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Who's Police? Examining the Palestinian Security Services' role in Palestinian society and the peace process

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Introduction

The Palestinian aspiration for independence and nationhood appeared to take a decisive step forward with the creation of a police and security force following the signing of the Oslo Accords. As the process stagnated, however, Palestinians were left with dashed hopes under an unrepentant occupation. The Palestinian Authority's Security Forces' (PASF) role in Palestinian society over two decades has evolved along major shifts, such as the Arafat years, the 2nd intifada, and Fayyadism under Abbas, with today's highly partisan PASF, based on Gaza-Hamas and West-Bank-Fatah lines. For the Palestinian people, the police and security forces represent both corrupt "Israeli subcontractors" to the occupation as well as a valued national security establishment, and a precondition for a two-state solution. The arrangement underlies a fundamental flaw; that of conducting a security sector reform in the absence of sovereign authority

and local ownership of the reform processes, and while living under a foreign military occupation. This paper addresses the role played by the Palestinian security apparatus in Palestinian life from 1993 to today, and its function regarding the peace process. Ultimately, I find that the partisan nature of the PASF and its subjection to Israeli and international donor interests weakens the advancement of Palestinian statehood.

Establishment of the Security Forces/Oslo II

As early as 1978, the idea of establishing an autonomous Palestinian security force had begun to be discussed by the primary power brokers of the region. The Camp David Agreement called for the establishment of a 'strong police force' within the framework of a Palestinian interim self-government authority, but the first serious attempt at grappling with the issue occurred at the Washington talks in 1992. Two competing visions of the police force quickly emerged: while Israel wanted the local Palestinian police force to provide security under Israeli command, the Palestinians wanted control over the police force, to be aided by international peacekeeping forces and security guarantees.[1] The PLO's strategic thinking was guided by the overall goal of establishing an independent state within a two-state framework, and thus wanted an autonomous force with jurisdiction over its population.[2] However even at the early planning stages, there existed concern over the paradox of the police and security forces' mandate under occupation. As Lia states:

> 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 force before an agreement on Israeli withdrawal was agreed upon harmed Palestinian interests in the negotiations.[3]

In the 1993 Declaration of Principles, Israel agreed both to the establishment of a 'strong police force' and to the arrival of Palestinian personnel from abroad, an

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[1] Hillel Frisch, *The Palestinian Military: Between Militias and Armies* (London: Routledge, 2008), p. 73.

[2] Brynjar Lia, *A Police Force without a State: A History of the Palestinian Security Forces in the West Bank and Gaza* (Reading: Ithaca Press, 2006), p. 90.

[3] Lia, *A Police Force without a State*, p. 119.

important precondition for Arafat. By 1995, Israel had conceded to having 18,000 police in Gaza and a further 12,000 in the West Bank. In order to deflect criticisms stemming from Israeli-Palestinian cooperation, the PLO wanted the armed troops to arrive after Israeli withdrawal.[4] As Lia notes, "the very choreography of police deployment was important."[5] The PLO and Israel ultimately quarreled over how to handle deployment, with Arafat placing great importance on the symbolic nature of a 'liberation force' for the cheering crowds who welcomed them.

Role of Police in Palestine

Regime security can be defined as the maintenance of the core values of a regime, especially maintenance of its basic rules and institutions, including security and law and order. In the case of Palestine, however, the security apparatus has had to defend Israeli core interests, while dealing with day-to-day policing functions often at odds with its original resistance ethos. Many analysts have pointed to a growing authoritarianism in the Palestinian territories that increasingly negates or ignores the political and civil rights of Palestinians under its rule.[6] This is psychologically humiliating for Palestinians; Avram Bornstein writes, "While the level of violence by the PA against Palestinians is dwarfed by the practices of the IDF, it is far more bitter because the experience is mixed with feelings of betrayal by their own people."[7] As Sasley explains, in the face of criticism, regimes can choose one of two options.

> First, they can adopt liberalization efforts, in what one scholar has termed self-preservation 'survival strategies'. Here, 'the goal of a political survival strategy is to open up the political arena to a degree of participation sufficient to attract support from groups with an interest in political

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[4] Frisch, *The Palestinian Military*, pp. 123-124.

[5] Lia, *A Police Force without a State*, p. 253.

[6] Brent Sasley, "The effects of political liberalization on security," in *Redefining security in the Middle East*, ed. T. A. Jacoby and B. Sasley (Manchester: Manchester University Press, 2002), pp. 150-172.

[7] Nigel Parsons, "The Palestine Liberation Organization and the Oslo Process: Incorporation without Accommodation," in *Conflict Transformation and Peacebuilding: Moving from Violence to Sustainable Peace,* ed. B. W. Dayton and L. Kriesberg (London: Routledge, 2009), p. 246.

