The Palestinian Military

Between militias and armies

Hillel Frisch

Middle Eastern Military Studies

The Palestinian Military

This book analyzes Palestinian attempts to create an organized military force from the period of the Mandate up to the present day.

Beginning with a comparative overview of the relationship between insurgent movements and the quest to build up a standard military, the book looks first at how the 1936 revolt galvanized the Palestinian leadership to attempt to create a military. It then goes on to examine other major topics such as: the 1948 failure to create an organized armed force; Palestinian participation in other Arab armed forces; the creation of the Palestine Liberation Army (PLA); attempts to develop a security apparatus after Oslo; and finally, the question of security reform and peace-making. The book concludes by identifying the lessons from the Palestinian experience that can be applied in promoting healthy civil–military relations within political entities located in major conflict zones.

This book will be of great interest to students of Palestine, Middle Eastern politics, military studies, and Strategic Studies in general.

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Middle Eastern military studies

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In memory of Daniel Magen and Felicity Magen for the virtues they inculcated in Edna, their daughter and my wonderful wife.

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1 The quest for an army

The reality of militias

Rallying around the flag can serve as a metaphor for the creation of a national army, and successful state-building. These are projects with which the Palestinians should have been intimately involved. It has been suggested, at least until the recent past, that healthy levels of voluntarism and a high degree of consensus over collective objectives could facilitate state-building within a society. The building of an integrated army, whether professional or conscript, has been considered to be one of the key prerequisites for healthy state-building. The salience of the quest for national armies rose with the growth of post-independence ethnic conflict, the horrors of ethnic cleansing, failed states, and "new wars." In short, the many situations in which the absence of a national army helped to facilitate these excesses coincided with receding historical memory of the wrath unleashed by the centralized armies of fascist and Nazi regimes. With the end of the Cold War and the relative geopolitical stability it provided, the normative attractiveness of possessing centralized and integrated armed forces is likely to continue to increase.

Even the liberal tradition's (healthy) reluctance and fear of creating a national standing army had long faded into history by the time decolonization played itself out in the second half of the twentieth century. This period saw the further entrenchment of the territorial state as the foremost unit of political organization across the globe.

Few, except for historians specializing in United States history, know of the fierce debate in the early years of the United States republic between those supporting the emergence of a standing national army, and those advocating reliance on state militias. Fewer still are familiar with the fierce ideological principles underlying this dispute. The fiery words of the pamphleteer Caractacus expressed that "the military spirit, by being transferred from the bulk of the country to a few mercenaries … far from being our servants, we furnish them the means of becoming our masters," seem more quaint than profound (Zurcher and Jenkins 1978, 16).

A comparison of the terms "militia" with "standing army," best expresses how profound the quest for an integrated national army has become. The term "militia," from the perspective of the liberal tradition that took root in Britain and its colonies, was a term with virtuous connotations. This was in opposition to connotations associated with a standing army, which was suspect. However, since the end of World War II, and to an even greater extent since the end of the Cold War, "militias" are generally perceived as phenomena whose existence does not make the world better off. It is in this historical context that the quest for integrated national armies was privileged over the development of militias. It is against this setting that the Palestinian national movement was born in the 1960s. In light of this background, a question arises throughout the course of this book as to why Palestinian efforts to create a national army were so marginal, given the timing of the reemergence of their national movement.

Yet, before analyzing why the Palestinians chose the course that they did, it is worthwhile to begin with a survey of the literature in order to determine the effects of a quest for a national security apparatus – a national army and the necessary complement of more specialized security agencies. How does such a quest in fact contribute to healthy state-building in general, and to a state better at providing internal rather than external security in particular?

Three important questions have been raised within the broad literature on decolonization and the development of newly created states, with respect to the relationship between the creation of armies, and healthy state-building: 1) Did states with a "revolutionary" past prove to be better equipped for providing public security than states that were given independence without a struggle? 2) Did the quest to establish a national army in both the pre- and post-independence eras, rather than a more divided security apparatus, promote better state capacities and better social cohesion and domestic peace? 3) Along the spectrum between a centralized security apparatus and a diversified militia-based organization, what is the most suitable military format through which one can assess and compare the Palestinian experience, and under which conditions?

Revolutionary violence and state-building

In his analysis of Western European state-building, Charles Tilly concluded that war makes states describe the process by which war stimulates the development of fiscal systems to finance war and the expansion of bureaucracies to assure more universal conscription (Tilly 1986, 164). The need to make war also sensitized rulers to the importance of promoting economic welfare and growth, which enabled them to engage in more efficient war making. War, Tilly claimed, became an important catalyst for state-building in the European arena. Those rulers who were not good at waging war and state-building were defeated and the entities they ruled swallowed up. According to Tilly, the amalgamation of principalities of failed rulers explains in large measure why Western Europe was divided into 500 political entities of various types in 1500 and declined to only 25 within four-hundred and fifty years (Tilly 1975, 70–76). Paradoxically, Tilly claimed that an anarchic international system was at the root of good state-building and "that (for Europe at least) the striving for military capability, far from being a drag on development, was in fact the driving force in the creation of the modern state" (Mullins 1987, 9).

Replacing an international system that operated by the "law of the jungle," with an international system in which the powers at the core more or less assured the existence of states was a transformation lauded by neo-institutionalists and liberals. However, this change had unfortunate consequences. Jackson and Rosberg (1982, 22), in a particularly well-cited article, claimed that not only did the number of states in the world proliferate in the past 100 years after a steep decline in the number of political units in previous centuries, these new states were characterized almost uniformly by bad state-building. They argue that norms prevailing in the international system today assure these rulers, and the states they govern, safety from outside intervention and thus enjoy what they term "juridical statehood" (ibid.). Whereas in the past only the fittest ruled, "[B]y enforcing juridical statehood, international society is in some cases also sustaining and perpetuating incompetent and corrupt governments" (ibid.).

Several scholars have used this argument to comment on the formation of post-colonial states. Sheldon Gellar argues that in peaceful transitions in Africa, the state regressed into neopatrimonial forms of rule more debilitating than the bureaucratized colonial regime they inherited (Gellar 1973, 384–386). In strife-torn situations, as in the case of Guinea-Bissau, conflict facilitated greater social transformation, nation-building, and a higher degree of institutionalization of party rule (ibid.). According to this thesis, conflict should facilitate post-independence state consolidation. Patrick Chabal (1983, 95), John Saul (1976, 71–72), and, most eloquently, Basil Davidson (1976, 75) concur with Gellar that, with violence, the legacy of colonial rule is considerably weakened, and the chances for successful state consolidation are enhanced.

The Communist Chinese experience presumably provides a striking example of how conflict can positively influence modern state-building. Thus, it was while waging *war* that the Chinese established a revolutionary *state*. But the Chinese experience also demonstrates that the linkage between these two can be illusory. First, the Chinese conflict was a civil war waged against a local foe, not a hegemonic one. Second, and more importantly, one of Mao Zedong's major strategic goals was the establishment and expansion of a liberated area, in which institution-building could freely take place (O'Neil 1979, 232). Rather than regarding violence as the mid-wife of state-building, Mao then believed that it was only far away from the conflict zone that state-building could take place. After all, to build institutions in virgin territory is a far easier task to accomplish than to build them in the face of a competing infrastructure.

Accordingly, one may conclude from the Chinese case that it is the creation of liberated areas and an effective centralized army during the conflict, not the conflict itself, which contributes to institutionalization. This is the gist of Ronald Weitzer's critique on Tilly-like reasoning in an article on Zimbabwe. Weitzer contests the idea that mobilization during protracted conflict creates institutions that can lead to effective state-building (Weitzer 1984, 530). He argues that there is no demonstrable evidence from modern patterns of state consolidation in Africa that these states produced better governments than the colonial states they replaced. Whatever the level of struggle waged against the former colonial power, states that inherited colonial forms of government and administration quickly degenerated into neopatrimonialism, particularly in multiethnic societies. Only in the case of Mozambique, where guerrillas established effective zones of control (liberation zones), was there greater institutionalization and more healthy state consolidation (ibid., 554).

According to Weitzer, not only did opportunities for self-governance within a framework of peaceful devolution achieve better results, the effects of the revolutionary experience compromised state-building in at least three ways: 1) the mobilization of violence often diverts manpower and resources away from institution-building; 2) restrained violence, as in the case of the 1987 Palestinian Intifada, tends to generate internal violence, which further compromises institution-building; 3) finally, violence invites state repression both against those personally engaged in violent acts, but also against the institutions the national movement creates.

Substantial evidence has been amassed that more benign devolution, rather than the "law of the jungle" or revolutionary struggle, and the creation of an army, leads to better state-building. Migdal argues on the basis of six case studies that the greater the willingness of the foreign ruler to allow voluntary center building by forces working towards independence, the more likely the emergence of a strong and stable state (Migdal 1988, 160). Thus, a violent colonial regime begets violence, while a more benign colonial regime will result in better state-building. For Migdal, the state of Israel is an example of the strong state, while he regards Sierra Leone as a weak state. In the Jewish Yishuv, the British fostered state-building by encouraging the creation of the Jewish Agency, while the immigrant population was characterized by a relatively high level of modernization. In contrast, the British strengthened the hand of ethnic "strongmen in Sierra Leone," maintaining the disunity of a traditionally fragmented society.

The importance of benign devolution may be further highlighted by a comparison between Indian and Algerian state formation, where regime policies determined the corresponding levels of violence. In the first part of the century, British policy towards India fostered a reasonable amount of institution and center-building. Indians were allowed electoral participation, first at the local level and then regionally, without undue interference. In those societies where the British deviated from facilitating center-building, as in the case of India's Muslims, the outcome was bloody. In

Algeria, the French were very unsympathetic to institution-building, because of settler opposition. The FLN's reaction was correspondingly more violent than in the Indian case.

According to Migdal, the Israeli experience is an excellent example of how pre-independence state-building patterns can predict the character of the state after independence. Only in 1977, nearly 30 years after the establishment of the state, did the right-wing Likud party take the reins of power from the hegemonic state-building political elite. In the emerging Palestinian entity, the legacy of Arafat's neopatrimonialism will probably be even more decisive. As in the Israeli case, Palestinian patterns of state-building are likely, after the assumption of self-government, to predict the type of state consolidation for a considerable period of time. Migdal has shown that where the British intervened in Zionist state-building, for example, in the application of religious law and the authority of the various religious courts, rule-making indeed became a problem later on for an otherwise strong Jewish state. By contrast, the state emerged strong in those fields where the British did not interfere or, in fact, abetted local Zionist initiatives. On this score, what emerged from "benign neglect" was the protracted maturation of a collective decision-making process and the development of "rules of the game" (Migdal 1989, 1–5).

Ruth Collier (1982) confirms this view in her work on African state-building. Collier studies the relationship between 1) the institutionalization of modern forms of participation in the pre-independence era and 2) regime types following independence in tropical Africa. She looks at three variables: 1) the rate, or extent, of participation in electoral politics in the pre-independence era and the party configuration that it yielded, 2) sequence, or the level of socio-economic modernization of the population as measured by indices such as economic welfare and level of education in the immediate pre-independence era, and 3) colonial regime type, i.e. French direct rule, British indirect rule, and other distinctions. Although Migdal's variables and those suggested by Collier differ, some correspondence does exist. What Collier operationalizes as rate corresponds roughly to what Migdal terms prior institutionalization; "sequence" can be likened to Migdal's concept of "embeddedness," and regime type relates to the form of state consolidation. Thus, while most tropical African regimes eventually succumbed to unstable military rule, Collier shows that the slide to authoritarianism was slower in those states in which parties were more mature and elections more frequent in the pre-independence stage (ibid., 154).

Namibia, which achieved statehood in 1990, further confirms the importance of prior institutionalization inside the contested territory. The leading guerrilla group in the struggle against South Africa, the South West African Peoples Organization (SWAPO), had been forced to operate from outside the territories it claimed. Though the conflict was violent and protracted (SWAPO initiated guerrilla warfare in 1959 and continued for

30 years), a constituent assembly formed within the contested territory in 1975 and inaugurated considerable reform, even though it was boycotted by SWAPO (Forrest 1992, 753).

Of critical importance in Namibia was the early emergence of institutionalized parties such as the Democratic Turnhalle Alliance (DTA). A coalition of minority ethnic groups and predominantly settler parties became a loyal but active opposition when independence came and a SWAPO-led government emerged following free elections in 1990 (ibid., 754). Both the reforms inaugurated under the DTA, and the integrity of the party impressed SWAPO leaders who returned to Namibia after long years of exile (ibid., 743). It is important to note, however, that some SWAPO political activity was tolerated by the settler regime. Perhaps the DTA's cohesion and performance persuaded SWAPO to transform itself into a political party, three years before independence. At any rate, it was one of the few hegemonic national movements that agreed to become a party and compete in multiparty elections rather than insist on acting as a surrogate state. In cases where this did not occur, almost inevitably the national movement became a one-party authoritarian state (Ottaway 1991, 69).

The conditions facing the Palestinian national movement are hardly conducive to an emulation of Namibia's promising start. For example, local Palestinians never had the opportunity to organize territorial political parties. Israel precluded any kind of political reform when it decided that the 1976 West Bank municipal elections were the last under Israeli rule. Israel never seriously contemplated allowing the formation of legal political parties.

Even when the Palestinians achieved autonomy through the establishment of the Palestinian Authority (PA) and were in a position to institutionalize territorial political parties, the most important movements failed to do so. Thus neither Fatah nor the organized Palestinian political opposition (consisting of the Hamas, the Islamic Resistance Movement, the Popular Front for the Liberation of Palestine (PFLP), and the bulk of the Democratic Front for the Liberation of Palestine (DFLP), transformed themselves into political parties and indicated their willingness to contest other forces in the political arena (Bishara 1995, 18).

Again in comparison with the Namibian case, the Palestinian Liberation Organization (PLO) faced severe difficulties emanating from its negotiating agenda. The PLO aims to maintain its hold on the local population during protracted negotiations over a final agreement while presiding over an autonomy rather than a sovereign-state. This in itself is a reflection of the power of a nation-state such as Israel, as compared to the sort of minority settler regime which controlled Namibia.

Do states with centralized armies produce better states?

Whether movements or states with centralized armed forces produce better states is a difficult question to answer mainly because the emergence of a coherent national security structure is as much the result of successful state-building as it is its cause.

Mullins sees very little linkage between the type of armed agencies forged during the liberation struggle through the period immediately after independence, and the quality of the state (1988, 31–35).

What is beyond doubt is that where the state has to compete with *militias* outside the state fold, the state and society suffer grievously. Holden's *Armies without Nations*, which focuses on public violence in four "isthmanian" states of Central America, demonstrates the extent of public violence outside the confines of the state, its long persistence, and the staggering costs it imposed on those societies:

> The Central American states' incapacity to bind to themselves or to neutralize any and all sources of organized violence in their respective territories was a manifestation of their chronically improvisational character. Under such conditions, legislative dispositions either were not applied at all, or could only be applied by an exhibition (if not an actual application) of violence on part of the state's agents and collaborators. The state could not hope, therefore, to nonviolently induce compliance with its law because it was not perceived as the legitimate or ultimate source of any latent power to enforce compliance … It was therefore frequently expedient for the nominal subjects of these nominal governments to bargain independently with collaborating fighting entities instead of with the government itself.
>
> (Holden 2004, 26)

Despite the remarkable persistence of public organized violence, the very existence of the nominal state was hardly ever in doubt:

> Until about the early to mid twentieth century in Central America, state formation remained dominated by shifts in the relative military superiority of competing party militias and *caudillo*-led bands … that could operate outside the national "army" (not to mention outside the national boundaries themselves) as well as within it … From the 1960s onward, insurgent guerrilla armies, grounding their appeal in a rhetoric of popular emancipation, joined the calculus, which was sometimes disrupted by violent factional struggles with both the national armies and insurgent armies.
>
> (Ibid.)

Public violence invited foreign intervention like flies to a festering sore:

> The fighting forces in question were frequently not even from the country in question but operated under the direction of a "foreign" caudillo, as in Honduras and El-Salvador, for example. It remains a peculiarity of the politics of Central American historiography that, whereas much is made of US military intervention in, say, Honduras, the far more egregious military interventions in that country's politics by the governments of Nicaragua and Guatemala receive much less attention.
>
> (Ibid.)

Holden identifies four important ramifications from this sad state of affairs – the absence of judicious law enforcement, the absence of a sense of nationhood – "there were armies – typically, more than one per country – but not nations" – foreign patrons with society bearing the costs of their intervention, and finally, "clientelism and personalism fueling public violence" (ibid., 27).

One scarcely has to venture so far away geographically from the Palestinian case, or so far back in history, in order to find cases with similar characteristics and arguably no less damaging ramifications. Lebanon's recent history is a tale of militias, foreign armies, and foreign intervention, where, however, personalism compared to Central America, played a smaller role than did ideology or religion, though much of the latter merely provided a cloak to more individual and collective attempts at amassing power.

Originating in units of local volunteers set up during World War I as an auxiliary force for the French colonial army, the Lebanese army was established in 1945 when the Lebanese units of the Troupes Spéciales, the last in a series of auxiliary forces created by the French colonial power, were transferred to the government of the now independent Lebanese Republic (Barak 2001, 60).

Lebanese troops, who were already organized in a separate brigade in June 1943, remained aloof from their country's struggle for independence and failed to intervene in the crisis between Lebanon's newly elected government and the Free French in November of the same year. During this period, President Bishara al-Khouri, Premier Riad al-Sulh, and most government ministers were arrested by the French army. The army refrained from rebellion because most of its commanders and soldiers were educated in French schools and military academies in Syria and overseas, spoke French fluently, and regarded themselves as a part of the French culture. In 1944, on the eve of the transfer of its units to their respective governments, 57.8 percent of its battle order was Christian, with Maronites comprising 26.7 percent (ibid., 65).

Partisan quarrels along those lines continued in the early years of statehood between two Maronite-led factions: al-Khouri's "Constitutional Bloc," which advocated a compromise with the Muslim communities within Lebanon and agreed to some measure of cooperation and solidarity with the neighboring Arab states. Conversely, Emile Eddé's "National Bloc" favored a smaller "Christian Lebanon" that would continue to rely on the Western powers. Antoun Sa'ad, former head of army intelligence (the Deuxième Bureau), recalls that the army commander in chief, General Fuad Chehab, had to intervene in order to stop the officers from attacking one another in the barracks (ibid., 64).

These conflicts reflected the extent to which the French had put together a state, yet failed to create a special nationality to go with it. Contrary to the claims of the Lebanese national anthem, the concept of a natural and historical Lebanese nationality was meaningful to some people in the country, but not to others. Arab nationalists, including many Lebanese, felt that the French-created Lebanese Republic could not be a nation-state separate and distinct from Syria. They considered Syrian territory, including historically, Palestine and Transjordan along with Lebanon. Even Syria was in itself part of a greater Arab homeland (Salibi 1993, 19).

As Salibi noted, the tension was most palpable in the anthems of the two states. Whereas the Syrian national anthem did not sing the virtues of Syria as a nation-state standing by itself, but as "the lion's den of Arabism," its glorious historical "throne" and sacred "shrine," the Lebanese national anthem written by a Maronite poet, "sang of the old men of Lebanon and the young, in the mountains and the plains, responding to the call of the historical fatherland and rallying around the "eternal" cedar flag to defend "Lebanon forever" (ibid.).

To cope with these competing visions in a manner that would avert civil war, General Chehab and his colleagues wisely recommended a strict defensive role for Lebanon in the looming confrontation between Jews and Arabs in Palestine. President al-Khuri, a Maronite, and Sunni Premier Riad al-Sulh, who favored an offensive role in line with Lebanon's commitment to the Arab states, adopted Chehab's recommendations after some debate. The army was sent to occupy defensive positions along the border with Palestine but ordered to refrain from taking part in the Arab offensive, scheduled for 15 May 1948. The sole battle between Israel and the Lebanese army in Malikiyya, in June of 1948, ended in a victory for the latter. This victory enabled the Lebanese army to renewed transfer of supplies to the Arab volunteers who were cut off in the Galilee area, and more lastingly, gave birth to a foundational myth of having participated in the war on behalf of the Palestinians (Barak 2001, 65).

This myth served General Chehab in the first civil war in 1958 when in command of the army. He retained its integrity, preserved its neutrality and became the holder of the internal political balance paving the way for his election as president. Nevertheless, he succeeded in successfully terminating internal conflict only after 5,000 United States Marines were briefly dispatched to the capital to protect President Camille Chamoun who challenged Nasser's pan-Arabism and his attempts to amalgamate Lebanon into the recently created United Arab Republic.

No myth, however, was potent enough to enable Lebanese society to withstand the pressures emanating from the emergence of the PLO as a central player in Lebanese politics in the late 1960s and the regional interference which this generated. In July 1968, a faction of George Habash's PFLP hijacked an Israeli El Al civilian plane en route to Algiers. In December 1968, Habash himself oversaw an attack on an El Al plane in Athens, resulting in two deaths. Later that month, Israeli agents flew into Beirut's international airport and demolished 13 civilian airliners belonging to various Arab carriers. Israel defended its actions by informing the Lebanese government that it was responsible for encouraging the PFLP (Smith 2000, 310).

To control Palestinian–Lebanese tensions emanating from Palestinian guerrilla activity, Egyptian President Gamal Abdel-Nasser helped to negotiate the 1969 "Cairo Agreement" between Arafat and the Lebanese government. The PLO was granted autonomy over Palestinian refugee camps and access routes to northern Israel in return for PLO recognition of Lebanese sovereignty. The agreement incited Maronite frustration over what were perceived as excessive concessions to the Palestinians. The rise of the Phalange, a Maronite militia, reflected the frustration over the state of affairs amongst a considerable number of Christians (ibid., 353).

Differences over the Palestinian presence were part and parcel of a larger Christian–Muslim struggle over the distribution of political power. A turn for the worse took place after the PLO was ousted from Jordan in 1970–1971. Christian control of the government, however constitutionally guaranteed, had come under increasing fire from Muslims and leftists, who decided to join forces as the National Movement in 1969. The National Movement called for a new census and a subsequent division of power that would reflect census results. Political tension turned into full-scale civil war during April 1975. The Maronite leadership called for Syrian intervention in 1976, leading to the presence of Syrian troops in Lebanon, and an Arab summit was called to control the crisis.

Lebanon's civil war can be divided broadly into several periods: the initial outbreak in the mid-1970s, the Syrian and then Israeli intervention of the late 1970s, escalation of the PLO–Israeli conflict in the early 1980s, the 1982 Israeli invasion, a brief period of multinational involvement, and finally, the resolution which took the form of Syrian occupation.

Lebanon's army disintegrated into ideological, religious, and communal militias. In the south, military exchanges between Israel and the PLO led Israel to support Sa'ad Haddad's South Lebanon Army (SLA) in an effort to establish a security belt along Israel's northern border, an effort which intensified in 1977 with the election of the new Israeli prime minister Menachem Begin. The fortunes of both the Lebanese state and its army reached their lowest ebb after the government of President Amine Gemayel (1982–1988) imprudently demolished the "unlawful" homes of Shi'is in the "Southern Suburb" of Beirut – a belt of poverty-stricken neighborhoods surrounding the capital. The Amal Movement, the most powerful Shi'i militia in the country, sparked a full-fledged revolt against Gemayel's "oppressive" government and its instruments of coercion leading to massive defection of Muslim officers and enlisted men from the army, spurring its near-disintegration along ethnic and regional lines. Meanwhile, the Palestinian organizations and the Syrian and Israeli armies took control of the eastern and southern parts of the country (Barak 2001, 73).

To make matters worse, *Hizballah* became the most powerful single militia in Lebanon, after Israel fought the PLO and Syria and ousted the former in 1982 thanks to Iranian and Syrian support. Syria needed a proxy to offset Israel's growing political standing and conventional military might after the Israeli Air Force shot down 86 Syrian aircraft without incurring any losses of its own while Israeli Air Force Cobras destroyed dozens of Syrian armored fighting vehicles, including some of the modern Soviet T-72 main battle tanks. From that point on, Syria was determined to avoid a direct confrontation with Israel. Fortunately for Syria, it found not only a proxy but an ally. In 1982, the Iranians operating mainly through their ambassador to Damascus, Ali Akbar Mohtashamipour, a radical mullah, decided to create a branch in Lebanon of the Iranian Hizballah (the party of God) in order to offset and overcome the power of the secular Shi'ite force al-Amal. Within two years Hizballah, which united several radical Shi'ite groups in Lebanon, had become the main force resisting the Israeli occupation of Lebanon after the expulsion of the PLO in 1983 (Taheri 2006).

How much Hizballah was focused on the domestic Lebanese scene depended in great measure on the movement's mentor Iran and its strategic objectives. In the early years, Hizballah organized the hijacking of civilian aircraft and more or less pioneered the idea of suicide bombings against American and French targets, killing almost 1,000 people, including 241 US marines in Beirut, and 58 French paratroopers and more than 200 foreign nationals in Lebanon, most of them Americans or western Europeans. Its imprint of violence was also felt in the Gulf States with Shi'ite populations where the organization tried to arouse support for the "Islamic" revolution against the states of Bahrain, Kuwait, and Saudi Arabia who were traditionally allied with the United States. In the 1990s, it was involved in two bombings of the Jewish center in Buenos Aires resulting in hundreds of dead (ibid.).

Partially due to the rise of the moderates, and especially Khatemi's assumption to the presidency in 1997, the movement was presumed to have become more focused on regional and local affairs. It took the lead in fighting the Israeli presence in the security zone along Israel's northern border culminating in Israel's withdrawal from the security zone in 2000 to within the international border, as acknowledged by the United Nations. According to both Hizballah and the Iranians, the withdrawal was presented as the "first victory of Islam over the Zionist crusader camp" (ibid.).

Hizballah's worth to Iran grew considerably with the US and British invasion of Iraq in the spring of 2003, and the assumption to the presidency of hardliner Mahmud Ahmadinijad who has increasingly targeted Israel as a state that must be destroyed. The organization's value increased in the recent Israeli–Hizballah conflict when the organization continued to wage a crude yet lethal ballistic war, killing tens of Israelis over weeks of fighting.

Lebanon suffering the brunt of militias is in itself a reflection of a centrifugal political reality of rival sects, parties and chieftains, and the breakdown of a consociational form of government that tenuously glued the system together. Nonetheless, one could hardly claim a direct and strong correlation between the preponderance of militias and extreme social distress, and highly centralized militaries and social well-being.

The Israeli experience in state-building could form the basis of a hypothesis regarding the positive relationship between the development of a national consolidated and centralized army and social and national cohesion, but the relative centralization of the Syrian army contests this assertion. Syria has enjoyed relative stability, yet is paying for it in terms of the repression the regime exercises against its population, and in forfeiting the economic benefits of a more diffusive capitalist entrepreneurial system. Excepting short periods of excessive violence at the height of the civil war in Lebanon, there were always more Syrians crossing the border into Lebanon than the other way round. As political scientist Dan Elazar and others noted, relative social welfare levels in the broadest sense are best tested by looking at how people "vote with their feet." Similarly, despite the militias and civil war, Lebanon ranks far higher in the Human Development Index (81 in 2005), compared to Syria at 103. (The HDI is a composite of three measures, GNP per capita, longevity and literacy.)

Wars of liberation, armies and military efficiency

Would Palestinians, or Algerians, have been better served in following the French and communist Chinese precedents in achieving military efficiency?

Creating a centralized and integrated army has many virtues on the battlefield. The modern political history of the Middle East is rife with examples both of states that pluralized society, subsequently falling prey to militarily centralized powers and states that promoted a more uniform society, but fragmented their security agencies performing poorly against states with more conventional armies. Muhammad Ali, widely known as the "founder of modern Egypt," embarked in the second and third decades of the nineteenth century on a radical program of centralization and modernization, which encompassed land registration, taxation, export-crop cultivation, the introduction of Western style education, and industry. He undertook these reforms mainly in order to enhance his military capabilities and they were indeed remarkable. In the course of 25 years, he and his son Ibrahim subdued the Sudan, routed the fundamentalist Wahabiyya movement in areas now part of Saudi (1812–1818), and finally almost destroyed the Ottoman Empire itself (1832–1840). The Ottoman Empire was only saved by British and French intervention (Fahmy 1997). A century later a leader who resembled Muhammad Ali in many ways, Gamal Abdul Nasser, as part of the cold war he waged against the Arab monarchic regimes, sent his forces in 1964 to rout the royalists in Yemen (Vatikiotis 1986, 402–403).

Syria's occupation of much of Lebanon in the early years of civil war may be seen in much the same light. While Syria centralized under a regime that used the Ba'th party in much the same way Stalin used the Communist party, Lebanon institutionalized an extreme form of consociational government where the parts (the religious denominations) were stronger than the whole (the state). Though Syrian leaders fragmented the security apparatus, Syria nevertheless maintained a large and growing conventional army. The imbalance between a centralizing and plural state was played out in the early stages of the Lebanese war when Syria switched sides to support the Christian forces that formerly fought against the pan-Arab ideology Syria had promoted, prior to occupying large parts of Lebanon. The most striking example of a centralized state's supremacy is, of course, Iraq's lightning invasion of Kuwait, even though other factors such as human resources and geographic depth were involved in influencing the outcome.

Evidence for the trade-off between fragmented security forces and offensive capabilities may be found in the course of wars themselves. The conventional wars in the Middle East illustrate the point. Mark Heller attributes Iraqi weakness in its offensive against Iran in the fall and winter of 1980 to excessive fragmentation of the security services and to the lack of effective conventional military training amongst Ba'th-led popular army troops and the Republican Guard (Heller 1993, 46). Prior to the war the security forces' primary function was to protect the regime by policing and monitoring society. It was only after the 1982 Iranian offensive across the Iraqi border that Saddam Hussein gave in to army commanders, appointing officers on the basis of professional performance and increasing the professionalism of the Republican Guard, that Iraq was able to turn the tide against Iran in 1983 (Karsh 1989, 215).

On the Iranian side the same dynamics came into play earlier (ibid., 216). The Iranians only succeeded in ousting the Iraqis from Khorramshar in 1982 when the army replaced the *pasadran (*Iranian Revolutionary Guards) as the key offensive force. The Iranian regime, much like the Iraqis a year later, deviated from an essentially securitate-style model which balanced the revolutionary guards against the army. After compromising once again on military professionalism, and paying for it once more at the front, the regime refocused on the army to achieve its major success in February 1986 – the capture of Fao, Iraq's major port (Sick 1989, 238).

An examination of Israeli–Arab wars leads to similar conclusions. The Arab states often performed badly against the Israeli army because they were mainly equipped to defend the regime rather than meet the external danger of an effective offensive by enemy forces. In 1967, Israeli forces met (much to their surprise), less resistance than they had expected as they made their way from the Hula valley up to the Golan Heights, a steep ascent of over 3,000 feet (O'Ballance 1972, 227–228). It turned out that just before the outbreak of the war most of the Syrian troops were no longer deployed on the Heights, but had been called back to protect the regime from internal foes.

De Atkine, a United States military officer writing from the perspective of a consultant to Arab armies, explains why the trade-off between external and internal security is so great. One of the major reasons for winning wars stems from the ability of the army in combat to carry out highly coordinated and technically sophisticated combined arms operations. According to De Atkine, a regular Jordanian infantry company is "man-for-man as good as a comparable Israeli company; at the battalion level, however, the coordination required for combined arms operations, with artillery, air, and logistics, is simply absent. Indeed the higher the echelon level, the greater the disparity" (De Atkine 1999, 24). The solution is relatively simple. To win wars one requires coordination. The more symmetrical the contesting forces (and worse yet if the enemy has the advantage), the more one needs coordination to enhance speed of movement and to concentrate fire-power.

In order to ensure their survival, regimes need to balance forces and divide-and-rule. Yet a divide-and-rule strategy of fragmenting security forces undermines coordination. You simply can not have both at the same time. "Leaders look at joint commands, joint exercises, combined arms, and integrated staffs very cautiously for all armies are a double-edged sword. One edge points toward the external enemy and the other toward the capital" (ibid., 25). No wonder then, that "no Arab ruler will allow combined operations or training to become routine" (ibid.). In order to ensure fragmentation, leaders even make sure that the various security forces receive different weapon systems.

The acuity of this trade-off transcends the Middle East. Biddle and Zirkle (1996, 172–175) demonstrate in their comparative study of the effectiveness of the Vietnamese and Iraqi air defense systems, why the Vietnamese were so effective and the Iraqis so inefficient, despite comparable levels of military modernization. The highly centralized Vietnamese regime was assured of the army's loyalty due to its effective indoctrination by a dedicated Communist party, which did not interfere with internal army functions (ibid., 190–191). As a result, this offensively structured conventional army performed well against United States air power. In contrast, Saddam Hussein mistrusted his army and utilized all these techniques to meddle in army affairs to maintain internal security. Iraqi air-defense capabilities were adversely affected against a more formidable foe (ibid., 178–183).

Elsewhere, France expended efforts to create the mass conscript army reinforced by nationalism in the latter half of the nineteenth century to stave off a strong Prussia. Achieving military efficiency rather than forging a state of patriotic citizens provided the impetus to create the "nation-at-arms" model of armed forces (Weber 1976, 302). The same could be said of the Red Army's long march into retreat, in order to forge an army able to compete with a large conventional and indoctrinated army such as the one Chiang Kai-shek possessed. The virtues of a centralized indoctrinated army were also strikingly displayed against the Western-led UN coalition in the fall of 1950 on the Korean peninsula (George 1965, 1–3).

However, the usefulness of such a project was all too often undermined by the nature and power of the adversary. In the extremely asymmetric relationship between the Palestinians and Israel and the Algerians against the French, there was little hope that the underdog could create effective deterrence over the long term, thereby reducing the ardor for expending too much effort on creating a national army.

Algeria possessed a relatively centralized and integrated army, the 120,000 rebel member L'Armée de Liberation Nationale (ALN) before independence, which was controlled by the Algerian government-in-exile in Cairo. Most of these troops were amassed along the borders in Tunisia and Morocco (Mullins 1989, 32–33). Though the army and its leaders did little of the fighting after being repelled by a combination of French offensive and defensive measures, including the very effective 320-kilometer-long Morris line fence, it nevertheless won the political spoils at independence (Keegan 1983, 10). First, the head of the government-in-exile Ahmad Ben Bella defeated the "inside" area commanders who faced the brunt of the fighting and punishment, and then the head of the army Houari Boumedienne, waged a putsch against him. A long reign of centralized autocracy set in.

Aided both by oil revenues and Soviet largesse, Boumedienne developed a formidable army, at least according to formal criteria. Nevertheless, Algerian performance against a much less endowed Moroccan army was far from stellar. In January 1976, the Moroccans badly defeated two Algerian battalions and took some prisoners (Metz 1991). So smartened by the experience, Algeria spent over $8 billion on military purchases over the subsequent decade, without ever daring to take on the Moroccan military directly (Zoubir 1997, 50). Henceforth, Algeria despite possessing greater resources than Morocco, relied unsuccessfully on proxy warfare by supporting the Polisario, which is a strategy characteristic of the weaker side in dyadic conflict.

The formation of an army and the Palestinians

Notwithstanding the benefit of a century of hindsight the Palestinians had to study the connection between modes of fighting (guerrilla or standing army) and military efficiency, or the relationship between the type of security structure and subsequent state-building. The historical record has hardly been conclusive enough to give clear answers. While the Israeli experience seems to suggest that the creation of a unified security structure proved its worth both militarily and politically, there are numerous examples, as this short survey suggests, where this was not true.

Though concerned mainly with analysis of the events, no history is bereft of either thesis or theory. This is especially true in making sense of a struggle that was 70 years old at least during the writing of this book. One cannot help but feel that the Palestinian leadership failed to have come to the seminal conclusions which historians and political scientists like Tilly, Rosberg, and Jackson did. From Tilly, though surely not from Tilly alone, we learn the truly seminal idea that the international system is no longer "anarchic" if it ever was. An even playing field that offered numerous chances and low thresholds to achieve success or more usually resounding defeat and disappearance, has been radically transformed in the past 150 years into a world of core and peripheral entities in which success is increasingly dependent on gaining the support of the core state winners. Nor did the Palestinians sufficiently understand that juridical states are not only a reality of modern international affairs, but that the creation of states was mostly a juridical exercise. In short, the political is far more important than military strategy.

The Oslo peace process was just the opportunity in which the Palestinians could have benefited from these insights. They were offered a process of juridical statehood provided that their leadership understood the limitations on the type of demands they could make, as a peripheral actor in a hegemonic world system. Arafat chose instead to turn a potential state into an arena of tactical balancing and at a critical juncture to seek political goals through violence. A Palestinian political arena is presently divided into two fiefdoms, one of which is controlled by the Hamas and the other by Fatah. The former that has to learn these lessons from scratch while the other, vanquished and weak yet wizened by events, is finally ready to abide by the harsh rules.

To gage the validity of this assertion, this book analyzes Palestinian attempts at creating a military in chronological fashion. The Palestinians' search for a military which began with the efforts to organize mass violence during Mandate Palestine, during two key periods, the latter half of the 1930s and from 1945 until 1948, is covered in the second chapter. The third chapter analyzes the period after the defeat of the Arab Palestinian community and the creation of the State of Israel, during which some Arab Palestinians enlisted in the armies of Arab states. The question arises, who served who?

Few would doubt that the creation of the PLO in its attempt to be a state-in-exile marked a watershed in the crystallization of a Palestinian national Diaspora movement. That period was also characterized by significant attempts to create a state-like military in the form of the Palestine Liberation Army. The fourth chapter will move from Gaza to Jordan, Iraq and Syria and back again to Gaza as it analyzes the personalities behind the efforts. This chapter identifies the spoilers and their motives, and dwells on the impact of the 1967 defeat of Arab states and the rise of guerrilla factions and their effect on the project of developing the PLA.

The fifth chapter covers how the signing of the Oslo accords allowed the Palestinians considerable latitude in determining the security structure they wanted. The sixth chapter focuses on the role of the security agencies in the course of the low intensity war that broke out between Israel and the Palestinians in September 2000. The relation between law and security, an essential dimension in creating any effective security system is covered in chapter seven. Chapter eight focuses on Mahmud Abbas' attempts to revitalize "state" security forces after the death of Arafat. Political events which unfolded during the writing of the book necessitated adding an additional chapter (the ninth) on the implications of Hamas' unexpected electoral triumph, its efforts to "reform" the security structure, the civil war that ensued in Gaza, and its violent takeover of Gaza. This takeover marked the first time since the emergence of Arab states that a Sunni fundamentalist movement took over the reigns of government in an area of intrinsic political importance. A short conclusion ties the major themes presented in the Introduction to the essentially empirical analysis covered in most of the book.

2 From revolt to communal defeat 1936–1948

Creating an integrated armed force under foreign rule depends on the cohesiveness of the political elite, its ability to make political demands commensurate with its power, and the strength and resolve of the political actor to which these demands are directed. Palestine's Arab leaders during the first two decades of British rule in Palestine did not act as a cohesive political elite, failed to balance between the demands they made and the power they possessed, nor were they astute in assessing the resolve of the imperial power to hold on to Palestine.

Whether this lack of political cohesiveness was indigenous, some version of the Evans–Pritchard model of controlled balanced factionalism presumably endemic to traditional Arab society, or of British design, is subject to considerable debate. Though the rivalry between the Husayni-led faction and its Nashashibi-led opposition predated active British involvement, one can hardly deny that the British facilitated internal tensions by bestowing the post of mayor of Jerusalem in 1920 upon Raghib Nashashibi. This was by far the most powerful post attained in Palestine by an Arab to that date, and was followed less than two years later by the creation of the Supreme Muslim Council under the helm of his rival, Hajj Amin al-Husayni whose position as Mufti of Jerusalem he attained in 1921 (Wasserstein 1978, 69, 98–99, 131). By contrast, British policy towards the Jewish community (or the *Yishuv* as it was called by the Zionists), focused on the creation of integral representative institutions. This was in keeping with British support of creating a national home for the Jews in the land of Palestine.

Palestine's Arab inhabitants, at least in the initial stages of British rule, were hardly opposed to the British mandate per se. Arab opposition focused on British policies, which supported a Jewish national home. Their basic demands reflected both a desire for hegemony and fears of displacement. In order to assure hegemony from a 1918 baseline in which Arabs outnumbered Jews ten to one, Palestinian Arab leaders demanded that the principle of majority rule prevail under whatever self-government institutions and arrangements the British offered as part of the Mandate trusteeship. To fend off the possibility of displacement, they consistently demanded the cessation of Jewish immigration, and the setting of extreme limitations on land purchase by Jews of property owned by Arab inhabitants (Porath 1977, 166).

Needless to say, these demands were never met during the first two decades of British rule because they struck at the heart of the Jewish national home project. However, commitment of the mandatory power decreased as Arab opposition mounted. Unfortunately for the Arabs, the flagging zeal on the part of the British was more than offset by the desperate determination of many Jews in Germany to flee Nazi terror and emigrate. Many immigrated to Palestine for lack of any other alternative. The Jewish population in Palestine almost doubled between 1932, the year in which Hitler rose to power, and 1935, when the Nazi regime passed the Nuremburg laws, largely because of the influx of over 150,000 immigrants (ibid., 39).

Despite the economic prosperity such immigration engendered, which through mutual economic activity extended to the Arab population as well, political opposition and militancy towards the Jewish national home project and to the British continued to grow (Abboushi 1977, 29–30). According to one credible theory of political science, the J-curve model, violence is likely to break out during economic downturns after long-term prosperity as expectations of increasing prosperity are no longer met.

The theory offers a credible explanation of what subsequently unfolded in Palestine. Increasing prosperity and education widened Palestinian Arab political awareness. The Palestinian factions that in the 1920s numbered tens of adherents grew into parties that attracted thousands a decade later, judging by the number of those participating in their inaugural ceremonies (Porath 1977, 64, 75). Similar development of currents against foreign rule in Egypt and Syria amplified the feeling of political exasperation in Palestine itself, as political organizations in the three countries discovered a common cause.

Whatever were the antecedents of widespread mass violence which broke out in April 1936, no visible hand planned or orchestrated it. And though mass violence certainly is an adequate way to describe the contrast between the period immediately preceding the outbreak of the Arab revolt and its aftermath, the term fails to describe the actual dynamic of violence in its initial stages as the isolated Arab attack was followed by limited Jewish and later British reprisals eventually spiraling into incessant and widespread attacks.

Political parties and their respective leaders did, however, provide the visible hand in organizing and perpetuating the violence. The establishment of the national committees that sprung up rapidly in almost all of the major cities and towns, headed by leaders belonging to the parties or prior institutions which represented the Arab cause, tried to provide financial and logistical support for the fighters (ibid., 63–64). The leadership of these national committees established the Arab Higher Committee (AHC), to give the revolt a clear political direction and better coordinate efforts between the national committees. No less a personality than Hajj Amin, by far the most popular and powerful leader in Palestinian Arab politics at the time, functioned as head of the Committee.

Creating an armed force

At no point did the AHC or the national committees contemplate the creation of an integrated Palestinian Arab military force. Instead, Palestinian leaders envisioned a combination of mass civil disobedience in the form of a general strike and violence. Both tactics were felt to be important in raising the costs of British rule, hopefully to the point that the British would accept Arab Palestinian demands to cease immigration and prohibit Jewish land purchases. The general strike was hardly effective where the rival community proved more than happy to provide services formerly provided by the Arabs as a means to building up its own capacities. Success was contingent then on the ability of the AHC to control, direct and ultimately stop the violence in return for political concessions.

Yet such control is what the AHC or the committees cooperating with it sorely lacked. As the broader mostly urban support flagged, the civic strike waned, and the economic hardship of sustaining violence increased, so did the ability of the AHC to direct the violence diminish.

The type of violence rebels employ according to De Nardo is often a function of numbers; millions of relatively peaceful demonstrators in the streets of Teheran can achieve gains against an isolated regime which often very violent terrorists can not. In contrast, movements which lack numbers will almost always be induced towards greater violence (De Nardo 1985, 9). While millions of protesters in India achieved considerable concessions for the Indian national movement where the idea of the general strike emanated, thousands of strikers and protesters left little impression on the British in Palestine. In such a context, a small professional hard core tends to resort to greater violence.

Such a violent hard core emerged relatively rapidly in the form of four large guerrilla groups which set the tone throughout most of the rebellion from summer 1936 onwards (Arnon-Ohana 1978, 48). ‘Arif ‘Abd al-Raziq, a native of Taibeh in the Sharon valley operated in the immediate vicinity of an area called Banu Sa’ab. ‘Abd al-Rahimal-Hajj Muhammad from Dannabeh, who had a criminal past, operated in the Wadi al-Sa’ir and Fahri ‘Abd al-Hadi from Arabbeh in northern Samaria operated in the vicinity of Sha’aruya. To a great extent, they replaced more ad-hoc gangs which operated under the influence of the national committees and more remotely under that of the Arabic Higher Committee. Not all the groups were made of one cloth. ‘Abd al-Hadi operated as a large unit of 100 fighters at a considerable distance from his home ground, for example, in Emek Yizrael. al-Hajj Muhammad, by contrast, incorporated smaller groups called fasl (pl. fasa’il) (ibid., 49).

At first, these and other groups operated independently of each other but from July 1936 they met to coordinate attacks and, in a meeting in August, even tried to demarcate the areas in which various groups would operate, and identified the targets each group was to attack (ibid.). Notably absent from these meetings were the Jerusalem area fighters under the command of ‘Abd al-Qadir al-Husayni, the only insurgent leader with strong affiliation to the Palestinian Arab Party, the largest and best organized political movement (Porath 1977, 186). Al-Husayni's non-attendance represented a serious obstacle to achieving a unified organization and strategy against the British and the *Yishuv*.

