha’th interviewed on Gaza arms issue”, RMC, 1745GMT, 13 April 1995.
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- 73 “PLO military court sentences man for 12 years”, Reuters, 1 May 1995.
- 74 J. Halabi, “Palestinian police raid Hamas mosques in Gaza”, Reuters, 17 May 1995.
- 75 “PLO to release some prisoners soon”, Reuters, 8 May 1995.
- 76 J. Immanuel, “PA’s gun-licensing campaign lacks pop”, *Jerusalem Post*, 12 May 1995, p. 9.
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- 80 “ Palestinian police find cache of weapons in Gaza”, Reuters, 23 September 1995 and “ Palestinian police find Hamas arms cache and ‘ interrogation cells’ in Gaza”, VOI, 1700GMT, 23 September 1995.
- 81 “ Head of Palestinian police on disarming of Hamas and Islamic Jihad, security”, VOI-E, 0400GMT, 14 August 1995.
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- 83 “ Jihad, Hamas arms said smuggled in via tunnels” (FBIS title), *al-Sharq al-Awsat*, 8 February 1995, pp. 1, 4, via FBIS.
- 84 One journalist reported in March 1996 how the Palestinian Police “ stormed into clinics, schools, offices and charity groups, in some places battering down doors with rifle butts and seizing computer discs, leaflets, forged passports and numerous documents”. S. Abu el-Oun, “ Palestinian authority vows to destroy Hamas at its roots”, AFP, 7 March 1996.
- 85 In particular, the suicide tactics of Islamic Jihad and Hamas made these two groups a particularly difficult target for law enforcement agencies. They were not easily deterred, and detection and preventive measures were inherently difficult. During the 1990s, an estimated ten religious and secular groups out of a much larger number of terrorist and rebel groups were capable of using suicide terrorism as a tactic. These included Hamas, the Palestinian Islamic Jihad, the Egyptian Islamic Jihad, the Algerian Armed Islamic Group (GIA), the Egyptian Islamic Group (al-Jama’ah al-Islamiyyah), Barbar Khalsa International of India, the Tamil-based LTTE, the Kurdish PKK and al-Qa’idah. Gunaratna (2000), pp. 52 ff.
- 86 Nabil Abu Rudaynah stated, for example, that “ on the ground we continue to cooperate on security issues and in civilian matters – security cooperation and other daily life matters have nothing to do with the politics (of the) peace process”. Another PNA spokesman stated that “ we have made it very clear to our security people that they must continue to cooperate with Israel on the security level, whatever the political situation”. Cited in D. Zev Harris and L. Lahoud, “ Barak tells cabinet”, *Jerusalem Post*, 14 February 2000 and D. Rudge and L. Lahoud, “ Tighter security measures to continue”, *Jerusalem Post*, 6 March 2000.
- 87 See, for example, “ Baraq’s office satisfied with PNA’s handling of ‘ terrorism’”, IDF Radio, 0400GMT, 12 July 1999; “ Israeli defence official hails PA efforts – Iran said trying to derail accord”, VOI, 0700GMT, 6 September 1999; “ Israeli army radio gives details of ‘ Islamic Jihad squad’ captured in Gaza”, IDF Radio, 0500GMT 8 September 1999; “ Palestinian–Israeli security cooperation reported” (SWB title), *Ma’ariv*, 12 December 1999, p. 13, via SWB; “ Israeli security minister says cooperation with Palestinians ‘ exemplary’”, VOI, 1400GMT, 13 February 2000; D. Rudge and L. Lahoud, “ Tighter security measures to continue”, *Jerusalem Post*, 6 March 2000; “ Palestinian Police director says peace opponents