> reforms… without at the same time creating conditions that might give these groups a means to undermine the hegemony of the ruling elites.' The second option …. [is to] opt to use their control of state institutions to repress, if not crush outright, any agitation for change.[8]

Over time, with political stagnation and declining popular support, the PA has become less willing to support political liberalization and more willing to resort to authoritarian measures to enhance its position vis-à-vis other groups.[9] As discussed further below, the lack of inherent independence within the security forces made any liberalization efforts implausible, instead accelerating the tendency for repression and tight control.

As Tartir highlights, excessive use of violence, torture, arbitrary detention, and intimidation has come to define the PASF, whose conduct has been documented by numerous local and international human rights organizations such as Human Rights Watch and the ICG.[10] Despite their heavy-handedness and abusive practices, the police and security forces have served three important social and political interests for Palestinians. 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 law enforcement vacuums existed. Third, their harsh actions, "when directed against rejectionists and PA critics, created, at least temporarily, a more conducive environment for the PNA's peace diplomacy vis-à-vis Israel."[11]

The police force also serves another function in the occupied territories; that of a large-scale employment and patronage apparatus. In this sense, Arafat and the donor community were complicit in achieving short-term goals, like political support and diplomatic commitments, rather than the long-term institutionalization of efficient policing and security. Lia agrees, arguing that the international donor community's concerns for the peace-process and humanitarian affairs, "served to reinforce the

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[8] Sasley, "The effects of political liberalization on security," p. 155.

[9] Sasley, "The effects of political liberalization on security," pp. 158-159.

[10] Alaa Tartir, "The Evolution and Reform of Palestinian Security Forces 1993-2013," *Stability: International Journal of Security and Development 4*, 1 (2015): p. Art. 46. http://doi.org/10.5334/sta.gi

[11] Lia, *A Police Force without a State*, p. 357.

evolution of the Palestinian Police into an employment and patronage vehicle rather than an effective and professional police organization…. the donor response mirrored the PNA's policy of absorbing social unrest by quickly integrating a large number of Palestinians into the police and security forces, diverting resources from investment in training and equipment to recurrent costs."[12] Marten echoes this, adding that the PASF acted "as an enforcement tool against Arafat's competitors and critics. Almost half of those employed by the PA on its tiny territory – around 47,000 men –were in the PASF."[13] Among the merits of this bureaucracy-building through employing large swaths of the population is laying the groundwork for an effective state. However, if the foundation is rotten with corruption and patronage, its effectiveness is placed into question *in embryo*.

Reforming corrupt, brutal, and ineffective police forces has increasingly become recognized as a crucial focal point in post-conflict peacebuilding. As Lia explains, "states and societies emerging from civil wars and protracted violent conflict suffered from a partial or total breakdown of elementary law enforcement and public order maintenance." This 'security gap' encouraged crime, fuelled discontent and heightened the risk of a resumption of hostilities.[14] The international community therefore placed great emphasis on security sector reform.

International Aid; Cooperation or Cooptation?

One frequently mentioned grievance towards the PASF is their lack of professionalism, funding and training, which serves to further exacerbates institutional limitations as the police rely on more physical and brutal techniques. Indeed, past failures to pay salaries has encouraged members of the security and police to turn to extortion, crime, and corruption. However, some have argued that given the occupation, aid may be counterproductive, facilitating a cheap occupation that spares

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[12] Brynjar Lia, *Building Arafat's Police*: *The Politics of International Police Assistance in the Palestinian Territories after the Oslo Agreement* (Reading: Ithaca Press, 2007), p. 110.

[13] Kimberly Marten, "Reformed or Deformed? Patronage Politics, International Influence, and the Palestinian Authority Security Forces," *International Peacekeeping* 21, 2, (2014): pp. 181-197, 183-184. DOI: 10.1080/13533312.2014.910404

[14] Lia, *Building Arafat's Police*, p. 32.

the occupier the consequences of its actions (not to mention that around 40% of aid to the PA flows over the Green Line into the Israeli economy).[15]

The principal aid donors to the Palestinian security sector are the US and the EU. The Americans have provided funding and training, most notably with the US Security Coordinator (USSC) program, which has trained the PASF and Presidential Guards. As Marten explains, "Washington's ultimate goal was to convince Israel that a viable Palestinian security partner existed, to move the Roadmap forward."[16] The international donor effort in Europe, originally headed by Norway, had begun to pledge money and technical training during the Oslo Accords period in 1993 and tried to balance against the US's own funding and training efforts.[17] The EU established the EUPOL COPPS (Coordination Office for Palestinian Police Support) mission in 2005, which was intended to provide enhanced support to the PA in establishing sustainable and effective policing arrangements.[18] The EU assistance program "included training in surveillance, established a technical investigation bureau with forensic capabilities, and training of management personnel of security and police agencies." This represented the EU's intention to become a 'player' in the peace process.[19] In the early 2000s, counter terrorism assistance came to dominate international police aid involvement in Palestine. The resulting shift in funding and faction supremacy undermined efforts at creating a more unified police and security apparatus, as smaller, more loyal forces were given preeminence by Fatah leadership and donors.