The Arab Salvation Army

The arrival of Fawzi al-Din Al-Qawuqji's Arab Salvation Army from Syria on 22 August 1936 provided the major impetus for organizational change. Qawuqji's arrival presented a major challenge to the local groups, who resented his independence of action and the threat they felt he posed them. Their fears were well founded for several reasons. Funded by the “League for the Defense of Palestine” an Iraqi-based organization, he enjoyed autonomous financial resources. As a former military officer in the Ottoman army and a hero of the rebellion in Lebanon in 1925, he came with a pedigree and training they did not share. Finally, he brought with him a strategic perspective that only an organized army could prevail upon the British to change their policy in Palestine (Arnon-Ohana 1978, 50).

The first pronouncement he issued hardly helped matters. By identifying himself and others around him as the “Leadership of the General Arab Revolution in Southern Syria” (Palestine) and signing off as the commander of the same, he obviously aroused suspicion amongst territorially centered bodies such as the Arab Higher Committee and the gangs (ibid., 51). The latter's suspicions were largely confirmed when he made public that the military organization he planned to establish would be a centralized force consisting of Iraqi, Syrian, Druze and Palestinian companies based on place of origin or confession (ibid., 52). Fortunately for Qawuqji, he made his plan known after the groups met on 2 September when they agreed to Qawuqji's command (Porath 1977, 189). Fakhri ‘Abd al-Hadi, a former criminal from ‘Arrabeh, was made deputy commander-in-chief and head of the Palestinian unit. Matters were made worse when he formed ordinance units largely devoid of Palestinians. Qawuqji obviously attempted to increase the dependence of these groups on his organization, a move they came to oppose bitterly.

Even the Palestinians he did appoint to head, for example, the adjunct-general ‘Abd al-Qadr Yusuf ‘Abd al-Hadi, a former criminal turned landowner, came from the ranks of the opposition rather than the more mainstream camp of the Mufti (Arnon-Ohana 1978, 53). Qawuqji also antagonized the Mufti and his followers by promoting relations with supporters from the Nashashibi camp, disregarding both the AHC led by the Mufti and his relative and ally, ʻAbd al-Qadir al-Husayni, the founder and leader of the *al-Jihad al-Muqaddas*, the major fighting force in the Jerusalem area (Porath 1977, 192). It was fanciful to think that the Palestinians, so numerically preponderant in the manufacture of local violence, could be marginalized and even less to depend on the weaker groups in the local political arena.

Qawuqji's rashness to act practically killed the project of forming a centralized army at birth. Less than 24 hours after his meeting with the guerrilla leaders, his forces attacked a British army convoy in Balʿa on the only road linking the Tel-Aviv and Jaffe area with Haifa. The former cities formed the major population center while the latter had in the course of the previous decade, became the command and logistical center of the British forces in Palestine. Possibly due to rumors that Qawuqji was secretly in league with John Glubb, the commander of Emir ʻAbdullah of Transjordan's forces, the Palestinian groups were the first to leave the scene of battle, leaving Qawuqji's troops to face British reinforcements which were supported by effective strafing from the air (Arnon-Ohana 1978, 53–54; Porath 1977, 191; Yasin (N.D.), 88).

Though he and his forces persisted in embarking on another major attack in Jab'a on 24 September, he entered into negotiations with the British with the aim of concluding a safe evacuation agreement. These talks signaled the end of any realistic attempt to create an effective unified armed force in Palestine. Qawuqji departed from Palestine on 25 October by the skin of his teeth after a *fazzaʿa*, the mobilization of thousands of villagers, including women, protectively surrounded Qawuqji and his troops, and pestered, threatened and cajoled the British, who had encircled Qawuqji, to withdraw and allow those encircled to escape to Syria. Ironically, the man who was to lead the revolt was saved by those he delegated to be his subordinates (Arnon-Ohana 1978, 72, 75).

Attempts at creating a unified and hierarchical command structure were renewed with the outburst of violence in October 1937 soon after the Mandate Authorities outlawed the Arab Higher Council and distributed warrants for the arrest of its members in response to the murder of the Acting District Commissioner of the Galilee. The Mufti's flight to Lebanon, and eventually to Damascus, hastened the establishment of the Central Committee of the Jihad under the leadership of ʻIzzat Darwaza, a former teacher and historian turned fugitive (Porath 1977, 242). He was soon joined by Jamal al-Husayni, the head of the Palestinian Arab Party, Akram Zu'aytir, a former member of the *Istiqlal* party, ʻAbd al-Qadir al-Husayni and Qassamite Farhan al-Saʿdi. The Committee under the Mufti's guidance tried enticing both Qawuqji and his former second-in-command, Muhammad al-Ashmar to head the revolt, without success.

The local commanders both feared a leader from the outside as well as each other, which may explain why it was only in the fall of 1938 at the height of the revolt that they responded with the creation of a territorial military command, the Bureau of the Arab Revolt in Palestine (Yasin 50–51). Even then the Bureau hardly lived up to expectation of becoming the military arm of the Committee, operating in a coordinated manner against a growing British military presence. Rivalry between two commanders in particular, ʻAbd al-Rahim al-Hajj Muhammad from Dhannabah to the east of Tulkarem and ʻArif ʻAbd al-Raziq, hailing from an area to the small town's south, compromised the Bureau's activities significantly.

Though the leadership of the Bureau was to be rotational, these two commanders stood above the rest. At the same time, each considered himself to be the true commander-in-chief of the revolt (Porath 1977, 245–246). In retrospect, it turned out that just at the point when the Palestinians needed a tactical leadership to withstand the doubling of British forces afforded by the "peace of Munich," they lacked it most. By the time the issue was resolved in February 1939 and the Damascus committee confirmed al-Hajj Muhammad's title and position, the revolt was long past its peak. Nor did he survive long after the decision was made. The British army killed him on 23 March in Sanur in Samaria, a reflection in itself of how much the rebels were by then bereft of an area that could serve as a sanctuary or from which they could renew operations (ibid., 1977, 247).

The Palestinians in the 1948 war

For the Arab Palestinian community, the 1948 war was a fateful event. Two states, the recently created State of Israel and the Hashemite Kingdom of Jordan, emerged victorious at the expense of the political destruction of the Palestinian community, half of whose population fled or were expelled from their homes. The least that could be said about the process of the unraveling of the community was that it was unprepared for the dramatic showdown, and even less so for countering the vicissitudes of life which the conflict engendered. Much of the lack of preparation could be traced back to the effects of the 1936–1940 rebellion, so much so that one wonders whether the failure of 1948 was really the final outcome of the mistakes, both in war-making and in diplomacy, made in the previous decade.

Britain's continued refusal to allow the most central and arguably most competent leaders to return had an adverse effect on cohesion and preparation for war (Nevo 1996, 95). For example, Hajj Amin was not allowed to return at all, and in the case of Jamal al-Husayni, two years before the showdown between the Zionist and Palestinian movements. The HAC virtually disintegrated under the combined effects of both the rebellion and the impact of World War II to the point it did not issue any announcement throughout the course of the world war.

Until the day Britain's forces set sail from Haifa on May 1948, Britain adamantly refused to let the Mufti back into Palestine, and regarded him as a war criminal as well. During World War II, every move the Palestinian leader made aroused an enmity that refused to subside over time. From his support of the pro-Axis Rashid Ali al-Kailani government before and during its insurrection against the British presence in Iraq in May–June 1940, to his meetings with Hitler, to his involvement in the mobilization of Muslim sentiment for the creation of Bosnian units to aid the Nazi cause all occurred during Britain's most trying hours. The Mufti, for his part, whether by conviction or in reaction, did nothing after the war to reconcile with the British.

Feelings of disloyalty and political vendettas which built up during the course of the revolt climaxed in assassinations, thinning leadership ranks. In November 1941 the Husaynis were probably involved in the killing of Fakhri Nashashibi, Raghib Nashashibi's cousin, lieutenant, and would-be successor (ibid., 98). The killing deprived the Palestinians of a gifted leader who enjoyed a sympathetic ear with the British (Nevo 1996, 105). Though his influence was probably not enough to change British policy, it could have influenced the British in deciding to which party to cede key strategic installations when British departure became imminent.

It was only at the end of 1943 that the first signs of preparation to counter the growing strength of the Zionist movement emerged. Salih al-Husayni, Jamal's brother, and Emile Ghoury reconstituted the Palestinian Arab Party (ibid., 106). The party was sufficiently organized hierarchically, and its effective branches evenly distributed to regain its preeminent position in Palestinian politics. The Husaynis were partially reacting to the Istiqlalis, who preceded their efforts but lacked an organization to render them politically effective. Two other parties which renewed activities in the following year, the National Defense Party and the National Bloc Party, proved to be not much more successful than the Istiqlalis.

To make matters worse, even after these parties emerged they proved unsuccessful in joining forces to recreate the HAC. Only an external stimulus in the form of an Arab League deputation in November 1945, convinced them to cooperate to reestablish the HAC and even that succeeded only temporarily. Its composition once again reflected the preeminence of the Palestinian Arab Party with five out of 12 seats, the rest divided amongst five other parties. Jamal's return in February 1946 as President, and his party's good relationship with the Istiqlalis, served to transform it into a tool of the Mufti. The Mufti was forced to conduct affairs first from France and then from Cairo (ibid., 110).

So dissatisfied were the other parties that they formed a competing Supreme Arab Front which included a Communist representative as well. Amazingly, the split occurred despite the troublesome findings from the Palestinian point of view published a month earlier in May by the Anglo-American Committee that came to investigate the Palestinian issue (Sela 1996, 130). During the course of the remainder of the year, the HAC won out, and with the help of the Palestinian Arab Party, came to control most of the civil society institutions operating at the time.

The Zionist protagonist

Once the Palestinian Arabs had a basic political edifice, the next obvious step was to organize effective means of violence of their own in order to face Zionist capabilities. These were demonstrated in part by violence waged against the British immediately after the end of World War II. The return of the traditional power structure to the total exclusion of new blood and a younger generation had a palpably negative effect on the attempts to create an army or other instrument of violence. In retrospect, it is clear that the Palestinians were running out of time to turn their overwhelming demographic preponderance into advantage. On the eve of the 1948 war, Palestinian Arabs accounted for two-thirds of the population with 1.3 million inhabitants compared to the Jewish community of 650,000.

Making up for lost time was no easy matter for a community situated at the end of 1945 without a fighting force to speak of, in the face of extensive organized opposition. Jewish preparations were reflected directly in the creation of the Palmach strike forces and indirectly in the recruitment of Jews into the British Army, and later into the Jewish Brigade. In the first years of World War II the British authorities cooperated with the Haganah, fearing an Axis breakthrough in North Africa, only to withdraw support after Rommel was defeated at El Alamein in 1942. Even more crucially to the Yishuv, an estimated 26,125 Palestinian Jews served in the British army during the war. Approximately 5,000 served in the Jewish Brigade, which was created in 1943 after prolonged negotiations (Haganah 2005). Half that number of Palestinian Arabs (12,446) did the same (Levenberg 1993, 145). For the first time, an exclusively Jewish military unit served in the war under a Jewish flag, albeit seeing action in Italy for the relatively brief period from September 1944 up to the end of the war. The brigade was disbanded in 1946.

Jewish military capabilities were also enhanced in opposition to the British in Palestine itself. In keeping with the policy articulated by David Ben-Gurion, then chairman of the Jewish Agency who stated "we must fight the war against Hitler as if there were no White Paper, and we shall fight the White Paper as if there were no war" (Haganah 2005). He sanctioned the establishment on 19 May 1941 of the Palmach (an acronym for Plugot Mahatz – strike companies), which provided training to youngsters. Though the Palmach never attained bulk, amounting to only five battalions (about 2,000 men) in 1947, it made up for quantity with quality (Palmach N.D.). Palmach members were recruited from the most elite and organized sectors of the Jewish Yishuv (community), providing them not only with physical and basic military training, but also leadership skills that later enabled them to take up command positions in Israel's future army and government. Moshe Dayan, a future Minister of Defense and the architect of the 1967 war, Yitzhak Sadeh, the founder of the IDF, Yigal Allon, the deputy chief of staff in 1948, and Yitzhak Rabin, later chief-of-staff, minister of defense, and prime minister, all emerged out of the Palmach (ibid.).

This was not all that the Palestinians faced. During the war, two other organizations, *Lehi* and *Etzel*, renewed their acts of terrorism and guerrilla warfare. As much as the assassination of Lord Moyne (the British Minister of State for the Middle East) by members of the Jewish Lehi underground aroused the opposition of the Jewish Agency, its fighting arm the Haganah, and the political movements associated with both, to the point the Haganah cooperated with the British, a common cause nevertheless crystallized once the war was over. Menachem Begin, an Etzel commander and later one of Israel's prime ministers, expressed it well in a meeting in 1944: "In fact, there is a division of roles; one organization advocates individual terrorism (the Lehi), the other conducts sporadic military operations (the Irgun) and there is a third organization which prepares itself to throw its final weight in the decisive war" (Haganah 2005) Begin was referring to Ben-Gurion's assessment which was made public for the first time that Arab states would probably invade any emerging Jewish state, requiring the creation of a national army with full offensive capability to counter such a threat.

Despite an initial advantage over the Palestinians, the gap was hardly large. Though from 1942 onwards Ben-Gurion was convinced that the new Jewish state would face invasion by conventional Arab state armies, his colleagues inside and outside of the Haganah establishment, including Haganah commander Yitzchak Sadeh, continued to be convinced that partisan-like warfare would be sufficient (Gelber 2004, 26). The Haganah continued to plan erroneously for the future war on the assumption that the last war fought would be repeated. All three plans which the Haganah prepared, two in 1941 and 1942 respectively, in preparation for a potential assault by the Axis on Palestine, and the third prepared in May 1946, were based on the assumption that the forces of the Jewish community would primarily wage a civil war against the Arabs with an emphasis on defensive action. The "militia" perspective, according to Yoav Gelber, even gained ground in 1946 (ibid., 28).

Nothing demonstrated this error more palpably than the failure to take advantage of the skills possessed by 13,000 officers and men who had served under the British in World War II. In contrast to their counterparts who had remained in the militias at home, they had been exposed to procedures of command and control, logistical processes, modes of coordinating fire power and movement on an unprecedented scale. As late as November 1947, only 10 percent of those who had served in foreign conventional armies (mostly with the British) had been canvassed after two years of very feeble efforts to compile such a list and almost none had contributed to the equally feeble attempts to transform the Haganah into a conventional fighting force (ibid., 131). One can only conjecture the price paid in learning from the ongoing experience of fighting rather than from the experience of those who were already in battle.

Nor did the large number of members of the Haganah reflect quality. Of its 35,000 members, most were older, were well past their prime from a military point of view, and served in local defense units while 4,500 belonged to the Field command. Only a paltry 2,000 were members of the Palmach, the only force based on functional units, devoted more or less to the business of fighting. The Palmach was organized in a brigade that was linked directly to the Haganah staff headquarters (ibid., 25–26).

The Palestinian Arab response

Despite the many shortcomings in military preparations on the Jewish side, the situation prevailing amongst the Arab Palestinians was much worse. Muhammad Nimr Hawari, a lawyer from Jaffa, may be credited with the first attempt to establish a Palestinian militia *al-Najjada* (Auxiliary Forces) at the end of 1945. It posed as a youth movement to avoid British reprisal. The movement, whose establishment was first announced in the Nashashibi opposition newspaper, was recognized by the mandate authorities (Levenberg 1993, 127). Hawari wisely built up the force on a nonpartisan basis, recruiting thousands of cohorts and training them sufficiently to display themselves in a parade in July 1946 before 2,000 attendees, including Jamal al-Husayni, the head of the Palestine Arab Party. Husayni had prevented the force from creating branches in the Jerusalem area but was forced to relent in early July 1946 when the movement set up two branches in Jerusalem and Ein Karem (ibid., 129, 131–132). At the same time, al-Najjada also succeeded in amalgamating scout groups and the anti-Husayni Jaffa National Guard. British intelligence estimated the number of al-Najjada recruits at 8,000 by the end of 1946, concentrated mainly in the urban areas (ibid., 130, 133).

However, these successes were soon to be the basis of the force's undoing. The Husaynis, who were fearful of an independent force, recreated *al-Futuwwa* in May 1946 with the establishment of a branch in Ramle. From August onwards, it became a country-wide movement under the command of former police officer Kemal 'Ariqat (ibid., 133).

At first, competition invigorated both sides. *Al-Najjada* reacted with a high-profile recruitment drive, attracting the attention of the British. The assistant district commander of the Lydda and the superintendent of the police summoned Hawari to meet with them. Four armed Jews subsequently raided the movement's headquarters in Jaffa (ibid., 138–139). Meanwhile, the Jewish Agency also tried through legal means to forbid members of the organization from wearing uniforms.

It became clear that Hawari had the upper hand and the Mufti was increasingly adamant about amalgamating the forces and bringing *al-Najjada* under his control. His first move was to summon Hawari to meet him on 25 September 1946 in Alexandria. A further meeting between Hawari and the local *Futuwwa* leadership took place in January 1947. From that point on, Hawari attempted to undermine Husayni's efforts of amalgamation through a successful appeal for support from the Egyptian Muslim Brotherhood (ibid., 42–43). In time, the Muslim Brotherhood pressured him to give in to the Mufti's request. Combined with the financial pressure of having to pay officers in his organization their salaries, he reluctantly agreed to the formation of the Arab Youth Organization in May 1947 which comprised both organizations.

Almost immediately, the Husaynis brought in a former Egyptian officer Mahmud Labib who had organized the Muslim Brotherhood's youth movement, to unite the two forces. He did not command the force for too long. The inception of violence against Jewish targets, specifically an armed attack on a Jewish cafe on the Yarkon river outside of Tel-Aviv on 10 August, which killed four Jews and one Arab, lead to a chain of communal violence. The involvement of his organization in much of it convinced the British to deport him (Sela 1996, 137).

Though Husayni allowed Hawari to succeed the Egyptian officer, it soon became apparent that he was looking for a person to replace him. In a meeting with the Mufti in October in Lebanon he was relieved from his command. In an interview in an American newspaper, the bitter Hawari laid the blame mainly on Jamal Husayni (Levenberg 1993, 153). In December he fled to Transjordan out of fear of being assassinated by the Husaynis, and after attempts to find a replacement failed, the movement disintegrated. Hawari was never successful in recreating his organization again.

Arab strategy

Even if Husayni could have had from afar some control over military preparations within Palestine, he lost out to the Arab states who were becoming increasingly involved in Palestinian affairs. In a conference in Sofar, Lebanon in September to discuss and condemn the UNSCOP findings published at the time, members of the Arab League may have allotted 180,000 pounds sterling for the first time to the war effort. This was a fraction of the funds allotted by the Jewish Agency for the Yishuv's self-defense (Sela 1996, 141). By appointing a committee composed of three generals and one solitary Palestinian member to investigate military preparations, they also intimated who was to be in charge (Gelber 2004, 32).

General Suleiman Safwat and his fellow committee members, in filing their report at a subsequent conference of the Arab League in Alay, claimed that only a united Arab command which would have control both over the conventional armies that were urged to amass along Palestine's borders and Palestinian irregulars, could possibly contend with the Jewish community's marked superiority over its Arab Palestinian rival (ibid.). The report also advised the allocation of a million dinars for the war effort and the purchase of 10,000 rifles on behalf of the Palestinian Arab irregulars. Politically, the Arab League decided against creating a Palestinian Arab government.

Two subsequent events effaced any feelings of consolation the Arab Palestinians may have felt from the conference. Safwat, whom the British ambassador in Iraq unfairly described as "a typical Turkish officer of the old school, very brave but to the same degree equally stupid," filed an astute report a month later that the Palestinian Arab community could not prevail against the Zionists. The report claimed only concerted action by the Arab armies characterized by a short massive sweep could bring about the defeat of the Jewish community. Even beforehand, the head of the Arab League Azzam Pasha, had explored the possibility of organizing an Arab force with Fawzi Qawuqji (ibid., 33). Warm support from the Syrian head-of-state Shukri al-Quwwatli, made his appointment an almost foregone conclusion.

Hajj Amin quickly realized that the Arab states considered his efforts to organize the Palestinians for an irregular war was a secondary priority at best in a military strategy focused on the ability of conventional Arab armies working in tandem to decide the outcome of any future war. Many Palestinian leaders, fearing that Arab strategy reflected hidden territorial aspirations regarding Palestine, claimed a role for the Palestinians which their leaders knew they could not deliver. Husayni and others demanded a war based on irregulars. Arab states used Palestinian claims as a pretext to limit their aid in providing for much needed training, logistical support and organization of the Palestinian force. In the Cairo Conference in December, the choice of creating an army of Arab volunteers presented a compromise between the conventional approach Safwat championed, and Husayni's approach, detrimental to Husayni who now had to bear the possibility of coping with a rival irregular force in a manner reminiscent of what happened during the Arab revolt (ibid., 34).

Palestinian performance in the war

Despite a lack of organization and a leadership that remained outside Palestine, Arab Palestinians had the upper hand in the first round of violence that broke out after the 29 November partition resolution. Their sheer numerical preponderance and geographical distribution allowed the Palestinian irregulars to control many of the roads. Realizing that unorganized violence tended to be ineffective in overrunning Jewish settlements, the HAC sought unsuccessfully to delay major confrontation. The aim was to set up 24 national committees throughout Palestine and organize them to the level they could take control over the irregulars (Levenberg 1993, 180–181). Yet by December, the HAC had only succeeded in establishing half that number of national committees.

The Arabs' relatively successful assault on the Jewish Yishuv was based on two, albeit rival, forces: Qawuqji's Army of Salvation and ʻAbd al-Qadir al-Husayni's *al-Jihad al-Muqaddas* (Holy War). The Army of Salvation was expected to be the superior force in terms of preparations, financial resources, training and discipline. By the end of 1947, it commanded a budget of 200,000 pounds sterling, a training camp in Qatana near Damascus where recruits from Palestine, Egypt, Iraq and Syria had been trained, and had placed contacts for weapons and ammunition with Czechoslovakian and Belgian firms (ibid., 190). Many of the recruits were members of minority groups such as Druze, Alawis and Circassians who had served in French colonial units, and still others who belonged to opposition groups such as the Muslim Brotherhood and Young Egypt. The Egyptian state, facing a crisis at home involving these movements, was more than happy to send them to a distant front (Sela 1996, 155). The Haganah presented a model of emulation as Safwat, an Iraqi officer and head of the military committee of the Arab League to whom Qawuqji formerly reported, built up the force to include stationary guard forces and better equipped and trained "strike forces" (ibid.).

In January 1948, individual units began infiltrating into Palestine from Syria and northern Jordan. This was followed by a major contingent infiltrated into Samaria through Transjordan, a move condoned or even facilitated by ʻAbdullah who shared a common foe with Qawuqji, in the form of the Mufti. The bulk of the force encamped in northern Samaria and policed the area. By mid-March, Army of Salvation members neared 6,000 and were distributed amongst eight ethnically homogeneous battalions (fawj) and independent companies (mafraza), one-third of them being Palestinians (Gelber 2004, 50). They were geographically dispersed in most areas and towns except in the south, with a concentration of forces in the north (Sela 1996, 156; Levenberg 1993, 200). Qawuqji himself had infiltrated into Palestine in early March (Levenberg 1993, 205).

Qawuqji's forces expended great efforts to operate like a standing army in utter contrast to their performance in 1936. His forces distanced themselves from the population, often encamping in the local schools in order to avoid involvement in domestic strife. Logistically, provisions were provided from abroad in an attempt to avoid burdening the local population with provisioning its soldiers. The army set up field hospitals, and special wards in existing hospitals in Acre and Haifa (Gelber 2004, 50).

Despite the size and presumed quality of the force which was commanded by officers from the Iraqi, Syrian and Sudanese armies, including a commissariat to maintain discipline, prevent the preying on Arab villages, and ensure good and orderly pay, the Army of Salvation's achievements were mediocre at best. On 20 January 1948 Yehiam, a small isolated settlement in western Galilee numbering 50 settlers, held off the second Yarmuq regiment comprising 200 to 300 fighters equipped with mortars and offensive weapons until a reinforcement of 60 Haganah members came to reinforce them that night (Levenberg 1993, 193). They were even less effective as defenders of the religious kibbutz Tirat-Zvi in the Beisan valley who successfully warded off an attack of hundreds of Arabs on 16–17 February 1948 after being tipped off by both Haganah and British intelligence of an impending attack (ibid., 192, 199). Qawuqji's next major attack on 4 April 1948 on the settlement Mishmar Haemek, though more persistent, was no more successful. After three days of fighting, Qawuqji accepted a British-negotiated truce in which he withdrew his forces in return for guarantees that the Haganah would refrain from reprisals against surrounding Arab villages (ibid., 205).

By Qawuqji's own account, the Mishmar Haemek raid was made without sufficient preparations mainly for the purpose of competing with 'Abd al-Qadir al-Husayni's far more successful campaign waged at the time against the Jewish Yishuv in the Jerusalem area. 'Abd al-Qadr's forces formed the bulk of 2,500 or so men paid by the Arab League general command (Sela 1996, 156). Both his force's ambushes of Jewish supply convoys sent to relieve the siege on Jewish Jerusalem, and massive terrorist acts within Jerusalem itself were organized by al-Husayni. The establishment of a training camp in Surif near Bethlehem caused anxiety if not outright panic over the fate of Jewish Jerusalem. The explosion of a convoy of three British army vehicles in the major street in Jewish Jerusalem on 22 February, whose drivers were dressed in British uniforms, was by far the most deadly and cunning, leaving 54 dead and 200 wounded.

But the ramifications of this attack hardly ended there. Jewish forces, suspecting the complicity of British soldiers and deserters in the bombing, began raids against British forces and installations. The bombing and derailment of a train car killing 27 soldiers on 29 February led to British reprisals, including the killing in cold blood of nine Haganah members after having been disarmed. Nor did Jewish Jerusalemites enjoy any respite after the unintended consequences of British-Zionist strife had been brought to a halt through talks between the Jewish Agency and the High Commissioner. On 11 March, a car exploded near the Jewish Agency building, a major symbol of the Zionist movement, killing 13 of its staff (Levenberg 1993, 202–203).

The turn of the tide

Paradoxically, it was just at the acme of indigenous Palestinian Arab success that the Mufti's fears regarding the results of terrorism and undisciplined guerrilla warfare came true. They were vindicated in two major almost simultaneous and unrelated events. On 9 April, the Jewish dissident terror movements, Etzel and Lehi, committed a massacre in the Palestinian

Arab village of Dir Yasin, just south of Jerusalem. A day previously, a Haganah scouting party killed ‘Abd al-Qadir al-Husayni during the battles over control of the Qastel, a fortified ridge on the Jerusalem–Tel-Aviv road, without knowing his identity. The first event set off in its wake a major exodus of Palestinian Arabs from their homes while the Palestinian leader's death had a detrimental, if not deadly, impact on the most successful campaign Arab irregulars waged against the organized Yishuv. In retrospect, these two events proved to usher in a turn of the tide, if not in the course of the 1948 war as a whole, at least regarding the inter-communal warfare that preceded the attack of the Arab states after the declaration of Israeli independence.

From that point on the Haganah, and later the newly created Israeli Defense Forces (IDF), embarked on a series of offensives against which the Palestinian Arab community offered comparatively little resistance. This was immediately reflected in the surrender of Tiberius on 18 April and of Haifa, four days later, to Haganah forces. Less than a month later, the nature of the conflict essentially changed from a war conducted by irregulars to a war between conventional state armies.

To the Mufti's credit, he had tried to prevent such a devastating outcome through attempts to create a central force that also included the Army of Salvation. Perhaps even more critical were his attempts to establish a Palestinian government before Qawuqji confronted the Jewish forces. In a meeting in Damascus in early February 1948, chaired by the Syrian president Shukri al-Quwatli, he agreed to a division of jurisdiction and military arenas that placed northern Palestine under Qawuqji, the Jerusalem area under ‘Abd al-Qadir, the Lydda district to Hasan Salama, the guerrilla leader during the 1936–1939 revolt, and the south to an undesignated Egyptian officer, with the name of Mahmud Labib bandied in the air (ibid., 198). But such a division of labor could not make up for the need for an integrated command and force structure that would deploy forces according to a plan with strategic objectives and priorities, and to meet the unexpected emergency contingencies which arise in times of war.

To achieve this objective the Mufti tried to convince the General Staff of the Arab League to include a Palestinian representative and to draw up a strategic plan that would allocate roles between the Palestinian Arab effort and Arab armies. This would entail drawing up operational plans, the resolution of issues relating to supply and training, the formation of a provisional government, pressure on the British to transfer jurisdiction to the national committees in order to achieve critical area control, and secure compensation for war damage to Palestinian Arab civilians. The latter was necessary to encourage conscription, devotion, and prevent the flight from Arab localities (ibid., 198). The Arab League rejected these proposals. In general, the Mufti kept pressing the Arab states to speed up efforts to bolster Palestinian Arab capabilities, to which the Arab states, partially out of deference to the Hashemite block, responded with delaying tactics (Sela 1996, 144).

Instead of a united stand, the relationship between the Mufti and the forces he controlled under ‘Abd al-Qadir al-Husayni and Qawuqji faltered. Some go as far as claiming that Qawuqji’s attack on Mihsmar Haemek in early April, exactly at the point the fight over the Qastel ridge was at its fiercest, emanated not only from a desire to compete with the Mufti’s forces, but to deny him the chance of requesting Salvation Army reinforcements. Three days before the attack on Mishmar Haemek, Qawuqji met secretly with Yehoshua Palmon, a senior operative in the Haganah’s “Information Service,” its intelligence arm, to inform him that he would not interfere with the attacks against the Mufti’s forces (ibid., 158). One hundred miles separated the two areas of battle, so that the attack could in no way be seen as a diversionary tactic or the opening of a second front to reduce pressures on the *Jihad al-Muqaddas*. Yishuv intelligence officers went so far as to claim that Qawuqji’s force was in collusion with ‘Abdullah and his designs (Gelber 2004, 51).

Nor was the situation more harmonious amongst the stationary forces in the cities, formally under the jurisdiction of the national committees. To begin with, control in the national committees was not uniform. At least three national committees in Jaffa, Haifa and from April onward, Jerusalem, were under the control of the Arab League’s military committee. This impacted badly on the ability of the national committees to cooperate and coordinate efforts together in fending off enemy attacks or providing relief to those being attacked.

Even within the Mufti’s camp, rifts and tensions abounded. Relations between the Mufti and Hasan Salamah and ‘Abd al-Qadir al-Husayni were tense, and the relationship between their forces and national committees within the Mufti’s fold fared little better. Salamah and Husayni frequently complained about a lack of support from the Mufti, necessitating them to go directly to the military committee for financial and military support.

Nevertheless, ‘Abd al-Qadir al-Husayni’s death proved to be a major political blow for the Mufti and ultimately to efforts to develop the indigenous political center that could centralize military efforts as well. Instead, on 25 April, it was Qawuqji which the military committee of the Arab League designated as the commander of the all-important central sector, the heart of Arab Palestine, which included Jerusalem and Jaffa. These were the two major Arab concentrations of populations as well as being the two most important Arab cities. As 14 May, the date of anticipated British withdrawal approached, rivalry between Qawuqji and the Mufti increased. Qawuqji announced that on 1 May all the arms held by Arab police would be the possession of the Palestinian government under the authority of the Salvation Army and that the bearers of such arms would be in the employ of that government (Sela 1996, 162).

Avraham Sela, one of the few to analyze in detail Palestinian participation in the war of 1948, underscores the lack of mobilization amongst the

Palestinian population in the conflict. This was in sharp contrast to what transpired during the previous decade. Though from December 1947 Palestinian, Arabs berated the Arab states for not furnishing arms to allow them to defend themselves, Sela estimates that Palestinians accounted for only one-third of the full-time fighters, approximately 2,500 in number. It was even lower when their participation rate was diluted even further with the arrival of Muslim Brotherhood contingents from April 1948 onwards (ibid., 162). Notably absent were fighters from the homogeneous and relatively protected areas in the Samaria and Judea areas who played so prominent a role in the previous rebellion. They might have been repressed or discouraged by the strong presence of Qawuqji's "foreign" contingents in Samaria (ibid.). Looking at the situation more broadly, this reality might have been the real cost of a lack of indigenous leadership that otherwise could have mobilized Palestinian Arabs more effectively.

The political implications of military failure

Palestinian military failure proved to have more major implications than mere control of areas, loss of territory, and the establishment of unofficial borders. Failure to both maintain security within Arab population centers and security from Zionist attacks had a major impact on patterns of Arab flight and the creation of the refugee problem. As long as the Arabs seemed to hold their own militarily, from December 1947–March 1948, 50,000 to 60,000 left. This group was composed mostly of the upper classes who sought temporary refuge until matters were decided. A second wave of Palestinians, at least three times in number, fled from April through June. This period corresponded with the loss of Tiberius, Haifa, Accre, Safed, Bet Shan and Jaffa, villages in northeastern Galilee, the western part of the Galilee and in the Jerusalem corridor (ibid., 168–170). Similarly, most of the 100,000 Palestinians who fled during the ten days of especially intense fighting from 9–18 July, did so from Lydda and Ramleh, towns in the central district that eventually capitulated to the Israeli forces. The same relationship prevailed in yet another wave in October–November where 100,000–150,000 fled. The latter exodus was not connected to the defeat of indigenous fighting elements as much as it was to military setbacks suffered by the conventional Arab armies – Syria (and the Arab Salvation Army to the north) and Egypt in the south along the coast and in the Beersheba area and the southern reaches of the Judean hills.

Patterns of governance also reflected the disintegration of the Palestinian political community. Any semblance of authority at the time reflected the presence of the conventional armies of Syria (with the Arab Salvation Army), Egypt, Jordan and Iraq which entered the fray after the British evacuation from most of Palestine on 14 May. Jordan, bolstered by the presence of the Arab Legion in most of Samaria, set up the most organized structures of government. By the end of May telephone lines were operating, the Arabic language radio station in Ramallah renewed its broadcasts, the Jordanian tax system was imposed on the inhabitants, and the health and postal systems were revived. A month later, the Jordanians appointed veteran Palestinian politician and member of the HAC, Ahmad Hilmi, as the civilian governor in Jerusalem. In the north east, the Syrians and the Arab Salvation Army held sway, while in Judea, principally in the Bethlehem region, Egypt and Muslim Brotherhood contingents led by Egyptian officers competed with Jordanian officials in establishing a civil administration (ibid., 168–170).

By the time Count Bernadotte's plan to partition Palestine between Israel and Jordan galvanized the League, under Egyptian prodding, to establish an "independent Palestinian administration" on 10 July 1948 and create nine administrative departments, most of which to be manned by members of the Husayni camp, little could change political realities on the ground (Elpeleg 1989, 19).

Toothless in Gaza: the all-Palestine government

Bernadotte paid with his life for his involvement in Palestine. He was murdered in Cairo, presumably by members of Lehi. For the Mufti, the decision afforded him a new lease on political life as he vigorously resuscitated efforts to establish a Palestinian government. To recall, this was a request which was fatefully rebuffed in February 1948.

Operating out of Cairo, where the League's offices were situated, he possessed the advantage that his officers had considerable influence amongst most Palestinian Arabs. The Mufti began a successful media campaign to upgrade the mandate received from the HAC, from the creation of a civilian administration into the establishment of a Palestinian government. The political committee of the Arab League, after having failed to moderate 'Abdallah's goals for territorial expansion by employing the term administration, decided to change the institution's name from the "Palestinian Autonomous Administration" to the "All Palestine Government" in the middle of September 1948 (APG) (ibid.). The HAC followed on this success with a proclamation which stated that on the basis of the League's decision, the Palestinian Arabs were entitled to decide their own fate on all of Palestine and to establish an "independent state." The HAC decided to convene a national council in Gaza, composed of Palestinian representatives from all parts of the country to provide public support for the APG and its platform.

The Mufti, determined to take his place at the head of this historic gathering, described in his memoirs how he slipped across the border on 27 August 1948, with the help of the free officers who were later to seize power in Egypt in 1952. He received an enthusiastic welcome from the local population the next day. By contrast, the Egyptian authorities were definitely cold to his arrival, which may explain why the Palestinian National Council convened on 1 October 1948 in a derelict building that belonged to the Palestinian Muslim endowment (Elpeleg 1989, 20). Though only around half of the 150 invited showed up, the other half were prevented from doing so by the Jordanian and Iraqi armies whose leaders firmly opposed the APG's establishment; this did little to mar the palpable mood of excitement the event generated. The Mufti was elected President of the Palestinian National Council as well as President of the Higher Arab Council, and in a subsequent meeting held on 2–3 October, the Palestinian National Council adopted the Sharifian flag of 1916, designated Jerusalem as the capital of the Palestinian state, announced general mobilization of all able-bodied men, and the declaration of independence was unanimously signed. A serious attempt to enlist local men for the "holy war" quickly ensued.

Yet for all the fanfare, Israeli military moves quickly dashed the Mufti's efforts to salvage the little area left to set up a Palestinian administration. Most of the territory upon which the all-Palestine government could have exercised its authority was located in the south where the Egyptians, who supported the Mufti's moves, were located. On 15 October, Israel launched the "Yoav" offensive in the south, the largest to date, drove the Egyptians out of Beersheba, while Majdal just north of Gaza was also evacuated depriving the all-Palestine government of any territory to govern (Ziv and Gelber 1998, 183). Ironically, the offensive began on the very same day the Arab League recognized the APG. The decision was of little consolation to the Palestinian leadership (Elpeleg 1989, 20). Fearing attacks on Gaza itself, members of the APG fled from Gaza city, effectively sealing the fate of the Mufti's efforts to create an independent Palestine.

Poor participation, a lack of cohesion, and lackluster performance after some initial success on the part of the Palestinian Arabs goes a long way towards explaining their failure to address their own fate. This also accounts for the almost total failure of any Palestinian fighting force to survive the war. As the following chapter makes amply clear, until the creation of the PLO in 1964, and in a sense far beyond that, most of those who fought for the Palestinian Arab cause were not Palestinians and why those Palestinians who did fight, did so under a flag which was not theirs.

3 Serving others or themselves?

Palestinians in Arab armies

With the defeat of the Arab Palestinian community and the creation of the State of Israel, some Arab Palestinians enlisted in the armies of the Arab states, principally Jordan and Egypt, and to a lesser extent, Syria and Iraq. In light of this enlistment, it is interesting to ask, who served who? Did these Palestinians further the respective states' interests or did military service serve the interests of the Palestinians who wanted to avenge the loss of their homeland by punishing Israel through guerrilla action or recouping material losses through criminal activities, or both?

Palestinians in the Egyptian army

In Egypt's case, state interests clearly predominated. In the initial years after the 1948 war, monarchic, and later revolutionary Egypt clearly wanted to avoid military entanglement with Israel, an increasingly difficult task in the face of individual and politically organized attempts at infiltration.

Massive over-the-border infiltration averaged 10,000 to 15,000 incidents annually from 1949–1954 and which dropped to 6,000 to 7,000 in 1955–1956 (Morris 1999, 69). Initially, this infiltration was relatively peaceful; in the first two years of statehood, most came to plant and reap crops in the fields they formerly owned and worked. Subsequently, a growing number, albeit a minority amongst all infiltrators, resorted to theft and smuggling. From 1953 onwards, a growing percentage engaged in armed robbery and premeditated killing, some of which was provoked by violent Israeli military attempts to stem the tide of infiltration. The toll of Israeli casualties was extremely high – over 200 Israeli civilians over the course of seven years (Morris 1999, 271).

The sheer number of infiltrations and their increasingly violent nature caused extreme economic hardship and fear especially upon sending new immigrants, who were most often the poorest and weakest psychologically, to villages in the border areas as part of the State's policy of aggressive population dispersal. So widespread were the fears these infiltrators caused that the authorities often imposed fines on the immigrants who tried to leave the border towns and took refuge in Israel's towns in an attempt to stymie attempts to leave the outlying border areas (ibid., 272). Over time, as the fedayeen succeeded in reaching major population centers, the conflict escalated to the inter-state level.

To meet this threat, Israel embarked upon a policy of military retaliation in addition to more indirect measures that included the establishment of new settlements along the borders, the destruction of abandoned Arab villages, the patroling of the borders, the setting of ambushes, mines and booby-traps, and the "free-fire" policy towards infiltrators.

So eager were the Egyptian authorities that the formation of the first Palestinian unit, the Palestinian Border Police in December 1952, headed by 'Abd al-Mun'im 'Abd al-Ra'uf, a member of the Revolutionary Council, was an attempt to avoid confrontation with Israel (Sayigh 1997, 61). According to the Armistice Agreement, which Egypt was the first to sign with the newly established Jewish state, it was forbidden to hold a sufficient number of troops to thwart Palestinian infiltration into Israel. The Egyptians had hoped that the 250-man Palestinian force augmented by several other groups trained in the course of 1953 would contain activity that resulted in increasingly painful Israeli retaliation. It superseded a similarly sized "Civil Guard" conceived, planned and financed under the monarchy that acted as an auxiliary police force under the command of Egyptian police officers (Bartal 2004, 86).

The force clearly did not live up to expectations, probably because most of the personnel identified and even abetted infiltration, according to Israeli sources (ibid., 87). They were often encouraged by a domestic press that still enjoyed relative freedom under the monarch. Thus, in November 1951, Sayyid Qutb, who was later to become one of the greatest ideologues of extreme political Islam, wrote an article on "guerrilla warfare," urging its proliferation in Gaza (ibid., 83). Failing in its role, the Egyptian authorities essentially demoted the unit, to the chagrin of the Palestinians, by placing a part of the force under 'Abd al-'Azim al-Saharti, a police officer attached to the military governor's office, to guard public institutions.

Palestinians gave vent to their anger both at Egyptian policy against infiltration and the demotion of the force in March 1953 just as tensions between Nasser and Muhammad Najib, the two major figures in the Revolutionary Council, reached new heights. With so much at stake in the capital, these leaders, especially Nasser, wanted to avoid confrontation on Egypt's flank at all costs, deciding, in response, to upgrade the force into the 11th Battalion (Sayigh 1997, 62). Its personnel doubled to 700, and for the first time, the force was provided with weapons such as mortars and rapid-recoilless designed for offensive operations.

Even so, Nasser's subsequent moves demonstrated that he was trying to buy time rather than heat up the frontier with Israel. So fearful were the Egyptians of an Israeli attack, that a *New York Times* correspondent quoted the Egyptian military governor in the summer of 1955, presumably after the Egyptian army had ample time to weather the purges in army ranks by the newly installed free officer government, that Israel could take over the Gaza Strip in eight hours (Love 1955). The Sinai campaign later proved that he was not very off the mark.

He had even less reason to provide the newly formed Battalion with resources when the force's founder 'Abd al-Ra'uf was implicated in the abortive Muslim Brotherhood-led assassination of Nasser, from which he was sentenced to death *in absentia* and fled to the West Bank. In any event, the augmented force proved no more useful in combating increasingly more violent infiltration – especially a slew of attacks conducted by the Muslim Brotherhood in late 1954. Nasser, both out of external and internal security concerns, had sought to contain infiltration.

Nevertheless, as Bartal points out, the Egyptians did gain from organizing Palestinians for military intelligence purposes. In fact, Israel learned from an internal Egyptian intelligence document seized in the Sinai Campaign that the same Egyptian intelligence officer who opposed the creation of the Border Guard on the grounds that Palestinians could not be expected to contain infiltration, Mustafa Hafiz, was also responsible for recruiting Palestinians into Egyptian intelligence (Abu al-Niml 1979, 112–113; Bartal 2004, 89). Most of the 24 infiltrators captured in Israel between September 1954 and March 1955, pointed to Khafiz as the officer who recruited and sent them.

Yet Egypt's policy towards infiltration, which clearly limited its attempts at organizing the Palestinians militarily, folded both under popular Palestinian pressure set off by heated demonstrations in the wake of Israel's punitive raid at the end of February, and due to regional and international affairs. These events included an attempt to create a regional alliance to contain Communism, dubbed the Baghdad Pact that was perceived by the Egyptian ruling elite as a British scheme to prevent Egypt from achieving a paramount position in Arab affairs. This pact, they felt, favored the pro-British Hashemite rival in Iraq and was a deliberate attempt to bully Egypt. Heating the border with Israel reflected Egypt's new radical posture that was manifested in leading the call for Third World nonalignment, turning to the Soviets to finance the Aswan Dam, and nationalizing the Suez Canal in July 1956.

Egypt's nationalization of the Suez Canal Company transformed Egypt into the leader of the Arab radical camp. That image was further impregnated amongst the inhabitants in the Middle East and beyond after the combined attack of Israeli, British and French forces on Egypt was transformed from a stunning military victory for the attackers into a political victory for Egypt. Egypt retained this image until Nasser's death in August 1970.

The change was best reflected linguistically. Up to that point, the official Egyptian press had called Palestinians, who on their own initiative crossed the borders into Israel as "infiltrators" (*mutassalilun*), but from March 1955 on, they were elevated to "sacrificing warriors" (*fida'iyyun*), the same term used in the underground Muslim Brotherhood press (Bartal 2004, 95). For the first time, the Border Police actively participated in three waves of terrorist acts, including a raid that succeeded reaching 10 miles outside Tel-Aviv. By the end of 1955, the *fida'iyyun* were incorporated into the 141st Battalion, a formal military unit in the Palestinian Border Guard. A sister battalion was also established, bringing total *fida'iyyun* strength to 700–1,000 men (Sayigh 1997, 64).