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- 90 According to Dennis Ross, a lecturer at the Center for Middle Eastern Studies, Harvard University, spring 2002. By 'terrorist' "terrorist attack", he apparently meant a suicide bomb attack with multiple civilian casualties.
- 91 Statement by Mahmud al-Zahhar to al-Wasat. Cited in "The police will not suppress political activity" (in Arabic), *al-Wasat*, 24 April 1994.
- 92 "Palestinian police – teething problems", *Arab News*, 7 May 1994.
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- 96 Amira Hass interviewed a PFLP member who had been ousted after joining Force-17. Hass (1999), p. 319.
- 97 "Hamas supporters sign up for Palestinian police", Reuters, 17 November 1994 and J. Immanuel, "Wanted: civilians for jobs now done by police", *Jerusalem Post*, 10 June 1994, p. 2.
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- 99 "Palestinian intelligence officer wounded in Gaza", Reuters, 22 November 1994.
- 100 Majid Ibrahim, "The PA and Hamas: Will confrontation win out over co-existence?" (in Arabic), *Filastin al-Muslimah* (London), January 1995, pp. 10–12, via FBIS.
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- 111 “Israeli chief of staff concerned at lack of security cooperation”, VOI, 1000GMT, 1 April 1997.
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- 114 See, for example, “The police will not suppress political activity” (in Arabic), *al-Wasat*, 24 April 1994 and L. Lahoud, “Palestinians wary of a Fatah force”, *Jerusalem Post*, 4 June 1993.
- 115 Cited from interview with Fatah official in Hass (1999), p. 317.
- 116 *Ibid.*, p. 318.
- 117 One example from September 1994 was a statement by Husayn al-Shaykh, a senior PSA official and a member of Fatah’s Higher Committee in the West Bank: “we, as the Fatah leadership in the West Bank, and in coordination with the PNA’s organs, are preparing for a large-scale campaign to combat the phenomenon [of proliferation of arms] and confiscate illegal weapons in the West Bank”. Although the confiscation of illegal arms was usually a police task, al-Husayn clearly saw that the Fatah organization should act as an auxiliary force for the PNA in the field. “Palestinian official warns against spread of weapons in West Bank and Gaza”, VOP, 1515GMT, 21 September 1994. For Colonel al-Rajub’s conflict with the Outside Fatah leader Sakhr Habash, see “Fateh man – controversy and security”, *Biladi/The Jerusalem Times*, 12 December 1997, p. 6.
- 118 Nasr Yusuf was a member of the important Fatah Central Committee as well as the Fatah Revolutionary Council. The latter was an intermediate body (107 members in 1994) between the General Congress and the Central Committee. “List of Palestinian Organizations, Officials”, *FBIS Daily Report Near East and South Asia*, 14 February 1995, Supplement, FBIS-NES-95-030-S.
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- 121 Hass (1999), p. 317 and J. Simpson, "Arafat keeps Palestinians on tight rein", *Sunday Telegraph*, 6 October 1996, p. 25.
- 122 "Security and Political Stability in Gaza", Confidential Report, dated 21 September 1994 (source withheld on request).
- 123 See discussion in B'Tselem (1995), pp. 9-11.
- 124 For example, no more than 25 representatives of the Fatah Military Council would be members of Fatah's Revolutionary Council (see above), which also consisted of the Central Committee members; the chairman of the financial auditing committee and the chairman of the monitoring and protection of memberships committee; fifty members elected by the General Congress; forty leaders from the Occupied Territories; and five members from detainees outside Palestine. Moreover, the by-laws also organized military members of Fatah, "whose memberships are documented in the movement's struggle records ... in a special organizational framework (*al-Asifah*) and in a special list that is submitted by the Central Committee and ratified by the Revolutionary Council". Cited in "Interview with Sakhr Habash, member of the Fatah Central Committee" (FBIS title), *al-Sharq al-Awsat*, 15 January 1998 p. 16, via FBIS.
- 125 Habash was a 'Tunisian' from the Outside PLO, but was formally appointed by Arafat as Fatah's supreme leader in 1997. He failed to dislodge Marwan al-Barghuthi, the (Inside) leader of the Fatah movement in the West Bank. Cited in "Interview with Sakhr Habash, member of the Fatah Central Committee" (FBIS title), *al-Sharq al-Awsat*, 15 January 1998 p. 16, via FBIS. The FBIS's translation has been slightly modified for stylistic reasons.
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11