Police aid and international reform efforts tend to centre on specific policy goals such as combatting terrorism and transnational crime or bolstering regional allies rather than on "the noble aim of democratic policing."[20] Some scholars, such as Sayigh, have argued that "Western efforts have hindered – rather than helped – West Bank forces, who have received almost $450 million in assistance from the United State and the

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[15] Parsons, "The Palestine Liberation Organization and the Oslo Process," p. 249.

[16] Marten, "Reformed or Deformed? Patronage Politics, International Influence, and the Palestinian Authority Security Forces," p. 186.

[17] Lia, *Building Arafat's Police,* pp. 28 and 247.

[18] Costanza Musu, *European Union Policy Towards the Arab-Israeli Peace Process: The Quicksands of Politics* (London: Palgrave Macmillan UK, 2010), p. 75.

[19] Ibid., p. 126.

[20] Lia, *Building Arafat's Police*, p. 12.

European Union since 2007."[21] With assistance almost exclusively focused on technical necessities, the governance and planning aspects are severely neglected. Compare this to the situation in Gaza, where Hamas was able to streamline and integrate its security services into an effective force due in part to its sovereign ownership, which facilitated a clearer chain of command, with advanced planning and training capabilities.[22]

Arafatism & PASF Structure

The security aims of Oslo, coupled with the divide and rule governance style of Arafat, also called Arafatism, saw an increase in security force numbers but was associated with higher levels of insecurity for Palestinians. This was accompanied with high levels of corruption, patronage-based politics and personalized rule.[23] Arafat's autocratic tendencies quickly became evident, not less in his preferences for the 'securitate' model of highly developed and equipped special forces and underdeveloped conventional forces.[24]

An outside-inside split was also present in the composition of the two largest security agencies, the National Security Forces (NSF) and the Preventive Security Force (PS). The former was mostly comprised of returnee PLA veterans, while the latter was made up of former Fatah cadres and 'insider' members. The fact that the Outside (Tunis-based PLO) had dominated the strategic thinking and agreement-making on policing fueled frustration for the insiders and underscored a lack of unity between the security apparatus and the on-the-ground Fatah core. The end result of the Oslo negotiations and police preparations 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."[25] Tensions between the two camps soon surfaced.

Frisch has observed that relatively homogenous states often fragment their security forces and counterbalance one against the other for better control, which may explain why the PA, "whose exclusive jurisdiction hardly exceeded an area smaller than

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[21] Yezid Sayigh, "Policing the People, Building the State: Authoritarian Transformation in the West Bank and Gaza" *Carnegie Endowment for International Peace* (Washington, 2011), p. 1.

[22] Ibid., pp. 12-13.

[23] Tartir, "The Evolution and Reform of Palestinian Security Forces 1993-2013."

[24] Frisch, *The Palestinian Military: Between Militias and Armies*, pp. 67-68.

[25] Lia, *A Police Force without a State*, p. 182.

Long Island," established 12 to 14 security forces.[26] The proliferation of security agencies encouraged illicit behavior that in the long term compromised the legitimacy of the PA in the face of an Islamist opposition with a civil face. Despite this proliferation, the PA was unable to achieve a monopoly on force, as other armed groups remained with sufficient military capabilities. Nonetheless, the establishment of the PASF did lead to improved security, especially in terms of Israeli-Palestinian violence: in 1992, there were 2,400 attacks against Israelis in the West Bank; in 1999, there were only 140. It is important to note that for the average Palestinian, this security force one-upmanship and the creation of new units "did not translate into greater law and order… Palestinians still often wondered out loud why so many forces, consuming so much revenue, produced so little security."[27]

As Arafat's power waned in the early 2000s, infighting took hold in the PA leadership between the Arafat and Abbas camps. With the security forces' lack of coordination exposed, and partially decimated by the IDF following the 2nd Intifada, a vacuum was left for Hamas to fill as the "true resistance" against Israel. Hamas, between 2002 and later PA reforms, had risen to an almost equal partner to the PA in importance and power, even outstripping Fatah in conducting violence against Israel. The rise of this rival camp made the security forces' role in nation-building more difficult.[28]