The Egyptians also expanded the Palestinian force considerably. Two new battalions combined with Battalion 11 to form the 86th Brigade of the Palestine Border Guard and another brigade was formed consisting of three additional battalions (Dayan 1966, 130). That they were not meant to achieve full offensive capabilities may be understood from the fact that they were budgeted by the Egyptian military governor rather than by the Egyptian military (Sayigh 1997, 62).

Palestinian performance during the war was far greater than the Israelis expected. In their first and major encounter they displayed valor, despite their inefficiency. While Egyptian forces offered little resistance to the Israeli advance on Gaza City and the northern sector on 2 November, the Palestinian 86th Brigade in Khan Yunis put up much stiffer resistance against the Israeli assault. Fighting continued from dawn until early afternoon, much longer than Dayan anticipated (Dayan 1966, 156–157). In assessing the prospects of the Palestinian Division, Dayan wrote:

> This narrow coastal strip, twenty-five miles in length and averaging six miles in width, could not hold out independently after the fall of Rafah and El-Arish; and the 8th Palestinian Division garrisoned there was not built as a operational force able to act beyond the founds of the Strip ... The "brigades" and "companies" were simply organizational frameworks and not operation formations, and they could not be used as military units.
>
> (Ibid. 154)

It was far more difficult to assess Palestinian performance in the assault on Rafah on 1 November. Though the defenders enjoyed both carefully organized defenses and prior knowledge of the impending attack, Rafah was nevertheless taken in the course of six hours with relatively minor casualties (ibid., 130–141). From Dayan's account, one gathers that the specialized units were much more effective than the defending infantry, who in many instances gave up without much effort. An Israeli retrospective claims that the defenders put up stiff resistance (Bendman 1994, 80). At no point does either account distinguish between Palestinian and Egyptian defenders.

All in all, Palestinian fighters participated in battle on those two days alone. To be fair, the Egyptian leadership never believed in the possibility of defending the Gaza Strip against an Israeli onslaught. President Nasser had stated, albeit after the campaign, that “we all knew that from the pure military point of view, it was easy to sever this area from the rest of the front” (Bendman 1994, 72). This may explain why battle responsibility for Gaza’s defense was placed solely in the hands of the Palestinian division, to which the Egyptians were only willing to bolster with the relatively inferior National Guard. The aim was clearly to halt rather than stop any Israeli advance. Unfortunately, the valor the Palestinians exhibited was all but forgotten, perhaps because the writers of Palestinian history, many of whom were linked to the PLO, wanted to focus on armed struggle rather than valor in more conventional war.

After Israeli withdrawal from Sinai and Gaza, the Egyptians seemed determined to curtail an experiment that embroiled them in a war they lost. After returning to Gaza on 7 March 1957, the two battalions of the Palestine Border Guard were disbanded and replaced with a Palestinian Brigade with only two battalions (the 19th and 20th). Not only were their numbers reduced, but the force was placed in Qanatra – east of the Suez Canal – leading to considerable demoralization, protest, and desertion. The 141st Battalion fared better after being reconstituted in April 1957, for purposes of intelligence. By that time, Egyptian control seemed to have improved considerably since terrorist activity practically disappeared.

Palestinians and the Syrian and Iraqi militaries

As Palestinian activity within the Egyptian military slackened after 1957, it picked up pace in the Syrian military. The reasons were primarily political. As a state surrounded by powerful (Israel and Turkey) or economically well-endowed (Iraq) foes, and major ideological competitors (Egypt and Jordan), Syria typically engaged in proxy activities against its most objectionable neighbors. Palestinians and the movements they engendered were to play a major role in Syrian warfare by proxy over the next 50 years.

The establishment of the 68th Reconnaissance Battalion in December 1955 by Syrian military intelligence chief ‘Abd al-Hamid al-Sarraj, was a modest beginning. Many of those who joined its ranks were infiltrators recruited by Syrian intelligence, its *deuxième bureau* since 1953. The Battalion, which at its peak consisted of 600 *maghawir* (commandos), was commanded exclusively by Syrian officers. To ensure that the force did not become involved in the internal politics of the army and the state, salaries were paid by the government agency for refugee affairs (Sayigh 1997, 67).

Nor did the Syrian patrons want the members of the 68th Battalion to engage in any combat with the Israelis, ensuring in the course of the next ten years that gathering military intelligence would be their sole function on the Israeli front. Instead, the unit’s martial energies were directed against a slew of Arab foes in an era that became widely known as the Arab cold war. The unit conducted a number of sabotage attacks against the Hashemite Kingdom after King Hussein took power in a palace coup in April 1957 and removed the popularly elected Suleiman Nabulsi cabinet from government.

‘Abd al-Karim Qasim’s Iraq served as the next target. This time around, the Syrians acted on the behest of their Egyptian partners in the short-lived United Arab Republic when in March 1959, the 68th Battalion attempted to ferry weapons to a rebellion in Mosul headed by Arab nationalist and pro-Nasserite parties only to be stymied by air attacks of air-force units loyal to Qasim.

Qasim, threatened by Egyptian hegemonic designs, decided to use the Palestinian issue to challenge Nasser’s nationalist credentials. When Nasser failed during the first six months of 1959 to live up to his promise to set up a Palestinian entity in Gaza, the Iraqi leader announced his intention first, to form a Palestinian liberation regiment and then six months later, to establish a Palestinian republic in Gaza and the West Bank. By March 1960, efforts were underway to establish “the armed forces of the Palestinian Republic.” Several hundred volunteers from Palestinian population centers in Lebanon, Jordan, Syria and Gaza, many of them recruited by the Mufti, served as the base for the Palestinian Liberation Regiment. By that summer, over 50 had graduated from the Iraqi reserve officers’ school, much too brief a training stint to produce competent officers, with the result that the Regiment was commanded mostly by Iraqi officers. The Regiment did not last long and following Qasim’s downfall in February 1963, it was disbanded with the majority of its Palestinian officers electing to join the Iraqi army in its battles against the Kurds (ibid., 68).

Little did the *maghawir* in the 68th Battalion in Syria realize that being a tool in inter-Arab rivalry was ultimately to harm the battalion to which they belonged. Like the Palestinian Regiment, the 68th’s weakening can be linked to the successful counter-coup led by Ba’thist and pro-Nasser elements in March 1963 against ‘Abd al-Karim al-Nahlawi’s revolutionary government, which ended the Syrian–Egyptian union. Though at first it seemed that the coup strengthened the Nasserites, it soon became clear that the Ba’thists, indeed if not in word, opposed reunion. As tensions between the two forces mounted, suspicions against the 68th Battalion, who were considered pro-Nasser, increased. One hundred and fifty-five pro-Nasser commandos were dismissed, and 18 other commandos implicated in an Egyptian-initiated attack on army headquarters on 18 July 1963 were executed (ibid., 69). To make matters worse, many of the commandos were subsequently recruited to the “Palestinian detachment” (*al-Mafraza al-Filastiniyya*) linked to the army and to the “Palestinian section” (*al-Qism al-Filastini*) attached to Ministry of Interior, whose primary purpose was to monitor Palestinians in Syria itself. Eventually, Syria restored Battalion strength but only after the regime made sure that the Palestinian officers who henceforth commanded the force belonged to the Ba’th party.

Palestinians in the Jordanian army

Following the 1948 War of Independence, Jordan was the only Arab state to officially annex territory formerly part of the Palestine Mandate, and to grant Arab Palestinian residents and refugees full state citizenship (Davis 1995). The inclusion of the western part of Mandate Palestine that came to be known as the West Bank (as distinguished from the East Bank), was both bold and quick. Within months Jordan, a state with a population of 350,000 people, absorbed an Arab Palestinian population with double that number. Half of this new population consisted of Arab Palestinians native to the West Bank and the other half consisted of refugees who fled the parts of Palestine that became the State of Israel.

The full incorporation of the area known as the West Bank began with the occupation by Jordanian forces in early 1948. It was followed by two "national" conferences held in Amman and Jericho in October and December 1948, both of which were convened as a counterpoise to the emergence in Egyptian-held Gaza of the Arab Palestinian "all-Palestine Government" under the Mufti (see Chapter 3). The Palestine Government subsequently issued a declaration of independence, agreed to a flag, and announced its intention of issuing its own currency. However, Israeli conquests in the southern part of the country deprived the all-Palestine Government of the prospects for controlling any more than the 340 square-mile Gaza Strip (Nevo 1996, 165). By contrast, in February 1949, all Palestinians under King Abdullah's authority were granted full Jordanian citizenship. Jordan was the only Arab country to afford Palestinian refugees that right. In May 1949 Palestinians were included for the first time in the Jordanian cabinet; in March 1950 a law came into force forbidding the usage of the designation of "Palestinian" or "Transjordanian" in official usage. Only the term "Jordanian" was henceforth allowed in official usage. Parliamentary elections on both banks took place on 24 April 1950 in which candidates contested 40 seats divided equally amongst the two banks. Once elected, the joint parliament, consisting of 20 members from each bank, then voted for the unification of both banks in May 1950 (Day 1986, 21).

Though King Abdullah was murdered in 1951 by Arab Palestinian adherents of the Mufti, no major force challenged the unity of the two banks during the 19 years of Jordanian direct rule over the West Bank. This was true even after the PLO, which claimed to represent all Palestinians, including Jordan's Arab Palestinian citizens, was established in 1964. Radical forces such as the *Qawmiyyun al-Arab* (the Arab Nationalists), *Hizb al-Tahrir* and, at times, the Ba'th, frequently challenged the Jordanian State's right to exist (Cohen 1982, 111, 221). They did so either on the grounds that it was an absolutist monarchy when opposition forces sought a democratic regime, or because they felt, in the name of Arab nationalism, that Jordan should be fused into a larger Arab state. Nevertheless, it can be argued on the basis of 12 national elections, that most of the population, Palestinians as well as Transjordanians, acquiesced, if not accepted, the Jordanian state in its formal borders.

Perhaps the best proof of the high degree of integration Jordan achieved until 1967 ironically came after Jordan lost the West Bank in the 1967 War, when three weeks after defeat, local Palestinian political elites in the West Bank circulated a petition demanding Israeli withdrawal and the reintegration of the West Bank into Jordan on the condition that the monarchy institutionalize liberal–constitutional rule, as was guaranteed by the 1952 constitution of the monarch's own making (Farchi 1980, 49).

Granting citizenship to the Palestinians also meant that they shared in the defense burden on an equal basis with their East Jordanian counterparts and thus, were fully integrated into the Jordanian military. One would have expected given the higher educational profile of the Palestinian newcomers that they would have made their mark in the Jordanian military as they did in other areas of Jordanian life. A 1943 census shows that 47 percent of the Jordanian population were either nomadic or seminomadic, and only 27 percent were fully urban compared to over 33 percent in Palestine, most of whom lived in far larger and more cities than in Jordan (A Survey 1946, 137). Yet Palestinians have played a marginal role in the military since 1950. For at least half that period, they negotiated the framework and terms of conscription, and the goals of the army in which they served; some of the most contentious issues debated in Jordan and hardly ever resolved.

For the Jordanian monarchy, the framework, terms of conscription, and objectives of the armed forces represented matters of life and death for the regime. By any measure, the integration of a very rapid influx of refugees double the number of the absorbing population would have been a severe test to any state; all the more so, when the newcomers were much more educated than the receiving population, far more politicized, and many of whom owed allegiances to the King of Jordan's rival Hajj Amin al-Husayni. After all, Abdullah was assassinated by his supporters a little less than a year and a half after the annexation of the eastern part of the Mandate.

Yet, the policies that prevailed in the Jordanian military (at the time called the Arab Legion) that affected the Palestinians were already in place long before the annexation of the West Bank. Even before the influx of Palestinians, the commander of the Arab Legion, John Glubb, pursued a recruitment and promotion policy that isolated the army from society, especially urban elements, but also more selectively from tribal society:

> The cities and the educated classes were so few that officers chosen from these town dwellers were almost all members of families who also produced politicians and civil officials, or who were in some way connected with such families. This has been the ruin of the Syrian army....
>
> (Vatikiotis 1967, 77–78)

This also meant refraining from recruiting powerful tribal families as well:

> In so small a country as Jordan, it is most important *not* to recruit officers from important or powerful families. This applies as much to the sons of tribal chiefs as to those of cabinet ministers.
>
> (Ibid.)

Instead, the Desert Legion, and later the Arab Legion, emphasized a long process of promotion through the ranks, rather than an officer corps recruited from university graduates, and practical military training (ibid., 98). According to Peter Young, who served in the Arab Legion under Glubb, as late as the mid-1950s, rare were the sergeants who had served for less than ten years (Young 1956, 25). During the period of rapid expansion in the course of 1948, the shortage of staff officers was solved by recruitment of British officers with Glubb, a British officer himself, at its apex. If more officers were needed, as was the case in the fledgling air force created at the end of the 1948 War, they were recruited from Iraq (Yitzhak 2004, 159).

To further ensure the loyalty of the armed forces, operational units such as mechanized infantry and armor were recruited almost exclusively from the Beduin (Vatikiotis 1967, 89), as were five of the ten infantry regiments (ibid., 87). Many of these Beduin were from non-Jordanian tribes and their recruitment seemed to have been in inverse proportion to their importance, in keeping with the guidelines Glubb adumbrated (Beeri 1969, 345). Circassians, a distinct minority, manned two almost exclusively Circassian regiments. This policy of relying almost exclusively on Beduin and Circassians was extended to the air force as well (Yitzchak 2004, 160). Urbanites and later, Palestinians, who were almost exclusively urban, joined technical units. The division of labor ensured loyalty in the very units that mattered most in times of crisis.

According to Vatikiotis, the ramifications of the two cases in which the Jordanian regime deviated from these basic policy guidelines reflected their wisdom, at least from the perspective of the regime itself. Both had to do with recruitment of urbanites and their rapid promotion. For example, Abdullah al-Tal from the town of Irbid, reached the rank of lieutenant-colonel within six years of enlistment, later becoming military governor of Jerusalem on 28 September 1948 and governor of the Old City (Vatikiotis 1967, 105). He was 30 years old (ibid., 106). In his newly acquired position, al-Tel began to plot against the regime, motivated by what he viewed as Abdullah's collusion with the Zionist movement in partitioning Palestine at the expense of the Palestinians. He was forced to flee to Syria, from where he continued his anti-regime activities.

'Ali Abu Nuwar, later a stalwart supporter of the regime had, under entirely different circumstances, during the 1957 crisis between the incumbent Suleiman al-Nabulsi government and the monarchy, tried to overthrow the regime, at least by the monarchy's account. Beeri added several more cases to confirm the thesis. Not only did 'Ali Abu Nuwar came from Salt, but so did his accomplices 'Ali Khiyari and Hisham 'Abd al-Fattah al-Dabbas, who were involved in the assassination of Prime Minister Hazza al-Majali in 1960. Three additional plotters, Mahmud Musa, Sadiq al-Shir, and Muhmud Rusan came from Irbid. Both towns had been centers of nationalist opposition to Hashemite rule for a considerable period of time (Beeri 1969, 350).

For the Jordanian regime, the implications of these findings were clear. The Palestinians had to be marginalized from positions of military power and from units that could play a role in challenging it, particularly since most of the political opposition was either Palestinian, or as in the case of Suleiman al-Nabusli, of Palestinian origin. It was ironic that the only state of the four surrounding former Mandate Palestine to accept Palestinian refugees in any sizeable number (the others being Egypt, Lebanon, and Syria) to grant citizenship to the refugees, was reluctant to include them in the military.

Unfortunately for the regime, even if marginalizing the Palestinian military role was the right policy, there were several reasons why such a policy was bound to arouse both foreign and domestic opposition. In the domestic arena, the regime, like its Egyptian counterpart, had to suspect that Palestinians in the army serving in the West Bank would identify with pan-Arab goals to press for a more hostile posture against Israel. This ran contrary to the Jordanian regime's policy of appeasing a much more powerful state perceived as bent on conquering the West Bank. Such fears magnified as Palestinians were encouraged by the Egyptians during the period between the *Nakba* and 1967 to press the Jordanian state to take a more bellicose stand against Israel.

In almost any economic setting, careers in the army are avenues for social and economic advancement. This is especially true for refugees. In a state in which half the public budget was allocated to the army, Palestinians were particularly sensitive to the possibilities of advancement into the officer corps.

Yet probably the most contentious issue regarding the Jordanian military – the establishment of a national guard – stemmed from infiltration and subsequent Israeli retaliation and the search for means to prevent the latter. Demands, primarily from Jordan's Palestinian population in the West Bank, to create a strong national guard, arose during the years 1949–1957 and during the three years that preceded the 1967 War, when the cycle of infiltration and subsequent Israeli retaliation were at their height.

Abetting infiltration, and almost automatically, subsequent Israeli retaliation, was certainly one of the problems the National Guard posed to the Hashemite regime. Israeli intelligence sources frequently mention that National Guard members facilitated the movement of infiltrators across the Armistice Line (Morris 1993, 85, 94, 236; Young 1956, 123). At the same time, the same sources concede that the National Guard often defended the villages they guarded well and thus served as a deterrent to Israeli retaliation (Bartal 2004, 227).

Ironically, the proposal to set up the National Guard did not emanate from Palestinian sources but from a memorandum Glubb himself sent to the government in June 1949 (Glubb 1957, 349). His proposal formed the basis of the Law of the National Guard of January 1950, according to which all males between 20 to 40 years of age had to apply. If recruited, they would receive 150 hours of training per year (Al-Majali 1994, 184). According to Uriel Dann, the National Guard numbered 40,000 active members at its height (Dann 1989, 146).

Especially during the first years of infiltration, from the point of view of the Jordanian army's chief of command Glubb, it was best to leave the problem of coordination up to the respective police forces rather than to the armies of the two states, whose involvement could only escalate matters. He was convinced that the problem was primarily economic rather than political. Criminalizing the problem also proved to be an inadequate solution when 18-year-old Hussein, uncertain at the helm of the regime, felt compelled to concede the ratification of a revised constitution that subjected the government to the parliament as well as to the King, and thus effectively ruled out the possibility of ratifying laws that would impose harsh sentences on infiltrators, smugglers, and those doing business with them (Bartal 2004, 228). In his memoirs, Glubb revealed that the Jordanian regime did its utmost to keep the presence of the army on the West Bank to a minimum out of fear that an Israeli pincer movement would quickly defeat, capture, or destroy the force (Glubb 1957, 363). Glubb was firmly convinced that Israel could easily conquer the West Bank and that only dexterous manipulation of Israel's tenuous political legitimacy could avert the outcome.

On 12 October 1953, Jordanian infiltrators killed an Israeli woman and her two children in a raid on the Israeli town of Yehud, a mere 12 kilometers from Tel-Aviv. The Israeli government responded with a retaliatory raid against the West Bank village of Qibya, located roughly parallel to Yehud. After consultation with Prime Minister David Ben-Gurion, Defense Minister Pinhas Lavon decided on the raid without informing the cabinet and without informing Moshe Sharett, the Minister of Foreign Affairs, according to some sources. Lavon also disregarded the fact that on the previous day, in a meeting with the MAC (Mixed Armistice Commission), the Jordanian representative denounced the attack on Yehud and promised Israel full cooperation in tracking down the murderers (Shlaim 1994, 90–93). Years later, Sharett recalled that Glubb had even asked Israel to make its police bloodhounds available to track down the Yehud attackers.

The raid on the evening of 14 October 1953 was carefully planned, beginning with a warning to the residents to leave the village, and followed by an artillery barrage. Israeli troops arrived on the outskirts of the village, and placed landmines to prevent the intervention of Jordanian troops. Once the village was cleared of resistance, Israeli soldiers laid explosives and destroyed 45 homes, the mosque, the school, and the water reservoir. Over 60 people were killed (Qibya 2007).

While the basic facts regarding the outcome of the raid are more or less known, the intent and purpose of the attackers is very much contested. The Israeli government initially claimed that Jewish civilians living near the border had carried out the attack. Later, the IDF admitted that it had carried out the attack but with the intent of ambushing Arab Legion forces in the area, destroying some houses as a decoy, instructing the forces to "carry out an attack … with the aim of temporary occupation and the demolition of houses, and not to harm the inhabitants." According to Benny Morris, as the order moved down the command chain, the attack came to mean "maximum killing," a claim Ariel Sharon, a commander in the operation, firmly rejected. In his autobiography, he offers an explanation for the killing of the civilians:

> I couldn't believe my ears. As I went back over each step of the operation, I began to understand what must have happened. For years Israeli reprisal raids had never succeeded in doing more than blowing up a few outlying buildings, if that. Expecting the same, some Arab families must have stayed in their houses rather than running away … The result was this tragedy that had happened.
>
> (Ibid.)

However, this was hardly the position of Major General Vagn Bennike, chief of staff of the UN Truce Supervision Organization who investigated the scene the next day, one story was repeated time and again; bullets splintered doors, and bodies sprawled across the thresholds, indicating that the inhabitants had been forced by heavy fire to stay inside until their homes were blown up over them. Nor was this the position of the United States, who temporarily suspended economic aid to Israel following the attack (Morris 1993, 258–259).

What was clear from the Qibya incident was that the National Guard did not provide sufficient protection to the Palestinian border villages, a reality that formed the basis of demands by the Jordanian political parties to expand the army by national conscription. Unfortunately, these demands came just as the rise of these parties were paralleled by the Arab cold war between an increasingly radical camp led by Egyptian President Jamal Abd al-Nasr and the Arab monarchies, the most vulnerable of which was Jordan. Ironically, as both internal and external threats to the regime increased, so did the regime's resolve to marginalize the role of the *hadari* (the urbanites) and the Palestinians in the army. The sagacity of this policy was reflected in the April 1957 palace putsch (by some, a counter-putsch by others) against the Nabulsi government and ‘Ali Abu Nuwar during which the Beduin-led regiments clearly supported the King. They may have even “saved the day” for the Hashemite Kingdom.

It was only in the wake of another growing crisis emanating from the launching of Fatah operations in January 1964 and the establishment of the PLO in May that Jordan seemed to deviate from this policy in any significant way. Once again, as in the 1950s, the regime faced a growing internal and external threat. In March 1965, the regime disbanded the National Guard and absorbed many of the members into the army to form five infantry brigades. Considering that at the time of the decision, the army consisted of four infantry and two armored brigades, this move reflected a serious deviation of policy. Behind the move was the belief that members of the National Guard would be less susceptible to recruitment attempts by the Syrian-backed Fatah within the organized army than they would be in the National Guard (Dann 1989, 146–147). As Dann notes, it is difficult from existing sources to derive to what extent these regiments participated in the June War or the level of fighting acumen they exhibited.

Israel’s massive retaliation raid was the ultimate catalyst behind the decision to promulgate the Compulsory National Service Law on 23 November 1966, ten days after the raid on Samu’, a large border village southwest of Hebron. The law stipulated 90 days of training, with the possibility of monetary exemption (*badl*) for the price of 100 Jordanian Dinars that the government promised would be allotted to fortification (Dann 1989, 157). The raid came in immediate response to an incident in which an IDF half-track ran over one of a number of mines Fatah terrorists had laid inside Israeli territory south of Hebron, killing three soldiers and wounding six. Tracks of the perpetrators led into nearby Jordan.

In the raid – in which, according to Jordanian army sources, participated an IDF tank battalion, two artillery battalions, and accompanied by a squadron of Mirage jet fighters – 15 fighters and five civilians were killed and 93 houses were destroyed. One of the military personnel killed included a pilot killed in an air fight (Shemesh 2002, 151, 153).

Although subsequent riots that shook the Kingdom could not be attributed solely to the raid it was now being fueled by the population’s lack of faith in the government that reached its climax after the Samu’ raid (ibid.). In January 1966, a Saudi consul in East Jerusalem listed at least four troublesome aspects of the relationship: inequality in the civil service, absence of Palestinian officers in Jordanian army units, and denial of Palestinian identity coupled with growing Palestinian national awareness of the West Bank as major sources of contention. Riots swept across the West Bank in two waves over ten days, killing at least five civilians. The 60th Armored Brigade was dispatched to the West Bank to supplement forces that were imposing curfews on the population in a bid to end the violence (ibid., 153–155).

As much as one can debate the political importance of Samu’ and its aftermath in determining the basic orientation of Palestinians in Jordan before the 1967 War, the Hashemite regime nevertheless felt strong even after November to virtually eliminate the public presence of the PLO. There is no evidence that the regime lived up to its March 1966 agreement with the PLO, to allow the imposition of a tax on all Jordan's citizens. The tax would finance the Palestine Liberation Army established by the PLO (Dann 1989, 148). King Hussein was even less willing to meet PLO chairman Ahmad Shuqayri's original demands to conduct elections for the Palestinian National Council and recruit men for the PLA, or suffer its presence on Jordanian territory. No doubt the loyalty of his troops allowed him to take a resolute stand.

Palestinians and the Jordanian army since 1967

Dependence on the loyalty of his armed forces served King Hussein in even greater stead during the four turbulent years following the disastrous war with Israel. The confrontation between the Palestinian factions and the Hashemite Kingdom has been recounted elsewhere in great detail.

Focusing on the Palestinian role in the Jordanian military during the confrontation, it was surprising how loyal the bulk of the Palestinians conscripted in the army seemed to have been to the regime. By most accounts, 5,000 of the approximately 20,000 Palestinians serving under the Jordanian flag deserted the army, most in favor of the Palestinian organizations during the height of the crisis. However, the bulk remained, despite the political isolation of the regime both within and outside Jordan (Bar 1988, 209).

Nevertheless, for the regime, even this level of betrayal proved unacceptable after such a traumatic period and it proceeded subsequently with a policy of "Jordanization" and "tribalization" that marginalized the Palestinians in public life and in the army. In fact, the process had begun long before the height of the confrontation of September 1970. With the initiation of Jordanian television, a large amount of Bedouin folklore was aired (Samir 2004, 107). When the royal family convened three assemblies for each of the largest tribes – the Banu Sakher, 'Adwan, and Huweitat – to assure their loyalty to the regime (ibid., 102), the promotion of Hasan al-Ka'id, one of the most outspoken opponents of the Palestinian factions was placed as head of the (state) Employees Bureau (*Diwan al-Muwazzifin*) (Bar 1989, 39). He then proceeded with alacrity to dismiss 1,000 public officials and officers from government and the security services (Bar 1988, 39). The policy of '*ardana*' (Jordanization) was launched.

However, in the spirit of Middle East monarchs to play the role of arbiters, there were limits to how far King Hussein was willing to browbeat the Palestinians in favor of the east Jordanians. As the years wore on, it became apparent that while Palestinians were extensively removed from public life, they were given ample possibilities in the private sector. Only in the army did the policy seem to prevail.

Though the passage of a modified "Serving the Flag" law renewing national conscription in January 1976 seemed to signal a more tolerant attitude towards the Palestinians in the military, a secure regional and international environment for the regime, at least two developments suggest otherwise (ibid., 224–225). The move was preceded by the elevation of the anti-Palestinian hardliner, Zayid Bin Shaker, to the post of prime minister and followed by little to no expansion of the army. The Jordanian army was estimated at 60,000 on the eve of the 1967 War, and was believed by Israeli sources to stand at 70,000 in 1980 (Dover Tzahal 1980, 44).

Taking into account Jordan's high demographic rate during that period, this would indicate that the Jordanians could be more selective in choosing their recruits in favor of those of east Jordanian origin in the technical units where Palestinians once predominated as well. Jordanians of east Jordanian origin in the 1970s onwards were much more educated than in the past and thus more suitable to man the more technical units. Palestinians were favored in receiving work permits in the Gulf during the oil boom era and thus could find more lucrative employment outside Jordan. For those of Palestinian origin then, the attractiveness of serving in the Jordanian army correspondingly decreased.

Returning to the question whether Palestinians served others or the Palestinian national cause under a flag not their own, in only one of the three arenas in which Palestinians were organized militarily – Gaza – did the Palestinians engage Israeli forces in an organized and premeditated way. Even then they did so only very briefly (from the Israeli raid on Gaza in February 1955 up to the outbreak of the Sinai campaign in October 1956). During most of the period under review, the recruitment of Palestinians in Egyptian-administered territory and in the West Bank was carried out as much to prevent Palestinians from taking up arms against Israel as it was to fight the Jewish state. Indeed, it was the realization that Palestinian interests remained subservient to raison d'état that brought the founder of the PLO, Ahmad Shuqayri and the founders of Fatah to promote an ideology that placed the onus of liberation primarily on Palestinian organization rather than rely on the performance of Arab states. To what extent the PLO and the Palestinian factions succeeded in creating a military that reflected their national aspirations and steer clear of Arab state subservience is the focus of the next chapter.

4 The PLO and the Palestine Liberation Army 1964–1993

Few would doubt that the creation of the PLO marked a watershed in the crystallization of a Palestinian national Diaspora movement. It was also the beginning of a significant attempt to create a state-like military, in the form of the Palestine Liberation Army (PLA). This chapter will move from Gaza to Jordan, Iraq and Syria and back to Gaza again. It will analyze the personalities behind the efforts, identify the spoilers and their motives, and will dwell on the impact of the 1967 defeat of Arab states, and the subsequent rise of guerrilla factions. The effect of the guerrilla factions on the project of developing the PLA will also be considered. The credible military performance of the Palestinian military formations will be contrasted with the guerrilla operations that stole the limelight. This chapter is based extensively on Yezid Sayigh's path-breaking work *Armed Struggle and the Search for State: the Palestinian Movement, 1949–1993*.

Without a doubt, the establishment of the PLA was the most serious attempt at creating a Palestinian military. Formally, it was the brainchild of the second Arab Summit conference held in September 1964 (Sayigh 1997, 103). The summit occurred soon after the establishment of the PLO at the end of May and early June. In anticipation of the announcement, the PLO wrote up a plan for an army consisting of six infantry brigades and six commando battalions, with a battle-strength of 16,100. The plan called for 35 training camps and basic military instruction for 56,000 others (ibid., 114). In reaction to the plan a ministerial council appointed by the League of Arab recommended the training of only 5,000 soldiers, spread over ten commando battalions, with basic military training to be provided to 32,000 Palestinians. Armed formally with a budget of L8.5 million for initial expenses – to be supplemented annually by L2 million more, the PLO quickly appointed Wajih al-Madani, the Palestinian head of the Kuwaiti Emir's bodyguard, to commander-in-chief. This move elevated him from the rank of Lieutenant-Colonel to Major-General (ibid.).

The creation of the PLA initially proceeded beyond the PLO's expectations, as the United Arab Command (UAC)'s revised plan accepted the Palestinian view that the PLA should include offensive military units such as tank and artillery battalions. Assuring Palestinian autonomy over the

PLO was an entirely different matter. The UAC acceded to PLO control over PLA finances and armament but objected to Palestinian control over dismissal and promotion, the real power behind the scenes. Egypt would not countenance any Palestinian control over the PLA whatsoever. The Egyptian chief-of-staff, working closely with defense minister Shams Badran who clearly reflected the will of the Egyptian President, insisted that the PLA's formation should be a strictly Egyptian military undertaking, to the exclusion and dismay of the PLO military committee (ibid.).

Even Shuqairy's personal intervention and meetings with Egyptian chief-of-staff Muhammad Fawzi, or with foreign minister Mahmud Riyad, did not help matters. Further, when military-governor-general Yusuf al-'Ajrudi approved the draft conscription law, it was not placed before the Palestinian National Council (PNC) for ratification, but rather before the Egyptian-created Gaza Legislative Council. Nor were the new recruits, the product of the conscription law, placed in PLA units. Instead they were assigned to 19 Brigade, a Palestinian National Guard unit attached to the Egyptian army (ibid., 115).

The Egyptians would also not allow the "importation" of Palestinian officers and soldiers trained and serving in other Arab armies. Instead of the 59 officers according to the original plan, the actual number of officers recruited by the PLA in early 1966 numbered only seven (ibid., 116). Even two Syria-based military advisors, Subhi al-Jabi and Muhammad Abu-Hijla, were not given permission to enter Gaza. This in effect meant that the units formally placed under the PLA command – the 107 and 108 Border Guard Brigades, and the 329 Commando Battalion – suffered from inadequate tactical leadership. Given the problem of conscripting a sufficient number of recruits in Gaza, these forces were severely undermanned.

It soon became clear that much more than suspicion of the political loyalties of these officers and men explained the Egyptian procrastination. In meetings with Shuqayri, Nasser expressed his desire that the PLA become an irregular force along the pattern of the South Vietnamese National Liberation Front, rather than the Free French Forces of World War II. In subsequent meetings with UAC commander-in-chief 'Abd al-Hakim 'Amer, it became clear to Shuqayri that Nasser's commitment even to the weaker alternative was doubtful. The general had informed Shuqayri that Palestinian forces would only be placed on the front lines when the Arab armies were ready to engage Israel, and would be given the relatively auxiliary task of waging guerrilla warfare behind enemy lines (ibid.).

Fortunately for the PLO, the Egyptians increasingly worried about Fatah's ability to heat up the border and entangle it in a war it so wanted to avoid. Egypt perceived the strengthening of the PLA as a means to rob it of its thunder. This meant a series of mainly political concessions towards the PLO which included the promise of bolstering the PLA. The Palestinian National Union set up in 1959 was dissolved in favor of a new organization, the Palestinian Popular Organization, run by the PLO. The PLO took over control of the Voice of Palestine radio, and most relevant to the PLA, the Egyptian administration imposed a "liberation tax" on all trade in Gaza to finance PLO operations (ibid., 117).

The PLA fared somewhat better in Syria, which was actively supporting Fatah as well. PLA commanders were able to communicate with their units, provide payment and provisions, and recruit volunteers and conscripts with relative ease. In May 1965, 68th Battalion, the reconnaissance unit set up in the previous decade mainly for intelligence gathering, was transferred to the PLA and renamed the 411 in a ceremony attended by the Syrian President Hafiz and Shuqayri. Well below battalion-strength with 100–120 men, the Palestinian force was augmented with the establishment of two more battalions, 412 and 413, drawing on 600 volunteers and conscripts (ibid., 118).

Nevertheless, overall Syrian control was stringent. All communication between the PLO and the PLA had to go through Syrian intelligence channels, and the PLA was subject to Syrian jurisdiction in all legal and operational functions. Similar to the situation prevailing in Gaza, the PLA was hampered in developing an officer corps in Syria. The authorities there refused many of the 60 or so officers who had been recruited and trained in the Arab Salvation Army, and who later served in regular Syrian army units, from joining the PLA. Syria's refusal to allow 134 Palestinian officers, trained and located in Iraq, from joining the Palestinian force represented a further blow. By the end of 1966 the Palestinian force did not in any way resemble what was planned. Though the battalions grew larger, and the Syrians provided a brigade headquarters in the spring of 1967, they order-of-battle on the eve of the June War. Three battalions hardly measured up to the two brigades and five commando battalions, numbering a total of 6,257 troops, originally envisaged in the plan (ibid.).

For obvious political reasons, Jordan was least forthcoming in the creation of the PLA. The Hashemite Kingdom had long perceived the establishment of a political organization, claiming to represent all Palestinians, as a crucial threat to its security. Jordan was even more adamant after its palpable failure to prevent the emergence of the PLO, in hindering by any means the creation of PLA forces on its soil. As a state that had granted Palestinians full rights of citizenship, it argued it could achieve the same objectives by expanding recruitment to the Jordanian army. The promise to expand enlistment "four times what the PLO demands" was of course never met. The Jordanian army continued its policy of selective recruitment, in which the overwhelming bulk of the fighting units were of east Jordanian origin, allowing a limited intake of Palestinians into logistical support and ordinance units. Growing tensions between armed Palestinian factions and the Jordanian army after the June War, ultimately leading to a massive showdown in September 1970, proved earlier Hashemite suspicions correct.

One would expect that states further away from the battle-front with far smaller Palestinian populations would feel less threatened either by the

Palestinians within their midst, or by the prospects of being led into war. Such states could afford to be more forthcoming in providing aid to the PLA. However, this was hardly the case in Iraq, where the gap between pledges, promises, rhetoric, and reality, reached its height. Iraq had promised the PLO that it would impose conscription on the local Palestinian population. Instead, it called on volunteers from outside the country. While 3,000 responded only 600 were enlisted, trained, and inducted into Battalion 421, the sole Palestinian unit on Iraqi soil (ibid.).

Internally, the PLA might have lost an historical opportunity to achieve anything near a monopoly on violence in Palestinian politics, when the PLO military department declined to operate a secret guerrilla wing within the PLA. The proposal by Dannan, Za'nun, and Khalaf was turned down by PLO department head Qusay 'Abadla, formally Madani's superior. Even less attractive was Hani al-Hasan's proposal that Fatah military forces be absorbed into the PLA, on the basis that Fatah would become the PLO's political organ (ibid., 121). Al-Hasan specifically suggested the formation of large guerrilla units comprising 200 fighters each, with sufficient impact to set off the "continuous detonation" (*al-tafjir al-mutasalsil*), as part of a strategy of deliberately entangling the Arab armies (*al-tawrit al-wa'i*) in a war with Israel. This is indeed why Shuqayri turned down both proposals. Though they might not have entangled the PLO in a war with Israel, they certainly would have aroused the enmity of the Egyptian President, upon whom he and his organization were so dependent. Fatah reacted to the rejection with venomous denunciations regarding the illusory concept of forming a liberation army, which would only serve to draw away recruits from guerrilla warfare. Little did the actors realize at the time how this basic struggle between the supporters of irregular guerrilla operations, and those with a more state-oriented perspective, would have a fateful impact on attempts to create a unified military.

Beyond the obvious antagonism between the PLO that emerged out of Arab summit committees and Fatah which emerged autonomously, the two organizations differed in their strategic thinking. The principal difference was over the timing of confrontation. The PLO conceived of itself as a state-in-the-making whose national army, the PLA, would shoulder its share of the burden in the war between Israel and the Arab states. That could only come about after Arab military preparedness, including PLA efforts involving long-term planning, development, and training, were assured. The war, when timed right, would be decisive.

By contrast Fatah, and other groups such as the Palestine Liberation Front, looked for ways to hasten and initiate the war through the provocations of a revolutionary vanguard. The mobilization of the "masses" would result in the entanglement of the Arab armies in the violence initiated by the guerrilla groups. The problem with the Arab states and their respective publics, according to the Fatah leaders, had more to do with a lack of motivation rather than a lack of capability. In a sense, the PLO and

PLA adopted a rational approach compared to the emerging guerrilla groups' stress on eradicating psychological barriers blocking offensive action, and their increasing will to wage war. In its defense, Fatah argued that its strategy ultimately rested on firm rational grounds. The Zionist state would only be defeated after long-term struggle created the conditions for internal implosion.

It would be wrong to think that the PLA's misfortunes stemmed only from external challenges from Fatah and the other guerrilla groups, the behavior of the Arab states, or even their propensity to play off the two sides against one another. The PLO and the PLA suffered from internal problems, the most important of which had to do with Shuqayri's domineering style and amassing of power. This aroused antagonism amongst those around him. 'Abadla resigned from his post in the PLA in protest of his removal from the head of the military committee, a post Shuqayri added to his many other roles as PLO chairman, PLO representative to the ministerial council of the League of Arab States and head of the Palestinian National Council (PNC) (ibid., 132). However, this latter role was later conceded to Shihada al-'Anani. The move aroused the anger of Madani, who now became personally accountable to Shuqayri (ibid., 133).

Nevertheless, relations between Shuqayri and Madani remained correct enough to work together to compete with Fatah's irregulars, and search for ways of engaging in guerrilla activities under the aegis of the PLA. A sign of weakness no doubt, they decided to work with George Habash's Arab National Movement, Fatah's chief rival. Fayiz Jabir and Subhi al-Tammimi, two ANM veterans of the Syria-based 68 Battalion, established the *Abtal al-'Awda*, with the PLO executive committee covering its expenditures as part of the PLO. The chief operations officer of the PLA Brigade in Syria, 'Abd al-Razzaq al-Yahya, acted as the liaison and assured the group's payment and supply of arms (ibid., 136–137). Though the group was involved in several raids, it was never able to successfully compete with Fatah. Abtal al-'Awda most certainly did not bring the PLA, which never overtly acknowledged the connection, any prestige. Perhaps this is why in May 1967, several weeks before the war, Shuqayri claimed that the PLO was financing *al-'Asifa*, Fatah's military wing (ibid., 141).

In fairness to the PLA leadership, especially Madani, the bulk of the efforts continued to bolster the organization's more conventional capabilities. The PLA received the permission of the Egyptian administration to call up the 4,000 national guardsmen who received training in 1965. The problem lay in providing them with armaments and training in order to play an effective offensive military role in the coming war. The resulting achievements were humble to say the least. Having paid for 44 T-34 tanks and 12 122-millimeter howitzers, the troops had to make do with 10 US M-4 Shermans and an equal number of 24-pounders. The latter arrived too late for troops to receive the necessary training in their use.

Nor was there any serious coordination in planning between the

PLO/PLA and the Egyptian command leading up to the war. In a meeting between Shuqayri and Nasser on 26 May, ten days before Israel's surprise attack, the Egyptian President assured Shuqayri that war would not break out. Three days beforehand PLA commander Madani was asked by the Egyptians to transfer to Gaza, where it was hoped the Palestinians would hold off the Israelis, to facilitate Egyptian offensive action against the IDF (ibid., 169). More ambitiously, 141 Battalion, composed of *fida'iyyun* veterans, was supposed to cut lines of communication within Israel in the case of war.

Yet for all the problems besetting the PLA, according to Israeli military sources, the men under its command fought admirably when Israel attacked the Gaza Strip on 5 June. The IDF sent the 11th Paratrooper Brigade in the direction of Khan Yunis. Reaching the junction, most of the force including 202 Battalion turned northward in the direction of the city of Gaza (Ziv and Gelber 1999, 241–242). The force split up once again to conquer two fortifications. Ali Munzir, the highest point in the Gaza Strip and Harat Daraj, were both defended by the Palestinian forces belonging to the PLA-led 20th Division. Resistance in Harat al-Daraj was so severe that the commander of 11 Brigade decided to commit another battalion to the fray.

The Israelis also encountered heavy resistance in Khan Yunis and the city of Gaza, whose conquest required a combined attack by two Israeli brigades. The attack began on 6 June in the morning, and only ended early afternoon the next day after Israel committed a reinforcement of tanks. The Palestinian forces succeeded in holding Gaza as planned, one of the few scenarios of the war that were translated into practice. The casualties, 122 deaths, were understandably high (Sayigh 1977, 169).

An even heavier price was exacted after the war. With Gaza's occupation the PLA lost its major military base, with 5,000 of 6,000 men fleeing or being deported to Egypt. This included the bulk of the *fida'iyyun* 141 Battalion. Some of them, however, managed to remain in hiding and play an important role in terror operations at a later period. Additionally, the war effected the Palestinian forces stationed in Egypt itself. The *'Ayn Jalut* Forces Brigade was abolished altogether, and the bulk of PLA veterans were demobilized and allowed to settle in the Tahrir district of Cairo. The rest were absorbed into four battalions, the 329th, 339th, 349th, and 359th, later renamed the Palestinian Commando Units, representing roughly one-third the force-level prevailing before the war (ibid., 170).

On the Syrian front, the four Palestinian Commando Battalions were joined to form the Hittin Brigade, and were placed in Dar'a in the Golan. Though formally they were PLA units, 411, 412, and 413 Battalions were in reality placed under Syrian command during the war. While placed in the Golan, the three battalions were withdrawn just before the outbreak of war, and thus did not see action. Meanwhile, the 421 Commando Battalion linked up with the Iraqi expeditionary force that entered Jordan on the first day of the war. The force then crossed the Jordan river in the Jericho area, only to be bombarded by the Israeli air-force and retreat to the east side of the river (ibid., 169).

Developments after the war

It was obvious after so decisive an Israeli victory that there was little likelihood of a successful conventional war against Israel, at least in the immediate aftermath of war. The PLA could count on Arab state support even less, either in building up the PLO, or a Palestinian army, at a time when they became focused on restoring sovereign land that Israel had occupied. Since Egypt and Syria were unable to engage Israel in direct military confrontation, they looked for ways to pressure Israel. This was accomplished through proxies operating either within the territories Israel had occupied, or from a staging area such as Jordan, that would not directly implicate them. The Palestinian factions, Fatah and fighting groups linked to the ANM, became even more useful than they were in the past.

To compete with these groups and their state sponsors, the PLO and the PLA renewed efforts to engage in guerrilla activity. This was at odds with the long-term interest of maintaining the PLO as a unified representative organization. After attempts to renew contacts with the ANM in order to activate its "Heroes of Return" fell through, Madani and intelligence head Fayiz al-Turk decided to utilize in-house resources. They activated both PLA officers in Gaza, and developed cells headed by Syrian-based PLA officers and men in the West Bank and Gaza (ibid., 170–171). The two dispatches of officers to the West Bank, the second numbering 17 men, ended in disaster. The officers, mostly from Gaza, were easily identifiable and soon arrested by the Israeli authorities. Hopes of initiating a people's war in the West Bank faded rapidly.

For Shuqayri and Madani, the only comfort they derived was the knowledge that the PLA's rivals, principally Fatah, fared even worse. Two months previously Israeli authorities captured 180 Fatah operatives and supporters in September, 24 members a month afterward, 70 in November, and 20 in December (ibid., 163). Neither did the ANM do any better when Fayal al-Husayni, the movement's commander in the West Bank and later a prominent Fatah activist, was arrested at the end of October. His replacement 'Abdullah 'Ajrami, along with 130 ANM activists, was arrested in the course of the following month (ibid., 163). By the end of January 1968, the ANM virtually ceased to exist in the West Bank and Gaza.