Conclusion

This study has traced the history of the Palestinian police and security forces from their antecedents in Lebanon and the Occupied Territories to the formation of formal police organizations after the Oslo Accords until the outbreak of the second intifada in September 2000. A recurrent theme has been the paradox of a police force without a state. The study has highlighted the fundamental dilemmas facing the Palestinian Police as it was created by an insurgent organization without the privileges enjoyed by national police forces in independent states, such as territorial inviolability and legal sovereignty. Palestinian policing after the Oslo Accords therefore exhibited many characteristics of insurgent-based policing, despite having many formal trappings of a national state police.

There can be little doubt that the Palestinian Police inherited a legacy of insurgent-based policing culture from the intifada of 1987–93. This proved to be a formidable obstacle to the development of a civilian-oriented democratic policing. Several factors accounted for this. For political reasons, most of the prominent streetfighters and paramilitaries from the first intifada were employed without much screening by the Palestinian Police, and resources for the thorough retraining of these militants were inadequate. As many paramilitaries were former collaborator hunters with bloody records as torturers and executioners, this was highly unfortunate. Another factor promoting the continuation of the ‘old methods’ was the very limited territorial scope of Palestinian autonomy, which left nearly all territory and most Palestinians outside direct PNA rule. This meant that in order to be effective, the Palestinian Police often had to resort to covert, non-legal and often arbitrary and excessively violent methods, which resembled those applied during the intifada. A third factor was the continued conflict-prone relationship with the occupying power, which underscored the need for a militarized and secretive police that could quickly be mobilized for armed struggle.

The Palestinian Police came to be seen, and saw themselves, more as a vehicle for achieving national independence than as a non-political

law and order agency. The overriding goal of national liberation was evident from the very beginning when the PLO made its first preparations for establishing the Police. The political imperative of liberation often clashed with the more mundane and technical requirements of creating a professional force. This occurred on many occasions. Concerned about the possibility that the PLO leadership in the Occupied Territories might reach a separate deal with Israel, the PLO leadership in Tunis focused police training and recruitment efforts almost exclusively on its loyalist constituencies in the Palestinian diaspora. The virtual absence of police training for recruits from the Territories meant that by the time of deployment in May 1994, there were very few personnel in the Palestinian Police who had both police training *and* were familiar with the environment in which the Police were supposed to work. The effect of pre-deployment police training was also reduced by the PLO's decision to deploy only a small fraction of the well-trained Jordan-based Badr Forces, which, the PLO feared, were not sufficiently loyal. Again, political considerations clashed with technical-professional needs. The deliberate use of police recruitment for repatriation purposes was another example of the same thing. Many PLO cadres with only nominal appointments in the Palestinian Police were allowed to return to Palestine as part of the police quota. Arafat's policy of consensus-seeking and co-optation was also detrimental to the force becoming effective. In particular, the failure to merge the Tunis-based security bodies and the Inside Fatah organization into one unified command structure contributed to the Palestinian Police's reputation as a multi-headed militia organization with murky remits and no accountability.

The PLO's promotion of the new force as a symbol of national liberation was a constant theme in the history of the Palestinian Police. This was nowhere more obvious than during the phase of deployment in April and May 1994 when the PLO and Israel fought over its 'choreography'. The PLO successfully resisted Israeli attempts to have the first Palestinian Police units enter the Occupied Territories under Israeli military command and to deny them uniforms and arms.