The 2nd Intifada: From Complicity to Resistance

During periods of violence, such as the 2nd Intifada, the PASF struggled with their dual identity as both Israeli enforcers and Palestinian protectors. Thus in a deeper sense, "a tradeoff existed between the strategic perception that armed struggle was still necessary, and a no less important strategic objective of proving to the world and to the Palestinians themselves that they were capable of creating a state worthy of being recognized as sovereign within the world community."[29] Resistance during the 2nd

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[26] Frisch, *The Palestinian Military: Between Militias and Armies*, p. 87.

[27] Frisch, *The Palestinian Military: Between Militias and Armies*, 162.

[28] Frisch, *The Palestinian military: between militias and armies*, p. 165, and Sayigh, "Policing the People, Building the State,"pp. 17-18.

[29] Frisch, *The Palestinian Military: Between Militias and Armies*, p. 83.

Intifada was sporadic and decentralized, with Fatah grass-roots forces engaging with IDF troops, often without the support or direction from the PASF, highlighting the lack of incorporation and unity. In the early stages, security cooperation was high, with the two sides meeting regularly. As the violence mounted, however, confrontation between Palestinian security forces and the IDF frequently replaced coordination attempts. Despite their preference for stability, forces were often involved in resistance, especially those close to Arafat, like Force 17.[30]

For the Palestinians, two camps emerged regarding what to do about the increasing violence; the 'statists,' counting among them key members of the security establishment, favoured de-escalation to ensure the PA's survival, and feared that the conflict was undermining the new state institutions. The 'revolutionaries,' which included Arafat, sanctioned cooperation between the PASF and Fatah and Islamic movements, basing their approach on the Lebanese model of escalation in conflict to sap the occupation and regain the public's favour.[31] Israel's policy of punishing the PASF to impel them to use their security forces to suppress violence backfired; the destruction and immobility of the security apparatus "only encouraged reliance on local militia such as the Popular Resistance Committees in southern Gaza. Collapse in the provision of public services widened the space for Islamist welfare, as well as opportunities for smuggling that would come to characterize Rafah."[32] Both Hamas and Fatah youth movement leaders (Tanzim) denounced 'the Tunisians' (Outsiders) cooperation with the IDF, calling for attacks against Israeli security forces, which led to the further deterioration of the PASF.[33] This in turn led to the rise of militias in the West Bank, who resorted to extortion and corruption, "but also provided a form of localized order at a time when the PA could not do so."[34] The 2nd Intifada had revealed the illogicality of the PASF's paradoxical position as a defender of both the Palestinian people and the Israeli state.

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[30] Parsons, "The Palestine Liberation Organization and the Oslo process," and Frisch, *The Palestinian Military: Between Militias and Armies*.

[31] Frisch, *The Palestinian Military: Between Militias and Armies*, p. 72.

[32] Parsons, "The Palestine Liberation Organization and the Oslo process," p. 248.

[33] Marten, "Reformed or Deformed? Patronage Politics, International Influence, and the Palestinian Authority Security Forces," p. 186.

[34] Ibid., p. 185.

Hamas Comes to Power

Under Abbas, the PA announced a slew of reforms along guidelines suggested by the US and the EU in their attempts to advance peace talks. Despite these efforts, lawlessness defined Abbas's early years. Unfortunately, the 2006 elections would unexpectedly send Hamas into power. As Frisch explains, "For the first time since the reemergence of the Palestinian national movement, the incumbent force consisting of the PA, Fatah, and the security forces had clearly lost its hegemonic control."[35]

Ironically, Hamas's victory actually strengthened the PA's value in the eyes of the US and moderate Arab states despite reduced prospects for a united security force. The PASF remained mostly loyal to Abbas and Fatah, despite Hamas's objections. The US, worried about empowering Hamas, bolstered Abbas's position through strengthening his Presidential Guard under the guise of US security coordinator Dayton. In addition to building the PA's security apparatus, Abbas consolidated his political base in Fatah and sought to increase Fatah's appeal to the Palestinian public.[36] After Hamas took control of Gaza in mid-June of 2007, two governments and security forces now emerged from the political rubble. "Not only did the political division entrench a state of civil war, but it reinforced the geographical severance of Palestinian areas in the face of a superior adversary."[37] Further, Israel's unsuccessful attempts to compel the PA to refrain from terrorism through punishment and imprisonment bolstered Hamas's prospects throughout the course of the hostilities.