But this was small comfort compared to political developments that befell the PLO, and indirectly, the PLA. On 20 December, Shuqayri felt compelled to hand in his resignation, after suffering devastating criticism from seven members of the PLO executive committee, including Madani. Even more critically, he lost the support of 'Abd al-Majid Shuman, the owner of the Arab Bank and the president of the Palestine National Fund (ibid., 173). Little did Madani realize that by promoting Shuqayri's fall, he was in effect decreasing the prospects of the PLA ever achieving a monopoly on violence. This was in any event never very likely in a fractious Diaspora environment, accompanied by extensive Arab state meddling in the affairs of both the PLO and the PLA. Shuqayri's resignation proved to be a first step in the transformation of the PLO from a potential representative body into an umbrella organization of guerrilla groups. These groups naturally would have little interest in promoting a military organization resembling a national army in the making.

Politically, Fatah and the other factions began taking over the PLO. In the fourth meeting of the PNC in Cairo on 10–17 July 1968, the first held since the 1967 defeat, the PNC was reduced from a 400-person body to one-quarter that size. Half of the delegates represented guerrilla factions. Fatah and its supporters, with 38 seats, took the lion's share (Bechor 1991, 201–202). The difference was also qualitative, after members of the body revised the PLO Charter to accentuate the armed struggle. It was also clear that the PLO lost any pretension to represent the Palestinians on either an individual or geographic basis. The sea-change was confirmed following the PNC meeting in February 1969 when the factions secured an overwhelming dominance in the PNC, and control of the executive committee (ibid.). The latter chose Yasser Arafat, Fatah's leader, as its chairman. He held this position until his death in November 2004.

Ostensibly, the PLA and the Popular Liberation Forces, the PLA's official guerrilla arm established in February 1968 as a means to compete with the factions, should have been pleased with the transformation. In the same session, they secured 42 seats in the PLC, appreciably more than the 33 Fatah secured for itself. By that time, however, Fatah had heavily infiltrated the PLA. Also, in the wake of the battle of Karameh in the Jordan Valley, Fatah lost 92 men compared to 24 from amongst PLF/PLA ranks (Popular Liberation Forces). The PLF was established as the guerrilla arm of the PLO (rather than belonging to any faction composing it) and was composed almost exclusively from PLA ranks. Fatah achieved the most political capital from this event, widely regarded at the time as the first successful standoff against the Israeli army since the 1967 defeat (Sayigh 1997, 179). In fact, as the stature of the guerrilla organizations soared, the PLA's prospects declined.

This tense relationship became most apparent in Jordan, the Palestinians' major arena of confrontation for four fateful years. As was noted previously, the PLA was never allowed a foothold in Jordan. Having been prevented from setting up base in the West Bank the factions then regrouped in Jordan in order to wage cross-border forays into Israel, and to engage in acts of terrorism within pre-1967 Israel itself. Yet even this move proved transitory as Israel escalated its air, artillery, and ground attacks in the Jordan Valley on the east side of the Jordan river.

For even Karameh, ostensibly a victory, had proven way too costly to Fatah to allow it to maintain a permanent base in the area. Further retreat to the plateau where Jordan's largest cities, including Amman, were located, transformed the nature of conflict. If up to that point the conflict pitted Israel against the Palestinians, it increasingly became a confrontation between the Hashemite Kingdom of Jordan and the Palestinian factions. This led to even more widespread warfare between the Palestinian and east Jordanian populations.

In fairness to Arafat, he and his organization tried to avoid undue friction with the Hashemite regime, in sharp contrast to the Popular Front for the Liberation of Palestine and other radical factions, which continued to be true to the slogan that the road to the liberation of Palestine runs through Amman. Indeed, the organization's logo depicted graphically their basic strategy. It consisted of the two Arab letters, jim and shin (the acronym for Popular Front), with the point within the "jim" depicting Amman followed by an arrow into Israel or Mandatory Palestine. To liberate Palestine, it was necessary to bring about the downfall of the Hashemite regime. Fatah, by contrast, claimed that the unification of the Palestinians under the banner of armed struggle would be the prelude to Arab unity.

Nevertheless, Fatah's growing presence in Jordan was financed and fueled by Egypt, as a means of turning Jordan into another war front for Israel. Just as in the previous period these activities came at the expense of the Hashemite regime, albeit at a much higher cost. It also became clear that massive Egyptian support came at the expense of maintaining what was left of the integrity of the PLA. In mid-April 1968, Egypt sent over to Jordan 130 officers and soldiers belonging to PLA 29 Battalion, and placed them under Fatah command (ibid., 180). The PLF/PLA even expanded to include six sectors and 422 Battalion was created in addition to the former Syrian-based 421 (ibid., 183), and the PLO executive committee's decision to abolish the post of PLF/PLA commander-in-chief was briefly rescinded (ibid., 185). On the eve of "Black September" the PLF/PLA units consisted of only 500 men. Several hundred more served with the Palestinian Armed Struggle Command Palestinian military police (PASC) that was established in Jordan as a joint policing force in 1969 to cope with internecine tensions between Palestinian factions. All told, members of the PLF/PLA represented a small percentage of the estimated 15,000 Palestinian fighters in Jordan at the time (ibid., 267). Palestinian factions had established the PASC in Jordan as a joint policing force in 1969 to cope with internecine tensions between them.

The one serious attempt during this period to restore and enhance the power of the PLF/PLA was brutally crushed by Syria. In September 1968, Chairman Hammouda and Abd al-Razzaq al-Yahya, the assistant chief-of-staff, joined forces against the Syria-leaning chief-of-staff, Jabi, in an attempt not only to unite the PLA, but to bring the guerrilla factions under its control. Assuring the loyalty of PLF/PLA troops in Syria became a test case. The PLO executive committee dismissed the pro-Syrian Jabi along with Yahya, the Syrian-leaning commander of the PLF/PLA, and Abd al-Aziz Wajih, a "graduate of 1948" and former Syrian officer. Instead they appointed another anti-Syrian and fellow traveler, Samir al-Khatib, as head of the military department in the PLO. A month-long stalemate lead to an indecisive compromise. While Yahya was dismissed from his post in favor of pro-Syrian Misbah al-Budayri, Wajih's post was confirmed (ibid., 186–187). In February 1969, with the Syrian leadership distracted by the standoff between Salah Jadid and Hafiz al-Asad, al-Yahya was reinstated as commander. He held this position during the events of "Black September" (ibid., 241, 261).

As the PLF/PLA smarted from demotion, the factions' military capabilities expanded and their internal organization became more complex. Fatah fighting forces were divided into three sectors commanded by an *amir*, which in turn were divided into bases consisting of smaller squads. By 1969, another intermediate level between the sector and base levels, the unit (*wihda*) consisting of a dozen or so bases, became necessary. Each sector consisted of four or five units (ibid., 181). Once again, the expansion came at the expense of the PLA as many of its officers, such as 'Atallah 'Atallah, Ahmad 'Afana, and Muhammad al-ʿAmla, joined Fatah. Ahmad Hijju, the Ba'th-sponsored Saʿiqa, and Tha'ir al-ʿAjrami al-Qadi were recruited into the PFLP (ibid., 182).

Since the PLF/PLA's primary task was to form the basis for a national army, even its success in playing the leading role in terror and guerrilla activities in Gaza hardly indicated success in the long term. Under the leadership of Husayn al-Khatib, aided by two former officers, Ziyad al-Husayni and Misbah Saqr, the organization initiated approximately half of the attacks against Israeli targets and informers between 1968–1970. All in all, over 1,000 incidents took place in Gaza during that period, at least five times the amount that took place in the much larger and more populated West Bank (ibid., 208).

Events surrounding "Black September" demonstrated in sharp relief the absence of a unified force, intelligence capabilities, strategic thinking, and strategic assessment. Just two weeks before the showdown, Arafat bragged that the Palestinian movement had "36 to 38 thousand rifles in Jordan" and Qaddumi that King Husayn was "a paper tiger, whom we can topple in half an hour" (ibid., 258). "We'll show them tomorrow" was his reaction to Husayn's decision to form a military government (ibid., 261). This was of course hardly the case. In the ensuing 12 days of fighting until the arrival of the Arab cease fire committee on 1 October, a Syrian military attack, with the possible participation of the Hittin Brigade, had been repulsed. On at least two occasions (at Dar'a on 21 September and in Irbid three days later), the Brigade failed to live up to promises of support for withdrawing Palestinian irregulars (Sha'ath *et al.* 1971, 215–218). Likewise, the Iraqi expeditionary force failed to come to the aid of the

Palestinians. Zarqa, Jordan's major industrial center had been cleared of Palestinian guerrillas as had most of Amman. To add to the Palestinians' troubles, Nasser, the Hashemite King's nemesis, passed away. The Egyptian President's death considerably weakened the Palestinians' political position (Sayigh 1997, 267).

Even in this beleaguered state, the Palestinian movement failed to achieve unity. In the next ten months, incessant attempts to form a unified command failed. As for the PLA, the curtain fell when Jordan requested the transfer of 421 and 422 Battalions to Syria (ibid., 279). The remaining PLO offices were closed after the assassination of Jordanian prime minister Wasfi al-Tal in his hotel in Cairo on 28 November. It was to take 13 years before a very limited PLO presence was allowed to be renewed (Bechor 1991, 162, 164).

The ramifications of the Jordanian–Palestinian confrontation were hardly local. The defeat of the PLO reflected the return of the Arab state after its defeat in the 1967 War. The repercussions were felt in Syria and Egypt as well, though in different ways. In Syria, Assad, suspicious of the Palestinians from the inception of Fatah activities and the creation of the PLO, had assumed complete control domestically by the summer of 1971. Though he agreed to the inflow of armed Palestinians after the Jordanian debacle he was wary of their presence, which comprised a force 9,000 strong, including some 5,000 troops from the Jordanian army who shifted allegiance. Assad was adamant to control them (ibid., 289). The PLA became one of the targets. In June, the PLA command under chief-of-staff Haddad, decided to dismiss the commander of the PLF/PLA in Jordan, against the wishes of the PLO executive committee. Reacting to the PNC final statement to the effect that the organization's determination "to liberate the will and command of the [PLA]..." (ibid.). Assad forced the departure of the 'Ayn Jalut Forces back to Egypt. After assuring the autonomy of the Syrian-based Qadisiyya Forces from Iraqi influence, he allowed the latter to stay. In any event, this move was a major blow to an organization that had lost any vestige of contiguity with Palestinians living under Israeli rule. Instead, the major force-structure was effectively removed from any prospective battlefield with Israel.

Palestinian relations with Syria became further enmeshed in complicated dynamics, including the power play between officers in the PLA who tried to become the paramount and unifying force in the Palestinian arena. The guerrilla groups opposed such potentially state-building moves.

As so often was the case, Arafat was a major player in denying the PLA any such role. Though a foe of the Syrians, he sided with them in purging the PLA of leftist elements. They included at this time chief-of-staff al-Yahya, after his having sought the independence of the Palestine National Fund, with a seat for himself on the executive committee, as well as the emergence of a unified force within six months. His replacement, Misbah al-Budayri, proved no less problematic after he proposed the establishment of a more-or-less unified military organization consisting of the PLA, one guerrilla organization, and one popular militia. He cooperated with Jordan in establishing the Zayd Bin Haritha Battalion, and set up the Mis'ab Bin 'Umayr Battalion in Lebanon under his control (ibid., 290–291). Budayri proved no more successful than his predecessor in overcoming Arafat's divide-and-rule tactics.

So powerful were these divide-and-rule tactics that even Fatah's attempts to create a military force parallel to the PLA were undermined from within Fatah itself. The Yarmuk Forces are a good example. Set up in early 1970, the Yarmuk Forces absorbed Fatah fighters from the Jordanian arena and increased its strength from 3,500 to 5,000 personnel by July 1971. It retained throughout its regimental structure of three infantry battalions, an artillery battalion, auxiliary combat units, and support units that ranged from engineering to workshop units. Even the fledgling air unit, renamed Force 14, was attached to it (ibid., 295). Yet no sooner than the force had been built up, Arafat decided it was too independent and had to be shorn of its capabilities. Force 14 was removed from its responsibility, the medical unit was integrated into the Palestinian Red Crescent Society, and the engineering unit eventually integrated into the PLO fortifications department. To assure better control, the force was saturated with political commissars. Relations with the former Jordanian army men soured, eventually leading to lower morale. By 1973, the force was down to 1,200–1,600 men as the Jordanians took advantage of well-timed government amnesties (ibid., 296).

Other attempts at "militarization" (*tajyish*) were even less successful, even leading to fire-fights. Espousing militarization as doctrine after the defeat in Jordan, but perhaps with a hidden agenda of "balancing" the Yarmuk Force, Arafat ordered that fleeing guerrillas be reorganized in the al-Karama and al-Thawara (later renamed al-Qastel) Forces. They were to assume battalion size under 'Atallah 'Atallah, a Hebron-born former Jordanian officer dismissed in 1968. During the course of 1972, he vigorously assigned guerrilla units to battalions linked to a regimental headquarters (ibid., 298). Many guerrillas, particularly sector 302 located in south-east Lebanon rebelled and imprisoned officers of the Yarmuk Forces. Fire-fights broke out and 30 fighters were killed or injured before mediation by senior Fatah leaders, and the Algerian ambassador, brought the revolt to an end. This resulted in the dismemberment of sector 302.

Only Syrian sponsorship, with its enmity towards Fatah, enabled the PLA to survive Arafat's tactics and even undergo some expansion. PLA chief-of-staff Budayri dismissed Qadisiyya Forces commander Muhammad al-Tayyib, and appointed Muhammad Zahran as Hittin Brigade commander. He also expelled 67 members of the PLF/PLA Zayd Bin Harith Battalion in Jordan for secretly being members of Fatah (ibid., 320). Two anti-aircraft battalions were formed and attached to the Qadisiyya and Hittin Brigades.

The build-up came just in time to enable very modest participation in the 1973 October war. According to Sayigh, the three commando battalions of the PLA Huttin Forces participated in airborne assaults on the Golan Heights, while the Qadissiya Forces engaged in more defensive operations (ibid., 321). So did Fatah forces participate, with total losses to the guerrilla groups of 77 killed, compared to 44 dead amongst PLA ranks. On the Egyptian front, 'Ayn Jalut Forces participated only from 20 October after Israel crossed to the west bank of the Suez. Here losses were modest at 30 killed, a reflection of its very modest contribution to the war. The PLF/PLA as well as the guerrilla groups tried creating a third front in Lebanon. The October war, as Ajami has noted, represented the culminating victory in the power struggle between "revolutionary" movements and the Arab state, a process that began with the ousting of the PLO from Jordan two years previously.

PLO militarization in Lebanon 1978–1982

For the PLO, the comeback of the Arab state reflected in the 1973 War meant that it could only seek refuge in Lebanon, a state in which sectarian centers of power were usually more powerful than the central government. Fortunately for the organization, the very strengthening of the state also gave the PLO a new lease of life. This occurred when Arab states at a summit in Rabat during October 1974 accorded sole representative status to the PLO, and as a result of the prevailing oil boom, ample aid as well. Yet it was only with the outbreak of civil war in Lebanon in 1975, and the subsequent disintegration of the state and the social services that it offered, that the PLO took on the characteristics of a quasi-state.

Likewise, the attempt to create a more conventional military force was a reaction to external stimuli, rather than a conscious premeditated act. The catalyst was Israel's foray into the Litani in 1978. Until the Litani operation, Israel's incursions into Lebanon were sporadic commando raids. Of these the most notable was the April 1973 raid, where Israeli commandos killed three PLO leaders, Yusef Al Najjar, Kemal 'Adwan, and Kemal Nasser in Beirut. In January 1976 the PLO established three new Fatah battalions, Suqur al-Tal, Ra's al-'Ayn, and Jarmac, under a new brigade headquarters, the Ajadyani Forces (ibid., 450).

All this changed when 11 Fatah members led by the 18-year-old woman Dalal Mughrabi, disembarked on the coast north of Tel-Aviv on 11 March 1978. After killing an American tourist on the beach, they then hijacked two buses. Following a lengthy chase and shootout 37 Israelis were killed and 76 wounded. It was the most costly single terrorist attack against Israeli citizens until then (Cobban 1984, 94). Israel dispatched 25,000 soldiers as far north as the Litani river, in a campaign lasting seven days, to force the withdrawal of Palestinian factions north of the river. Israel also wished to consolidate the control of its proxy, the South Lebanon Army, over southern Lebanon.

To enhance deterrence, the Palestinian National Council passed a resolution in January 1979 sanctioning a build-up of Palestinian forces that would possess conventional capabilities. The Head of Operations of the PLO, General Sa'ad Sayel (Abu al-Walid), who had initiated the move, was charged with this task. Sayel had held the rank of Colonel in the Jordanian army and had participated along with Motta Gur, the former Israeli Chief of Staff, in an advanced tactical fighting course with the United States army (Khalidi 1986, 112).

In typical fashion, Arafat made sure to interfere in the process with divide-and-rule tactics which reinforced a lack of institutional continuity. To begin with, a build-up first took place within Fatah ranks, perpetuating a political reality which could only promote centrifugal reactions amongst competing factions inside and outside of the PLO. By 1980, Fatah forces totaled five brigades composed, at least on paper, of 26 battalions. These numbers dwarfed the PLA, the nominal Palestinian army, which contained seven battalions. Worse still from the point of view of developing a unified armed force, was the build-up of Arafat's personal bodyguard, Force 17. This force grew from one battalion to five. All in all, military personnel numbered around 15,000. Of these 6,000 were deployed in the south, including 4,500 regulars. They were armed with 60 aging tanks, many of which were no longer mobile, and 100–200 pieces of artillery (Sayigh 1997, 524).

Though ostensibly PLA and Fatah forces were supposed to be an integrated entity, moves to unify the armed force were comparatively modest. The PLO Social Affairs department became responsible for payment and social benefits to both Fatah and PLA units, and Fatah's engineering and construction services were placed under the command of the PLO general staff (ibid.).

Arafat's inordinate ability to control matters big and small hampered all efforts at centralization. From purchasing boots to approving lists of candidates for various training courses, his decisions were made late at night following no formal agenda or procedure (ibid., 454–455). To the consternation of his would-be equals, Khalil al-Wazir and Salah Khalaf, Arafat further amplified his control. He did so by becoming the sole address in the PLO leadership for leaders of the oil-rich Arab states during the oil-boom years, who provided him almost personally with most of the funds. "Only he could comfortably grant major extra-budgetary allocations, whether these were to be would-be investors acting on his behalf, allied Lebanese militias, foreign officials, or Palestinian activities in the diaspora, to name but a few beneficiaries" (ibid., 455).

Fragmentation was reflected by both the number of forces operating formally under the PLO banner, and the marginalization of the PLA. According to the official Israeli estimate on the eve of the June 1982 war, Fatah forces consisted of four infantry brigades, one armored unit, and one anti-air unit with a total strength of 10,000. In comparison, the PLA, also under Fatah control, was comprised of two infantry battalions and one armored unit (Mam 1982, 27). Even the Syrian-controlled and supported al-Sa'iqa faction presented a more formidable force than its PLA counterpart, with three infantry battalions accompanying a militia force totaling 3,000 men.

The PLO in the Lebanese war

Whether the PLO was right in investing in a conventional build-up was put to the test in the 1982 Lebanese war, which shattered an 11-month-long ceasefire brokered by United States envoy Philip Habib in July 1981. From the Israeli point of view, the ceasefire allowed the Palestinians to focus on terrorism in Israel, the West Bank, and Gaza. The results of this attention were 29 Israeli fatalities and 300 injured during that period. Israeli dissatisfaction with the status quo and concern about the future ramifications of the PLO build-up, followed by the 3 June assassination attempt on Israel's ambassador in London, Shlomo Argov, led to massive bombardment of Palestinian sites. On 4 June, two days of intensive Israeli aerial bombing began the first war in which Israel and the Palestinians were arguably the major protagonists.

Aerial bombardment proved to be only the first of four stages of the war. The second included a three-pronged ground attack to remove Palestinian fighters from southern Lebanon. One force moved along the coastal road to Beirut, another aimed at cutting the main Beirut–Damascus road, and the third moved up along the Lebanon–Syria border, hoping to block out Syrian reinforcements or interference. The campaign primarily centered along the coastal road, resulting in the capture of Tyre and Sidon and surrounding Palestinian refugee camps. The campaign ended on 11 June, the fifth day of ground battles. The second stage mostly involved the Israeli forces operating in the central and eastern sections, battling with Syrian forces over control of the Shouf mountains surrounding the metropolitan area of Beirut. This part of the campaign ended on 14 June. The siege of Beirut culminated in the cease-fire of 12 August, and agreement over the basic parameters over the impending evacuation of PLO forces from Beirut under international supervision (Khalidi 1986, 98).

Assessing Palestinian military performance in the 1982 Lebanese war

Though Israeli sources generally conclude that Syria's conventional power was the major obstacle, Palestinian and Syrian assessments disagree over the relative importance of their respective forces in fighting Israel. There is, however, widespread consensus over the valor exhibited by the Palestinians. In preparation for the conflict, the Palestinians achieved relative efficiency in the allocation of resources. The PLO received the least return on its investment in building up conventional fire-power, and most where little investment was needed – the terrorists in the camps.

Nothing highlighted this more than the contrast between the performance of these two types of forces in the defense of Sidon and the three camps Ein Hilweh, Almiya, and Miya. These forces included a PLA tank unit consisting of 20 T-34 tanks, reinforced by an anti-aircraft battery and anti-tank unit, a brigade belonging to the Qastel backed up by Lebanese irregulars, a mobilized infantry unit belonging to Qastel Fatah forces to which were attached security and ordinance units that included anti-tank and Sam-9 missiles (Tlas 1988 [1983], 130–131). These units were stationed in al-Rumeila and Shrahbeil, north of the camp and the city. According to Syrian versions of the war, most of their heavy equipment was destroyed by Israeli air strikes on the first day of fighting. The conventional forces were not only more vulnerable, but also performed badly. The commander of the Qastel Brigade and overall commander in the South, Hajj Ismail, as well as other PLO commanders, had fled on the second day of the war. They had done so after hearing of the Israeli amphibious landing at the opening of the Awali near Sidon, which threatened to cut escape routes to the north (Solley 1987). By that time, the three battalions that made up the Qastel regiment ceased to operate as an organized military force, with most of their men fleeing to Tyre and the refugee camps, leaving extensive heavy equipment behind (ibid.).

In contrast to the dismal performance of the PLA and the semi-conventional Fatah forces, Palestinian fighting was fierce and effective within Tyre, Sidon, and the surrounding camps. Attacks on the Tyre camps – particularly Rachidiyeh, Burj al-Shemali, and al-Bas – began on 7 June, and took three days to complete. This was much longer than the Israelis had anticipated, and cost them 21 dead and 95 wounded (Schiff and Ya'ari 1984, 136). The relatively low number of Israeli casualties, considering the duration of fighting, suggests that they were moving with caution as befitted a mopping up operation, occurring after most of the Israeli forces had moved northward towards Sidon. Nevertheless, the advance was difficult in the face of PLO fighters who were able to block the narrow roads and alleys, use rocket-propelled grenades (RPG) at short range, drop hand grenades into Israeli armoured personnel carriers, then flee to other positions. Evidently, there was also extensive planning involved as 74 bunkers were uncovered in Rachidiyeh, 80 in Burj al-Shemali, and some 213 underground shelters and arms caches in al-Bas (ibid., 138–139).

Tyre was only a preview to still more serious fighting in Sidon and its surrounding camps, especially Ein Hilweh, the largest refugee camp in Lebanon. On 7 June, a battalion of the Golani Brigade under one of Israel's most celebrated tactical commanders, Brig. General Avigdor Kahalani, attacked the camp. The battalion was subsequently pinned down and forced to fight its way out again at dusk. A larger force also failed to penetrate the camp the following day. A systematic attack to seize the Ein

Hilwe camp, section by section, was finally made possible with the conquest of Sidon on 9 June. Sidon's fall opened a wider route to the camp that enabled tanks and self-propelled artillery support, facilitating the Israeli advance. The defenders, led by a Muslim zealot Hajj Ibrahim, fought fiercely (ibid., 142–143). They disregarded leaflets, loudspeaker broadcasts, local delegations, and demonstrations of fire power against selected targets, all of which were attempts to encourage them to surrender. Fighting continued until 14 June, as they fought to the last man (Solley 1987).

Urban combat once again proved effective during the siege of Beirut from 15 June 1982, until the negotiated cease-fire on 12 August. The Habib-negotiated truce called for the withdrawal of both Israeli and PLO forces, as well as a multinational force that would ensure the departure of the PLO and protect defenseless civilians. The force was to be composed of US Marines and French and Italian units. PLO forces were evacuated from Beirut on 1 September. The war in Lebanon had demonstrated clearly the military advantages of guerrilla fighting.

The dispersion of Palestinian forces

Massive dispersion of PLO and PLA troops took place after the evacuation from Beirut, with 600 men transferred to Algeria, 500 to Sudan, 260 to Jordan, at least 135 to Iraq, 2,000 to the two Yemens, and 1,000 to Tunisia – where the PLO established its headquarters (Lia 2006, 192). Nevertheless, 6,450 withdrew to Syria, the PLO's major Arab nemesis. Subsequently, the PLO was forced to evacuate from Tripoli in December 1983 as well. Once again, approximately 4,000 PLO guerrillas and military personnel had to pack up their bags in order to travel to far-flung destinations such as North Yemen, Algeria, and Tunisia. After Arafat's rapprochement with President Mubarak, Egypt eventually allowed half of these fighters to relocate to Egypt. Upon arrival they were decommissioned, and told to pursue civilian lives.

How they fared in at least one major destination, Syria, was visibly reflected in the Syrian governmental communiqué in 1999 regarding the Hittin Brigade stationed there. Under the heading "Palestinian Liberation Army marks foundation anniversary"

> The Palestinian Liberation Army leadership today holds a central speech rally in one of its military units under the patronage of the PLA's chief of staff, Muhammad Tareq al-Khadra, on the occasion of the 35th anniversary of its foundation. The celebration will be held in one of the PLA units in Damascus. Speeches will be delivered by the Baath party, the Palestinian army and fighters, SANA said. Palestine, Politics.
>
> (Palestinian Liberation Army 1999)

From the communiqué, it seems that the Palestinians serving in the PLA were hardly masters of their own destiny. In the subsequent negotiations over relocating them to Gaza, in anticipation of the establishment of the Palestinian Authority, it became clear that they were not. Trying to woo al-Khadra to Gaza with promises that he would be made commander of security forces there, the commander of the Hittin Forces responded with denunciations of the "Arafat–Zionist conspiracy" (Lia 2006, 205). If any members did in fact leave for Gaza, they did so only after deserting and making their way on their own.

Dispersion had no less grievous implications on Palestinian military professionalism. This came to light during the transfer of many, if not most, of the PLA forces after the signing of the Cairo Accords in May 1994 between Israel and the PLO. Formally numbering 19,000 men distributed amongst nine states, of which at most 14,000 were in any sense on active duty, they were in serious need of retraining in order to fulfill their future tasks (ibid., 194). Thus, a member of the Egyptian-based Ayn Jalut forces stationed on the outskirts of Cairo acknowledged that he held a civilian job yet trained once a month with the PLA (ibid., 186). Lia describes the Sabra-Shatilla Forces in Yemen, which were transferred after Israel's air-raid on PLO headquarters in Tunis as "closer to a standing, camp-based military force" than a fighting organ (ibid., 187). At least 7,000 resided outside camps, once again a reflection of the state of their military preparedness. After Lebanon, the prospect of forging a military never seemed further away so that when the Oslo Accords in 1993 ushered in an opportunity of partial return, the PLA was hardly in a position to capitalize on the opportunity.

5 The security forces under the Palestinian authority

For the Palestinians, operating in a highly dispersed and diverse diaspora might have explained the difficulties of creating a unified armed force. Diasporas are rarely suitable places for state-building activities. Palestinian attempts to create institutional autonomy, develop specialized agencies, delineate authority and hierarchy and promote a fruitful symbiosis between, for example, security forces and the institutions meting out justice, were hampered by host state authorities, which sought to maintain their sovereignty. Competing ethnic or confessional authorities and political parties played the same foiling role where, as in Lebanon, the state was weak.

Writ large, the Palestinians became the casualties of the reemergence of the Arab state system after the blow it received in the 1967 War, by the rise of Islamic radicalism and sectarianism culminating in state failure in Lebanon. The removal of the Palestinian factions from Jordan reflected the former process: the evacuation of the PLO from Beirut in 1982 and the subsequent rise and prominence of Shiite politics and instruments of violence reflected the second and third. Between the reemergence of the Arab state and the fallout of the Lebanese failed state, Palestinians were simply bereft of a sanctuary or haven to create a coherent military.

The first Intifada and the organization of violence

If life in exile was so not conducive to creating a military force, perhaps the shift of political weight and acts of violence to the territories that occurred with the outbreak of the Intifada in December 1987 was the panacea to Palestinian failures to achieve this goal. Such hopes were raised at the beginning of the Intifada, despite the lessons of the 1936 revolt, which had demonstrated, albeit under a totally different state of circumstances, that struggle within the territory being contested was simply not enough. The first communiqué the United National Command of the Intifada (UNC) published hoped that "[The] popular committees have spread all over the occupied homeland. Our people have begun to erect a new national life and to increase its national authority" (UNC Communiqué no. 13, 2 April 1988).

But creating a state authority structure in the territories ran against the grain of an organization whose leadership resided in far-away Tunis. The diaspora-based Palestinian leadership had studied the Zionist movement in great detail. It realized that the leadership that emerged in the homeland had eventually eclipsed a leadership in the diaspora. Rather than exhorting the Palestinians in the territories – "the inside" – to actually create a national authority, including a unified military structure, the "outside" Palestinian leadership earmarked to the inside the role of wearing down the enemy by perpetuating mobilization. Meanwhile, the PLO continued its diplomatic efforts to create the state (Tamari 1991, 55–58). According to the outside leadership, the inside was to focus its efforts on assisting the PLO in "state-creation," rather than state-building, which was to be postponed until after the PLO achieved statehood.

More than any other single issue, the conflict over local elections epitomized the struggle between the evolutionary state-building approach favored by the territorial Palestinians and the international diplomatic approach favored by the diaspora-based leadership.

The right to hold municipal council elections was a prominent feature of the UNC's early communiqués (no. 2, 9 January 1988; no. 6, 3 February 1988). These communiqués, heeded by the inhabitants in the territories, established the newly emergent UNC as the leading force behind the Intifada. By October, the request for elections was omitted altogether (UNC Communiqué no. 27, October 1988).

PLO opposition could hardly be explained by fears that they would lose the elections to competing forces. The PLO, as early as 1976, had scored, almost by default, a sweeping victory in West Bank municipal elections. How much more would it win in 1988 or 1989, when the UNC, "the fighting arm of the PLO in the territories," had proven so loyal and dominant a political factor in the territories? It was the success of elections the PLO feared, not their failure. The elections could serve no other purpose than to facilitate the emergence of a local leadership which would be ready to negotiate an evolutionary path to Palestinian statehood.

Keeping local elites divided was one important mechanism to maintain the preeminence of the PLO. On 6 January 1988, the PLO sought to prevent the emergence of the UNC. After that failed, the PLO sought access to political activity which could challenge the new UNC. By late February, a *modus vivendi* emerged between the diaspora center and the UNC's local leadership. While the UNC dropped its demand for local elections, the diaspora center agreed to cease attempts to circumvent the UNC's sole leadership in the territories, provided it be the arm that executed PLO policy rather than a participant in its formulation. Only after this agreement did *Filastin al-Thawra*, the official organ of the PLO, first mention the UNC, three weeks after the journals of the PFLP and DFLP had done so.

To avoid hierarchical linkages between organizations and the UNC, the

PLO also adopted a two-track policy to Intifada-related activities: it sought to diffuse territorial institution-building while maintaining distinct subordination to the factions which were linked hierarchically to the outside. As late as 1990, the PLO was calling to create grass-roots organization – "to continue forming, building, and developing popular committees and their specialized committees that constitute the alternative popular authority to the occupation's collapsing organs and departments" (UNC Communiqué, no. 54, 27 March 1990). Yet they wanted to make sure that "popular authority" did not evolve into a process of state formation.

By September 1988, it was clear that Fatah had won the battle in ensuring fragmentation. Israel's onslaught on Fatah-based popular committees in Gaza in July 1988, the proliferation of popular committees linked to the DFLP and the PFLP, and the formation of partisan strike forces indicated the demise of coalition-structured institutions (Liqa'at 1989, 24–26). Fatah's decision to establish the "Palestinian Popular Army" on a single-party basis in the fall of 1988, rather than consolidate a fighting organization coalescing all organizations and unaffiliated activists, basically foreclosed any possibility that an integrated security structure could ever emerge even if it were to successfully avoid being suppressed by the Israeli authorities.

So ephemeral did Intifada-generated institutionalization prove to be that when widespread cheating on matriculation exams (*tawjihi*) engendered a sense of severe social crisis, it was organizational modes rooted in civil society from pre-Intifada days – such as popular meetings and the punitive measures taken by the political factions – that effectively came to grips with the problem rather than the institutions associated with the Intifada (Abu al-Muhnid 1990, 54–55). This was acknowledged in the UNC's communiqué (no. 82, 30 May 1992), in which the UNC called upon "institutions" and "mass structures" (the second tier of mass movements formed in the decade preceding the Intifada) to form "national" institutions to combat wide-scale cheating on the matriculation exams, thus ignoring the strike forces or popular committees, if they in fact continued to exist. It was obvious that the mass resignation of Palestinians from the Israeli police force, highly regarded as one of the major political achievements of the Intifada, did not yield effective self-policing.

As in the 1936 revolt, the killing of collaborators became one of the most significant signs of fragmentation in the exercise of violence. Collaborator killings in Gaza increased from three in 1988 to 97 in 1990, reaching its peak with 199 in 1992, in inverse proportion to the number of violent incidents generated by the Intifada (Lia 2006, 68). To be sure, the increasing focus on collaborators could be attributed to a change in Israeli policy from open confrontation involving "force, might and beatings" to a more nuanced and less media-visible reliance on collaborators. However, most of it could be attributed to sheer vigilantism (ibid., 69). This was how Adnan Damiri, a well-known Fatah operant with a long prison record, perceived the phenomenon in an article in a local Palestinian newspaper. He acknowledged that many Palestinians feared the armed vigilantes more than they did the Israeli army. Haydar ‘Abd al-Shafi, head of the Palestinian delegation at the Madrid Conference, warned against repeating the mistakes made during the 1936 revolt (ibid., 73–74).

In the long run, even more detrimental to the creation of a unified military structure was the escalation of violence between a more assertive Hamas and Fatah. Violence between the two peaked in the summer of 1992 as fears on the part of Hamas that Israel would negotiate an interim agreement with the PLO increased. A tally of 150 wounded and one killed in the ensuing violence was reported as the worst internecine violence in Gaza and the West Bank since the 1936 revolt (ibid., 72). Few realized how that spate of violence would be replicated many times over in the ensuing years.

Negotiating a Palestinian security force in the WB and Gaza

Though establishing an autonomous Palestinian police force had been discussed informally since the Egyptian–Israeli negotiations and had culminated in the Camp David Agreement in September 1978, the first serious attempt at grappling with the issue directly between Israel and the Palestinians was made only during the Washington talks in 1992. The Camp David Agreement called for the establishment of a “strong police force” within the framework of a Palestinian interim self-government authority.

Profound differences emerged between the two sides over the issue. While Israel envisioned having jurisdiction over overall security with the local Palestinian police force providing security under Israeli command, the Palestinians demanded a police force controlled exclusively by the Palestinian authority and aided by international peacekeeping forces and appropriate security guarantees (ibid., 98).

The two sides also disagreed over the size of the force and the type of arms it would have at its disposal. In an August 1992 meeting in Amman, Palestinian and Jordanian security experts came to the conclusion that a 20,000 man force was needed to assure public security in the West Bank and Gaza, and could only be effective after Israeli withdrawal (ibid., 98). Israel responded to the proposal in the sixth round of negotiations when, for the first time, it agreed to a joint Palestinian–Jordanian police force of up to 7,000 members, but not before Israeli Foreign Minister Peres had described the Palestinian number as “overly large” and the spokesman of the Likud-led government as “absurd.”

From that point on, however, it was Israel who made major concessions both over the jurisdiction and the size and nature of the force. By April 1993, Foreign Minister Shimon Peres was echoing Palestinian conceptions by supporting a strong Palestinian police force as part of “early empowerment,” short of territorial autonomy. The Palestinians responded with the idea that the PLA would provide the nucleus of such a force. In the Declaration of Principles, Israel agreed both to the establishment of a "strong police force" (Declaration of Principles 1993, Article 8) and to the arrival of Palestinian personnel from abroad, provided they were trained as policemen (DOP, Annex II, 3b, c). The process of building up the police force was to be gradual, or in the language of the document, "phased" (ibid., Article 7.2; Agreed Minutes, Article 8).

During subsequent negotiations, Israel insisted that following the signing of the agreement, the initial deployment of troops would not exceed 3,000. The PLO wanted the arrival of the police to look like a "liberation" event that would include the arrival of 3,000 men. In the Gaza–Jericho Agreement, signed on 4 May 1994, the Palestinians had the upper hand when the agreement stipulated 9,000 security personnel, of which 7,000 could be from abroad. Within three months of the signing of the agreement, 1,000 more troops were to be divided into four branches operating as "one integral unit" (Agreement on the Gaza ... 1994, Annex 1, Articles 3c, 4b). Only policemen not actively engaged in terrorism were eligible for employment.

Israel exhibited even greater generosity in the agreement signed in September 1995, extending Palestinian territorial jurisdiction to the six large West Bank towns and their immediate surroundings. Whereas Israel agreed to only 9,000 in Gaza and Jericho in 1994, by the end of 1995 it conceded to the presence of up to 18,000 in Gaza alone and a further 12,000 in the West Bank, half of whom could be deployed immediately and the other in the subsequent interim agreements (The Interim Agreement 1995, Annex 1, Article 4, 3a). Israel also conceded that the existence of six security branches, and the proviso that police not be involved "in terrorist activities subsequent to their recruitment," be made contingent on Palestinian law (The Israeli–Palestinian Interim Agreement 1995 – Annex 1, article 4, 3e). Regarding Gaza, the agreement may have legitimated facts on the ground; a local IMF official had reported that by April 1995 there were 17,000 – including local inhabitants – recruited to the police and to the various arms of the security network (Abed 1995).

Negotiating and working out the terms of when, where, and how the Palestinian security forces were to arrive at their destinations were matters no less important or controversial than the negotiations over the size and the quality of the force. As a rule, Israel was primarily concerned with achieving maximum efficiency and smoothness during the transition. This managerial approach, exercised in almost any civil policing process in which one agency takes over the responsibilities from another, required prior coordination, gradual arrival of the Palestinian troops, and mutual collaboration on the ground as Palestinian troops learned the terrain and the techniques. Israel sought to activate joint patrols as specified in both the 1994 and 1995 agreements, conduct rigorous border checks to ascertain the identity and background of the incoming troops (featured in the agreement), and carry out meticulous ballistic tests of the arms to ensure that they would be used exclusively by the Palestinian security force. These benchmarks were to be achieved prior to Israeli withdrawal.

What Israel regarded as good managerial style seemed to Arafat and the PLO as collaboration that would tarnish the image of the PLO and the newly emergent Palestinian Authority (PA). Instead, they wanted to stage a transition that looked like an act of liberation. Only the arrival of large fully-armed and military-attired troops *after* Israeli troop withdrawal could produce that effect.

Just as the Palestinians gained the upper hand during the negotiations, so did they gain the upper hand in implementing the transition from Israeli to Palestinian rule. Though the Gaza–Jericho Agreement stipulated the arrival of 1,000 Palestinian troops within three months, convoy after convoy of 1,500 "policemen" flowed into Gaza and Jericho in the ten days following the signing of the May 1994 agreement. They were dressed in the military uniform of the Palestine Liberation Army. On the trucks' windshields loomed large portraits of Yasser Arafat in military uniform (Frisch 1998, 133). PLO insistence on staging displays of liberation seemed to have had its effect. A Norwegian diplomat who had arrived in Gaza with Brigadier Ziyad al-Atrash compared what he saw to the liberation day in May 1945 after the end of German occupation (Lia 2006, 242). Israel's decision to withdraw its troops unexpectedly under the cover of the night, particularly from problematic areas such as the Jabaliyya refugee camp in order to avoid fire-fights with the militias, reinforced the impression of "liberation."

So conclusive was Palestinian success, that by the time the second Israeli withdrawal from the West Bank towns in late 1995 and early 1996 neared, Israel had abandoned the demand for prior deployment of Palestinian troops. Instead, the Palestinian security forces began operating openly and informally in West Bank towns and villages, including Jerusalem, long before the agreement was signed in September. Thus, the Preventive Security Force (PS), under Colonel Jibril Rajoub, publicized in April 1995 that it had recovered goods in East Jerusalem that were stolen from Hebron, though neither places were under PA jurisdiction at the time. Similarly, the district heads of the service, mostly former Fatah activists from the "inside," were well known to both the Palestinian and the Israeli authorities (ibid., 244–245).

Israel was also more forthcoming to Palestinian demands to appear as liberators rather than those cooperating with the Israeli authorities. Over the northern West Bank town of Jenin, Israel agreed in negotiations to allow the Palestinian police force on 13 November 1995 to enter as "liberators." Thirty-one Palestinian police vehicles were to be accompanied by the IDF. At the outskirts, the IDF would leave the convoy in order for the Palestinian vehicles to enter the city alone. Even so, one Palestinian vehicle full of armed police got away from the convoy and entered the town "waving their Kalashnikovs and drawing great popular jubilation and much anger from Israeli officers" (ibid., 250–251).

Israel might have paid the price for such leniency in Nablus where mass violence against withdrawing Israeli troops took place instead of an orderly ceremony as both sides indeed planned. The title given to an article on the incident in an issue in the official journal of the security force "The Occupiers Fled from Nablus" hardly suggested that the PA was unhappy over failed coordination with Israel (ibid.).

Setting up the security forces under the PA

In general, the gap between negotiations and realities on the ground – considerable throughout the years 1993–2000 – were probably greatest regarding the establishment of the Palestinian security structure. Termed "police," the lorries of khaki-clad troops attested otherwise. Only half a year before, the second contingent of Palestinian policemen trained in Jordan were filmed by Israeli television on the steps of the entrance to the Orient House, the unofficial seat of the Palestinian delegation in East Jerusalem, thrice snapping the salute, "Long live Abu 'Ammar" (Israel Television 1993). By the end of May, the number of diaspora soldiers-turned-policemen was up to 6,000. Even the civilians who arrived from the diaspora did little to dispel the concentration of politico-military power that descended on Gaza soon after Israeli evacuation. Most of those who arrived in early and mid-May were men hand picked to hold top positions in the emerging internal security network, which eventually encompassed six agencies in an area of control one-third the size of Long Island.

Some of the worst fears of Palestinian civil society were confirmed as the foundation of the Palestinian government came to resemble a military takeover. To their credit, they had tried preventing it. Along with the Israelis, they had voiced their concern over the size and nature of the Palestinian police force the Palestinian delegation, operating under orders from Tunis, during the Washington talks (interview with Marwan al-Barghuthi 1994).

Nor was the PLO pleased over an initiative that emanated from east Jerusalem, that involved the technical committee set up by "inside" activists, and was supported by Jordan. Arafat sharply attacked the proposal in a meeting in Tunis in early September with the Palestinian delegation, including Feisal al-Huseini, the moving force behind the initiative (Lia 2006, 112). By May 1993, with direct, back-channel negotiations between the PLO and Israel in high gear, Arafat ordered the local technical committees to freeze all activity regarding the security force as well as to reject police training schemes that European states proposed to inside forces ostensibly in favor of cooperation with Arab states (ibid., 114).

Instead, Arafat and the PLO emphasized both internally and during the course of negotiations with Israel, the importance of military formations manned and controlled by PLA units from abroad. In the "Palestinian document on the police," which the PLO publicized in the local Palestinian newspapers in November 1993, the envisaged size of the national security forces (17 battalions with a total complement of 16,200 men) dwarfed those of the police units whose total strength was estimated to reach 6,650. While the former were to be equipped with recoilless rifles, 60-millimeter mortars, and helicopters and coast-guard ships, the police were limited to riot and crowd control equipment including batons and tear gas canisters (ibid., 184).

Tensions between outside and inside continued to stall preparations in establishing a security force even after the outside scored a clear political victory with the signing of the Declaration of Principles (DOP) on the White House lawn. Despite the establishment of recruitment centers throughout the West Bank and Gaza, considerable advertising encouraging recruitment, and a massive response (over 30,000 filled out elaborate forms), only 2,000 were actually conscripted and virtually none trained before the arrival of security forces from abroad in May 1994 (ibid., 136, 143, 145). A keen desire to stall the process until forces from the outside would arrive may explain the poor ratio between those wishing to join the security force and those actually conscripted during late 1993 and early 1994.

Others, particularly FIDA (Palestine Democratic Union) leader, Dr. Azmi Shu'aybi, feared Fatah monopolization of the process that would lead to the establishment of a preventive security force like the one the PLO created in its former Lebanese stronghold (ibid., 140). In fact, FIDA, a small group that succeeded from the DFLP, had tried to preempt Fatah by creating recruitment centers of their own, not so much to compete with Fatah – that would be preposterous for such a small group – but to inject an element of pluralism in the process.