For all the importance of the national liberation theme in the PNA's own discourse about the Palestinian Police, the legal and political framework for the force as outlined in the Oslo Accords underscored its legal and territorial limitations. Palestinian policemen were deprived of many of the legal, technical and territorial prerogatives usually accorded

to policemen in a national police service. Also, the political agreements reached in Oslo, Cairo, Taba and Washington created a fundamental policing anomaly in which the Palestinian Police's main legal mandate and *raison d'être* was to provide security on behalf of a foreign country in support of its settler-colonial project, not for the benefit of the inhabitants of the territory it controlled. The Oslo framework was not and could not have been conducive to the evolution of civil-democratic policing in the PNA-ruled areas. Its strong emphasis on public order maintenance and counter-terrorism tasks directed against anti-Israeli resistance activities and also the weak institutional legal and legislative constraints to protect the Palestinian public from police abuses were only two examples of how the ideals of civil-democratic policing were eclipsed by immediate realities.

The issues of collaborators and small arms proliferation are particularly useful avenues for exploring the dilemmas and constraints which the Palestinian Police faced as an autonomous, non-state force operating in the post-settlement phase of an armed conflict. Most studies of the PNA have emphasized the prevalence of police abuse and human rights violations under the PNA, but the patterns of these abuses and their security and political logic have been largely ignored. With regard to the collaborator problem, the Palestinian Police initially had considerable success in curbing vigilante killings, which had plagued the final years of the intifada. This success has surprisingly passed unnoticed in the academic literature. But it did not come without a price: the Palestinian Police deliberately resorted to flagrantly illegal and abusive methods to punish and deter collaboration, for which it incurred sharp international criticism and punitive Israeli actions. Legally acceptable methods were not available, however, as Israel basically vetoed any legal prosecution of collaborators and retained military and legal control over much of the Occupied Territories. Hence, as a non-state entity with weak sovereignty, the PNA faced a number of policing dilemmas that translated into the adoption of many abusive practices. The collaborator perspective highlights the significant extent to which the PNA remained an insurgent-based organization whose formal trappings of statehood belied its identity as a national liberation movement.

Another key aspect of Palestinian policing, highlighting the continued importance of the national liberation struggle and armed resistance, was the intermeshing of the police and the loyalist (Fatah)

paramilitary groups. The latter grew in strength, in part owing to the increased availability of small arms after Oslo and in part as a response to the increasing likelihood of a new violent confrontation with Israel. Although the Palestinian Police had considerable success in disarming the rejectionist factions towards the end of the 1990s, disarming the loyalist factions was done with a much lighter hand. Fatah paramilitaries increasingly made themselves indispensable as popular forces in anti-Israeli riots and clashes, which became an important political instrument for the PNA during the second half of the decade. Arms training for Fatah volunteers became a staple in its military preparations, as did arms smuggling and rudimentary arms production inside the Territories. Militarization also meant a loss of central authority, and local Fatah-affiliated and clan-based militias proved to be increasingly assertive and defiant towards the PNA, even if their members were often employed in one of the police branches and had legal access to arms. While the PNA pursued a negotiated solution with Israel, it prepared for a war in which its popular forces would play the major role. By mid-2000, balancing between these two policy aims was no longer possible. The availability of arms turned rioting into deadly gun battles, and an escalating spiral of violence ensued. The al-Aqsa intifada and Israel's counterinsurgency campaign destroyed much of the Palestinian Police organization that had been created in the 1990s.

The basic question raised at the beginning of this study was whether a police force can successfully be created without a state in the setting of a post-settlement environment after a protracted armed conflict. The Palestinian case has demonstrated fully the many difficulties and dilemmas facing a force created before the conflict has been fully resolved and the state boundaries have been relatively fixed. The study demonstrates that the political agendas of the two principal parties constantly interfere with long-term strategies for building an effective police force. Concerns other than policing will inform the composition, organizational structure and the training and recruitment patterns of the new force. The institutionalization of the criminal justice system in which the police organization should be embedded and held accountable will not, and cannot, occur except at the expense of vital political interests of the parties and to the detriment of political talks. Hence, policing in a non-state setting will inevitably remain in constant limbo and retain many of the characteristics of a rebel movement's rough justice as enforced