The PASF under Fayyadism

Fayyadism, which refers to the PA's period of unilateral state-building from 2007-2013 under PM Fayyad meant to reverse the negative outcomes of the Oslo Accords and Arafatism, saw the West Bank PA attempt to regain control over the monopoly on violence, despite the existence of armed resistance groups. Though this

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[35] Frisch, *The Palestinian Military: Between Militias and Armies*, p. 152.

[36] Amnon Aran, "The Israeli-Palestinian Impasse: Will this Time be Different?" in *The Middle East: Intractable Conflict? SU003* (London: LSE IDEAS) 20-25, (2009): p. 23.

[37] Frisch, *The Palestinian Military: Between Militias and Armies*, p. 183.

may have provided Israel with more security and stability, it largely failed the Palestinian people in the occupied territories. International donors' influence in reforming the security services effectively stripped the Palestinians any ownership over the process. In exchange for a more professional, better equipped, and generally more efficient security apparatus, the forces, driven my donor-objectives, evolved into a police state upholding an increasingly authoritarian government.[38]

The Abbas faction began going after Hamas in the West Bank. As Marten explains, "The new PA believed that its survival depended on eliminating Hamas in the West Bank. Anyone suspected of pro-Hamas tendencies within the PASF was purged."[39] Torture, arbitrary arrests, and the seizure of businesses and charities linked to Hamas were used frequently by the PASF in the West Bank as a way to eliminate opposition. Between 2011 and 2013, the growing rift between Abbas and Dahlan, a close confidant of Arafat and the former head of the Fatah forces in Gaza, came to a head. The PASF were used as political agents to stifle Dahlan and his cadres. Though their brutal tactics were sometimes controversial, the tactics largely worked, and by 2010, the population increasingly supported the PASF because of its success in re-establishing order and putting down the militias.

A Prerequisite for Peace? The Peace Process and Concluding Thoughts

The PLO's original attempt to paint the Palestinian police and security forces as a liberating army was doomed to end in failure and frustration, as the police's principle objective quickly made itself clear; the PASF's main duty, according to the signed agreements, was the protection of Israeli security and colonial interests in the Occupied Territories. This had a detrimental effect for the Palestinian national struggle, the everyday security of the people, the role of resistance movements, as well as intra-Palestinian politics.[40] The tensions between the security forces and other armed resistance groups led to the PASF's transformation into an authoritarian instrument. With resistance to occupation effectively criminalized, are the PASF not prolonging the

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[38] Tartir, "The Evolution and Reform of Palestinian Security Forces 1993-2013."

[39] Marten, "Reformed or Deformed? Patronage Politics, International Influence, and the Palestinian Authority Security Forces," p. 187.

[40] Lia, *Building Arafat's Police,* pp. 14-15.

occupation? The answer ultimately depends on the reader's subjective understanding of what "progress towards peace" resembles, and whether a resolution to the conflict is necessarily achieved under stable security conditions.

Defenders of the security forces see the broader implications as 'security first; the rest later.' This belief in the importance of security coordination considers the long-term possibilities in terms of reconciliation; "According to the theory that has always applied to Arab–Israeli peacemaking, in time old animosities and other alienating factors can eventually give way to cooperation, however grudging, if perhaps not true friendship for generations to come."[41] Thus, de-escalation and building momentum are perceived as crucial in the goal of creating stable conditions for peace. However, this rests on an assumption and expectation that the Israelis are committed to creating and advancing a two-state solution, something that remains contentious. In other words, for the Palestinians, has this experiment in non-state security building been all for naught?

Police and security services fundamentally protect the status quo. When that status quo is an occupation based on a profound power imbalance, however, the security apparatus becomes complicit in occupation. Because Western financing of security sector reform was only conditional on supporting Israeli security – not on an end to violent infighting, the PASF continues to suffer from partisan cronyism. The security apparatus remains caught between trying to meet the public's expectations for confronting the occupation, while also abiding by the Oslo Accords, which oblige it to defend the Israelis and their security interests. Following Oslo, the PASF under Arafat saw a proliferation of security branches, but inconsistent protection of Palestinians. The second intifada saw the destruction and rebuilding of the PASF, with a rising Hamas and other groups filling the gap. After the Hamas-Fatah split and the Fayyad period, the reform of the PASF was accompanied by a rise in authoritarian tendencies based on partisan support. Despite arguments on improved security and stability, the PASF and police, caught in this problematic position, have failed to advance national independence and provide Palestinians with the stately security they deserve.

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[41] Robert Hunter and Seth Jones, "An Independent Palestine: The Security Dimension," *International Affairs* (2014): p. 216. doi: 10.1111/j.1468-2346.2004.00379.x

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