Still others, like police professionals Ibrahim Muhanna, a colonel in the local police force in Gaza and Faruq Amin in the West Bank, looked on hopelessly despite promises from Tunis to advance the establishment of a local police as they were marginalized by Arafat. Instead, policing during the chaotic half-year between the signing of the DOP and the arrival of the first waves of security personnel in May 1994 was left to the militia groups affiliated with Fatah, principally the Fatah hawks (ibid., 151). Nevertheless, the arrival of the former PLA units, particularly in Gaza, elicited an enthusiastic response. Often festivities continued through the night as Gazans took advantage of the disappearance of curfews after the quick withdrawal of Israeli troops (ibid., 242–243).

Arafat was reluctant to deploy the best trained, even among the PLA forces. Jordan, fearing that a lack of law and order after Israeli withdrawal would lead to Palestinian emigration into Jordan, became the major sponsor of police training in late 1993-early 1994. Some 3,216 personnel, mostly from the Jordanian-commanded Badr Forces, were trained in preparation for becoming a paramilitary public security force (ibid., 200). Financed and trained by the Jordanian Royal Police Academy and Ministry of Interior, the Jordanian stamp was indelible. Arafat, fearing Jordanian influence, authorized the transfer of only 700 (ibid., 201). He relied once again on other troops when the PLO was authorized after the Taba agreement to augment its security forces by 5,000 troops from abroad (ibid., 203).

With the signing of the Declaration of Principles and even more so with the establishment of the PA in the summer of 1994, the Palestinians came face to face with the "deployment gap" identified by scholars in war-torn failed states where warring sides cannot begin building a common security infrastructure before settling outstanding political issues. They often desperately need a professional security system intact to transform the agreement over rebuilding the state into a reality. Due to internal issues of power and control between outside and inside, the Palestinians' attempt to induce Israeli acceptance of a territorial autonomy and Israeli opposition to training hardly went ahead with establishing a security infrastructure before the autonomy became reality.

At first, it seemed that the first sign of civilian rule occurred on 1 July during the initial meeting of the PA Executive. From that time on, an almost feverish spate of state-building would solve the deployment gap. Within one year, the PA was a state to its citizens in all but name. By the summer of 1995, the PA consisted of a cabinet (chaired by President Arafat), the managing director of the Office of the Presidency (*maktabat al-riyasa*) and the ministers (*wuzara*). These ministers, in turn, presided over ministries (*wizarat*) typical of any state: finance, economics, planning, information, and, more recently, interior. Even without an official foreign ministry (it was instead called the Ministry of Planning and International Cooperation), the PA managed to conduct more foreign policy and to be visited by more world leaders and officials than many states. Completing the organizational portrayal of a state-in-the-making was an impressive array, on paper at least, of functionally-specific state authorities such as the Palestinian Monetary Agency, a bureau of statistics, an environmental control agency, and a civil service commission.

The Palestinian Authority

The PA not only attempted to look like a state, but also to behave as a highly centralized one. Taking its cue from the Israeli government practice of holding weekly cabinet meetings, the PA cabinet consistently meets every Saturday, and its decisions and agenda are then relayed to the local Palestinian press by the government spokesman. A continuous barrage of official announcements reflecting typical government business connects the citizen to the state. These announcements include: tax matters, competition for civil service positions, tender bids for projects by the different ministries, exhortations to citizens to pay electricity and telephone bills owed to Israeli public companies, warnings against building on "state" lands, and information regarding official policy positions. The "state" also reflects its "revolutionary" past. The Mufawwadiyat al-Tawjih al-Watani (the Commissariat of National Direction), an organ of the Presidential Office, is responsible for political education both in the security branches and government offices of the PA (Mufawwadiyat 1995).

Finally, as stipulated in the Cairo Agreement, the PA secured territorial inviolability from Israel for areas in Gaza where there are no settlements or roads. The Israeli government also refrained almost completely from exercising the right of hot pursuit in Gaza accorded to it in the Cairo Agreement, despite considerable pressure from Israeli parties on the right. In short, the PA in transition was probably more of a state than many "juridical" states in Africa.

Economically, the PA emerged as the dominant force in the territories. In 1995 it had a budget of $440 million, approximately one-third of the GNP of the area it controlled at the time. It was the largest employer in Gaza and the source of most new jobs as the state bureaucracy and security apparatus rapidly expanded. The international aid regime originally set up to aid the Palestinians had conceived of a much smaller Authority. The Emergency Assistance Plan (EAP) drafted by the World Bank in cooperation with Palestinians from the PLO and the Occupied Territories in 1993 earmarked $100 million of a $1.3 billion total, less than 10 percent of the total aid package, for the initial costs of the PA (Garg 1994, 7–9). The reality was strikingly different. In the latter half of 1994 alone, disbursements for PA budget support equaled $154 million, accounting for 39.7 percent of total expenditure. Government expenditures of $123 million in the first five months of 1995 accounted for 80 percent of this total. The overwhelming share of aid paid the salaries of the growing bureaucracy and security complex.

Judging from this trend it seemed that the EAP was primarily a framework for setting up the state, rather than for promoting economic development. The number of salaried civil employees grew in the course of ten months from 20,000 to 27,000 and security personnel from 6,000 to 17,000. Thirty million were expended monthly on these salaries alone (Abed 1995). A special multilateral fund, the Holst fund, named after the Norwegian Minister of Foreign Affairs who hosted the secret negotiations, was set up to meet these expenses.

Yet neither formal organizational charts of the PA nor numerical indicators of its imposing presence in society could hide the PA's neopatrimonial nature. Like many autocrats in the Arab world and elsewhere, Arafat created multiple agencies to perform similar tasks and did not delegate specific powers to institutions. His management style regarding the security structure reflected it best as he quickly adopted a "securitate" model, highly developed in autocracies in which the special forces were far better equipped and more mobile than conventional forces, so that what they lacked in numbers, they made up in quality (Picard 1988, 155–157).

The PA's security structure: an anatomy

Arafat's attempt to balance between the "outside" and "inside" offers a key to understanding both the anatomy and proliferation of the PA's security forces between the establishment of the PA in 1994 and the outbreak of the intensive round of violence six years later. Basic geographical and political facts, the physical separation between the West Bank and Gaza, and the failure to reach an agreement over the free-passage between the two entities during the negotiations facilitated division both between and within agencies.

These factors played an especially important role in the evolution of the two largest security agencies, the National Security Forces (NSF) and the Preventive Security Force (PS). The 12,000 or so returnees, mostly PLA veterans, comprised the overwhelming majority of the NSF, the PA's unofficial army (Usher 1998, 29). Aging PLA veterans who entered into Gaza and the West Bank in 1994 stood at the apex of its command structure; Nasr Yusuf as overall commander of all Palestinian forces, 'Abd al-Razzak al-Majaideh as commander of the NSF's Gaza units, and Ziyad al-Atrash as representative to the Liaison Security Committee. In general, the officers and the soldiers were considerably older than those who both led and had participated in the Palestinian Intifada. This resulted in a loss of credibility, which subsequent local recruitment partially corrected.

Despite these differences, NSF personnel received more formal training than other forces, with a minimum of three months' basic training. The NSF wore brown or camouflaged uniforms and bore semi-automatic weapons, mostly Soviet-made AK-47s. The battalion also included heavier weapons including 30 BRDM-2 Russian-made armored personnel carriers (Luft 2001, 12). The NSF were clearly symbols of quasi-sovereignty as they manned outposts along the perimeters of area "A" in which the PA enjoyed de facto exclusive civilian and military jurisdiction. Israel, despite the formal right of hot pursuit specified in both the Cairo and Taba Accords, refrained from entering area "A" well after the outbreak of hostilities in 2000. At the same time, they *comprised* their standing by participating in the joint patrols with Israel border guard units with the outbreak of hostilities in October 2000 (ibid.). The NSF was reported to have consisted of an estimated 14,000 to 16,500 troops in 2000 (Luft 1999, 2–3; Lia 2006, 317). The NSF was the major Palestinian force in the week-long firefights that broke out between the Palestinians and the IDF over the opening of the Hasmoneon tunnel in Jerusalem's Old City, although other forces, such as Force 17, participated as well (Rodan 1996).

To balance against PLA stalwarts like Yusuf and al-Majaideh and their troops, Arafat promoted "inside" leaders, Jibril Rajoub and Muhammad Dahlan to head Preventive Security in the West Bank and Gaza. Rajoub, who came from a large family in the Hebron district, spent a total of 16 years in Israeli prisons. Dahlan, ten years his junior, was arrested 11 times by the Israeli security forces since he founded the Fatah Shabiba (youth) movement and headed its student bloc in the Muslim Brotherhood-dominated University in the early 1980s. Israel deported both in 1988 after having founded the UNC in the West Bank and Gaza. Allowed to return in early 1993, Rajoub and Dahlan subsequently established two separate branches; Rajoub drew almost exclusively from Fatah militias such as the Black Panther in Judea and Samaria, and Dahlan from the Hawks in Gaza. Though exposing informers was its official mandate, the force was involved in quelling internal dissension, which often fueled tensions as well (ibid.).

Tensions between the two forces as well as wider fissures between the "inside" and "outside" over the security forces emerged almost simultaneously with the establishment of the PA. In June 1994, Yusuf confirmed in a London-based newspaper that he ordered Isma'il Jabr, police commander in Jericho to investigate Rajoub's movements (Yusuf Orders ... 1994). At the same time, Rajoub's supporters, Feisal al-Huseini, the unofficial head of Fatah in the West Bank and Jamil al-Tarifi, a fellow Fatah politician, both from the "inside," accused Yusuf of misappropriating funds earmarked for the soldiers (Palestinian Police Commander 1996).

Two other security services, the Special Security Force and the 3,000-strong Presidential Guard Security Force 17 reported directly to Yasser Arafat (Luft 2001, 4). Like the NSF, they were commanded by PLA veterans. Brigadier Faysal Abu Sharakh, who had absconded from the Israelis en route to Cyprus from Beirut in 1985, and Colonel Fatahi Furyhat, Sharakh's deputy in Jericho headed the PGS-Force 17. Force 17 was responsible for the protection of the PLO chairman before Arafat relocated Abu to Gaza. Abu Sharakh was later replaced by Muhammad Damra, another former officer (Lia 2006, 315). Primarily concerned with providing protection to the chairman and other senior PLO and PA officials, the PGS-Force 17 was also engaged in arresting opposition activists and suspects for collaboration with Israel (Luft 1999, 6–7). This collaboration with Israel brought the force into conflict with Rajoub's PS, particularly in Nablus, where the PGS-Force 17 sided with the richer families and the PS with the refugee camps from which many of their members emanated (Usher 1996, 29). Class differences reinforced tensions already prevailing between the "inside"-dominated PS and the NSF and Force 17 controlled by veterans from the "outside."

The Special Security Force, headed by yet another PLA veteran, General Abu Yusuf al-Wahidi, supplemented PGS-Force 17. Established in January 1995, its "official" main objective was to collate information about the activities of opposition groups in foreign countries, especially Arab ones. More probably, it monitored data on the PA's other security services as well as on illegal actions committed by PA officials.

An array of security agencies officered by "outside" Fatah members (as opposed to either PLA veterans or from Fatah in the territories), comprised a third cluster of security bodies. These included, in order of importance, General Intelligence (GI), the Military Intelligence Apparatus (MI), the Military Police, the Coast Guard, the Aerial Police, Civil Defense, and the Provincial Guard. Thus, GI was headed by Brig. Gen. Amin al-Hindi, head of the Mukhabbarat, who had "disappeared" after his involvement in the 1972 massacre of Israeli athletes in the Munich Olympics. He established headquarters in Gaza. Another Fatah veteran from the "outside," Tawfiq al-Tirawi, took over General Intelligence in the West Bank. As the official PA intelligence agency delineated in the Cairo Agreement, it was mandated with the task of intelligence gathering inside and outside the territories, counterespionage operations, and developing relations with other foreign intelligence bodies. An estimated 3,000 officers were involved in these activities in the late 1990s. Similarly, Musa Arafat, an outside Fatah veteran and relative of the PLO chairman, headed the Military Intelligence Apparatus with headquarters in Ramallah.

Such proliferation of agencies should have had a detrimental effect on the civilian or "blue-shirt" police and even on its Public Order and Rapid Intervention Unit, established in 1995 (Lia 1996, 319). Fortunately for the police, they benefited from considerable donor largesse, particularly from the European Community. The Public Order and Rapid Intervention Unit benefited from both Dutch and British police training, the establishment of a host of specialized forces, and the construction of a civilian police complex renamed the Arafat complex. The police under Ghazi Jabali, a professional police officer from the "outside," was much more powerful in Gaza than in Judea and Samaria where it was hampered by the pockmarked array of jurisdictions and numerous junctures and roads the Palestinian police were not allowed to ply.

Yet, even after listing the entire array of security forces, the list could only be considered complete in the formal sense. The Fatah militia, also known as the Hawks during the Intifada and the Tanzim after 1996, played an important auxiliary role in protecting the PA, particularly in meeting the challenge posed by Hamas and Islamic Jihad (Al-Jihad al-Islami (JI)). After having marginalized the Fatah "inside," Arafat came to realize their importance. After PA forces shot and killed 13 demonstrators outside a Hamas-dominated mosque in Gaza on 18 November 1994, Arafat understood Fatah's role in dealing with the Islamic opposition, not only for their ability to suppress Hamas, but also for their ability to engage Hamas by other means, stemming from shared prison experiences (Shikaki 1996, 9). As a force composed exclusively of Palestinians from the territories with an estimated 35,000 to 50,000 members, the Tanzim was also a useful tool to counter the growing strength of the PS of which only one-quarter of the members were actually involved in crime prevention and control.

Identifying challenges and assessing performance

Transitions are rarely smooth even under optimum conditions. In the Palestinian environment during the interim period where crucial issues such as borders, formal sovereignty, Jerusalem, refugee repatriation, and the future of the settlements had yet to be resolved, the odds for an efficient political transition were low. For most Palestinians, being in an interim period on the threshold of statehood meant that they were still in a process of liberation in which the threat and actual use of armed force was deemed crucial to attaining political objectives. This was the prevailing mood, however much this perspective flew in the face of agreements and commitments the PLO signed. Fatah's refusal to transform itself from an armed faction into a political party throughout this period reflected this basic fact (Milshtein 2004, 72–73).

However, this basic perception, later formulated into consistent policy, exacted a considerable price in terms of state-building. The PA was unable to achieve a monopoly of force for the PA's security agencies. A philosophy of liberation meant not only countenancing militias affiliated to the ruling political elite (since the formal security agencies were constrained by the accords), but suffering as well the existence of the tools of liberation amongst the opposition such as Hamas' Izz al-Din al-Qassam brigades and the JI's *Saraya al-Quds*. 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.

In stressing liberation, it was obvious that the very first test of exercising a monopoly of violence in the hands of the PA would be lost. Disarmament, a necessary step in restoring civil order and one stipulated in great detail in both the Jericho and Taba agreements, was never carried out. Neither militias were dismantled nor were arms widely collected, the negative ramifications of which proved no less severe in the long run for the Palestinians than for Israel. No sooner had the Cairo Accords been signed, Major General Nasr Yusuf sanctioned the right to carry weapons, provided they were controlled and registered by the police (Lia 2006, 378). Arms belonging to the major Palestinian factions were excluded. At most, the security agencies set up checkpoints in Gaza and occasionally confiscated weapons (ibid., 381). In August 1994, Yusuf went so far as to assert that the PA could disarm the armed militias, provided there was a clear political decision to do so, a statement that provided proof to the Israelis that the PA was directly encouraging proxies to wage acts of terrorism on its behalf.

Nor was there any way to guarantee that the possession of arms sanctioned by a strategy of liberation would be limited to "unofficial" yet legitimate instruments of violence such as Fatah, Hamas, and the JI. The massive proliferation of arms promoted criminal activity in Palestinian society in the short and long term. Some of the criminal activity was homegrown, originating within the security agencies themselves. The various security agencies, primarily the PS, were known to have collected unauthorized taxes (from gas stations in the form of protection), arrested car thieves, stolen cars, intimidated editors and university lecturers, and beaten members of the legislative council (Taqrir 1997).

The power of families, often involved in illicit activities, compromised the security agencies. One of the most serious acts of violence since the establishment of the PA broke out in February 1999 when a State Security Court sentenced three police officers, formerly from the Hamas for irresponsible driving leading to the death of a PS officer and a six-year-old girl. One of them, a member of the powerful al-Attar family, was sentenced to death. The family rallied both its members and the Hamas, rioting ensued, leading to the killing of two civilians and the wounding of 85 others including several policemen. Though many were arrested, none were charged. As Lia writes: “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” (Lia 2006, 407).

Even less could one assume that the militias affiliated with political factions would use their arms in a manner that conformed to the overall PLO/PA strategy towards Israel. The increasing lethalness of Palestinian acts against Israel had a detrimental impact on the negotiation process between Israel and the PLO/PA. The violence affected the implementation of objectives detailed in previous accords and the timing and substance of final issue talks.

There is nothing more potent in fermenting civil war than well-armed militias belonging to competing ideological currents with differing political strategies and interests. Yet this was exactly the tenor of the relationship between the PA and Fatah. These fears were widely expressed in the Palestinian and Arab media immediately before and during the establishment of the PA itself. As early as January 1994, al-Azhar University students, most of who identified with Fatah, protested quietly in the streets of Gaza against the proliferation of weapons and their increasing use by competing factions (ibid., 375). By spring 1994, Palestinians debated publicly whether Gaza was likely to become “a second Lebanon” or “a second Afghanistan” and increasingly Palestinians accused Israel of promoting weapon proliferation to yield such an outcome. One week after the shooting of 13 activists, mostly Hamas, outside a Gaza mosque, Fatah supporters with the obvious encouragement of the PA marched through Gaza City streets shouting ominously, “Whoever wrongs Fatah, Fatah will open his head” and “Where are you, Zahhar, where are you? Abu Ammar will rip your eyes out” (ibid., 394).

That fears over the outbreak of civil war never materialized between 1994 and 2000, reflects on some of the notable achievements of the PA's security system during those years. To begin with, however potent the Islamist challenge to PA control over the areas it had jurisdiction, the PA security forces clearly had the upper hand. "In 1992, there were 2,400 attacks in Judea and Samaria; in 1999, there were only 140," Prime Minister Ehud Barak asserted in May 2000 in an attempt to persuade the Israeli Knesset that the PA had both greater control over the area under its jurisdiction and was willing to suppress Palestinian violence in order to be allowed the handover of three Palestinian villages near Jerusalem (ibid., 375). By Israel's own account, the PS and the Palestinian police had been successful in co-opting 18 leading Hamas terrorists into their ranks, including Iranian-trained operatives. At least on one occasion a semi-official organ of Hamas, *Filastin al-Muslima* lamented the PA's ability to persuade Hamas members to join the PA's security forces (ibid., 388–389).

The PA also reigned in its own internal opposition, often through policies combining sticks – such as encirclement, arrest, and detention – and carrots – such as recruitment into relatively senior positions in the security agencies to those who were obviously not qualified. After 1994, Fatah was in effect the "preventive shield" (*al-dar' al-waqa'i*) of the PA, but there were many instances where Fatah groups and individuals vented their anger at the PA (Milshtein 2004, 84). The reigning in of Ahmad Tabuq, a former Fatah Hawk, and his militia in Nablus, offers the best example. PA security personnel, after having failed to co-opt Tabuq with job offers and numerous attempts at negotiation, took over Nablus in December 1995, during which they engaged in widespread manhunts leading to the arrest of over 150 of his supporters. He and his lieutenant joined them in prison after being surrounded on 17 December 1995. Tabuq was imprisoned for two years, only to be released before he completed his sentence to become a senior PS officer in Hebron (Lia 2006, 398). Similarly, another major Fatah Black Panther leader, Samir Zakarneh, from Jenin, was also brought to bay and imprisoned in Jericho.

Perhaps the best proof of the institutionalization of the Palestinian security forces, as fragmented as they may have been, can be found in an article written by a journalist and former Fatah member from Khan Yunis who deplored the lack of "revolutionary ardor" amongst the officers in the security agencies and the growing emotional distance between himself and its officers:

> I see the officer with stars on his epaulettes shining. We are becoming distant from each other. I saw him in al-Faqahani 25 years ago … in Tunis he lived in an apartment opposite me. We have nothing to say to each other, as we move away from each other with a tiresome hand wave … the radical spirit inscribed in a tattoo [both shared] is dimming.
>
> (Milshtein 2004, 69)

At the same time, the weeds of decay and corruption that were to lead to the widespread lack of security after the outbreak of hostilities in 2000 were rapidly spreading.

Why proliferation?

Despite some successes, the proliferation of Palestinian security agencies caused more harm than good. One must ask why the PA did not follow the example of Eritrea, who created a unified armed force and proceeded to defeat a far superior Ethiopian force that was motivated to prevent Eritrean statehood. A comparison between the two attempts at state-creation suggests that the greater the concern over domestic security and the weaker the external threat, the more fragmented will be the security forces. The extent to which domestic security concerns will prevail over external threats will be determined by the degree of social homogeneity of the entity and the extent of protection or the perceived protection offered by the US hegemon. Leaders of political entities that are socially diversified and not protected by a powerful foreign alliance will fragment the least. By contrast, states or political entities that face homogeneous societies and are protected by such an alliance will fragment the most.

Homogeneous societies pose a considerable threat to the ruler. This is perhaps why the kings of Morocco and Jordan promoted pluralism within the societies they ruled. Such pluralism enables the monarchy to play off sides and stave off the crystallization of broad-based coalitions against their rule. John Waterbury (1972, 268–270) in his classic study on the Moroccan monarchy has demonstrated the importance of the monarch's role as arbiter. The monarchies of Jordan and Morocco tolerated opposition parties and multi-party competition to some degree if not within parliament as in Jordan, at least outside it. Thus, when Jordan suspended parliament from 1967 to 1984, the state tolerated multi-party competition within the trade and professional unions. Morocco is noted in the Arab world for the strength and duration of its political parties. The Istiqlal (Independence) Party, the National Union of Popular Forces, and the Socialist Union of Popular Forces, an offshoot of the NUPF were established in 1943, 1959, and 1972 respectively and have been active ever since (Mendicoff 1998, 11–21).

Socially, both states adopted policies that tolerated if not encouraged social differences and autonomy along ecological, linguistic, and religious lines. Jordan has for a long time promoted Bedouin lore and culture, tolerated customary law even when in conflict with civil law, encouraged the Chechen minority to maintain diaspora links with the country of origin, and even tolerated Palestinian national activity in its midst (Al-Ahzab 1997, 16). As in most Arab states, personal law, in substance as well as in form, is adjudicated in religious denominational courts assuring that basic denominational boundaries are firmly maintained. The electoral system reflects a similar pluralist thrust. In Jordan, seats in the 80-strong Parliament are allocated to Christians in the districts in which they reside, to the Circassian–Chechen minority who share the same Sunni religion as the overwhelming majority of the Jordanian population, and to "northern" and "southern" Bedouin (Piro 1997, 39). The most numerous and most problematic segment of the population, the Palestinians are the most underrepresented in the Parliament. By contrast, in Egypt, Syria, and Iraq they do not have citizenship. This calculated gerrymandering has been going on since Jordan was an emirate. The Moroccan monarchy, relatively harsh to the culturally and linguistically conscious Berbers (Duclos 1972, 223), had adopted a pluralist policy. They continued to encourage the Zawiyas or Sufi orders that permeate Moroccan life despite reformist and fundamentalist pressure at imposing a more normative "Jacobin" Islam (Shahin 1995, 40).

Why relatively homogeneous states fragment their security forces and counterbalance one against the other, may explain why the PA, whose exclusive jurisdiction hardly exceeded an area smaller than Long Island, established 12 or 14 security forces (Luft 1998, 4; Aboud 2000, 5) while newly established Eritrea, who controlled 100 times more space (121,144 square kilometers) and a slightly larger population, made do with a highly centralized army.

The Eritrean leaders did not have to fragment the army to defend themselves on the homefront due to the country's pluralism, characterized by at least nine language groups, religious division between Christians and Muslims, and an even sharper division between two dominant "nations," the Coptic Tigranis, the dominant ethnic group who mainly inhabit the highlands, and the Muslim Tigres who reside mainly in the lowlands (Pool 1997, 8–9). Nor did the Eritrean leadership have the luxury to do so. Eritrean forces were almost immediately involved in clashes both against Sudanese and Djibouti forces and in late 1997 hostilities broke out between Eritrea and Ethiopia, leading to the outbreak of a full-scale war in May 1998 (Tedessi 1999, 90).

By contrast, Arafat faced a society in which at least 96 percent of Palestinians are Sunni Muslims. With the spread of vehicle transport, the steep rise in literacy and education, the expansion of a more modern service economy and, until recently, work opportunities in Israel, differences were reduced considerably between urban and rural inhabitants. A study reported that by 1979, only 8 percent of rural households depended exclusively on agriculture as a source of income (Tamari 1981, 36).

Arafat could afford to duplicate and multiply his security forces at the expense of these forces' offensive capabilities because both Israel and the PA were firmly linked to a United States-led peace process. The extent of this protection was clearly demonstrated during the incidents surrounding the opening of the Temple Mount tunnel by the Israeli authorities in September 1996. Despite incurring unusually high losses, Israel refrained from penetrating areas under sole control of the Palestinians, with the notable exception of Nablus. Israel had the military wherewithal to carry out such operations but refrained for fear of an American response. Even after low-intensity conflict broke out in October 2000, Israel refrained from entering these areas until April 2001, due to United States pressure (Esposito 2005, 87, 89).

Proliferation has been an effective way to assure the survival of the regime. The events surrounding the killing of the student Wasim al-Tarifi in Ramallah are probably the best though by no means only indication. On 24 October 1998, while Arafat was visiting various Arab capitals after the Wye plantation agreement, the Tanzim arrested and tortured two men for molesting women linked to their organization. The two had friends in Musa Arafat's MI composed mainly of Fatah members from outside the territories. Members of MI attacked the central offices of Fatah in Ramallah, the unofficial capital of Palestinian society in the West Bank and formerly the bastion of Palestinian civil society, and presumably sequestered two guns (Rubinstein 1998). The Fatah offices were the home base of the Higher Committee of Fatah Affairs headed by Marwan Barghuthi, a leader of the "inside" and a vociferous critic of the carpetbaggers from the "outside," and the head of the Tanzim.

The following day Fatah mobilized its youth and student movements to stage peaceful demonstrations outside the offices of military security. During the course of the demonstrations shots were fired from a nearby building killing Wasim al-Tarifi, a secondary student (Demonstrations Against 1998). The student belonged to one of the wealthiest and most powerful Ramallah families, one of whose members was the Minister of Civil Affairs and negotiator in the Oslo peace process, Jamil al-Tarifi. The family demanded that the killers be hanged and that Musa Arafat be compelled to resign. Instead, four from that security agency were arrested and swiftly tried for attacking Fatah offices without authorized warrants and received sentences ranging from three to four years in prison.

The move did not placate either the family or civil society. On 26 October, two days after the killing, the family publicized on the front page of a Palestinian daily a strong condemnation claiming that killing "opens the door wide open to national civil war." Despite the uproar, Arafat remained abroad. Neither demonstrations in Ramallah and Nablus, nor the family's decision to postpone the burial in the vain hope that Arafat would attend, convinced him to come back. Only two and a half years earlier, Arafat was almost forced to flee Ramallah for authorizing a raid on a nearby university that served as a center of opposition to Israeli rule. At that time, however, the PA still had not riveted society with competing security forces interested in recruiting potentially active students.

Arafat's counterbalancing tactics seemed to have paid off as they did indeed in many Arab states. United States'-based security protected the PA's external flank despite Arafat's failure to suppress militias and terrorism directed against Israel, most notably Fatah, the organization Arafat himself led. Areas "A" in the West Bank and most of Gaza remained out of bounds to Israeli security incursions, enabling the Palestinian leader and his security forces to deal with internal opposition.

But there were problems ahead. 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 which tried on the domestic front at least, showing a more "civic" face. The strength of the arrangement depended on the leadership's awareness of how crucial the United States was to the Palestinians and how sagacious the devolution from autonomy into "juridical" statehood ought to be.

Failure to match Palestinian negotiating positions with a realistic sense of where they were situated, Arafat's support for a strategy that placed Palestinians at odds with the United States and his failure to come to grips with the disciplinary fallout of proliferation changed all that. The ramifications will be analyzed in the chapter on the outbreak of widespread violence between Palestinians and Israel in September 2000.

6 The security forces and the Al-Aqsa Intifada

One of the presumed virtues of a unified security structure, beyond its importance of creating a collective identity, instilling civic virtue, and a means of rallying around the flag during times of crisis, is to formulate a good defense strategy. Developing a plan defining overall objectives, prioritizing their importance in descending order, and linking and allocating means and resources to specific ends are the hallmarks of strategic thinking. All the more so does one expect strategic thinking to prevail in preparing for a military confrontation with a superior enemy which is likely to result in considerable loss of life and property and a major downturn in local economic conditions. As warfare throughout the ages often proved, economic and ecological degradation will be all the greater in war zones in which major population centers and important lines of communication and traffic within the contender's territory are situated. In short, the greater the asymmetry between the two contestants and the more contiguous the two sides, the greater the need for a clear strategy. It is little wonder then that one of the greatest guerrilla leaders, Mao Zedong, stressed the importance of strategic vision and planning to deal with dyadic asymmetry (Tse-tung 1967, 79–80).

These conditions aptly describe the Israeli–Palestinian situation on the eve of the outbreak of violence in late September 2000 after Israeli Likud opposition leader Ariel Sharon ascended the Temple Mount for a well-publicized but brief 45-minute visit on Thursday, 28 September 2000 in which he refrained from entering the mosque itself. Israeli troops were located almost at the heart of Palestinian rule. With the possible exception of Gaza, particularly Gaza City and its environs, even the metaphor of heart (or its alternative – hinterland), was erroneous. The Palestinian Authority (PA) lacked control of any continuous paved road linking the areas it controlled. In the West Bank, areas "A" in which the PA had sole military and civil control (practically though not formally since Israeli citizens could not be apprehended or tried by the PA), comprised only six cities and approximately 6 percent of its landmass. Surrounding these cities and its immediate environs were often areas "C" in which Israel enjoyed by agreement full military and partial civilian control. These areas dwarfed areas "A" under Palestinian control. Israeli army bases, lookout posts, and settlements typically hovered over them, placed at strategic points. The most striking manifestation of this encirclement can be found in Nablus, traditionally the most rebellious city to foreign rule, whether during the British Mandate or during the First Intifada in the late 1980s and early 1990s. Not only did the Israelis make sure to surround Nablus with these modes of control, but also the geographic reality of a city sandwiched between two ridges facilitated Israeli designs.

Nor could either Israel or the Palestinians claim that they were surprised by events, which only in hindsight the need for strategic thinking could have become known. To the contrary, the prospects of confrontation were voiced by both sides and known to all. As early as 1997, *Majallat al-Dirasat al-Filastiniyya* (The Journal of Palestinian Studies), a leading Palestinian policy-oriented journal devoted two articles reflecting conflicting opinions over the likelihood and implications of wide-scale violence breaking out between the PA and Israeli violence (Nofal 1997, 94).

Militarily, the outbreak of widespread violence between the two sides had its precursor. In September 1996, fighting between the IDF and security personnel as well as Palestinian civilians broke out for six days over the opening of a tunnel parallel to the Temple Mount–Haram al-Sharif wall. The violence left 15 dead Israeli soldiers and 60 Palestinian fatalities (Rekhess and Litwak 1996, 157). The Israeli army in particular was shocked; they had become used to confrontations with the Palestinians that yielded at most a ten to one ratio, now it was reduced to four to one. The growing symmetry of power worried Israeli strategists and Israeli officials who upgraded the potential threat the PA posed Israel in their strategic assessment and clearly stated their intentions to make changes in Israeli army doctrine, posture, and training to cope with the new situation (Eshel 2001, 36).

This was all the more the case when the one-year extension agreed upon by both sides did not facilitate its realization. Considering a military option became even more blatant after the failure of the Camp David summit between Prime Minister Ehud Barak and Yasser Arafat in July 2000, under the aegis of an extremely energetic and involved United States President (Mali and Agha 2001, 63–65). With so much time to prepare, so many signs indicating the possibility of conflagration, and well-known and established facts indicating that the Palestinians were the weaker side in the dyad, did the Palestinian leadership and other Palestinian groups develop a strategy?

The answer is probably no, according to most Palestinian analysts, many of whom were in decision-making forums. For others, like Yezid Sayigh (2001, 49) and Barry Rubin (2002), they claim that there was absolutely no strategy. Fiercely, Sayigh argued that the outbreak of the Intifada offers a remarkable demonstration of one of Yasir Arafat's dominant characteristics in his political career – his tendency during times of crisis to "flee forward" (in Arabic – *al-hurub ila al-amam*). The term, first applied Nasser's unreasoned escalation against Israel in May 1967, describes the tendency in a crisis situation not of one's making to fan the flames of conflict against the foe. The hope is that through subsequent tactical maneuvering your side will be in a better position than that which prevailed before the crisis. Indeed, Arafat aides later described Arafat's mood in the initial stages of the violence as euphoric; the result of substantial support (at least rhetorically) from Arab states and public, from many Europeans, and above all, from the Palestinian public (Harel and Isacharoff 2004, 99). According to Sayigh, this form of behavior rather than meriting being called a strategy, was an irrational impulse and therefore blatantly irresponsible on the part of the Palestinian leader: "Contrary to the Israeli account, his behavior since the start of the Intifada has reflected not the existence of a prior strategy based on the use of force, but the *absence of any strategy*"(Sayigh 2001, 49).

Others, though less harsh, come to the same conclusion in claiming that Palestinian strategy only crystallized in the first months of the Intifada, a joint effort of sorts between both "popular elements" who took to the streets and "engaged forces" within the PLO (Hilal 2000, 28). The Intifada was perceived as a means of changing the frame of reference of the Oslo peace process to include United Nations Resolution 194 and to alter fundamentally Israeli positions regarding Jerusalem, refugees, and settlements. According to Salih 'Abd al-Jawad, a Birzeit University political scientist, Arafat prepared a local short-term conflagration but no long-term campaign with defined goals and a tactical blueprint to achieve them (Nadwa 2001, 47). He even doubted whether the PA had much to do with its persistence: "What fuels the intifada, he argued, is not the Authority but the onerous cruel nature of the occupation. We must concede that once again we entered into a confrontation without preparing for it" (ibid.). Mustafa Barghuthi, a former member of the (Communist) People's Party and candidate in the 2005 presidential elections felt that since Arafat did not initiate the Intifada, he could not have ended it with a press of the button (ibid., 49). At least two academic observers, Dowty and Gawerc, concurred (2001).

A minority claimed otherwise. Nabil Amer, the former Minister of Parliamentary Affairs and political ally of Arafat, disagreed:

> The intifada, all of it, is the making of the Authority, even if one ought not, out of sheer political wisdom, to adopt or say it [this position] … but it is known, and those that know it thoroughly are the Israelis. This is why they know where to strike. Their major foe is the [Palestinian] Authority … The question is would it be wise for us, that is to say, the [Palestinian] Authority to acknowledge this fact. I think the answer is no.
>
> (Hawar 2002, 13)

Amer was referring to the PA's basic position that as a general rule it took no part in the Intifada and on the rare occasion when the PA did participate it was only in response to "Israeli aggression."

Not only did Arafat initiate the Intifada, but his strategy was also very clear: to take advantage of the Intifada as a popular act in the interest of a political solution sought after by the Palestinians within the framework of the agreements signed with Israel. Within this framework, the Intifada's objectives were to implement the Tenet report, the Mitchell Commission recommendations and to return to the negotiations on the basis of the signed agreements and international legitimacy (ibid., 14). International legitimacy (*al-shar'iyya al-dawliyya*) refers at the very least to United Nations Resolution 194, which according to the traditional Palestinian reading of the document, accords Palestinian refugees an unqualified right of return to their former places of residence.

Such a framework for negotiations widened by far the terms of reference set for the interim Oslo process, which was expressly limited to United Nations Resolutions 242 and 338. The Mitchell Commission report published in May 2001 provided an immediate and important *quid pro quo* for the cessation of violence – the termination of settlement expansion. Arafat had meanwhile rejected the Clinton proposals of 28 December 2000, in which the President had offered the Palestinians sovereignty over the surface area of the Temple Mount. Notably absent in the ensuing debate was any mention of participation of senior security personnel in strategic decision-making (Dowty and Gawerc 2001).

However, this changed over time as Israel adopted a policy of punishing the PA as a means of bringing the PA to use its security forces to suppress terror in its midst. A debate emerged between "statists" and "revolutionaries," with key figures in the security establishment siding with the former. The revolutionaries, who prevailed thanks to the support they received from Arafat, sanctioned cooperation both between security forces and Fatah and the Islamic movements which were loosely affiliated in the Follow-up Committee of the National and Islamic Forces (Qarar Lajnat al-Mutaba'a 2002). This alliance was motivated by the Lebanese model which assumed that Palestinian violence alone could decimate (*dahr*) the occupation, force the withdrawal of Israeli troops, and lead to the establishment of the Palestinian state. To achieve these goals called for the military escalation of the conflict (Zaqut 2002, 42).

A strategy of militant escalation could also produce domestic dividends. According to 'Abd al-Jawad, Arafat deliberately promoted militarization of the conflict so that the Israelis would target it. Being a target of Israel's attacks would salvage the PA's legitimacy amongst Palestinians who had become increasingly alienated by widespread corruption within the bureaucracy, lack of accountability and disregard for human rights (Shikaki 2002, 90). PA officials were perceived as profiting by their relationship with Israel while most of the population was suffering, especially the VIP status that allowed them freedom of movement when movement for the general population was increasingly restricted, and the profits of the economic monopolies they controlled burdened the common man to buy goods at prices far higher than had they been were there free competition (Jad 2002, 34). The popularity of the PA officials including officers in the security forces, was so low in fact that many Palestinians felt that the outbreak of violence was merely a ploy to legitimize a peace settlement the two sides had reached secretly before the outbreak of violence.

Arafat's decision to side with the revolutionaries stemmed no doubt from a desire to compete with the growing popularity of the Islamic movements (ibid.) of which promoting the al-Aqsa Martyrs' Brigades (AMB), or the Fatah Tanzim in a more Islamic garb, was an essential part of the strategy.

The AMB first became known to the public when its "anti-corruption" unit gunned down Hisham Miki, the head of Palestinian Authority Television Authority in Gaza on 18 January 2001 (Lahoud 2001). The al-Aqsa Martyrs' Brigades, the latest reincarnation of Fatah's fighting units, bore a more Islamic hue than its predecessors in the previous Intifada, whose names like Black Panthers, the Hawks, Red Eagle, and the Popular Army reflected left-leading national liberation culture. Stylistically, the logo, the eulogies, and other promotional material were often embellished with religious trappings similar to material produced by Hamas (Kata'ib Shuada N.D.). Fatah was obviously responding to widespread feelings that Palestinian political life should be more Islamic. A poll conducted in March 2000, six months before the outburst of violence surrounding the al-Aqsa mosque showed that an overwhelming percentage of the respondents (85.9 percent) felt that society should be more religious in character (JMCC 2000). It was also, however, rising to the challenge the Hamas presented. For the first time, a rival Palestinian organization challenged Fatah's preeminence in Palestinian-generated violence.

Opposing them were the "statists" who comprised senior advisors to Arafat (Nofal and Hani al-Hasan), leading negotiators (Sa'ib 'Ariqat, Nabil Sha'th, Mahmud 'Abbas aka Abu Mazen), and security service leaders such as Jibril Rajoub and Muhammad Dahlan, the heads of Preventive Security in the West Bank and Gaza respectively. The common denominator between these figures lay in the fact that all had staked their claim with the PA since its establishment in the summer of 1994. They feared that such a strategy of escalation would justify Israel's escalation, which, given its military might, could threaten the PA altogether (Nofal 2002).

This is why tensions developed between Rajoub's Preventive Security and Fatah even though many of the security forces were "seconded" to the Brigades during the course of the present wave of violence. These tensions flared in April 2002 after Rajoub's forces in the PS headquarters in Bituniya, near Ramallah surrendered to the Israeli forces, handing over 23 detainees, including 16 Fatah members (Fatah members 2002).

Relations between the Brigades and Dahlan, the former head of Preventive Security in Gaza, though not as strained, were hardly good either. In response to a question whether some unwanted martyrdom operations were carried out in the past, he responded that "we are in the process of organizing all these internal matters. I do not want to go into details … There is a persistent necessity to rehabilitate the Fatah movement which has been accommodating all sorts of unwelcome intruders" (Interview 2002). Notably neither of these security chiefs participated in efforts to free Marwan Barghuthi, after he was arrested during Operation Defensive Shield.

The security forces and the outbreak of the Intifada

If security forces had little to do with planning the confrontation, they did take part in its initial stages. It would be wrong, however, to conclude as Mamduh Nofal, a prominent Palestinian commentator and advisor to Arafat, claimed that "from the beginning, this movement was led and accompanied by the forces of the PA" and that "[D]ecisions were taken regarding operational preparations, meetings were held for the participating forces of the Authority and it was decided to mobilize them towards al-Aqsa on Friday" (Nadwa 2001, 44).

In fact, the security forces were neither drawn from one cloth nor did they act consistently. Two events early on in the wave of violence, both of which had significant impact on the continuation and intensity of the conflict, showed the different forms of involvement. Long before the outbreak of violence, both Israel and the Palestinians realized that the small edifice in the middle of Nablus, what Jewish tradition attributed to be the Patriarch Joseph's burial chamber, would be a very vulnerable and likely target, particularly since it housed a small group of Jewish seminar students, protected by a small force of Israeli Border Guards. Husam Khader, a Fatah leader in the nearby Balata refugee camp and member of the *LC*, described the site from the Palestinian perspective as "[A] piece of cake to reach out and eat it" (Harel and Isacharoff 2004, 30). The appetite came on the third day of the violence when Palestinians began shooting and firebombing the compound. Violence increased the following day in reaction to the killing of Palestinians in the southern part of the city.

Fortunately, the hundreds of Israelis who came to pray at the site over the Jewish New Year were evacuated before the attacks began. As the violence increased, an Israeli Druze soldier, Madhat Yusuf, was badly wounded, initiating an intense round of talks with the Palestinian security services to evacuate him. Unfortunately, the rivalry between Tirawi, head of general intelligence in the West Bank, who sent an ambulance to attempt to evacuate the soldier, and Jibril Rajoub's PS, backed up by the local PA's "intervention force," might have prevented a united front with sufficient force and resolve to overcome the attackers and save the soldier who died that evening. There is little doubt that the attempts by the security forces to save him were genuine. Nasser Oweiss, the head of the Fatah Tanzim in Nablus who led the attackers, later confirmed these efforts during the course of interrogations conducted after he was captured by Israeli forces in April 2002 (ibid.). Ironically, Oweiss, who was later implicated in terrorist acts that killed at least 20 Israelis, was an officer in General Intelligence (The Palestinian Authority Employs 2002).

The security services played an entirely different role in a no less momentous event – the lynching of two Israeli soldiers in Ramallah on 12 July. The two reserve soldiers who served as drivers in the local Israeli regiment in the Ramallah area erred and found themselves on the outskirts of the city. Before the outbreak of large-scale violence, such an event would have probably ended with the soldiers being escorted to the joint Israeli–Palestinian District Coordinating Office. Instead, they were taken to al-Bireh (Ramallah's twin city). Rumors spread that two soldiers from undercover forces were interned. Hundreds of Palestinians descended on the station, attacking the entrance and climbing the walls. Eventually, they were allowed in and the soldiers were brutally murdered. Two pictures electrified Israeli consciousness – the casting of the body of one of the soldiers out of the window and the appearance in a second story window of a man waving his bloody hands in triumph towards the crowd. Even though all this took place close to the "Muqata'a," the headquarters of Arafat and General Intelligence, its head, Tirawi and other officers only intervened hours after the second soldier lay dying (Harel and Isacharoff 2004, 37–38).

Nevertheless, security cooperation was by far one of the more important aspects in the relationship between the security services and Israel in the first stages of the conflict. Israeli security officials would meet almost daily with the top Palestinian security officials in Rajoub's offices in Bituniya, ironically close to where the two Israeli soldiers were lynched. The top brass on both sides attended, with the exception of Tirawi, due to personal enmity towards Rajoub. Similar meetings took place between the Israeli commander of southern command, Samia, and his Palestinian counterpart, 'Abd al-Razzaq al-Majaideh. These meetings exuded a surrealist air. A quote by Israeli Brigadier-General Tzdaka cited by Harel and Isacharoff expresses it best, "I was sure that matters were settled. Every evening we would go to Rajoub in Bitunia. War surrounded us yet we talked. But the following morning once again all hell would break loose" (ibid., 39).

Such cooperation, however, could hardly withstand the harshness of the events. Dahlan used to ask his Israeli counterparts why Palestinians were dying at the ratio of more than ten to one if Israel claimed that security forces were deliberately firing away from crowds (B'tselem Fatalities). After all, in the week-long tunnel incident in 1996, when presumably the security forces were far less trained, they had achieved a far more effective ratio against Israel. Harel and Isacharoff relate how in the middle of October 2000, a bus that was transporting Israeli conscripts from the

Golani Brigade entered into Tulkarem by mistake, only to be stopped by local Palestinian police. As the soldiers were brought back to safety and all the weapons handed over in proper order, news arrived of a large number of Palestinians killed. One of the two unnamed senior security officials who were involved in assuring the conscripts be brought back to safety bitterly turned to the deputy chief of the Israeli General Intelligence with whom they had a meeting and said, "This it seems is the expression of thanks for our efforts" (ibid., 39).