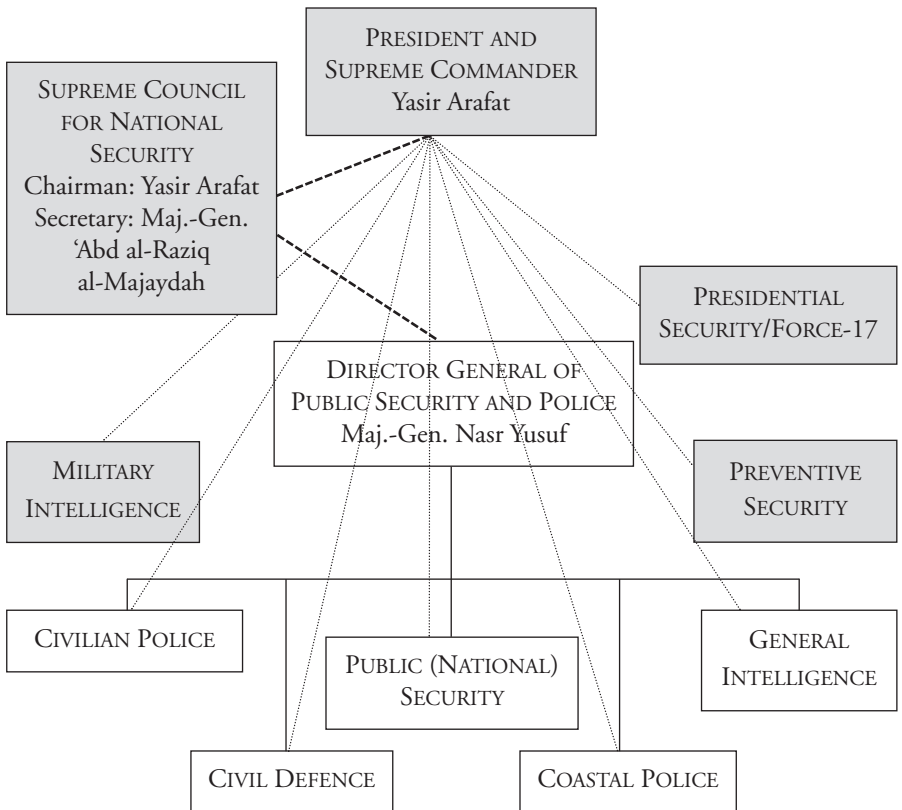
among its followers and constituencies. Although lip-service will be paid to the need for civil-democratic policing, this ideal will quickly be sacrificed when confronted with the imperatives of national liberation.

Finally, a few words should be said about the need for further research. Although the present study is far richer in detail than previous works on the Palestinian Police, future works based on access to more archival sources should yield a more complete account of many aspects of this subject. On a more theoretical level, future studies should go much further in comparing the Palestinian case with similar non-state autonomy police experiments in order to offer policy-orientated lessons for practitioners. Until this happens, I hope that professionals and practitioners involved in aiding police forces in post-conflict societies will be able to draw their own lessons from reading this book.