It was also clear that even when effective cooperation took place it often proved insufficient to prevent the slide into violence. On Friday, 6 October the Israeli authorities, anticipating trouble on the Temple Mount after prayers, allowed plainclothes PA police to enter the area to prevent the descent into violence. Nevertheless, they were unable to prevent a small group from throwing rocks, leading to a lethal Israeli response that killed two (Chronology 16 August–15 November 2001, 200).

Israeli security officials had their own axe to grind by pointing out to their Palestinian counterparts that those involved in an increasing number of terrorist shootings were finding refuge in the cities in Judea and Samaria in which the Palestinian security services, according to the interim agreements signed by the PLO, were responsible both for preventing such attacks as well as arresting those that had already committed them. It was obvious that the security forces had no intention of fulfilling either of these obligations. In this state of affairs, and with the concomitant failure to resolve the large political issues, even the willingness for such cooperation began to fray. By December, it was limited to economic and humanitarian, mainly health-related, coordination.

Actual confrontation between Palestinian security forces and the Israeli military frequently replaced attempts at coordination. Two Palestinian police were killed as early as 30 September when they joined Tanzim forces in a firefight with Israeli soldiers (ibid., 197).

The security services and terrorism

Though by and large the heads of the security services identified with the "statists" and feared that the continuation of the conflict was undermining the institutions of the state and their own standing as well as their organizations, some, nevertheless, were involved in terrorism. In general, those most directly involved were the smaller security services that were intensely loyal to Arafat, such as Force 17. Muhnid Abu-Hilweh was probably the first member of the Force to be involved in terrorism, when on 30 October 2000, he killed a guard outside an Israeli social security office servicing local Arab residents in East Jerusalem and wounded another as he fled (Harel and Isacharoff 2004, 78). After receiving support from Barghuthi's Tanzim, he struck again three weeks later, to shoot at an Israeli bus north of Ramallah, killing two soldiers and an Israeli civilian.

Abu-Hilweh's later act not only reflected a transformation of Palestinian tactics from mass demonstrations or shooting in the midst of mass demonstrations to shootings on the main roads, but also to the growing prominence of security officers in the leadership of local Fatah terrorist cells which sprouted up at the time. These included Raid Karmi, an officer in General Intelligence, who headed terrorist cells operating out of Tulkarem; Nasser Oweiss, a police officer, one of the founders of the AMB and its commander in Nablus; Hussein ʿAbiyat, an officer in GI ranks; Jihad ʿAmarin, a police officer; Samir Al-Mashharawi, an officer in the PS; and Jamal Abu Judian, a colonel in Force 17. The latter three were from Gaza (ibid., 80–82). ʿAbiyat, from the Ta'amra tribe near Bethlehem headed a group responsible for the continuous shooting on Jerusalem's southern Gilo section in the first months of the conflict which cost him his life on 9 November 2000 as Israel's first targeted killing. A missile from an Apache helicopter hit his car (Harel and Isacharoff 2004, 97).

Over the long term, Oweiss was by far the most important security officer involved in terrorism. Oweiss, who had been arrested in the June 2002 offensive in Nablus, was convicted of 14 counts of murder in May 2003. He was acknowledged by Palestinians as one of the founders of the Al-Aqsa Martyrs' Brigades, the armed wing of the Fatah party (Prosecution 2003). Oweiss had been deported in 1992 to Jordan in the first Intifada where he met Barghuthi, himself deported four years earlier. Oweiss had remained steadfastly loyal to him and to Barhguthi's political ally, Husam Khader, as commander of the AMB in Nablus (ibid., 80).

Assistance to terrorist groups, particularly those affiliated with Fatah, was much more plentiful. Documents captured during Israel's Defense Shield offensive bear testimony to such cooperation but even more powerfully reflect how nebulous and amorphous the affiliations of these groups indeed were and how small the number of active terrorists. One of the most striking is a memorandum "on the general situation prevailing among armed Fatah Personnel," which, Hamdi al-Dardukh, the local head of General Security in the Tulkarem district sent to his superior the "Head of General Intelligence-Northern Districts," identified by the Israeli authorities as Tawfiq al-Tirawi (Captured Palestinian Authority 2002). It was written on 6 April 2002, significantly at the height of the Israeli campaign, which was prompted by the highest level of violence against Israeli targets in the course of the conflict.

Tulkarem, though by no means the epicenter of revolt compared to more volatile areas such as Nablus and Jenin, was nevertheless an important staging area for terrorist attacks. By far the most notable was an armed attack on 17 January 2001 on a (Bar-Mitzvah) confirmation party in the Israeli town of Hadera in which six Israelis were killed. Yet only 15–20 Fatah members, some very loosely affiliated, operated in the city and its refugee camps in three groups.

The majority operated only from the relative security of Tulkarem itself, while the other smaller group operated against Israeli civilians and forces in the open. Al-Dardukh left no doubt which group he held in high regard – the latter: "It would be fair to say that this squad is the most disciplined, and its men understand the general situation." An added virtue was that "[I]ts men are very close to us [General Intelligence] and maintain with us continuous coordination and contact" (ibid.) By contrast, the two other groups were involved in political rivalry within Fatah. A dismissed officer from Military Intelligence, and hence vengeful member in the second group was involved in contentious efforts to replace the local Fatah political leadership. The group as a whole suffered from poor leadership resulting in attempts by some of its members to replace their leader, who was also head of the AMB in Tulkarem, with another figure. Leadership problems also plagued the third and smallest squad.

The two latter groups also suffered from the absence of clear hierarchy of command within Fatah. Members from the same group often separately approached the leading personalities in Fatah at the time – Barghuthi, located in Ramallah and Oweiss, the head of the AMB in Nablus – a situation that served only to increase inner group tensions. Al-Dardukh blamed Fatah leader Barghuthi for much of the problem, and noted regarding the third and most problematic squad, the intervention of an aide to Jibril Rajoub, to resolve tensions revolving around the leadership of the group. Common to all the three squads, however, were palpable tensions with the security services which "in some cases this reached a complete breakdown of relations [between the security apparatuses and] the armed persons and lack of [joint] work with them" (ibid.). Instead of Fatah being a mainstay for the PA, al-Dardukh noted, it was often its bane.

Even at this early stage of the al-Aqsa Intifada, al-Dardukh identified the wider social impact of members of armed groups "who bear arms and wander around with them in the streets has become an aim in itself and this is in order to escape their social, organizational and psychological crises" (ibid.). He noted the financial onus they imposed on the organization to which they are affiliated for demanding payment of arms and ammunition. To resolve these issues he called for a unified framework, more selective recruitment, and the appointment of one representative for each faction to voice the needs of their respective armed groups before the authorities and security forces.

From al-Dardukh, one clearly gets the sense of general routine cooperation between the security services and armed groups regarding logistical needs. Often, however, it came to specific operative assistance. On 16 April 2002, Israeli forces discovered two suicide letters, battle vests, ammunition, and red berets in the home of Muhammad A'arj, a General Intelligence Service officer in the Kalandia refugee camp. Sharif Naji, a Ramallah Tanzim leader, albeit under interrogation, implicated Tirawi in attempts to encourage him to continue to carry out attacks (Captured Palestinian Authority Document – Letter to Tawfik Tirawi 2002).

Yet some of the involvement of security force personnel in assisting terrorists or participating in actual acts was clearly not initiated by the security forces and often even undermined them. This was especially true of groups outside the Fatah fold. Lt.-Col. Khaled ‘Ala, a staff officer in the NSF, claimed in a letter addressed to Tirawi that the Hamas and JI had succeeded in penetrating the security forces in Jenin, including *GI*, the force Tirawi headed in the West Bank, through payoffs. The most senior personality he incriminated was Jamal Suweitat, deputy head of PS in Jenin who supplied and sold arms to the Hamas and to the JI with the help of two other officers identified only by their pseudonyms. Suweitat was also responsible for recruiting the General Intelligence operative for the suicide attack in Afula with the help of Oweiss, the AMB commander from Nablus, according to this source (Captured Palestinian Authority Document – Letter to Tawfik Tirawi 2002).

This inability to match JI largesse also meant that the JI and Hamas could draw away Fatah members. According to ‘Ala, the staff officer in the NSF stationed in Jenin, the JI was paying the expenses of most of the activities that the Fatah carried out, as well as providing financial aid to the families of Fatah operatives killed in terrorist activities. Politically, the PA realized that “The Fatah movement in Jenin ‘is playing a double game,’ in the present situation they are on the PA’s side, [however] once the PA makes arrests they will stand against it.” This placed the security forces in a bind, but it might have been of Arafat’s making since the same source stated that all the Fatah leaders in the field received instructions directly from Marwan Barghuti (ibid.). No wonder that despite prior knowledge of a large-scale suicide bombing in Afula and the dissemination of that knowledge by the joint operations center of the NFS to other security apparatuses, no action was taken to prevent it.

Israel’s information regime was anxious to implicate Arafat in the war on terrorism. Incriminating evidence regarding the relationship between Fatah and the AMB with Arafat was of course copious, even though, at times, it was hard to explain why, for example, Israeli IDF intelligence officer, Miri Eisin, noted that in the competition between the Islamic Jihad and the Fatah/Tanzim over initiating terrorist activities in Afula and Haifa, Islamic Jihad had the upper hand “mainly over the fact (sic) that one had money and the other didn’t…” Could not Arafat make up for the lack of money? (Briefing by Colonel … 2002).

Threats over the PA and Fatah’s hegemony also emanated from outside sources. Munir Maqdah, a rebel Fatah leader in Lebanon, funded presumably by Iran and Hizballah, set up terrorist cells in northern Samaria that rivaled with the local AMB under Husam Khader, Barghuthi’s ally, for control in the area. Maqdah had previously been sentenced to death in absentia by Jordan’s State Security Court for providing military training to a group of bin Laden’s followers who planned to carry out terrorist attacks in the Kingdom (Gambill and Endrawos 2001).

Some of the participation of the PA and SF personnel in Fatah-orchestrated terrorism emanated from both internal and external rivalry. Tirawi's lead in terrorism had much to do with his alliance with Hussein al-Sheikh and Abtal al-'Awda (the Heroes of Return), a force that unsuccessfully tried to rival the AMB led by Marwan Barghuthi in the West Bank (Harel and Isacharoff 2004, 80–82).

Yet, one can not escape the conclusion that some of the competition and outbidding for popularity was also partially Arafat's doing. The rivalry between Tirawi and al-Shaykh on the one hand, and Barghuthi on the other, seemed to be fueled by Arafat, especially since Arafat maintained Maqdah who was linked to Tirawi, as Fatah commander in the Ein Hilweh refugee camp in Lebanon (Palestinian Authority Captured Document A 2002).

The Palestinian leader made a strategic blunder in miscalculating the benefits from counterbalancing compared to the costs of the Israeli offensives in Judea and Samaria and its long-term impact on maintaining the PA's hegemony against Hamas.

Even during Abbas' reign as PM, Israel discovered complicity in terrorism amongst the PA security offices when on 20 May 2003 it arrested Ahmad Barqawi, a senior PA intelligence officer, for carrying out several attacks against Israelis (Quarterly Update on Conflict 2003c, 129). A major Israeli raid in February 2004 on the Cairo-Amman Bank and the Bank of Jordan offices in Ramallah and the incriminating evidence Ezrad Lew presented in the US Congress demonstrated to what extent Arafat was implicated in terrorism and the aid he received in this regard from some of his top advisors. Lew, a former intelligence officer, was in charge of a $300 million portfolio he ran through two accounts, Ledbury and Crouper, on behalf of the Palestinian Authority since 1997 (Lew 2005, 37, 262–263). Lew reported to Muhammad Burhan Rashid, better known as Khaled Salam, who by 1997 headed the PCSC, a conglomerate that owned the local electrical company, PALTEL and its subsidiary Jawwal, the mobile telephone monopoly, the cement company, and PEDCO (ibid., 52).

The Israeli response, targeting the PA and the security services

Whether the Palestinians prepared themselves for a showdown or not after the failure of the Camp David talks, the IDF and its security forces certainly did. Planning and training began in earnest after the Tunnel disturbances of June 1996. The whole array of preparations, codenamed "Musical Charm" (Qessem Hamangina) included increased training in low intensity warfare, intelligence penetration on the part of both military and general intelligence in Judea, Samaria, and Gaza, augmenting field intelligence, and training sharp-shooters to deal with "mixed" demonstrations which consisted simultaneously of protesters engaged in peaceful or more typically rock-throwing activities and those who exploited mass demonstrations to shoot from their midst at Israeli army forces (Harel and Isacharoff 2004, 56–57). In 1998, after coming to the conclusion that the final peace talks were not about to be successfully completed in the five-year interim period stipulated by the accords, the army implemented the "Field of Thorns" plan to re-conquer Area A towns in Judea and Samaria. Just before the extension for peace making ended in May 1999, plans were extended to include portions of Gaza as well. A military exercise held in April 2000 involving regiments up to the chief of staff command was in retrospect especially accurate in simulating the first phases of the conflict once it broke out.

So intense were Israeli preparations that at least one senior Israeli officer, Brig.-Gen. Zvi Fogel, Chief Staff Officer of Southern Command responsible for security in Gaza, wondered after three years of fighting whether the Israeli army's preparations could be described as a self-fulfilling prophecy. While Israeli troops were conducting exercises at the regimental level and beyond, the Palestinians were at most training on the squad and company levels, mainly in a defensive posture designed to assuage the fears of Palestinians than to really cope with Israeli attacks, according to Fogel (ibid., 56–57).

Paradoxically, the Israelis probably overestimated the ability of the PA and its security forces' ability to contain Palestinian terrorism even had Arafat not abetted PA involvement in violence. Once such involvement took place, Israel responded with a strategy of hitting PA infrastructure in the hope that it would play or be forced to play such a role. Oddly, such an indirect strategy had hardly worked in Lebanon between 1984 and 2000, where Hizballah activity against the Israeli presence increased despite massive military measures against Lebanon's governmental and social infrastructure.

Israel's enmity towards the PA was hardly without justification. The first two Israeli casualties related to the outbreak of the hostilities involved Palestinian security personnel. Jihad 'Amarin, a veteran Fatah fighter whom Arafat unsuccessfully tried smuggling in when he first came to Gaza in July 1994, and later made a colonel in the civilian police once Israel allowed him into Gaza, initiated the roadside bombing in Netzarim which killed an Israeli soldier. The event took place on 27 September on the eve of Sharon's visit to al-Aqsa. Israel then demanded of Dahlan to arrest 'Amarin, a personal friend, to no avail (Harel and Isacharoff 2004, 75). The second casualty (technically the first after the Sharon visit) took place when a Palestinian soldier fatally shot a Border Police guard as they were conducting a joint patrol in Qalquilya.

Israel's first major attack on the PA infrastructure occurred on 20 November, in retaliation for a missile attack at a bus near the settlement of Kfar Darom in Gaza, which killed two and injured nine, one of the major terrorist attacks up to that time. Israel's General Security believed that

Suleiman Abu Mutlaq, a senior officer in Dahlan's PS initiated the attack (ibid., 94). Israel helicopter gunships and naval vessels shelled at least 12 buildings in the city of Gaza belonging to an array of PA institutions – PA headquarters, the government Palestinian TV station, and security force buildings such as the PS offices and the offices of Force 17 – after their inhabitants were warned of the impending attack (Chronology 16 August–15 November 2001, 176). Other attacks occurred on public buildings elsewhere in Gaza and Ramallah on the same day. As a result, the Egyptians withdrew their ambassador from Tel-Aviv. Henceforth, attacks on PA infrastructure became commonplace.

Israeli attacks on the security forces prodded many to take part in terrorist activities. The killing on 8 December 2000 near Jenin of five soldiers belonging to the PS, a force which by and large refrained from involvement in terrorism, was one of the most grievous events of this kind. According to Israeli sources, their forces were forewarned of an impending attack on two settlements they were defending. On seeing suspicious movement, they tried verifying with the local *DCO* whether they could possibly be Palestinian security force personnel sent to prevent attacks on the two settlements nearby. Unfortunately, the Palestinian officer was out for lunch (Chronology 16 November –15 February 2001, 181; Harel and Isacharoff 2004, 94). Israel expressed its sorrow over the event but not before the governor of Jenin informed them that the attack turned him into a quisling and made future coordination virtually impossible. Yet again on 14 May 2001, five soldiers belonging to the NSF, another force that generally steered clear from terrorism, were killed by Israeli fire in Bitunia near Ramallah on the West Bank. Yasser Arafat was reported "to describe the killing of the policemen as a 'dirty assassination' and vowed that Israel would pay" (Quirke 2001).

Pressing for security reform

Israeli efforts to harm Arafat and PA institutions in an effort to force them to rein in Palestinian violence hardly received United States or European support. On the contrary, Israeli attacks were often condemned for being ineffective if not actually being at cross purposes to the objective Israel sought to achieve. This changed after the Israeli seizure of the *Karin-A* on 2 January 2002, a ship loaded with 50 tons of weapons worth $15 million and financed by the Iranian "Export Committee of the Islamic Revolution" (Kirill 2002). The boat was manned by security force personnel destined for the PA and the Fatah terrorist infrastructure. By that time, Iran was firmly identified with the axis of evil, itself a development linked to the mega-terrorist attacks of 11 September 2001 and President George W. Bush's subsequent War on Terror. A previous boat intercepted in May 2001, also originating from Iran, belonged to the Popular Front for the Liberation of Palestine – General Command, a Palestinian faction hostile to Arafat and the PA and therefore hardly implicated the PA (ibid.).

Relations between the United States and the PA, in particular between President Bush and Arafat, who previously denied to United States officials any relationship with Iran or international terror, declined precipitously. It is fair to say that from that point on, the United States, in addition to adopting a stick and carrot approach towards the Palestinians, was determined to replace Arafat as leader of the Palestinian Authority. Notably, the United States turned a blind eye to Israel's unofficial policy of imprisoning Arafat in the Muqata'a in Ramallah after IDF forces reoccupied Ramallah for the second time in June 2002 (Rynhold 2005).

The carrot came as part of a speech by Bush in June in which the United States, for the first time, committed itself explicitly to the establishment of an independent Palestinian state (Full Text of Bush's ... 2002). The idea then crystallized into an official document and peace plan in the form of the Middle East Roadmap, an initiative officially sponsored by the four leading world actors, the United States, the EU, the UN, and Russia.

Yet the same letter plan also evinced the need of a stick with which to assault Arafat's control and prerogatives:

> I call on the Palestinian people to elect new leaders, leaders not compromised by terror. I call upon them to build a practicing democracy, based on tolerance and liberty. If the Palestinian people actively pursue these goals, America and the world will actively support their efforts.
>
> (Ibid.)

The means by which Arafat's power was to be shorn crystallized in the Roadmap in the form of demands for drafting a new constitution that would include the creation of the office of prime minister and its empowerment, the consolidation of all existing security forces into three major "rebuilt and reconstructed" agencies under United States guidance, and reporting to the sole authority of the Ministry of Interior. Not made explicit, the understanding was that the Minister of Interior would obviously be appointed by the prime minister. The Palestinian Authority security apparatuses were then charged with "sustained, targeted, and effective operations aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure. This includes commencing confiscation of illegal weapons and consolidation of security authority, free of association with terror and corruption" (ibid).

Such demands had to be met as a first stage of the process before the establishment of a provisional Palestinian state envisioned in the second stage and still later a Palestinian state with permanent borders to be reached in the third stage of the Roadmap (A Performance-based Roadmap 2003). Contingency, the idea that there could be no significant political movement without all the clauses being met, exactly the element so missing in the interim "peace" accords of the previous decade, was the common thread running throughout the document.

Considerable United States pressure and Israeli encirclement of Arafat and his men in the Ramallah compound had already assured the meeting of some of the provisions of the Roadmap long before the final version was published. As early as June 2002, Arafat announced that he would place PS and civil defense under the Ministry of Interior (Hawla Halat al-Infilat 2005, 19) after he had been compelled to appoint General ‘Abd al-Razzaq al-Yahya, a “statist” who opposed suicide bombings or the continuation of the Intifada, as the new Minister of Interior. Nevertheless, Arafat continued to successfully thwart reform. To gauge how chaotic security reform became, Yahya, on 28 August declared that security reforms were making great strides. Yet two weeks later, he resigned after Arafat had prevented him from demilitarizing the police after *he* had dismissed Ghazi Jabali, the Gaza police chief, from removing PS commanders involved in attacks against Israel, and for encouraging the AMB, Hamas, and Islamic Jihad to undermine Ben-Eliezer’s Gaza First plan which al-Majaideh had endorsed.

According to the plan, the PA was to ensure the cessation of terror attacks in Gaza, leading to a corresponding cessation of Israeli counter-insurgency activities. These moves would be a prelude to subsequent Israeli withdrawal from Areas “A” in the West Bank that would restore the situation that prevailed on the eve of hostilities in September 2000. Al-Majaideh was replaced as Minister of Interior by Arafat stalwart, Hani al-Hasan. Dahlan also decided to resign stating that he called for the immediate cessation of hostilities after 11 September 2001 (Quarterly Update on Conflict and Diplomacy 2003, 130–131).

Security reform under Abbas as prime minister

Pressures on Arafat intensified before the official publication of the Roadmap in April 2003. On 29 April, just before the publication of the final version of the Roadmap (a first draft appeared as early as September 2002), Arafat was forced to concede to Abbas’ appointment to the new office of prime minister and a cabinet that included another critic. Nasser Yusuf as Deputy Prime Minister, Muhammad Dahlan as State Minister of Interior Affairs, Nabil ‘Amer as Information Minister, all of whom were prominent “statists,” eagerly sought reform, and had opposed both suicide bombings and the continuation of the Intifada. The demotion of two close allies of Abbas, Sa’ib ‘Ariqat and Yasser ‘Abd Rabbu, to ministers without portfolio, were made to placate Arafat after he went into a rage against Abbas’ original plan and called to exclude them in a Fatah central committee meeting (Arafat Jeopardizes ... 2003).

Even worse, Arafat was compelled in the previous month not only to ratify a law he had refused since 1997, but also to sanction a strong prime minister at the expense of his own prerogatives as President. The constitutional derogation in the position of the President took place in reference to the security forces as well. In the Basic Law of 1997, which Arafat refused for years to ratify, the sole reference to the security services appeared in the context of the President who was designated "the Commander-in-Chief of the Palestinian Forces" (Article 55). Though the clause was retained in the amended law, a further clause (Article 69–67) placed the responsibility to maintain public order and internal security under the jurisdiction of the Council of Ministers (Madhoun 2006). Yet another article was added to strengthen the normative context within which the security forces were to operate, no doubt because of the substantial transgressions that took place in the past. According to Article 84, the security forces as well as the police were to perform their duties "within the limits prescribed by the law with complete respect to individual rights and freedom."

Yet on the very same day Abbas' cabinet was approved, Arafat also established a new national security council over which he would preside, the composition of which was clearly stacked against Abbas. Arrayed against Abbas, Dahlan and Salam Fayyad, the new Minister of Finance, were Arafat, al-Hasan (as Arafat's personal security advisor) and the Chiefs of Force 17, GI, MI, and the civilian police. Dahlan was to have control over PS and counter-intelligence. Abbas, as Minister of Interior, countered Arafat's move by placing all the security services under his command (Quarterly Update on Conflict 2003b, 138–139).

The tug-of-war continued in the subsequent months. On 19 May, Abbas appointed Gen 'Abd al-Haid al-Qu'ahad as Deputy Interior Minister and Head of Civil Defense and Gen. Mahmud 'Asfur as Deputy Interior Minister and Head of Police. Arafat retaliated a day later by ordering all governors to report only to him and then ordered local police heads to report only to the governors (Quarterly Update on Conflict 2003c, 129). In his time-honored way, Arafat responded with duplication.

Even when Arafat had obviously succeeded in keeping his edge over Abbas, he continued in his divide and rule tactics. On 28 August, in an attempt both to cope with the disintegration of the informal cease-fire between the major Palestinian factions and Israel, breached repeatedly by both sides, and in order to assert authority, Arafat decided to appoint Nasser Yusuf, Minister of Interior in charge of all security services. At the very same time he reactivated the National Security Council and placed Rajoub as National Security Advisor. Two weeks later, Abbas announced his resignation (Quarterly Update on Conflict 2004, 128–129).

Infighting at the top between the President and his prime minister compromised the authority of both. For Abbas, maintaining the cease-fire of July 2003 turned into a test of his ability to impose authority through security reform. On 4 July, a shootout near Kfar Darom between PS and the Popular Resistance Committees (PRC), a faction that did not abide by the cease-fire, left one of the latter dead. Another attempt in al-Shati refugee camp on 13 August led to an exchange of fire between security force personnel and JI. Seven Palestinians were wounded. Dahlan's security officers killed a Hamas member who they felt tried to assassinate their leader as he was going through the Erez border crossing on 11 July (ibid.).

Arafat's authority was also palpably declining. On 24 July, Maj.-Gen. Musa Arafat narrowly escaped assassination when a rocket-propelled grenade missed his office only to wound 14 prisoners and guards in the nearby Siraya jail. The head of military intelligence was a symbol of Arafat's rule. In the West Bank, Israel succeeded in compromising his standing when his compound had become a sanctuary to 17 fugitives belonging to the AMB. On 2 August 2003, Arafat announced that they would be transferred to Jericho as part of a deal with Israel. Arafat felt compelled to rescind the deal after 12 refused on grounds that they would continue their attacks on Israelis (Quarterly Update on Conflict 2003c, 130).

However much the rivalry between the two leaders hurt them both, Arafat nevertheless continued to have the upper hand in the rivalry with Abbas. Limited financial reform was certainly one of the reasons for Abbas' failure to achieve control over the security forces. Abbas and his Minister of Finance, Salam Fayad, managed to pay the salaries of the police and PS from the Ministry of Finance through the banks. However, they encountered stiff opposition when they tried to extend the arrangement to the forces under Arafat's control, which continued to be paid in cash. Even attempts to regulate security operations and pay wages to the PS and the police hardly passed smoothly as Palestinian Treasury offices in Gaza were vandalized and participants shouted chants in rowdy demonstrations that branded Finance Minister Fayad a traitor (ibid.).

Attempts to broaden the government's control over the security agencies through fiscal reform were only partially successful. The PS's fuel monopoly estimated at $6 million monthly was abolished and funds transferred to the Treasury, yet attempts to make decisions on the various taxes imposed on PA officials led nowhere. These taxes Fayad believed went to secret funds, which probably served Arafat and the security agencies that remained under his control (ibid.).

Abbas noted that to undermine security reform, Arafat set up a national security council as soon as his government was formed to dictate security policy to Abbas and Dahlan, acknowledging that he never participated in its discussions, "only to hear about the decisions they reached after the fact." These and other moves Arafat made may explain why Abbas was so helpless in getting the security forces to help him salvage a cease-fire he had worked for in July 2003 as a first step in activating the Roadmap. Abbas described how he called the chiefs of the services in Gaza to a meeting: "I asked them at least to order an alert to defend what was left [of the cease-fire], but they said, 'We can't.'" Appeals to Palestinian civil society, so condemnatory of the "militarization" of Palestinian society, were not more helpful. After meeting with civil society figures in Ramallah, “the leadership in Ramallah put out a proclamation, but it was one of those proclamations that come out periodically and means absolutely nothing” (Regular 2003).

Nor was Abbas more successful in gaining control of other aspects of government. To justify his resignation to the LC members he exclaimed:

> We want to know what our mandate is. The embassies are not within our responsibility, so why a foreign minister? The governors [of West Bank cities, who according to Arafat’s orders are subject to him and not to the cabinet] are not our responsibility, so why an interior minister? And the airport is not our responsibility, neither is the port in Gaza. A minister can not appoint a deputy or director-general without Arafat’s approval. The ministers have no control over who is hired and who is fired. It all reverts to the Ra’is.
>
> (Ibid.)

Abbas failed to point to another casualty of the wave of violence since 2000 – the lack of continuity in staffing the highest positions responsible for security in the PA. From May to November 2003 alone, Majaydaeh Abbas, Yusuf (twice) and Hakam Bal’awi presided as Minister of Interior. After Abbas’ resignation, Ghazi Jabali, the police official dismissed in July 2002 for corruption, was promoted briefly in October 2003 as head of all security and police forces while Ahmad Qurei’ and Arafat wrangled over who would be Minister of Interior (Quarterly 2004, 175). With such changeover and in Jabali’s case of questionable merit, it was obvious that security reform could only be chaotic.

Once again, security reform under Arafat

Within eight days of assuming power as prime minister, Qurei’’s emergency government faced its first test. For the first time, unknown Palestinian assailants attacked a motorcade of United States diplomats and intelligence officers soon after they crossed the Erez border-crossing in Gaza on 15 October 2003, apparently in protest against the IDF’s Root Canal offensive in southern Gaza involving over 100 tanks and personnel carriers aged to disclose smuggler tunnels. Three intelligence officers and one diplomat were killed. A fax sent to the news agencies in the name of the PRCs arrived at the offices of the news agencies but otherwise the attack was condemned by all known Palestinian factions (Quarterly Update on Conflict and Diplomacy 2004, 132) In the following months, not only was no progress made to find the culprits despite the motivating interest to bring them to justice, but also the United States had threatened on numerous occasions before Jibril Rajoub, the head of the National Security Council that it would cut $200 million in crucial USAID funding.

Worse still, under the Qurei’ government, the first serious signs of disintegration of the security forces and inter-Fatah violence began to appear on a wide scale, due in part to Dahlan's ouster from the corridors of power once Abbas resigned (ibid., 136–137). These rifts deepened after Sharon announced his intention to unilaterally withdraw from Gaza. In December 2003: four PS officers stormed police headquarters in an attempt to assassinate Ghazi Jabali (Quarterly Update on Conflict and Diplomacy 2004b, 138) and again in April 2004 (Quarterly Update on Conflict and Diplomacy 2004c, 154), prompting a retaliatory attack in March 2004 by members of Musa Arafat's *MI* on "reformist" Nasser Yusuf who was aligned with Dahlan (Quarterly Update on Conflict and Diplomacy 2004d, 154). Jabali and Musa Arafat aligned with the President. In February, unidentified gunmen opened fire on the Khan Yunis office of PC member Ibrahim Abu Naja, a close Arafat ally. Another Arafat advisor, Khalil Zabin, was not so lucky and was assassinated in Gaza on 1 March.

Within Fatah ranks, the situation was hardly more auspicious. Towards the end of November 2003, young Fatah members in Rafah had kidnapped Arafat aide and Gaza governor, Muhammad al-Kidwa to protest the lack of housing aid after the Israeli Root Canal onslaught in the area. Qurei' responded with a visit to Saudi Arabia during which he secured $22 million for rehabilitation (Quarterly Update on Conflict and Diplomacy 2004b, 139). In the West Bank, Nablus mayor Ghassan al-Shak'a survived a failed assassination attempt on 25 November. Two months later, he resigned in protest against what he termed the city's slide into chaos (Quarterly Update on Conflict and Diplomacy 2004d, 151).

Illicit Fatah activity became increasingly directed against wider swaths of public life as well. Attacks on journalists and news agencies became common place. Acknowledging the lawlessness prevailing within Fatah ranks, 356 Fatah members warned that Fatah was in advanced stages of disintegration, a charge strenuously denied by senior officials (Quarterly Update on Conflict and Diplomacy 2004b, 137). The attacks by AMB members against the PA Land Authority and the Palestinian Broadcasting Company at the end of April 2004 clearly demonstrated that the members were correct in their assessment.

Official attempts to cope with lawlessness did not prove to be much more effective. To counter both these growing threats and possible Israeli withdrawal from Gaza, the PA drew up a five-week plan. Its very content and goals clearly reflected the lack of security, especially in Gaza (Quarterly Update on Conflict and Diplomacy 2004d, 152, 155). According to the plan that was to be executed over five weeks, police patrols were to resume in the second week. This meant that the government acknowledged that patrols had ceased to exist. A week later, the police were scheduled to crack down on widespread tax evasion and finally, on the fifth week, the carrying of weapons in public was to be banned, reflecting the ubiquity of the phenomenon. The latter was to occur only after consultations with the

National and Islamic Higher Coordinating Committee, suggesting that this was not an effort to attain a monopoly of power for the PA, but at best to share it with the armed militias. These goals were never met. Less than two months after the security plan, PA Police General Investigation Division head Majid Abu Shamalah resigned, after he owned up to failure to change the structure of the police force, unite the security forces, and fight crime (ibid.).

Further confirmation of the deteriorating state of the security agencies and its impact on lawlessness was the PC's decision on 7 July 2004 to establish a committee to investigate the security problem. The committee, composed both of Arafat loyalists and "reformers," dozens of individuals from the apex of the establishment – Qurei' and security heads to journalists and parliamentarians – attempted to gauge the problem and come up with solutions (Regular 2004a).

Events, however, outstripped efforts to solve the prevailing situation yet were inadequate to face the graver future. On 16 July, unidentified assailants, either AMB elements or undercover agents of the PS loyal to Dahlan, kidnapped Jabali, the third assault on the police chief within 12 months. He was paraded in al-Bureij refugee camp before being released. Further south in Khan Yunis, an offshoot of the AMB, members of the Abu Rish Brigades, absconded with four French aid workers and a PA security officer, Khalid Abu Ala, and held them for several hours before releasing them. After the latter incident, two supporters of Dahlan, Amin al-Hindi, Head of General Intelligence, and Abu Shibak, Head of the PS, resigned protesting the lack of reform, to which Arafat responded with a declaration of "a state of emergency" and a presidential edict declaring a temporary restructuring of the security forces into three branches – public security, police, and intelligence. Jabali was replaced by Maj.-Gen. Sa'ib al-Ajez and Musa Arafat was elevated to Head of Public Security (Quarterly Update on Conflict and Diplomacy 2004d, 124). Until recently, Musa Arafat had only headed Military Intelligence, but he was now placed in charge over most personnel belonging to National Security and Force 17. These contradictory decisions were classically Arafat-like, the first to mollify the international community's demand over the past two years to consolidate the security services into three branches, the latter to counterbalance it by promoting an individual who was one of the key personalities who defied "reform" (Bennet 2006).

For the first time, Arafat's divide-and-rule tactics instigated mass reaction. Thousands protested Arafat's choice, torching the military intelligence building in the Gaza Strip town of Khan Yunis where forces loyal to newly appointed PA security chief, Musa Arafat, were stationed. Arafat's men fled the structure as a result, inaugurating an unprecedented wave of violence over the next week (Regular 2004a). On 25 July 2004, for example, 20 members of the Al-Aqsa Martyrs' Brigades seized the governor's office in Khan Yunis, demanding amongst other requests, Musa

Arafat's dismissal. Less than a week later, Palestinian kidnappers in Nablus seized citizens of the United States, Britain, and Ireland, and a PA security forces HQ building was burnt down in Jenin by the Al-Aqsa Martyrs' Brigades. A leader of the Al-Aqsa Martyrs' Brigades said they torched the building because new mayor Qadurah Musa, an Arafat appointee, had refused to pay salaries to Al-Aqsa members or to cooperate with the group. AMB members viewed kidnapping, an increasingly common phenomenon, as a means to press for inclusion into the security forces. "There is a crisis. There is a state of chaos in the security situation," pronounced PA Prime Minister Ahmed Qurei' after he decided to follow in Abbas' footsteps and submitted his resignation to the PA chairman (ibid.).

The report published at the height of the violence attempted to explain why. Chief of General Intelligence in Gaza, Amin al-Hindi's testimony before the commission is perhaps the most telling. Though he and others acknowledged that Israel decimated the infrastructure of many of these security forces, he blamed a lack of institutions from the outset, a lack of rules and regulations, with no clear goals, and no unequivocal handling of the security forces. Nobody was put on trial for violating rules because there were no rules, and since there were no budgets, security forces began operating at the whim of their commanders, and doing what others, like the NSC, were not doing, looking for new authority for themselves … The forces cannot defend themselves and people are sometimes forced to find self-protection in the form of their clans and families (Regular 2004b).

The latter point was probably the most important. Security force personnel can hardly be effective if they fear retribution to themselves or their families and almost assuredly have to compromise their loyalty to the state and its laws in order to assure that protection. Even so, the Minister of Interior and Abbas supporter Hakam Bal'awi, contended that security force personnel would have been effective had the leadership made clear decisions emanating from a well-defined plan of political action.

A multiplicity of security agencies, the bugbear to effective governance identified by the Roadmap, was addressed in the LC report as well. In his testimony, al-Hindi bore witness to one of the grave consequences of placing security in a dozen or more security agencies: "Yasser Arafat's orders go out to a large number of security commanders, sometimes to ten at once, and ultimately, nobody actually carries them out" (ibid.).

Perhaps unknowingly, this security official had come up with an important organizational principle – that as the onus of responsibility is increasingly shared, so grows the probability of shirking it. The veracity of al-Hindi's testimony can be gauged by sheer arithmetic. As the number of killings, most of which related to the working of the military courts, increased from 56 in 2002 to 93 in 2003, the number of military court cases declined from 30 to 12 (Hawla Halat al-Infilat 2005, 41). In contrast, the number of court cases stood at 157 in 1997 when matters were much calmer. Mounting pressure at this point forced Arafat to issue a presidential declaration uniting the security agencies under the three categories originally outlined in the Roadmap and which had become part of Abbas' reform agenda as prime minister (ibid., 19).

Once again perhaps the most problematic aspect of dealing with security reform lay in how it impinged on Palestinian violence against Israel – in short, on the most contentious political issues facing the Palestinians. For Bal'awi, it was crucial in the name of the law to stop members of the terror organizations from launching rockets and firing weapons from houses on the grounds that it served no purpose and ran contrary to Palestinian interest. Hamas and the other factions countered the belief they could at the very least achieve deterrence against Israeli penetration with those missiles. Prime Minister Ehud Olmert's acceptance of a cease-fire in Gaza in November 2006 seemed to have proved the PA's detractors right.

Yet even Arafat's greatest detractors could not lay sole blame on Arafat. Rashid Abu Shibak, head of PS in Gaza and a Dahlan ally, acknowledged that "some of the blame for the situation falls on the PA, [the security agencies] and that most of the security forces do not have discipline or control over their people. Each organization does what it wants and imposes its will on the PA, and no side can say it is in control" (Regular 2004b).

The security forces and the Islamic opposition

If problems facing the security forces stemming from Arafat's divide-and-rule tactics, the ambivalent relations they maintained with terrorist groups, and Israeli retaliation was not enough, the period was also characterized by the growing power of Hamas, and with it, growing tensions between the security forces and Hamas and its fighting arm, the Izz al-Din al-Qassam.

Hamas was stymied most by the sheer political, military, and economic resources at the disposal of the Palestinian Authority. If after the second Gulf War, the PLO and Fatah were strapped for cash and Hamas was the major beneficiary, the Oslo peace process and to a lesser extent the slump in oil revenues enjoyed by the Gulf States turned the tide. All this changed with the outbreak of the low-intensity war with Israel in September 2000. Just as the power of the PA semi-state cowed the Hamas, the punishment Israel exacted on the PA as a means (unsuccessful in retrospect) to get it to refrain from terrorism, bolstered the movement's prospects over the course of the hostilities.

Economically, the trade-off between economic welfare and terrorism disappeared. In the face of unprecedented high levels of terrorism, Israel reduced access to the Israeli labor market to a trickle. Gone was the carrot in the form of access to the Israeli labor market that acted as stick in pressuring Hamas to refrain from violence, as was the case in 1996 after the triple bombings of February–March 1996. Hamas could now revel in the glory of "the resistance" against Israel without being blamed for the costs it was generating. Politically, the confrontation with Israel marginalized the internal political system, principally the legislative council. Hamas' absence from an arena of increasingly diminishing importance could hardly be noted.

Above all, Hamas gained support from playing a lead role in fighting Israel. For the first time in the history of the resurgence of the Palestinian movement, Hamas took the lead over Fatah in acts of violence, principally suicide-bombings, and the toll such violence imposed on the Israeli enemy. According to the Israeli General Security Services, Hamas was responsible for 40 percent of the 142 suicide acts between September 2000–March 2005 (when all the major Palestinian factions accepted a "lull," *tahdiyya*, in the fighting), compared to 27 percent for the al-Jihad al-Islami, and only 23 percent for Fatah. Hamas was also responsible for the most deathly to date, a suicide-bombing on Passover night in a hotel dining room leaving 29 dead. Suicide-bombings accounted for half of Israeli fatalities in the course of hostilities (Suicide bombing 2005, 13).

Some of the movement's growing popularity could also be attributed to deeper religious currents. A poll conducted in March 2000 in the territories showed that an overwhelming percentage of the respondents (85.8 percent) felt that the *PA* should be more religious (*JMCC* Public Opinion 2000). The importance of religion is also indicated by the very title given to the present outbreak of hostilities beginning in September 2000, the "al-Aqsa Intifada." Al-Aqsa is the name of the mosque situated on the Temple Mount in Jerusalem, holy both to Jews and Muslims, where the first acts of violence took place.

Ironically, Hamas' rising stature was reflected in the external symbols, albeit shallow, adopted by Fatah. To compete with Hamas religiously, Fatah created a new fighting arm called the Martyrs of al-Aqsa Brigades that had virtually replaced the Tanzim with a logo of the Al-Aqsa mosque combined with a verse from the Koran. Video clips of Fatah suicide bombers featured would-be martyrs holding a gun in one hand and the Koran in the other. Many of their announcements, most of which focused on attacks against Israelis and tributes to the martyrs that were responsible for them, were deeply imbued with religious symbols and verses from the Koran (Kata'ib Shuhada al-Aqsa).

So powerful had Hamas become in the course of the hostilities relative to the stature of the PA, that by late 2002 Egypt, traditionally the key Arab state behind the PLO, felt it had to negotiate with all the factions in order to assure both domestic peace and a peace plan (Kumaraswamy 2005, 44). For the first time, Hamas as the major opposition group was elevated to the level of equality with Fatah/PLO and in many ways with the PA, headed by a rapidly ailing Arafat who was hemmed in by Israeli forces in Ramallah's Muqata'a.

Hamas had also maintained discipline within the movement creating a sharp and favorable contrast to Fatah and the security agencies that were characterized by riveting rivalries. These internal rivalries were far more intense than the confrontations between Hamas, Fatah, and the PA. Finally, despite Hamas' diminishing ability to continue fighting the IDF, Hamas, and JI, because of the prominent roles they played in Gaza against the Israeli forces, seemed to have been given the credit for the "victory" signified by the dismantlement of all Israel's settlements in Gaza and the subsequent complete military withdrawal on 12 September 2005.

Nevertheless, the growing tensions between Hamas and the security forces were palpable enough. In September 2002, Hamas leaders chided Marwan Barghuti, commander of Fatah's Al-Aqsa Brigades (now on trial in Israel), leading to an exchange of public barbs between the two groups (Schanzer 2003).

In October 2002, the PA faced its most serious domestic challenge. An armed group dressed in police uniforms blocked the car of Colonel Rajah Abu Lihya, head of the Palestinian Authority's Public Order and Intervention Unit in Gaza. After being held responsible for the killing of three Palestinians during a Hamas demonstration in support of the Taliban in October 2001, he was shot repeatedly and his corpse was mutilated. He was assassinated after the family of Yusuf 'Aqel, one of the three killed, demanded the PS bring the Colonel to justice. A presidential committee was formed, but no action was taken (Albasoos 2005). 'Aqel had been a member of the Izz al-Din al-Qassam Brigades and according to Hamas sources, had participated in several attacks against Israeli targets (Istishhad 2001). The Palestinian Authority accused Hamas of being behind the killing on the grounds that Yusuf's brother, 'Imad, who had confessed to having participated in the assassination, was also a leading figure in the Hamas military wing.

Killing a colonel and head of a major police force was obviously a major test of the PA's control and resolve. In a London-based newspaper in Arabic, Dahlan expressed succinctly:

> We have a red line. Palestinian society will not be dragged into domestic fighting. The 12 Hamas men accused of killing Colonel Abu Lihya of the PA must be caught, as well as anybody who assisted and planned this heinous crime. We will not back away from this [demand] even if a conflict breaks *out*. We gave up the idea of [Hamas] turning in [the 12 suspects] and said, "no need" … but they must not resist when we want to arrest someone. [In response] to the burning of a PA police station, we will burn down all the Hamas centers. We have goons just as they have goons. If we do not feel that the Hamas is serious, we will start arresting.
>
> (Interview with Palestinian Security Chief 2002)

Dahlan's desire and threats never materialized. The PS failed to capture 'Imad, despite the killing of five Hamas members, and the eventual quelling of Hamas demonstrations in the Gaza Strip following the funerals of the victims. Obviously the PA and its security forces failed in the showdown, reflecting their inability to impose law and order. The assassins of a senior officer of the security services continued to live in the al-Shati Refugee Camp under the protection of the Hamas (Schanzer 2003).

Bad blood not only characterized relations with the PA's security forces and Hamas. The JI and the PRC increasingly implicated Dahlan, his lieutenant, Abu Shibak, the PS which they effectively controlled, and GI with the killing of their activists. The JI, the PRC, an Islamist offshoot of Fatah and the Hamas focused in particular on the PS' "death squads," units within the PS force that specialized in the assassination of activists. As was frequently the case, many of the assassinations and counter-assassinations were responses to casualties inflicted on both sides in a growing spiral of vengeance. Much of it was motivated by extended family codes and calls for violence, which the Islamic opposition condoned, little realizing that in the long run, the strengthening of extended family groups was at the expense of public weal and public order. Thus, the unofficial Hamas Frontline site reported that in July, the PRC succeeded in wounding two members of the death squads implicated "in the killing and wounding of cadres in Hamas and Islamic Jihad Movements in addition to other national organizations" (PA Security Men 2003).

Despite an increasing show of strength on the part of Hamas under Arafat, one cannot escape the impression that the movement's growing stature could be attributed to an even greater degree to the chaos and lawlessness exhibited within Fatah ranks, to infighting between the heads of the security services, and between the heads of the security services in the case of Dahlan, al-Hindi, Abu Shibak, and Arafat himself. From 2002 onwards, the Palestinian public was increasingly assaulted by lawlessness in the nationalist camp. As much as it can be attributed to the Israeli onslaught, the fact that it was worse in Gaza where no general Israeli offensive took place placed the onus on Arafat and the nationalist camp. Arafat might have physically passed away in November 2004; however, he had lost any ability to come to terms with security reform long before his death.

To what extent the PA and its security forces were beginning to lose control of the areas under its jurisdiction, particularly Gaza, can be gauged from the type and frequency of convictions by the state security courts. In 1995, at the height of the onslaught on Hamas, 55 defendants, all related to security, and mostly involving Hamas members, were convicted. Fifty of the cases involved men from Gaza (one case was not identified by area). By contrast, in 2002, the year in which Abu Lihya was killed, only 14 convictions took place, mostly involving criminal activities or those collaborating with Israel (Palestinians Charged, N.D.).

Independence or Somalia?

During the July 2004 crisis in Gaza, Dahlan described Gaza as being at a crucial juncture. "We will either gain independence or become Somalia" (Regular 2004a). In hindsight, one can say that independence was hardly in the offing. By the summer of 2004, successful Israeli counter-terrorism had considerably reduced the costs of staving off Palestinian independence while internecine Palestinian strife had reduced the feasibility of creating a Palestinian state that could establish correct relations with the Jewish state. Sharon's plan to unilaterally withdraw from Gaza was perhaps the best indication of an Israeli frame of mind that sought to reduce the costs of controlling the Palestinians even further without granting Palestinians independence.

For a variety of reasons, a favorable regional and international context for Israel had emerged since the outbreak of violence; the failure of the Arab states to come in any way to the aid of the Palestinians, a formerly involved European Union forced to cope with the setbacks to European integration, and a United States increasingly absorbed and troubled by events in Iraq, sharpened the vast disequilibrium of power between Israel and the Palestinians. Despite the international fanfare surrounding the Palestinians, the two sides were essentially facing each other all alone, a discomfiting situation for the Palestinian side.

Dahlan showed greater acumen in raising Gaza's prospects of turning into a version of Somalia. A crumbling political and security elite riveted by strife was increasingly challenged by growing Islamist opposition. Compared to the tumult accompanying the lawless acts of Fatah and the PA's security services, the challenge of Hamas and the other Islamist movements was relatively quiet, almost imperceptible. Yet, it was undeniable; no regime can bear a failure to exact retribution for the assassination of key security officials like Abu Lihya. His assassination reflected how authority was unwinding in the PA in general and particularly in Gaza.

The tendency to focus on the personality of Arafat for the failings of the PA, its security forces, and the Fatah militia was inevitable. Yet the geostrategic and tactical mistakes must be shouldered by more than Arafat alone. Once more, many Palestinians failed to recognize how uneven indeed was the international and regional arena in which they battled Israel. Their political demands were too high compared to the resources at their disposal and their tactics – suicide bombings – serried Israeli ranks rather than dividing them, quite the opposite of the lessons that ought to have been learned from Algeria.

True, there were the "statists" who had a more realistic appraisal of how Palestinian goals could be achieved, but even they were not ready to par them in a manner commensurate with Palestinian capabilities. With the death of Arafat, the "statists" now had a freer hand, albeit under more disadvantageous conditions, to attempt legal "reform," including security reform, the focus of the next chapter.

7 Politics, law, and security

In a working political system, a strong relationship must exist between the authority that promulgates law, the judicial system that dispenses justice in the form of rulings or in the setting of public normative standards in interpreting the law, and the security authorities that must both uphold the law and abide by it as well. The legitimacy and performance of each of the authorities – which in liberal theory and practice are usually a function of the three classic branches of government, the executive, of which the security sector is an important component, the legislative, and the judiciary – is dependent on the legitimacy and well-being of the other two. Failure to reach a minimum thresh hold of standards and interaction can be perilous to all but the most economically well-endowed totalitarian regimes and even then the use of sheer terror and cooptation can only buy the regime time rather than ensure its actual existence for any considerable period.

Liberal political theorists were hardly the only ones to uncover the importance of the relationship between law and security. Ironically, this symbiotic and chain-like relationship, as theorists of guerrilla warfare such as Mao Zedong realized, is all the more crucial to political entities whose international legitimacy is questioned, which are composed of a political class and factions that are wedded to ideologies that justify acts of violence against an external enemy, and which mobilize with the purpose of achieving political ends such as liberation and independence. Mao realized that such a positive symbiosis was necessary to combat the no less potent and destructive symbiosis between the wielding of violence towards an external enemy and the internal violence it often generates, or between revolution and wars of liberation and civil war. It is scarcely a coincidence that most wars of "liberation" tell the woeful tale of war within the political community, which is all too often accompanied by high levels of criminal activity as factions and militias compete over scarce resources either to pursue "the cause," or to indulge in self-gain.

Not only contextual factors point to the importance of facilitating between authorities responsible for making law, adjudicating the law and implementing it. The symbiosis is the basis of the security system's legitimacy. The promulgation of laws defines what social behavior is punishable or not. The courts, often on the basis of charges emanating from the police and general security, decide who is to be brought to the court system, the courts then adjudicate the cases and the security system implements the sentences. Without the publication and foreknowledge of the law and adherence to the normative standards it sets, the security system can not operate legitimately and over the long term must suffer being perceived as illegitimate in a society.

Building these institutions and oiling the interaction between them during pre-state violent struggle can also be crucial to the quality of statehood in the post-independence era. Colonies, which enjoyed greater autonomy in promulgating laws, a working legal system staffed by inhabitants native to the area, and a better-trained more legally abiding police force, usually fared better than their counterparts that lacked these attributes or which had them in lesser measure.

Though the question between law, justice, and its execution were pertinent to the many historical and physical contexts in which the Palestinians found themselves, these issues attained the greatest importance during the Oslo peace process and the period of violence after 2000 when the Palestinians achieved maximum self-government and arguably the greatest possibility of developing these necessary institutions and all-important interaction between them. This chapter is devoted to analyzing such an attempt and the way it impacted on the Palestinian quest for a military.

A theoretical overview

All too often, the emergence of independent states arouses hopes of institutionalizing democratic practice, effective rule of law and ensuring justice to the formerly subordinate population only to be dashed in practice. The comparative literature on state-building offers several explanations for the difficulties of establishing and maintaining rule of law.

According to the external foreign intervention argument, fledgling states fail to establish the rule of law because of the asymmetric power between former colonial states and their former colonies (Ghalioun 2004, 129; Wallerstein 1974, 7–26). How core states distort healthy state-building in the periphery is at the heart of dependency and world system theories. According to world system theory, strong states in core areas are militarily strong relative to others and serve the interests of economically powerful classes. The core states, in turn, help maintain the dependence of peripheral states through landowning classes and merchants who promote the export of raw materials and the import of manufacturing products, preventing a more autonomous industrial and civic-oriented middle class from emerging (Doorenspleet 2004, 316).

The prospects for democracy are dependent, according to this cluster of theories, on the international state division of labor between an industrial and militarily powerful core and weaker economically and political semi-peripheries and peripheries. World system theorists envision relationships in the international system much like structural realists but for different reasons. Whereas structural realists reify states and presume that they act according to a uniform rationality of raison d'état, world system theorists perceive the state as being subordinate to economic elites and are thus motivated primarily by economic rather than strategic gain.

Resistance by anti-systemic movements, these theorists reason, can lead to regime change, ideological shifts, and alternatives to the system. Scholars sharing this perspective believe that the capitalist world economy is a historical configuration and therefore bound to be superseded. One of the first casualties will be the periphery states controlled by a comprador class who allied with the core states according to mutual interest. Until then the institutionalization of democracy will be rare (Bollen 1983, 469–471).

The relationship between Israel and the newly emergent PA clearly reflected the asymmetry between a strong state and peripheral entity. Until 1993, the Palestinians had bitterly opposed an interim political autonomy, let alone one in which jurisdiction on Israeli citizens would be solely the responsibility of Israel. Many Palestinians felt that the Oslo accords had placed the PA in a subordinate position. A Palestinian legal critic of the Agreements, Raja Shehadeh, summed up this argument: "In the three key areas (legal jurisdiction, land and water) then, the legal and administrative arrangements imposed on the Palestinians by the occupying authority are either preserved or augmented" (Shehadeh 1994, 22). In a similar vein, another scholar defined the powers and jurisdictions Israel retained as a *matrix of control*, namely, "an interlocking series of mechanisms, only a few of which require physical occupation of territory, that allow Israel to control every aspect of Palestinian life in the Occupied Territories" (Halper 2000, 15).

The paradigm offers a cultural and historical explanation as to why the PA (like most political entities in the Third World) cannot be considered a liberal democracy. The cultural explanation had deep roots in the social sciences (Weber 1904/1958, 35–78; Almond and Verba 1963, 473–508; Putnam 1993, 83–120) and has been used to analyze politics in the Middle East. For Lewis (1996, 5–54), Kedourie (1994, 5–6), and Zakaria (1997, 26), it is not Arab exceptionalism, but rather Western exceptionalism that explains why liberal democracy or constitutional liberalism has only taken root effectively in the Anglo-American and European worlds. They identify the roots of Western exceptionalism in constitutional liberalism, which at critical stages of state-building concerned itself less with procedures for selecting government, but rather with the goals of government. It refers to the tradition, deep in Western history, that seeks to protect an individual's autonomy and dignity against coercion, whatever the source – state, church, or society. The term "liberal constitutional" marries two closely connected ideas. It is *liberal* because it draws on the philosophical strain, beginning with the Greeks, which emphasizes individual liberty. It is *constitutional* because it rests on the tradition, beginning with the Romans, of the rule of law (Zakaria 1997, 26).

In addition to the evident importance of culture and norms, the cultural argument stresses the importance of a very specific sequence of events. First, liberal ideas must be incorporated to restrain government and to protect civil rights. Then (and only then) must one expand political rights. Alas, this has not been the case in most countries of the developing world. In Zakaria's words:

> Constitutional liberalism has led to democracy, but democracy does not seem to bring constitutional liberalism. In contrast to the Western and East Asian paths, during the last two decades in Latin America, Africa, and parts of Asia, dictatorships with little background in constitutional liberalism have given way to democracy. The results are not encouraging. In the Islamic world, from the Palestinian Authority to Iran, to Pakistan, democratization has led to an increasing role for theocratic politics, eroding long-standing traditions of secularism and tolerance.
>
> (Zakaria 1997, 28)

The cultural argument concludes that this phenomenon is due to the respect accorded to the individual and the prominence of law in the Protestant tradition. These cultural claims find their echo in the political literature on the Middle East as well as in critical approaches of comparative law (Jacob *et al.*, 1995, 8–14; Friedman 1999, 74). Sharabi describes an Arab world where modernity encounters patriarchy to produce a society which is neither modern nor traditional. The neopatriarchal state, despite the trappings of modern institutions such as a legislature, courts, and modern codes of law, "is in many ways no more than a modernized version of the traditional patriarchal sultanate" (Sharabi 1988, 7). Students of comparative legal development also argue that the inability of third world societies to adopt Western practices of modern democracy – even when such societies import democracy's political structures (namely, multiparty parliamentary system, an independent judiciary, regular elections, and nominally free press) – are due to attitudes and customs embedded in the local culture (Friedman 1999, 76). As one critic bluntly put it: "a thin layer of parliamentarism laid over a raging neo tribal society cannot produce democracy" (Barber 1995, 234).

According to the domestic structural perspective, civil society might have sought the institutionalization of the rule of law out of conviction, but ultimately preferred, when push came to shove, a strong central authority that could provide a modicum of order and some degree of reform, even at the expense of rule of law (Huntington 1968, 12).

Borrowing from organizational theory, the *domestic structural model* argues that diffuse states like diffuse organizations, will be rich in ideas but will eventually perform poorly. The populations of these new states, however, want both increasing participation and better government performance. This creates a dilemma. In order to achieve reforms and improve performance, a significant degree of centralized power is required. In order to expand participation, however, democracy is required. A regime which unfortunately diffuses power within society precisely when power centralization is so critical, may as a result become stagnant and eventually slide into praetorianism. Yet, as the collapse of the Soviet Union 30 years later clearly demonstrates, such centralization must be followed by liberalization which allows for feedback that may help put right inappropriate policies. Moreover, liberalization promotes accountability that helps to cut down corruption and rent-seeking (Migdal 1988, 212). Even more critically, as Bellin points out, centralization of power goes hand in hand with the cultivation of a coercive apparatus in Middle East states characterized by an exceptional will and capacity to crush democratic initiatives (Bellin 2004, 147–151). Only after centralization and a long-term struggle against it, will rule of law take root.

This argument might be especially appropriate to an interim entity such as the Palestinian Authority (PA). Centralization was often called for to deal with the contradictory tensions between "maintaining the appearance of a state" by achieving a monopoly of power on the one hand, and appearing democratic on the other. Achieving the first goal was critical in maintaining a working relationship with Israel, even when clamping down on Hamas and Al-Jihad al-Islami (when both organizations were engaging in violent attacks), ran the risk that the PA would appear as Israel's "security sub-contractor."

The basic claims and the initial support laying the basis for the three arguments, not necessarily exclusive of each other, are summarized in Table 1.

Assessing Israeli legal oversight over the PA

A formal reading of the documents that had given birth to the PA, namely the Declaration of Principles (DOP) of September 1993, the Cairo Agreement of May 1994, and the interim Taba Accords of September 1995, would certainly seem to justify the external dependency thesis that the PA could never be a democratic entity to begin with. These documents (the latter two in particular), stipulated a political entity that has never exercised security control over more than 18 percent of the West Bank's territory, did not control its own borders either in Gaza or the West Bank, their airspace, and perhaps most importantly, was not granted territorial jurisdiction over Israeli settlers and settlements. Its interim nature, extending five years, was spelled out in the 1994 agreement. Over those five years both sides were expected to reach a final agreement over all outstanding

Table 1 The arguments, claims, and supporting evidence

Argument	*Nature of claim*	*Supporting evidence for the claim*
Foreign intervention	Powerful state (Israel) will heavily interfere not only in security affairs but also in civil legislation and legal administration.	1) Israeli intervention in preventing attributes of statehood to the PA. 2) Israeli pressure to create military courts and make mass and persistent arrests of Hamas and Jihad al-Islami members. 3) Interference in civil and security legislation and legal administration.
Cultural	Rule of law and liberal democracy emerged in a Western culture rooted in ideas of individual liberty and the curtailing of power to the state and its leader. Only long-term economic growth leading to the emergence of an autonomous middle class can bring about meaningful transformation in a polity not rooted in Western culture.	1) No sustained effort by broad segments of the population to mobilize on behalf of civil rights. 2) A lack of civil society institutions. 3) Inconsistency in advocating democratic principles when clashing with religious convictions and customary law.
Structural	The leadership of young political entities centralizes and augments power at the expense of civil society and rule of law. It takes an assertive opposition to induce liberalization. The struggle may take a long time to fruition.	1) Executive interference in the Palestinian legislative branch. 2) Executive interference in the administration of justice. 3) Poor law enforcement.

issues, borders, statehood: the issue of return of Palestinian refugees and the status of Jerusalem.

The interim agreement and the attributes of statehood

Although the 1994 agreement outlined the basic form of a modern state structure such as elections and the establishment of democratic institutions, it was based mainly on security considerations. Power was transferred to the executive branch of the PLO less than a week after the signing of the Cairo agreement, without any initial effective internal checks on possible abuses of official powers. Coming into being, the PA had neither a constitution, a bill of rights, or spelled out modalities of an electoral system.

Unlike an independent state, all substantive powers of the PA were formally subject to Israeli control, with all policies and executive measures subjected to its approval. Israel retained substantial parts of the territory under its direct control, and was able during the duration of the interim period to supervise and close all land, air, and sea communication channels to the Palestinian territory. Furthermore, the agreement has placed strict limits on Palestinian security forces' size, equipment, and structure (Shehadeh 1997, 52–65; Sayigh 1994, 9–10).

Formally, Israeli oversight of the PA was particularly overbearing in the field of law making. Israel retained the power to veto any primary legislation enacted by the PA (Article 7, Cairo agreement) and Palestinian legislation had to be communicated to the joint legal committee before it could be finally ratified as law (Article 7, Cairo agreement and Article 18, Interim agreement: Washington, DC, 28 September 1995).

As far as the researchers could ascertain, many of these constraints were not exercised. From the inception of the entity, the Palestinians made strenuous efforts to accord the entity the attributes of the state. It referred to itself not as the Palestinian Authority (PA), the official wording in the accords, but as the Palestinian National Authority (PNA). The head of the PA, referred to as "the ra'ees," in the protocols, became to be known as the *President* and administrative divisions, respectively, as *ministries*. More substantively, almost from its inception the PA has distinguished between the Council of Ministers, who met initially at least once weekly, and the Palestinian Legislative Council (elected parliament). The accords, by contrast, made no clear distinction between the branches of government or assigned the customary division of power between them. The term "legislative" was never applied to the council (Article 1, Interim agreement), though it was accorded the right to legislate (Article 9, Interim agreement). Whereas the accords stipulated a Palestinian council that included 82 members (Article 5, Interim agreement), the Palestinians decided that the legislative council would comprise 88 members, exceeding the number in the lower house in the Jordanian Parliament.

As scattered and partial as was the Palestinian control over the areas under PA jurisdiction, the fact is that Israel did not exercise its right of hot pursuit in areas under exclusive Palestinian jurisdiction until the outbreak of widespread violence in September 2000. In other words, in 60 percent of Gaza and in the major towns of the West Bank there had been absolutely no presence of Israeli authority.

Israel, the military courts and the Islamic opposition

Intuitively, one would assume that Israeli oversight, principally the demand to reign in on Hamas and the Jihad al-Islami rather than the PA's desire to centralize power, led to the establishment of special military courts and that these thwarted attempts at establishing a democratic form of government. Yasser Arafat perpetuated the use of special courts (also known as State Security Courts under Israeli rule) that held abbreviated trials by allowing for different rules of evidence which were inadmissible in ordinary courts.[1] The emergence of special security courts in February 1995 came soon after a wave of Hamas-initiated terrorist attacks in Israel. These courts greatly differed from their regular counterparts, with their foremost function being the preservation of public order rather than maintaining justice and resolving disputes. They acted more as tribunals which carried out executive orders in a judicial disguise than as courts of law, and did not abide by any clear legal norms. The state security courts held their sessions secretly, often late at night. Frequently, the defendants were not informed as to the nature of charges against them, and were not given recourse of legal representation. Trials were conducted in a very short time, sometimes less than an hour. Finally, not being part of the civil legal system, such court decisions could not be appealed to higher instances.

Political arrests without court orders occurred frequently. The existence of security court removed security related offences from the jurisdiction of civil courts, thus making it impossible for detainees to seek civil judicial relief. Only 50 politically affiliated detainees were brought before a security court in 1996, while 1,000 such detainees were held during that year without charges. Many of them were imprisoned for prolonged periods (PHRMG 1996, 14). The security forces often interrogated detainees by means of excessive violence and some of them were severely tortured. In 18 cases between 1994 and 2000 the interrogation resulted in the death of the detainee (The Palestinian Security 2000, 5).

If Israel indeed was behind this move, it begs the question why this oversight did not extend to preventing the failure to arrest the tremendous growth of the PA's security forces. According to the two agreements signed between Israel and the PLO in 1994 and 1995, the PA was allowed to deploy a total of 21,000 security personnel (Usher 1998, 148), when according to official Palestinian accounts, 58,708 security personnel voted separately before the 2006 elections to the legislative council (Arabic Media Internet Network: http://www.amin.org/news/uncat/2006/jan/jan15–0.html).

Israeli interference in legislation and legal administration

Israeli oversight also had little to do with Arafat's strenuous efforts to prevent the ratification of an interim basic law, or even more significantly (as will be seen later) with the civil court administration and dispensation of justice. The drafting of an Interim Constitutional Charter (*Al-Nizam al-Dusturi*) after the 20th PNC meeting in September 1991 based its mandate on decisions made by the PNC in November 1988. The Committee was headed by Anis al-Qasim, an international affairs lawyer who was nominated chairman of the legal committee of the PNC (*Al-Intikhabat* … 1995, 45). The committee, with Arafat's permission, circulated the first draft in December 1993 among the various factions, independents in the PNC and at a conference of Jordanian lawyers in Amman where it was discussed at length. The PLO subsequently revised it in January 1994 (Aruri and Carroll 1994, 16). A third draft was published on 1 May 1994 (*Al-Intikhabat* 1995, 152). According to al-Qasim, the Central Committee of the PLO was supposed to activate the constitutional order simultaneously with the establishment of the PA (ibid., 45).

Although the proposed Basic Law was weighted heavily in favor of the President (a title Arafat held since the 1988 declaration of Palestinian independence), it only came into effect in March 2003, nine years after the third draft, more than six years past its third and final reading in the LC, and two years past the eruption of a wide-scale violence between Israel and the Palestinians and after immense international pressure was exerted on Arafat (Official Gazette, 19 March 2003).

Ironically, Arafat should have had a tremendous incentive to make sure the Basic Law was ratified as yet another symbol of sovereignty the PA should acquire on its way to statehood. Instead, he had prevented it. By contrast, Israel, who ought to have been interested in preventing the ratification of the Basic Law, did not make any such move. Even Rubenberg, who subscribes to the foreign affairs intervention thesis, devoted most of the chapter on the internal governance of the PA to human right abuses relating to political prisoners, censorship, and repressive measures taken against the universities, which she acknowledges had very little to do with Israel (Rubenberg 2003, 267–275).

Legislative interference was also negligible. Before the break-up of hostilities in September 2000, the Palestinian Legislative Council (LC) passed 30 laws without Israeli interference.[2] This policy of non-interference even extended to a law on firearms and ammunition, intimately linked to security concerns dealt with in the various interim accords. For example, neither the Palestinian press nor specialized journals mentioned Israeli interference in the drafting of the law on armaments and ammunition (Qanun al-Asliha al-Nariya wal-Dhakha'ir no. 97/18, 1998).

It was only after hostilities broke out in 2000 did Israeli intervention, primarily military, have a major impact on the rule of law in the territories. Total civic court matters, a decline which began in fact before the hostilities broke out as court cases pending mounted and the returns of adjudication necessarily declined due to the inefficiency of the system in the West Bank (see towards end of chapter), nevertheless declined precipitously from 164,056 cases in 2001 to 125,148 cases in 2002 in the West Bank (Statistical Abstract of Palestine ... 2001, 225), the year in which Israel embarked on two military forays, increasing once again from 2003 onwards after large-scale interventions were no longer necessary to contain Palestinian terrorism. In Gaza where the system was much more efficient to begin with, the impact was even greater with total court matters declining by more than 50 percent from 106,677 in 2001 to 49,455 in 2002. The impact was also longer lasting in Gaza; by 2005 civil court activity in the West Bank had exceeded the 2000 level, compared to Gaza where it remained significantly lower (106,677 in 2000 compared to 81,789 in 2005) (Statistical Abstract of Palestine ... 2007, 375).

In terms of police performance, the reverse was true, because of Israel's two military campaigns in the West Bank in 2002, the subsequent destruction of the security infrastructure, and limitations on movement and the bearing of firearms, Israel was able to impose on the security forces on the West Bank but not in Gaza. Persons in custody in the West Bank declined from 5,677 in 1999 to 2,744 in 2001, bottoming out at 1,006 in 2002, a level from which it had not recovered by 2004 (Statistical Abstract of Palestine ... 2001, 227; Statistical Abstract of Palestine ... 2007, 373). In Gaza, the decline, steep in itself, was not as precipitous, declining from 1,871 in 1999 to 508 in 2002 but quickly making a turnabout in 2003. By that time, persons in custody during that year exceeded those in 2000. Despite the differences between the two areas, the impact of violence by Israel on police and security performance was substantial and even by 2005 the total number of those in custody was still only one-third the level prevailing in 1999.

To sum up this section, one would have expected Israel to have heavily influenced political decision-making and political behavior not only in security issues but in Palestinian legislation, legal administration, and civilian affairs as well. This was not the case. Israel rarely interfered in the internal civilian affairs of the PA and even in legislation concerning security matters, Israeli interference was minimal. One can conclude then, that the Palestinians were relatively free from outside interference in their ability to institutionalize the rule of law.

Evaluating the cultural argument

To recall, the cultural thesis claims that the successful institutionalization of the rule of law is largely determined by cultural dispositions mainly found within the Anglo-Saxon and European contexts. In accordance with this argument, is it possible that cultural beliefs and norms thwarted efforts to make democracy work in the PA?

Sustained Palestinian efforts to advance civil rights

The drafting of an Interim Constitutional Charter (*Al-Nizam al-Dusturi*) after the 20th PNC meeting in September 1991 offers one of the clearest examples of attempts by civil society and low-level politicians to set the foundations for a liberal regime already at the blueprint stage. PLO members, anticipating the possible creation of an interim Palestinian autonomy in the international Madrid peace conference in October 1991, wanted to safeguard its democratic character by drafting a Basic Law *prior* to its creation.

For all practical purposes, the idea of safeguarding democracy appeared to become widespread when the PA was established. Demands on the executive to abide by the rule of law and to protect human rights characterized almost every session of the LC since its establishment in 1996. For example, in an LC session on 19 October 1999, a report by the Committee of the Audit and Human Rights demanded the cessation of all forms of torture. It reiterated past decisions made by the LC to codify in law the jurisdiction of the security forces in order to prevent violations of human rights. The report demanded that official agencies and ministries respect human rights by abstaining from requesting certificates of proper conduct. Such certificates, it argued, compromise the rights of citizens by placing them under an evaluation process of the security agencies. The report proceeded to condemn the practice of unlawfully collecting money, one which the dozen (or more) Palestinian security forces were accused of carrying out at border crossings (Abu ‘Awn 1999).

A former minister in the PA requested that a vote of no confidence be taken in view of the LC’s repeated and fruitless calls to the executive since its establishment to bring an end to human rights violations. He was hardly exaggerating. In a session of the LC ten months earlier, the head of the Committee of the Audit and Human Rights conceded that the LC had made at least ten statements in the past, calling for respect of high court rulings to free political prisoners without succeeding in bringing the release of even one prisoner (Al-Din 1999).

The role of civil society institutions

Civil society institutions throughout the period 1993–2000 strongly advocated civil rights. In November 1999, 20 prominent personalities, including nine members of the LC, publicly accused Arafat of being the source of corruption and the lack of rule of law in the PA. In the PA as elsewhere in the Arab world, criticizing the man at the top is regarded as a form of subversion; many of the 20 were subsequently arrested, a few were threatened, a 70-year-old member of the LC was severely beaten by security forces, and unknown assailants shot another member in the leg (Schenker 2000, 41–42).

Liberal discourse also characterized the press, which continuously voiced its commitment to liberal tenets and the rule of law. The contents reported above appeared in one of the three dailies that were published in areas under the PA. Although frequently reporting human and civil rights violations, the authorities obstructed the press at almost every turn. Self-censorship had become a standard feature of the Palestinian media after the PA closed several newspapers for voicing dissenting political opinions or engaging too actively in human rights protection. Thus, the weekly *Al-Istiqlal* (published by the Islamic Jihad) was shut down completely; *Al-Quds* – a popular daily newspaper – was shut down temporarily; *Jenin* – a local newspaper – was closed by the municipality.

However, despite these continuing harassments the press had cooperated with NGOs in promoting human and civil rights. For example, twice a month the daily *Al-Ayyam* distributed *Sawt al-Nisa*' (Voice of the Women) – a supplement devoted to women and family rights published by the Women's Rights Team (a non-governmental organization) (*Sawt al-Nisa'*, 28 August 1998). It also regularly published articles by the Palestinian Human Rights Commission (PHRC) on human rights affairs and public policy. The PHRC is an autonomous body within the PA. These Palestinian NGOs battled continuously for human rights, accountability, and civil rights (Hajjar 2002, 62; Frisch and Hofnung 1997, 1252); Organizations such as *The Palestinian Independent Commission for Human Rights and Law* issued press statements as a matter of course and when possible, published them in the local press.

Not surprisingly, the authorities made major efforts to discredit and control independent organizations. Several human rights activists were detained for various time spans while others were denounced as traitors (PHRMG 2000, 14). The PA attempted to discredit them on the grounds that their funding came from abroad and because they imported foreign values and standards (Hajjar 2001, 31). As a result, human rights organizations operated in a climate of fear (B'tselem and PHRMG 1996, 13–17).

To make themselves more effective, human rights organizations coordinated their activities extensively. A coalition of forces formed to emendate a government-sponsored bill concerning the NGOs and the attempt to turn the amended version into law in 1997. The coalition was comprised of NGOs, a responsive press (which incidentally had to operate against a daily closely affiliated to the PA that spearheaded the campaign against the NGOs) and members of the LC.[3] Even so, ratifying the bill took considerable time. The bill, having passed the third and final reading in May 1999, became law only in January 2000 after the coalition conceded to the executive the right of the Ministry of the Interior to register the associations.

Clashes with illiberal ideologies and practices

To be sure, not all institutions in Palestinian society participated in the liberal discourse of human and civil rights. By and large, the Islamic movements, Islamic parties, and affiliated institutions did not subscribe to this discourse and often stood opposed (Sadiki 1995, 184–187). Palestinian Islamists gave vent to their anti-liberal tendencies in several ways. They have opposed attempts to draft a Palestinian law of personal status, mobilized against a simulated Consultative Parliament on Women's Affairs organized by women NGOs that represented a liberal agenda, and organized three women's conventions to present a competing Islamist vision in which civil rights regarding women was perceived as part of the Western onslaught against Islam (Abu Hein 2000). Islamic currents have also been accused in a recent study on Palestinian higher education of suppressing free inquiry in Palestinian universities (Shaheen 2004, 10).

Nor can one deny the strong anti-democratic tendencies in Fatah, the "ruling party," and the PLO throughout the period under discussion. George Giacaman, a professor at Birzeit University, describes the PLO and Fatah as organizations that draw their inspiration from the Communist regimes of eastern Europe in which "the all-encompassing totality of the model envisions society 'organized' into 'general' and 'higher' unions, associations, organizations, societies, and councils, at the top of which, after Oslo, the PA presides" (Giacaman 1998, 9).

This authoritative culture irked the local Fatah activists. An attempt by the "inside" activists to run local primaries in 1994 was thwarted and repeated demands to reconvene the Fatah general conference which last met in Tunis in 1989 fell on deaf ears (Milshtein 2004, 138). The conference was not convened despite the relatively peaceful interlude between the years 1993–2000.

Social structures prevalent in Palestinian society such as the *hamula* (the extended family), the concept of *'ird* (family honor) or the prevalence of customary law also inveighed against the institutionalization of a liberal rule of law. Thus, among the five convicted detainees whom the PA executed after being meted the death penalty by the state security court, two had been members of one of the security arms accused of killing two others in a family squabble (Hajjar 2002, 74). Pressure exerted by the family of those murdered was largely responsible for the sentencing and execution. According to Lisa Hajjar, in satisfying this demand, the PA became the executor of a blood feud to avert further inter-family violence and to satisfy public anger at security agents run amok (ibid., 75).

Journalists and judges, bearers of the liberal message, are often afraid of the collective wrath of the extended family in disclosing irregularities. These fears, however, can in no way be compared to the fear of the wrath of the authorities. It was also true that officials in the PA used the channels of customary law to integrate themselves into Palestinian society (Frisch

1997, 349–353). Nevertheless, a sizeable segment of Palestinian society did demand actively and continuously the implementation of the rule of law in areas affecting the relationship between the organs of the PA, the individual citizen, and the relationship between its constituent bodies.

Arafat's actions, more than cultural bias against liberalism, contributed to the failure to implement the rule of law in the PA. One can not, however, rule out that cultural currents, secular as well as religious, inhibited the emergence of a civil society that could stand up to authority.

Evaluating the structural argument

Liberalism, as the domestic structural argument points out, aims at limiting government rather than expanding it, and it does so in three fundamental ways: 1) by creating effective checks on executive powers – either stipulated formally in the constitution, such as surveillance by the legislative council, annual auditing by an independent agency (the state comptroller), and judicial review by an impartial judiciary (Fuller 1981, 101–103) – or informally, through such mechanisms as free press, actions of political parties, and monitoring by organs of civil society, 2) by the orderly functioning of a court system, and 3) by the enforcement of law and binding judicial decisions on all legal entities (including the executive). In all three areas, Arafat as the head of the executive branch, resisted attempts by civil society to adopt more democratic practices and institutions (Robinson 1997, 181–188). While the gist of the liberal democratic regime is to limit the power of the executive, the thrust of many leaders of national movements on the threshold of independence or soon thereafter is to expand it. Arafat, as we shall see, was no exception.

Executive interference in the legislative branch

The failure to ratify the Basic Law reflected the inability (rather than lack of desire) of the LC to constrain the executive. One of the reasons for the LC's weakness in the face of the executive's onslaught may be due to the unfortunate timing gap between the establishment of the Palestinian Executive branch and the LC. The Palestinian Executive was formally established in May 1994 as an institution subordinate to the PLO, lead by Chairman Arafat for nearly three decades. The LC, on the other hand, was elected nearly two years later (January 1996) and lacked a pre-existing Palestinian parliamentary tradition. This state of affairs placed the LC in an initially inferior position when compared with the more experienced and better-established executive (Bisharat 1999, 259).

It is also important to stress that the relationship between the executive and the LC was in no way symmetrical. Most of the LC members were elected on the Fatah party ticket (51 out of 88 council members). Arafat, like many other leaders of national independence movements, was not accustomed to the trappings of a democratic system in which criticism is a legitimate tool of political discourse. There was evidence that Arafat did not refrain from dramatic gestures, which personally delegitimized council members who dared to criticize the behavior of the PA or Arafat himself. At times he showed no reservations about directly threatening council members into silence. Arafat also utilized cooptation as a method of silencing criticism by offering the most prominent members of the opposition seats in the Palestinian cabinet (Brown 2003, 114).

An authorized protocol of the meetings was not introduced as an essential feature of the council's work procedure, a fact that undermined the council's quest for transparency (Camil Mansour, Interview, 10 April 1997). A transcription system was eventually adopted in 1999). Furthermore, the executive had intentionally laid obstacles in the way of public broadcasting of the council meetings – in order to draw the public eye away from council deliberations where at times criticism was directed at the executive by council members.

The council was indeed very slow to legislate. Only 30 laws had been ratified between its inauguration in May 1996 and the end of June 2000. Much of this delay can be attributed to Arafat. Legislation procedure required new bills to be approved by the LC and be brought before the President for his formal assent, before they were to be published (Article 66c, the Standing Orders of the Palestinian Council).

Arafat refrained from signing most of the bills, resulting in bringing to a halt even the few legislative initiatives undertaken by the council. Needless to say, the executive had been given a free hand to do as it wished in fields where existing laws were insufficient to regulate the conduct of Palestinian society. Even though LC members asserted their independence from Arafat on numerous occasions, they were not able to alter the relationship between both institutions (Brown 2003, 99–102).

Good government calls for the creation of administrative organs within the executive branch, whose role is to review (prior to implementation) the likely effects of its proposed policies. One of the few moves by the PA in this regard was to establish a General Audit Bureau, which was subsequently authorized by law to audit all public institutions and report its findings to the LC (The General Audit Office Law, no. 17, 1995). However, the office was placed under the direct supervision of the President, who has the discretion to exempt bodies from supervision. Arafat used this prerogative to place the security services and the extensive economic monopolies he had awarded to his supporters outside the bounds of government audit (LAW 1999).

Executive interference in the administration of justice

Courts, especially its upper echelons, are expected to possess a restraining effect on the use of arbitrary powers by the executive branch. The

Palestinian legal system consists of two unlinked pyramidal structures. The court system in the West Bank, which generally follows Jordanian law that was in force before 1967, represents the first. It consists of magistrate courts, district courts, and an appellate court in Ramallah that also serves as a high court of justice. In Gaza, the court hierarchy is similar but the dominant law is the pre-1948 British Mandate's law that was retained by Egypt and later by Israel (with many amendments over the years). Such lack of uniformity in the PA legal system poses considerable difficulties. Lawyers from the West Bank found it difficult to represent clients in Gaza, and vice versa. This duality may also cause verdicts to vary according to the geographical location of the trial.

The Palestinian judicial system has, in principle, the authority to review the executive and may do so in the High Courts in Gaza and Ramallah. Additionally, the PA has one executive branch and a single legislature, but there was no serious attempt to unify the legal system, a situation which places considerable obstacles on the ability of the judiciary to establish itself as a third branch of government equal to the other two. During the period under discussion, the effectiveness of the courts in exercising their capacity of judicial review on executive use of powers was almost negligible. There were two main reasons for this lack of judicial performance. First, the judiciary's dependency on the executive was so great that judges were reluctant to jeopardize their careers and the court's standing by creating a conflict with the executive (Quyyum and Rasmussen 1997, 28). Second, enforcing court decisions against PA officials had proven to be close to impossible. Officials in the PA did not obey court rulings, which they considered as unfavorable as the executive in general tended to disregard law enforcement (Bassem Eid, Interview, 5 May 1997).

State officials frequently interfered in legal proceedings. While courts of higher rank enjoyed a higher degree of freedom from outside interference in their work than magistrate courts, judges at magistrate courts often had to withstand pressure leveled by local officials in trials where the latter were interested parties. The High Court itself did not enjoy complete immunity from pressures leveled by top officials in the PA (Camil Mansour, Interview, 10 April 1997; Khader Shkirat, Interview, 28 February 1997; Quyyam and Rasmussen 1997). Such a state of affairs also diminished public trust in the court system.

An adequate judicial system should be based on procedures and regulations that are designed to assure that judges possess essential traits such as impartiality, work ethics, and professional performance (Posner 1998, 7). The prevalent nomination procedures failed to ensure appointment or removal of judges strictly according to professional criteria (The Security Services 2000, 12). For example, the Chief Justice of the Palestinian High Court in Gaza, Qusay Abadillah, was dismissed from his position after a newspaper interview quoted him as criticizing the Minister of Justice. His dismissal was not handled by a judicial tribunal composed of fellow justices, but rather by a letter written by the head of the General Personnel Council of the PA Civil Service, Mohammed Abu Shari'a; in this letter Chief Justice Abadillah was informed that he had reached retirement age even though judges older than him did remain on the bench (PHRMG 2000, 8).

During the period 1994–2000, no clear procedure for the nomination of judges existed (Robinson 1998, 56–57). Though the law assuring the independence of the judiciary (Mashru Qanun Istiqlal al-Quda) passed its third and final reading on 25 November 1998, Arafat had not ratified it until October 2000 (Schenker 2000, 131–132).

Judges who held office under Israeli military administration continued to administer justice in the PA. New judges were nominated directly by top officials in the PA government, mostly Arafat and the Minister of Justice. This recurring pattern of nomination in which the executive had full discretion in deciding who was worthy of wearing silk, resulted in a state of affairs where judges were not necessarily chosen for their superior legal acumen but due to their familiarity with high-ranking officials. Arafat's actual appointments to the bench left little room for doubt that they were more often influenced by candidates' links to government officials than by professional considerations (Bisharat 1999, 271; PHRMG 2000, 8). In early 1997, Arafat appointed 18 new prosecutors (nine in the Gaza and nine in the West Bank), some of whom did not even complete their internship (Bassem Eid, Interview, 5 May 1997). It should be pointed out that in the Palestinian legal system, prosecutors were vested with judicial powers such as conducting inquiries and issuing warrants. Graduation from law school seemed to be (at least in some cases) the only necessary professional criterion required of new judges in the PA judicial system.

Oversight of judges' performance was unregulated and there was no disciplinary procedure for reprimanding, punishing, or impeaching judges in extreme cases. Judicial oversight was further weakened by the absence of case law publication. Court decisions were not documented in a central legal agency, a fact that placed severe obstacles on the elaboration of the law. The immediate consequence was that each judge enjoyed a high degree of independence in conducting trial timetables and procedures (and even substantial rules) with no central, uniform guidelines (The Security Services 2000, 12–17).

Poor law enforcement

The PA made little effort to improve the lower rungs of the legal system. Palestinians familiar with the legal system cited time and again insufficient law enforcement as a major impediment to the successful establishment of the rule of law (interviews with Raji Sourani 1994; Khalid Al-Qidra 1995; Sharhabeel Alzaeem 1995; Ibrahim Sha'aban 1995; Khader Shkirat 1994; Bassem Eid 1997). Before the eruption of hostilities in September 2000 and the subsequent disintegration of law and order, there was no apparent reason why law enforcement should prove to be a problem in the PA. The 12 or more security forces secured a state monopoly on the use of force in the areas subjected to the PA's jurisdiction (Abadillah 1998, 201). However, the enforcement of court decisions was partial at best. Cases in which the courts issued warrants ordering the arrest of a person, or writs of habeas corpus were often ignored by the police force (PHRMG 1999, 7; Amnesty International Reports 1997–2000; Judicial Independence 2000, 9). In several of these cases the court's order was not obeyed because of the defendant's association with a member of the police force or some other executive official. The PA executive also ignored unfavorable court decisions pertaining to its activities. For instance, the High Court in Ramallah ordered the immediate release of seven students, Hamas activists, who were illegally detained by the security forces. The security forces ignored the court order and the detainees were only released four months later when Arafat issued a decree ordering the release of 25 detainees including these aforementioned seven students (PHRMG 1997, 14–15). Even court decisions pertaining to personal matters were not always enforced. In the daily newspapers, one could find personal appeals to Arafat beseeching him to intervene in the name of justice and see to it that a court decision in favor of the petitioners be implemented.

The evident problem of law enforcement both undermined the rule of law and damaged the stature of the courts. The public could not be expected to place its confidence in the courts when verdicts given by them were not enforced. Indeed, there was a widespread phenomenon of citizens preferring to apply to influential officials for arbitration in disputes. They, rather than the courts, had the power to assure that disputed parties would accept the decision (Quyyam and Rasmussen 1997, 35).

For enforcement of court orders, the courts depended on the good will of the police when in fact there was little good will to speak of. The claim that the police force's ineffectiveness in enforcing court decisions was due to organizational problems and insufficient control of the low ranks by the officers did not carry much credibility. Before fighting broke out in September 2000, the Palestinian police showed both effectiveness and discipline when dealing with internal security risks. The discrepancy between the PA's record on security issues compared to legal matters suggests a deliberate policy of preventing the emergence of a full-fledged court system that could, if powerful enough, constrain the executive's actions.

Executive laxity, however, does not explain the marked differences in the comparative efficiency between the legal systems in the West Bank and Gaza, suggesting that poor performance in the West Bank could be attributed to the legal system itself. Whereas in Gaza before the outbreak of widespread violence in 2000 the ratio between decided to pending cases was more than 4:1, in the West Bank from 1998 onward there were more cases pending than those upon which were decided. That ratio also became significantly worse so that by 1999, that is to say within two years in the

West Bank, there were almost two cases pending for any case decided (Statistical Abstract … 2001, 227). Obviously, the potential "return" on investment in going to the courts in the West Bank was seriously reduced due to the inefficiency in the adjudication process, which may explain why cases submitted to the courts in the West Bank declined precipitously from 108,249 in 1998 to 77,211 in 1999. By contrast, in Gaza where the ratio between pending and decided cases deteriorated only slightly, cases submitted to the courts increased between 1997 and 2000. Overall, the quality of the system deteriorated, a situation captured in part by the decline in the total number of decided cases from 96,964 cases in 1997 to 69,231 two years later (ibid.).

The relative inefficiency of the courts, particularly in the West Bank, affected in turn the security agencies, when for example the number of convictions did not keep pace with the crime rate. Between 1997–1999, the number of convictions increased by little more than 12 percent (from 1,686 and 1,871 respectively) at a time when reported crime increased from 8,765 to 21,426, albeit probably due to underreporting in 1997 (Statistical Abstract … 2001, 225). To begin with conviction and imprisonment was very low by comparison, for example, to Israel in which there were 39,525 criminal convictions alone in 2004. Thus, Israel with a population less than three times higher than Palestinians in the PA had over 15 times the number of convicted and imprisoned. Adverse conviction rate ratios which often reflect judicial inefficiency of the courts are likely to reduce the incentive of the security agencies to do their job.

Police and security organs also have to police themselves if they are to improve or even maintain performance. Judging by the data on military court convictions, stagnation and decline set in quickly: an initial spurt in self-policing in which military court convictions increased from seven in 1996 to 20 convictions a year later only to precipitously decline to seven in 1998 and to four in the subsequent year (Military Court 2002). Such a decline in convictions took place as the number employed in the security services increased vastly.