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Appendices

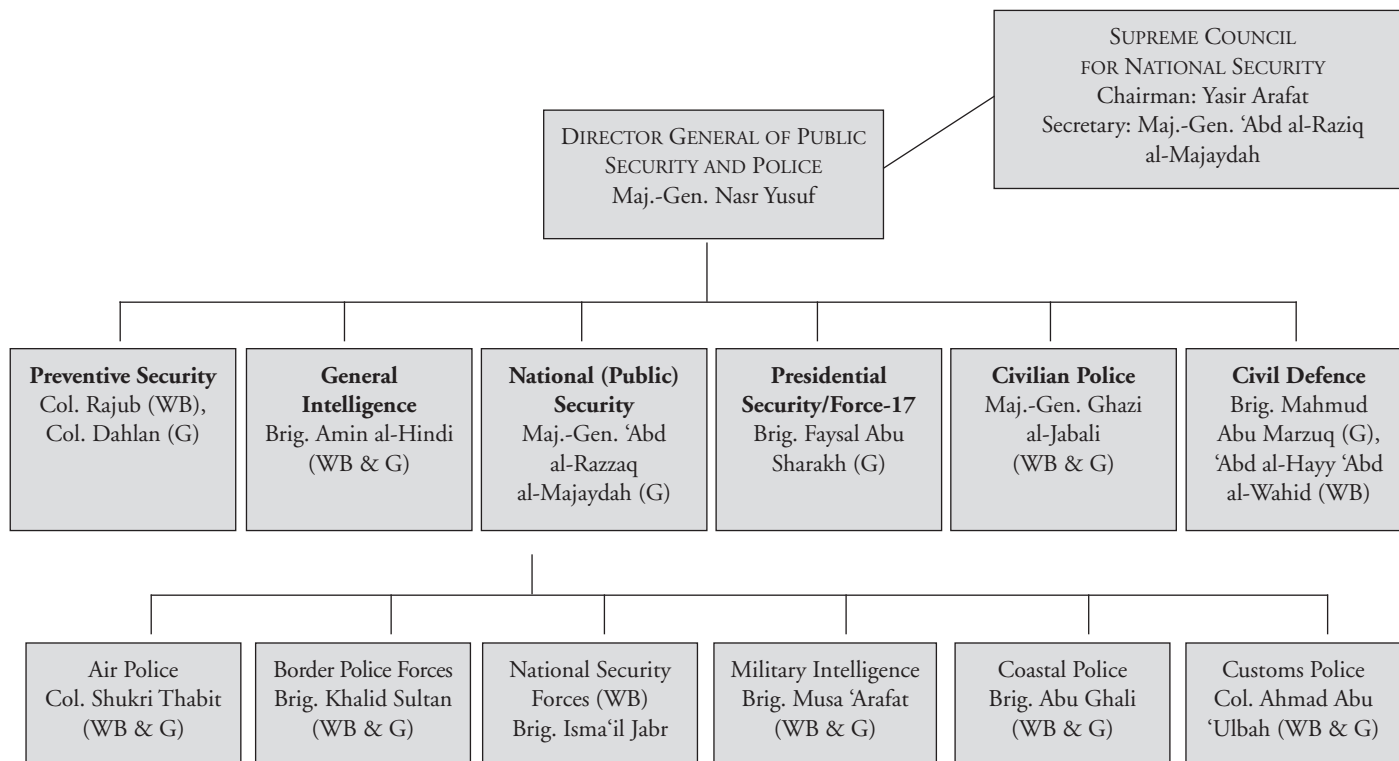
Organogram of the de facto Palestinian Police Organization, Spring 1995



De facto police branches not mentioned in the Gaza-Jericho Accord
 — Nominal chain of command as stipulated in the Gaza-Jericho Accord

..... De facto chain of command
 - - - - - Coordination and policy guidance

Official Organograms of the Palestinian Police, March 1998



Source: Official PNA document presented to the UN Police Training Coordinator, March 1998.

Directorates

Directorate for Training
Brig. Samih Nasr

Directorate for Finance
Brig. Fu'ad al-Shubaki

Directorate for Political
Guidance, Brig. 'Uthman
Abu Gharbiyyah

Joint Security
Committees, Brig. Ziyad
al-Attrash

Directorate for
Armament
Col. al-Basha

Directorate for
Supply and
Provisions, Brig.
Muh. al-Najjar

Directorate for
Medical Services
Brig. Sinwar

Directorate for
Administration
Brig. Mutlaq
al-Qidwah

Directorate for
Research and
Planning, Brig.
Nizar 'Ammar

Directorate for
Transport, Col.
Hasan Khawaldi

Directorate for
Communication
Col. Thayir Abu
al-Majd

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308.87 Volume 3	1 September 1994–15 October 1994
308.87 Volume 4	16 October 1994–20 November 1994
308.87 Volume 5	1 December 1994–20 January 1995
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