As noted previously, widespread violence after September 2000 and in particular, the increasing intensity and magnitude of Israeli onslaughts on the PA infrastructure weakened both the legal and policing infrastructures considerably. Not only did total court matters decline by over 50 percent in 2002–2003 in the West Bank, so did the court's efficiency, never high to begin with, plummeted. The ratio between pending and decided court cases increased from two in 1999 to five in 2002 and over three the following year (Statistical Abstract … 2001, 227; Statistical Abstract … 2006, 375). Fortunately both efficiency and volume rebounded as Israeli counterinsurgency became more effective so that by 2005 the pre-2000 situation was restored both in terms of court volume and efficiency. In Gaza, as noted, efficiency rebounded by 2002 but volume was not restored by 2005.

The same can not be said on the policing end, which one assumes deals with aspects of internecine violence. According to many indicators outside the legal system, internal violence including crime increased considerably in the West Bank and exponentially so in Gaza. Yet by 2004, the number of convicted in the West Bank was just over a third (347) the number of convicted (987) in 1999 (Statistical Abstract ... 2001, 225; Statistical Abstract ... 2006, 373). In Gaza, the steady number of those convicted against a backdrop of rapidly increasing violence (kidnappings and killings) from 2004 onwards indicates a sharp reduction in the efficiency of policing functions.

It became more than evident that judicial and security reform, primarily the promulgation of the Basic Law and the law on the Independence of the Judiciary both in May 2002, so espoused by the international community, had very little effect in arresting the deterioration both of the judicial and security system. The law on the independence of the judiciary, in formally creating an independent judicial organ with its own budget, the sole power to appoint and promote judges, and exclusive oversight and training of judges, had raised high hopes that the concentration of powers in the hands of the executive henceforth in the legal system at least would be diffused. Little did the reformers realize that they would see an even worse alternative: an even weaker judiciary in the absence of a strong executive (Husseini 2003, 542–544).

Conclusion

Failing to institutionalize the rule of law is not only a major impediment on society but also a major constraint in establishing peaceful coexistence between neighbors. Three possible explanations for the failure to institutionalize the rule of law in the PA were proposed. The foreign intervention thesis suggests that the limits placed by Israeli legal oversight hampered the Palestinians from developing independent democratic institutions. The cultural paradigm proposes that the failure to institutionalize the rule of law in new political entities is due to the prevalence of norms in society that compete with liberal values and to the weakness of civil society to bring about the necessary change. By contrast, the domestic structural model emphasizes the priority given by political leaders to centralize power over the institutionalization of the rule of law.

Our findings show that despite formal Israeli oversight over lawmaking in the PA, the Israeli authorities hardly interfered with lawmaking and adjudication within Palestinian-controlled areas. Even in the political realm, Israeli oversight proved limited. The PA acquired the trappings of statehood in contravention of the agreements and it succeeded in building up military capabilities well beyond what Israel believed to be necessary in containing the Islamist opposition. In short, tying the failure to institutionalize liberal norms to the presumed foreign dependency relationship between Israel and the Palestinians does not seem to be supported by empirical observation.

The cultural argument linking the failure to institutionalize a strong legal system to the absence of civil society and the prevalence of illiberal norms seems to have more validity. Palestinian civil society attempted to assure the independence of the judiciary and to secure the autonomy of local NGOs even when this came at the expense of centralizing power. Assuring the drafting of a Basic Law *before* the establishment of the PA and continued attempts to have the Basic Law ratified offered tangible proof of the commitment of civil society to avoid an unrestrained centralization of power. These efforts, supported by a large swath of the population, demonstrate the prevalence of liberal norms within Palestinian society. At the same time one can hardly deny that the prevailing political culture within PA institutions and Fatah, "the state party," was heavily influenced by totalitarian models and that religious doctrine compromised the free inquiry in universities and other breeding grounds of liberal thought. The cultural argument by itself, however, does not provide a sufficient explanation accounting for the Palestinian failure to institutionalize liberal legal norms.

Much of this difficulty in institutionalizing liberal democratic norms stemmed from political constraints and considerations as the domestic structural model argues. As noted by Bellin, the quest for power, like gaseous substance, spreads unless checked by countervailing forces. The building and maintenance of an independent and viable legal system became a focus of internal Palestinian controversy and power struggles that did not leave much room for structural reforms. The quest for power had led to centralization of nearly all sorts of authority in the hands of the executive at the expense of lowering the stature and prestige of the other branches of government, just as Huntington predicted. It might be that only a change in political will, whether by the ruler or a successful political challenger, can ensure that the illiberal rule of men will be transformed into a rule of law based on liberal principles so vital to the pursuit of peace, in this context, between Israel and the Palestinians.

8 The Palestinian security forces under Abbas

Arafat's opposition to any kind of security reform was well known. His style of control was based on the principle of divide-and-rule and a preference for direct contact, rather than institutional development. Few believed that this would ever allow for real reform, even in the event that Arafat decided to pursue it.

By the time of Arafat's death in November 2004 there were few institutions or rules of public behavior that his successor to the presidency of the PA and the chairmanship of the PLO, Abbas, and the new prime minister, Ahmed Qurei could rely on to smooth over the transition. The strategy of consolidating power became all the more necessary in the absence of strong institutions. Unfortunately, instead of a security apparatus fragmented by divide-and-rule, a bureaucratic malady, the rivalry took on a sharp ideological turn. The nationalist camp, beset by internal rivalries, faced an increasingly assertive alternative in Hamas' Executive Force. Instead of attempting to secure a monopoly on power, the PA was quickly coming to resemble Lebanon – a political entity on the perpetual verge of civil war, with the existence of two rival armed forces.

The new leadership's strategy and presidential elections

To try consolidating their power, Abbas and Qurei adopted a parallel two-stage military and political strategy. Politically, in the first stage, they moved to divorce the presidential elections from elections to the Legislative Council (LC), and then mobilize Fatah support for Abbas' candidacy. Dealing with the issue of legislative elections was intended to be a second-round issue. The friction that ensued served to undermine, though not entirely check, the two-stage strategy. Nor was it effective in halting the smooth transition and the consolidation of a political center which could negotiate with Israel.

Abbas and Qurei were far more successful in winning the backing of Fatah adherents than they were in securing the support of the two Islamic movements, Hamas and Jihad al-Islami. Assurances of reforming Fatah institutions became a key issue in Abbas' quest to win Fatah endorsement as its sole candidate in the presidential race. His first attempts to secure the endorsement by convening the Fatah's Central Committee (CC) without turning to other institutional frameworks within the Fatah fold quickly backfired. The Higher Movement Committee composed of the Fatah (Marwan Barghuthi had formerly headed the committee), severely criticized the working of the CC for disregarding the rank and file and the relevant frameworks for deciding Mahmud Abbas' candidacy. It was only after Abbas and the CC gave assurances that the convening of the sixth conference would take place no later than August 2005 that members endorsed the candidacy of Mahmud Abbas (Al-Jawad 2004). By that time, a drive ensued to amass 5,000 signatures to present Barghuthi's candidacy. Several commanders within the AMB, and Fatah members in the LC, supported his candidacy (Daraghmeh 2004a).

Fortunately for Abbas, he succeeded in winning both the support of the CC and Revolutionary Council (RC). Of critical importance was the support of Zakariya al-Zbeidi, the Jenin-based fugitive head of the AMB in the West Bank, who expressed the determination of the AMB to give all forms of support to the leader chosen within the lawful frameworks of the movement for the position of head of the Palestinian Authority. However, this support was provided without mentioning Mahmud Abbas by name (Abu Khadra 2004). Abbas was also able to count on the overwhelming support of the Palestinian media. A hostile press was indeed one of the reasons why Barghuthi, who decided to contest the elections as an independent candidate, withdrew from the race two weeks later (Al-Qaddumi 2004; Ribah 2004).

By contrast, Hamas and the Jihad al-Islami insisted that the presidential and legislative elections take place simultaneously as they did in the 1996 elections, though there was some confusion regarding their respective positions. One leader, Sa'id Siyam (subsequently elected in the 2006 LC elections), called for "free and fair democratic elections as the ideal tool in selecting the people's representatives on all levels and in all aspects" (Hamas 2004). Another prominent Hamas personality, Dr. Mahmud al-Zahhar, announced "we have no unusual conditions; we want free, honest and clean elections that everybody accepts" (Daraghmeh 2004b). The movement criticized unnamed detractors for raising the bogey of the 1991 Algerian elections where the Algerian Islamic party won overwhelmingly in the first round of elections, only to have their victory scuttled by the incumbent military junta.

In order to reduce resistance to holding the presidential elections independently, Abbas told faction leaders in Gaza that he intended holding legislative elections in April. This statement became somewhat more official when it was subsequently requested by Fatah's RC. Abbas promised an official decree stipulating a date for the holding of elections (Jabr 2004). Three weeks passed by without the promised presidential decree being made. On 3 December 2004, Hamas announced that they would boycott the presidential elections (Sadiq 2004a). Islamic Jihad and the Popular Front for the Liberation of Palestine, the latter a radical secular faction within the PLO, soon followed Hamas' lead. The same reasoning that compelled Abbas to divorce the two elections was the same reasoning that made the Hamas reject his strategy. Hamas had wanted, at the very least, to share power with Abbas and Fatah.

As the returns of the election to the presidency came in, it became obvious that Abbas had proceeded successfully with his political strategy. Rarely have presidential elections been truly contested in the Arab world. The election featured eleven candidates, of whom two represented political factions or parties, with the most popular, a public figure of proven public service, even garnering 20 percent of the vote (Lajnat al-Intikahbat 2005). Just as these basic facts lent the elections legitimacy, Abbas' ability to attract 62 percent of the total vote enhanced his political clout. Though the turnout, an estimated 50 percent of potential voters, was by no means what Mahmud Abbas' supporters wished for, neither did it give much credence to the Islamic opposition who formally boycotted the elections (*Al-Quds*, 19 January 2005).

Without a doubt, the Islamic opposition was then placed on the defensive. However, the presidential elections hardly allowed Abbas to rest on his laurels. The conflicting demands, to allow legislative council elections as quickly as possible on the part of the Hamas, and to delay them until after the convening of the general conference on the part of Fatah, remained a daunting challenge for the Palestinian leadership of the day. The presidential elections did, however, give Abbas enough breathing space to create a political system that was relatively stable, and one in which his position as President could best make itself felt.

Abbas also possessed a military strategy. Its basic parameters called for the weakening of the two major militias, Hamas' Izz al-Din al-Qassam battalions and Fatah's AMB. If necessary this would be accomplished through internecine fighting, paralleled by the continuous strengthening of the forces loyal to Abbas, particularly the NSF. Broadly speaking, the "political" militias would lose ground to "state" security institutions, to the point that Abbas' security forces could achieve a near monopoly of violence in the areas under PA control. There was clearly an historical model close at hand to emulate. David Ben-Gurion had decided to forge a conventional army, based on officers and men who had served in the British army. This came with the calculated expense of marginalizing the militias both to the left (the Palmach) and to the right (Etzel and Lehi) as much as possible.

Nor was marginalizing the politicized militias, the second prong of Ben-Gurion's strategy, an easy task. To begin with, Ben-Gurion desperately needed the Palmach. It was the only elite fighting force with any kind of offensive capability during the initial stages of the war, which broke out in the wake of the United Nations decision to partition Palestine (Pail 1995, 95). The Palmach, as the fighting force of the settlement movement, enjoyed considerable political support at the very heart of the organized Zionist community. Symbolically, the fighting force exemplified the "new Hebrew" emanating from the land and was ready to defend it, in presumed contrast to the Diaspora Jew.

Little wonder then that Ben-Gurion preferred paring down the organization's power in stages, rather than attempting to dismantle it in one blow. He decided to place the fledgling navy and air force, both of which were based on Palmach-affiliated units, under the command of the Haganah's general staff rather than under that of the Palmach (Pail 1995, 38). In the second stage, Ben-Gurion made sure that the Palmach was dispersed across all the fighting theaters of the time. Finally, in September of 1948 the Palmach general staff was dismantled on the eve of Israel's final offensive, as were the two remaining active Palmach brigades (ibid., 100).

Dealing with the right-wing movements was even more problematic, due to the history of competition that existed between the Haganah, and Etzel and Lehi. This history sometimes included violence despite the military challenge that faced the entire Jewish Yishuv. When an agreement was finally reached to integrate Etzel into the Haganah in April 1948 (Heller 2000, 276), it proved to be only a hesitant first step, as the Etzel units remained distinct. On the grounds that the partition plan excluded Jerusalem, Lehi remained in place there notwithstanding the agreement (Lapidot 1994, 222–223). Only after Lehi's September 1948 killing of Count Bernadotte, the UN intermediary, was the organization declared illegal. Its major base in Jerusalem was surrounded, and 250 members from all over the country were rounded up (ibid., 245).

Initiating security reform

Though most Palestinians agreed that consolidating political power and stabilizing Palestinian politics was important in the long term, their immediate concerns focused on security. The situation since Arafat's death had gone from bad to worse. Between November and the end of the year, 50 people had been killed in Gaza alone. One of the most serious incidents involved a shootout between Musa Arafat's military intelligence and Mahmoud Nashabat, who commanded the Jenin Martyrs' Brigades based in the refugee camps in the center of Gaza. These camps belonged to the Popular Resistance Committees. Nashabat, who had accused Arafat of sending someone to kill him in September 2004, sent his forces to raid a military intelligence post, tied up the soldiers and stole their weapons. In retaliation Arafat sent troops to arrest Nashabat, who was shielded by refugee inhabitants and his forces, until finally the elders of the camp intervened (Erlanger 2005).

A month previously, during Ramadan, an officer in one of the Gazan security forces shot and killed a car mechanic because he would not fix the vehicle the next day. The commander was never tried. As Salah Abdel Shafi, a health-care professional and the son of one of the founders of the PLO, exclaimed, “People know the killers, but no one touches them. If you don’t have ties to a security group or a big family or tribe you’re in trouble. A traffic dispute can lead to a murder.” A journalist writing at the time asked rhetorically what the security forces, numbering in the tens of thousands and whose sustenance accounted for over one-quarter of the budget, were doing to justify their expense (Ribah 2004).

To cope with growing lawlessness within the security agencies, the PA announced on 29 November the disbanding of the “Death Squad,” as the Public Order and Intervention Unit of PS in Gaza was called. This unit of the PSS was even referred to as the Death Squad in the official announcement itself (PA Writer 2004). Though Rashid Abu Shibak hardly justified the name, he acknowledged “that Palestinian citizens and others,” estimating the unit to contain 70 members, to be “undesirable.” Further, as part of an agency “that adheres to the Palestinian laws and respects the Palestinian citizens and their rights,” the unit had to be disbanded. Employees of this department, he announced, would be transferred to other departments of the PSS according to their qualifications (Gaza TV 2004). Hamas had often accused the Death Squad of suppressing violence directed against Israel by killing Hamas members engaged in terrorism. A day later, Abbas’ national security council announced the establishment of a 750-strong “central security unit.” This new unit would be drawn from all the security services, until the latter were rebuilt (Quarterly Update 2005b, 123). No less important was a meeting between Dahlan and Musa Arafat, whose purpose was to iron out matters which in the past had resulted in severe clashes between their supporters.

More broadly, the PA announced that it would recreate the National Security Council, appoint a new Minister of Interior that would amalgamate the 11 security forces into three along the guidelines suggested by the European Community, and promulgate a national security regulation that would commit these objectives into law. Upon amalgamation, the three security forces (general security, preventive security, and the national security forces) were to be in charge of assuring external and domestic security. To bolster the image that the plan was feasible, the PA spokesman announced the patching up of differences between Rajoub and Dahlan, the two former heads of preventive security who had not met for years. Rajoub’s subsequent announcement to resign from his post as advisor to the President on national security mired the festive atmosphere (MacAskill 2005).

Abbas also had to acknowledge the widespread abuse of power for personal gains within the security services. Reports abounded concerning the unlawful sequestering of property, chiefly in Gaza, by security force personnel. The Palestinian Lands Authority presented the security services with a list of security personnel who possessed land unlawfully. One journalist suggested the placement on trial of an officer, and the imposition of death sentences on killers who committed murder while in uniform. This would serve to both improve the situation, as well as increase the respect for the security agency's authority (haibat al-sulta) (Sadiq 2004b).

Reshuffling at the top

Appointing new security heads was purportedly one of the indications of Abbas' intentions to implement the security reforms his predecessor balked at making.

Deputy Gaza police chief, Mahmud 'Asfur, was promoted, provisionally, to the top job replacing General Sa'ib al-'Ajez on 10 February 2005. To recall, al-Ajez was appointed by Arafat during the Gaza disturbances in July 2004, and was therefore hardly more than a half a year at his post. Also dismissed were the head of national security, General 'Abd al-Razzaq al-Majaideh, and the national security chief in southern Gaza, General 'Umar 'Ashur. Purportedly, Abbas had sacked the three security chiefs for failing to stop rocket and mortar attacks on Jewish settlements (Abbas Appoints 2005).

The real reason for the dismissals may have had to do with the failure of the Palestinian security forces to prevent three serious assaults on public authority. The most provocative of these was a raid by seven members of clans engaged in criminal activities on the Gaza central prison facilities. During the raid hundreds of prisoners escaped, while three jailers were killed the previous day (Usher 2005). This was the fourth attack on the Gaza central prison since the beginning of the Al-Aqsa Intifada, and the third since Arafat's death. Four days previously, 100 relatives of people killed in internal violence raided the LC building in Gaza, in an attempt to pressure the authorities to execute the killers that had been tried and sentenced for murdering their relatives (Markaz al-Maizan 2005). On the very same day, armed men absconded with a patient from the European hospital in Khan Yunis. These events suggest that the new appointments might not have been part of a long-term plan, but rather a reaction to an event that seriously challenged the authority of the PA.

Serious challenges to the PA's credibility and legitimacy continued despite the personnel changes. At the end of February, the entourage of Minister of Interior Nasser Yussef, former Head of National Security Hajj Ismail Jabr, and the Governor of Jenin province Qadura Musa, came under attack during a visit to the Jenin Refugee Camp where they met with Zakarya Zbeideh, the commander of the AMB. Zbeideh blamed the attack on the entourage on the lack of coordination for the visit, which suggested a lack of PA control over the refugee camp (Sumudi 2005). Abbas reportedly fired security chiefs and senior police officers after the incident. Another assault on the PA's credibility occurred only four days later when a fire-fight broke out between members of the al-Awda Battalions and police officers in the Nablus police station. In the ensuing exchange of fire two police officers and an unidentified citizen were wounded, after they had refused a member of this Fatah-affiliated group permission to see his incarcerated brother (Muwajahat 2005).

The political affiliation of those involved in these incidents, and others, had an even more negative impact than the events themselves. The public increasingly noted that most of the violence took place between Fatah, the very force that was presumably loyal to the PA, and its security services. As Fathi Nasser, a trade union lawyer, noted regarding Abbas' visit to the city during the presidential campaign: "We want to remind him of the promises he made to Nablus when he came here [during presidential campaigning]. He promised law and order and said Nablus was in his heart. As someone said yesterday, he might find Nablus in his throat instead" (Karmi 2005). Nor was the violence only directed at figures of public authority. In Jenin, the local educational authorities decided to close the schools after repeated attacks on teachers and school property, often by armed men (Sumudi 2005b).

By the end of March, a new phenomenon emerged. Armed groups, especially fugitives hunted by Israel, sought to be absorbed in the security forces. The "al-mutarradun" or "matlubun" hoped to find refuge as members of the security forces, while others were primarily motivated by the search for a regular income. Solving their problem was not only an internal affair. Israel, to recall, had destroyed much of the infrastructure of the security forces. It had made it clear to Abbas that it would refrain from continuing that policy only if the security forces would not get involved in terrorist acts or recruit persons who were involved in these acts in the past (2005).

A further reshuffle occurred in April. Once again the dismissals were made under duress. Abbas responded to a rampage through Ramallah by members of the AMB and some policemen, over withheld pay and inadequate conditions, which included live fire directed against the Muqat'a and the destruction of several business establishments. Brigadier General Isma'il Jabr, at his post as head of the NSF since 1994, was the first to be dismissed (Regular 2005). A little over two weeks later, Abbas nominated Rashid Abu Shibak as head of national security. The outgoing head of general intelligence, General Amin al-Hindi, was replaced by General Tarek Abu Rajab, his deputy. This was an attempt to create a tripartite division of forces under the Minister of Interior, comprised of public security, police, and intelligence, which Arafat had announced first in May 2002 and later in July 2004 but they were never implemented. Abu Shibak was a senior officer in the ruling Fatah movement, and was previously the head of preventive security in Gaza, and deputy to security official Muhammad Dahlan. The move gave the impression that Abbas was interested in serrying ranks against the Hamas opposition. Both Dahlan and Abu Shibak were known for their opposition to Hamas since the 1996 crackdown on that organization (A New Palestinian Commander 2005). Brigadier General Sulayman Abu-Mutlaq replaced Abu Shibak as commander of the Preventive Security Services in the Gaza Strip, with Brigadier General Ziyad Hab al-Rih put in charge of the West Bank. Both were to serve under Abu Shibak.

A second round of new appointments on 24 April also raised doubts about Abbas' abilities to choose the right men. Abbas replaced police chief Mahmud Asfur with General Husni Rabaya (Husni 'Ala) after only two months at his post. Rabaya was the third person to assume that role since Jabali's dismissal in July 2004. The successive reshuffles indicated a growing instability in the ranks of the security agencies (Strategic Assessment 2005, 29; Jabr 2005).

Even worse, Abbas was adopting Arafat's management style by subsequently appointing the two demoted key officials, Arafat and Hindi, to cabinet rank as his special advisors. The move could only serve to thwart reform. General Ahmed Abdel Karim took over Arafat's additional post as Head of Military Intelligence in the West Bank and Gaza Strip, which he had held since the establishment of the PA (A New Palestinian Commander 2005). General Suleiman Hillis was appointed Head of National Security in Gaza, replacing Musa Arafat.

The waves of dismissals and new appointments engendered controversy. While Abbas' spokesman Tawfiq Abu Khousa assured that "people will soon begin to feel tangible results," demoted police chief Sa'ib al-'Ajez was convinced "that changing security leaders will end the deteriorating security conditions" (ibid.). The latter had greater foresight. Almost immediately two provocative incidents which occurred within 24 hours of each other, the closure of the main road linking southern and northern Gaza, and the firing of rockets towards Israeli localities in open defiance of the President's express orders, suggested that he may have been right. These acts were perpetrated by men who were formerly members of the security services, and who wanted to be reemployed in their former jobs (Jabr 2005). By September 1995, the LC demanded the dismissal of the heads of the security agencies and their deputies for failing in their duties (Status Report of the Palestinian Independent 2005, 118).

As part of its reformist thrust the Ministry of Interior issued an official announcement on 5 March 2005 stating that it would promote the infusion of new blood into the secret services, and send scores of veteran officers into retirement (ibid., 192). The government initiated, and eventually ratified, two important laws regarding the security forces: the National Service Law specified the legal relationship between the government employer and employees in the three security forces designated in the Roadmap – internal security (the PS and the PLA), general security, and national security (Hawla Halat al-Infilat 2005, 18), while the Palestinian Security Forces' Insurance and Salaries Law spelled out terms of retirement immediately applicable to 1,150 officers of all ranks (Status Report of the

Palestinian Independent 2005, 173). Another important issue in security reform, the status and safety of the "al-mutarradun" (the fugitives), was left to be resolved in negotiations with Israel. The President decided to form two committees in the West Bank and Gaza, respectively, to assure that fugitives received the same rights accorded to security personnel, and to absorb them in the agencies. Sorely lacking was a law that delineated the relationship between the security agencies (ibid., 179).

Retraining the security forces for the Gaza withdrawal

Having borne the brunt of Israeli attacks during the height of hostilities, the PA's security forces were clearly in need of retraining. This was even more necessary if they were to be able to restore law and order to the levels the PA had achieved in the past, and for meeting the challenges of the unilateral Israeli withdrawal from Gaza which was first announced as a political objective in December 2003, and as an operable plan in early 2005. Retraining was only possible if the PA's infrastructure was restored. The reinstated Minister of Interior, Major General Nasser Yusuf, claimed in a July interview that he took over the Ministry and the command of the national security forces "as they were in shambles and unprepared to wage a battle against the security chaos and anarchy they inherited from the previous fragmented security services" (PA Interior Minister Comments 2005).

Once again, the Americans applied most of the pressure and led the initiative to reform. In February 2005 President Bush named US Army Lieutenant-General William Ward as senior US security coordinator, in order to assist the Palestinian Authority to consolidate its security forces, renew Israeli–Palestinian security coordination, and seek out Egyptian and Jordanian security cooperation. Ending violence and terror as the first step in the realization of the Roadmap and restoring internal law and order were his two major goals. Despite some worthy experience for tackling his mission, having served in Mogadishu, Somalia, and later in Bosnia, he in no way compared in stature to his predecessors, four-star General Anthony Zinni, and former CIA director George Tenet.

Ward's efforts became part of a larger three-pronged strategy of advancing reform in the PA which was announced in Prime Minister Blair's long-awaited international conference convened in London on 1 March 2005 under the auspices of the Quartet. In attendance were 25 states, with the notable omission of Israel. At the conference, the EU, USA and World Bank pledged to take on the three dimensions of the "institutional renewal" of the PA: the World Bank pledged to revitalize the economy, particularly in Gaza, the EU to assist in governance reform, and the USA to help in the reform of the security sector. Ward's mission became an integral part of that effort (Quarterly Update 2005d, 144).

Both the Palestinians and Israel questioned the seriousness of intent behind the Secretary of State's flowery rhetoric in announcing the appointment, especially since the United States was already overburdened in its unsuccessful attempts to recreate the Iraqi security structure (Remarks … 2005). Much hinged on General Ward being able to prod the Palestinians into taking the effort seriously, and in assuring continued United States support and Israeli cooperation in a far broader spectrum of political and security issues than those directly related to security reform. The realization that security reform was closely linked to stability was crucial to Bush's decision, following his meeting with Abbas on 26 May, to expand Ward's mandate.

From his role as advisor to reforming the security forces, he came to be involved in mediating between the Israeli and Palestinian sides regarding the coming disengagement. For the purpose, the PA revived a project of recruiting and training a new force consisting of 5,000 men to serve, at least in the initial stages, as a buffer between Israel and the Palestinians during actual disengagement (Quarterly Update 2005d, 138–139).

Ward, from the grim picture of the Palestinian security forces he painted in testimony before the Senate Foreign Relations on 30 June, had to begin from scratch. He described the various security forces as fiefdoms, their communication systems destroyed, and a work force of which only a third showed up on any given working day. The forces lacked radios, vehicles, standardized uniforms, realizable weapons, and suffered from a shortage of ammunition (Quarterly Update 2005d, 142). Israeli assessments of Palestinian reform were even harsher. The director of Israeli military intelligence, Major-General Ahron Zevi, acknowledged the efforts of the security agencies to disarm Palestinian fighters in the West Bank, after personnel changes at the top of the security agencies' hierarchy. Nevertheless, he assessed that Hamas had already achieved a "parallel authority" to the PA in Gaza (ibid., 150).

A number of demonstrations against security reform by members of the security forces indicated that some progress had been made, as well as the difficulty of persisting in these efforts. If the rare peaceful demonstration was condoned, the vast majority of which involved the vandalization of PA offices or firing weapons into the air, it gave the impression of more chaos than reform (ibid., 150–151). Especially damaging were the repercussions of political rifts within the Palestinian leadership. Most notable was the enmity between Faruq al-Qaddumi, who had become the nominal head of Fatah after Arafat's death, and the President. In early July, Qaddumi opened a media office in Khan Yunis, which a month later became the basis of an effort to establish a 1,500-man force. The PA's arrest of the local head of the office, Sulayman al-Farah, thwarted the move. Yet, the damage due to images of a faction-ridden Fatah was once again demonstrated.

Attempts to enlist Egypt and Jordan in training the security forces well preceded Ward's mission, or even Arafat's death. In September 2004, the

Palestinian leadership had asked Jordan to train Palestinian police forces. Jordan responded that it would be willing to have Palestinian police personnel be trained in their country, but would not be willing to send training teams into the Palestinian areas. It also proposed that the Badr Forces stationed in Jordan, belonging formally to the Palestine Liberation Army, train the Palestinian security and police forces inside the territories (‘Abd al-Hadi 2005). A high-ranking Egyptian delegation, headed by Major-General Mustafa al-Buhayri and Major-General Muhammad Ibrahim, arrived in Gaza in September 2004 to finalize points of agreements between the two sides concerning the training of Palestinian security forces in preparation of an Israeli withdrawal (Abu Jazzar 2004).

Their aid hardly matched expectations. Badr Force personnel did not enter the West Bank at all, and in Gaza, a paltry number of 20 Egyptian officers arrived up to July 2005. They were expected to train approximately 5,000 Palestinian security personnel in the Gaza Strip, which were to be deployed during and following the pullout of Israeli forces (Abu-Khudayr 2005). According to the Palestinians, Egyptian and Jordanian efforts to train Palestinians floundered in the face of Israeli opposition (Editorial 2005). However, a reading of statements made by Jordanian officials indicates their own reservations in training Palestinians.

Facing the difficulties of security reform

By summer 2005, long after the 100 days of grace, the goals of security reform were scarcely met. In a seminar on security reform Hassan Khreisheh, the deputy speaker of the PLC at the time, pointed to the continued existence of 13 independent security agencies “with different security philosophies and traditions” (Security Sector Reform 2005). Legislative oversight, he claimed, was nearly impossible in a political culture where “the loyalty of security personnel lies with their commanders and not with the institutions.” When the PLC tried exercising this oversight and questioned security commanders, many of these individuals had simply refused to cooperate: “You are not responsible for me, Abu ‘Ammar [Yasser Arafat] is responsible for me,” was the typical reaction of those questioned (ibid.). Under the new Palestinian leadership, Khreisheh noted, the prospects of such oversight had become worse rather than better.

Well into the post-Arafat era, the security forces continued to suffer from high absenteeism, lack of professionalism, and low morale. At the PASSIA conference, one participant observed that “it was not unusual to visit a Palestinian police station and find it almost deserted of all staff” (ibid.). A past record of captivity in an Israeli detention facility was privileged, to the exclusion of almost any other criteria, in the selection process. The recruiting of security personnel amongst former prisoners did not, to say the least, contribute to the professionalism of the security services. A coherent strategy, along lines developed in Honduras and Nicaragua, for demobilization, disarmament, and reintegration remained sorely lacking under Abbas' leadership. Indeed, several security officers at the conference lay the blame for the lack of reform on the absence of political leadership.

Meanwhile, broader efforts at reform such as the decision to promulgate a law on national security announced in January 2005, were making no headway. Basel Jabir, Head of the Reform Coordination and Technical Support Unit in the Ministerial Committee for Reform (MCR), conceded in a conference on security reform six months later that both the National Security Council (NSC) and PLC had failed in their duties. Jabir criticized many of these drafts for focusing only on the rights of the security forces and their members, yet neglecting their obligations. Jabir also appealed to Palestinian civil society to take a more active role in security and governance issues (ibid.).

The report brought out by a LC committee to study security reform, established in September 2005, came to similar conclusions. Perhaps the major shortcoming was the failure in truly initiating the process of unifying the security forces. The PA's handling of the fugitives was characterized by improvisation, if not downright anarchy. There were too many conduits and agencies handling the issue to truly alleviate the disorder. The report censured the cabinet for not dealing with corruption in the security forces, or bringing them to justice (Status Report of the Palestinian Independent 2005, 193).

Above all, it noted to what extent the security situation had deteriorated. The number of foreigners abducted more than doubled (from 13 to 34) in the first year of Abbas' presidency compared to Arafat's last year of rule which was also characterized by a deterioration in public security (Hawla Halat al-Infilat 2005, 28–29; Kidnapping, N.D.). None of the abductors were arrested (ibid., 32). Homicide almost doubled from 93 by the end of 2004, at which point Abbas took over the government, to 176 by the end of 2005. These deaths were mostly due to the lawlessness in Gaza (see Table 2). The report cited a poll carried out in November that 88.5 percent of Palestinians polled were dissatisfied with the security situation, that 60.3 percent called for a new government capable of handling the situation, while almost half (49.2 percent) blamed the PA for the situation. Attacks on the courts, both in and out of session, and on judges and lawyers increased.

Prime Minister Muhammad Qurei' conceded to the government's helplessness in acknowledging, in October 2005, that the body with most authority to monitor it, the National Security Council, had not met in six months. What then could justify why defense costs comprised 26 percent of the PA's total expenditures, or why the 56,000 force members on the defense payroll yielded so little internal security? If formerly, Abbas could lay the blame on Arafat's obstructionism; by the end of 2005, he could no longer shirk the blame himself (ibid., 24).

Lawlessness during Abbas' first year in office as President threatened for the first time the physical presence of the government and the security services in Gaza, let alone the ability to control the area after the Israeli withdrawal in September 2005. The threat, mainly from Hamas, was reflected in an unprecedented spate of assassinations of key security personnel, and the palpable failure to bring the culprits to justice, or deal with them by other means. Before Abbas' assumption of the presidency, assassination attempts or actual assassinations were relatively rare. The assassination of Abu Lihya in 2002 and the attempted assassination of Tareq Abu Rajab, then deputy head of GI in August 2004, were the most important exceptions. By contrast, in 2005 a string of attempted and actual assassinations took place. Two officers belonging to the NSF under Musa Arafat were killed in two successive days in February, an officer in GI was abducted and then released in June, the body of Lt.-Col. Abdallah al-Lawh, his superior in GI was found a few days later. On 29 July another intelligence officer, Muhammad Rahal, was killed. In a rare event, some of the suspected killers were apprehended. Two more officers, from MI and GI respectively, were wounded in October. The murder of Brigadier-General Musa Arafat in open daylight, and the kidnapping of his son Namir (subsequently released) on 7 September, was by far the most serious event (Bennet 2006, 17). Notably, all of these incidents took place in Gaza.

Testing the effectiveness of security reforms: the LC election campaign

Abbas could still make amends to counter growing lawlessness during the primaries and the election campaign to the Legislative Council leading to the elections in January 2006. The results of this test were a dismal failure. The fragmented Fatah military wing, if the disparate elements that composed the al-Aqsa Martyrs' Brigades and the Tanzim could be called that, served to complicate matters. The abundance of heavily armed groups further increased the probability that political rivalries over attaining a slot on the list or candidacy in a particular district would be settled by force, rather than by any civilian procedure. Irregularities in drawing up membership lists prompted acts of violence during the Fatah primaries in December 2005. Abbas, presiding over the Fatah Central Committee,

Table 2 Palestinian internal violence

Year	*Number of fatalities*
2003	56
2004	93
2005	176

Source: Hawla Halat al-Infilat 2005, 25.

acknowledged that "cheating was massive" (Fatah Tahskilu 2005). When the organization responded by halting the process already underway in Gaza, and refrained from conducting balloting in several districts in the West Bank, many of the "inside" accused the leadership of the CC of doing so in order to justify a nomination process they controlled rather than allow democratically elected lists. Armed Fatah groups subsequently broke into the Central Elections Commission regional offices to protest the nomination process, threatening to prevent the elections altogether. Their violence was directed against Hamas as well (Al-Kashif 2006). These assaults were conducted almost overwhelmingly by groups identified with Fatah (Abu Toameh 2006a).

Dissension and turmoil within Fatah was reflected in the decision of 74 Fatah members to defy the organization and contest the elections as independents in the districts. They easily outnumbered the 66 official candidates. This had a devastating impact, as we shall see, on Fatah's performance in the elections to the LC. The organization subsequently retaliated against these members, some of whom were former members of the LC, by expelling them from the party (Asma' 2006).

Hamas tried making the most of the chaos and violence created by Fatah, by creating for its candidates an image of moderation, professionalism dedicated primarily to reform. It began with the name it chose – the List Change and Reform (whose title significantly made no allusion to religion or to the movement behind it) and the nomination of many professionals that appealed to the voters rather than merely to the members – 34 of the 62 candidates bore their professional or academic titles as teacher, Ph.D., M.D., engineer and lawyer) preceding their names – and ten were women (Qa'imat 'Hamas' 2005). To enhance its image as a "civil" list that was an alternative to unruly Fatah, the list included members of the National Democratic Bloc, headed by Hassan Khreisheh, the very active chairman of the oversight committee in the Legislative Assembly and a major force within the LC that fought corruption (I'tilaf al-Islah 2005).

Hamas' victory

Viewed through the prism of the Palestinian Central Elections Commission's excellent Internet site (www.elections.ps), contesting the 132 seats in the LC seemed heated, but orderly.

Indeed, almost any irregularity would have been inconsequential in light of Hamas' decisive electoral victory. Hamas' Change and Reform List won 74 seats, with Fatah trailing far behind with only 45 seats. If in the unified national list, the contest was close with Hamas securing 440,409 of the votes and 29 seats, compared to Fatah, which drew 410,554 of the votes and 28 seats in the districts, Fatah's performance was disastrous (Al-Tawjih al-Niha'i 2006).

Defeat of such magnitude was mostly of Fatah's making. It had clearly erred both in advocating a mixed system, and more disastrously, in failing to build party discipline sufficient for preventing Fatah affiliated independents from competing with the party's endorsed candidates in the multi-seat constituencies. In such constituencies, small differences in the number of votes cast to any particular candidate often determined who won the seat. This was especially true in an electoral contest where there were over six candidates contesting every seat.

The devastating impact of renegade Fatah candidates running as independents, most of whom had every intention of joining the Fatah bloc once elected, is best demonstrated by what happened in the Jerusalem district. Fatah won the two seats allotted to Christian candidates, and lost four to Hamas, which were allotted to both Muslims and Christians. Hamas drew 58,144 votes against the four official Fatah candidates compared to 45,475 votes cast for the official Fatah candidates. Fatah lost because 14 Fatah members who ran as independents drew nearly 37,000 votes away from the official Fatah candidates. These votes would have certainly secured the four other seats for Fatah rather than for Hamas. In Ramallah, Hamas candidates secured all four seats allotted to Muslims, while the fifth seat, allotted to a Christian candidate, and therefore was not contested by Hamas, was won by Fatah. In a race in which 12 Fatah members ran as independent candidates, drawing away potentially 38,786 of the votes, the three Fatah-affiliated candidates needed 32,092 of the votes in order to wrest the seats secured by the three Hamas candidates who won the most votes (computed from Al-Nata'ij al-Tafsiliya 2006).

So overwhelming a victory for the Hamas, in the face of the no less dramatic disarray in Fatah ranks, clearly reflected a radical change in the internal Palestinian balance of power. 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. The strategy of counterbalancing had failed. With a Hamas government inevitable, the question remained whether Fatah and the security forces could maintain an informal yet commanding position, and regain real power.

Despite the blow, Abbas and his allies in the security forces could count on the many allies, such as the United States and the moderate Arab states dismayed and threatened by the novelty of the Hamas success. For the first time since the emergence of modern Arab political entities, a grassroots Islamic movement was allowed to win elections, and command the government, albeit in a quasi-sovereign state. What became clear was that competition between Fatah, the security forces, and the Hamas' militia had reduced more than ever the prospects for a united security force, let alone one able to forge a new a society which had polarized ideologically.

9 From one military to two

The triumph of Hamas

Hamas' decisive victory, and the subsequent creation of an exclusively Hamas-dominated government, deepened the crisis over the security forces. Previously the central concern was the ability of the security offices to deal with a rapidly deteriorating internal security situation, to the point where the Palestinian public questioned whether the forces were part of the problem rather the solution. After Fatah's defeat, the question of whether control of the security agencies would be in the hands of the popularly elected presidency or the newly formed government now loomed large.

For Hamas, the answer was indisputable. The security forces were to be under the control of the prime minister, and more specifically, under the jurisdiction of the Ministry of Interior. This was in accordance with the most judicious reading of the Basic Law. Ironically, Hamas adopted the position that Abbas had taken to enhance the office of Prime Minister, at the expense of Arafat's Presidency, which was very much the gist of the agenda for security reform which the Quartet had been pressing for. Though the Hamas had the upper hand, at least normatively, Abbas took on Arafat's mantle and assured his supporters that the security forces would be under his jurisdiction, rather than under the cabinet or the Minister of Interior. His position obviously dovetailed with the disposition of most of the personnel serving in the forces. During the elections, in which the SF cast their votes separately, an overwhelming percentage voted for Fatah, at least for the national list. Siyam, the newly installed Minister of Interior and National Security, claimed that 90 percent of the security forces "we inherited belonged to one party" (Abu Khudayr 2006).

With the President and the Prime Minister at loggerheads over so crucial an issue as control over the security forces, it was only a matter of time before verbal disagreement over the issue degenerated into violence. As had often occurred in the past, the violence between the security forces and the newly installed government began on more peripheral turf before escalating to confrontation between the principle actors, Fatah and the Hamas. The killing of 'Abd al-Karim al-Qoqa, the general commander of the al-Nasir Salah al-Din Brigade – the military wing of the Popular

Resistance Committees – on 31 March 2006, was one the first of a string of flare-ups related to the battle over control of the SF. Al-Qoqa was killed by a bomb placed in a car 50 meters away from his home and detonated by an Israeli unmanned drone as he was walking along the street. The way he was killed contrasted sharply with the more typical means employed in assassinations in Gaza – a rocket fired directly by an Israeli Air Force helicopter or an unmanned drone. A JI leader, Khalid Dahduh had been killed several weeks earlier in the same manner (Fi Tafjir 2006). Since the killing involved more than Israeli intelligence, including the actual handwork of local collaborators judged to have purchased the car, driven it to the site and placed the bomb in it, rumors spread that SF loyal to Abbas might have been involved. Abu Abir, the group's spokesman was even more precise in effectively blaming all of Abbas' strong men in Gaza for complicity in the killing. Those blamed included Dahlan, the head of PS Abu Shibak, Abu Rajab of General Security and one of the AMB commanders, and Dahlan's close ally Samir Mashharawi. Recall that two of them, Abu Shibak and Abu Rajab, were elevated in rank a year before by Abbas. Dahlan and Mashharawi, both abroad at the time, accused Abu Abir of inciting *fitna* (civil war), an accusation that was indeed a harbinger of thinks to come.

Abu Abir's accusations were more than plausible. The PRC and its military wing were intensely involved in launching rocket attacks into Israel, which Abbas and the agencies under his control opposed. The stakes were especially high since the PRC had effectively become a proxy of the Hamas in launching rocket attacks against Israel, while the Hamas government formally continued to adhere to the lull during February of 2005. The downward spiral from a war of words to actual violence occurred quickly. Violent demonstrations against the security forces broke out during al-Qoqa's funeral, which were responded to with exceptional violence by the security forces. By the end of the day, three demonstrators were killed and 83 wounded.

The Hamas Minister of Interior, Saʿid Siyam, in what was to become an all too common response, promised an investigation into the incident. The results of the investigation were never published, probably because Siyam was not powerful enough to arraign or question security force personnel or the demonstrators responsible for initiating the violence. Nevertheless, the announcement of a more neutral body, the Follow-up Committee of the National and Islamic Forces, supported the move to deal with collaborators. The committee intimated that they in part shared Abu Abir's suspicions, only to further weaken the legitimacy of the security forces under Abbas' control (Abu 'Awn 2006a). Abu Shibak and Nasser Yusuf met Siyam for the purpose of dealing with the incident, and expressing common agreement over the establishment of a committee of investigation which would include the police, the NSF, the attorney-general, and the Ministry of Interior. Yet in a television interview soon after the meeting, Mashharawi and Abu Shibak laughed dismissively in response to a journalist's question as to whether they would be interrogated over the killing (El Deeb 2006).

For Hamas and its allies this flare-up indicated that much more was at stake than the linkage between controlling the security agencies and control over the Palestinian center, a major issue in its own right. If the accusations were true, the security forces under Abbas' control were impairing Hamas' ability to wage its battle with Israel. On that front, Hamas was clearly acting at a disadvantage. The Qassam rockets being launched by the PRC's and the JI, with Hamas' acquiescence, were hardly extracting from the Israelis the price which suicide-bombings, emanating from Judea and Samaria, had in the past. The Hamas government could hardly afford a powerful domestic player sabotaging its efforts in its conflict with Israel.

Fortunately for Hamas, Abbas' security forces were smarting from their failure to combat lawlessness, a clear factor in why the President and the Fatah party, and the affiliated militias behind them, began losing ground. On 14 March Israel encircled the Jericho prison, and subsequently captured PFLP head Ahmad Saadat, wanted for his involvement in the killing of an Israeli minister, along with Fuad Shubaki – the former treasurer of the security forces, and four others. Armed groups in Gaza responded with the kidnapping of eight foreigners, all of whom were subsequently released (al-Ifranji 2006).

Perhaps because Siyam could not conduct an investigation regarding Qoqa's death, he hastened his announcement to set up the *Al-Quwwa al-Tanfidhiyya* (the Executive Force) on 20 April. This force was to be composed of men recruited "from all the forces composing the resistance" and reporting exclusively to the Ministry of Interior (Al-Lawh 2006). Siyam, hardly by coincidence, publicized his intention to set up the new force in a meeting with the public that took place in the 'Umri mosque in Gaza, a bastion of Hamas power.

Abbas quickly ruled out the legality of the new force, and ordered in an official Presidential edict that it be dissolved (Uqidat 'ala Marsum … 2006). In a meeting of the PLO Executive Council, he claimed that the attempt to transform Hamas' military arm into an official security force of the PA could begin a round of internal strife that had to be avoided at all costs. Oddly, the actual Presidential decree was only published in January 2007 during the bitter fighting between Fatah's security forces and Hamas' Executive Force (Palestinian Presidential Decree 2007). The Hamas government denied that it had ever received the Presidential decree, claiming instead that Abbas had authorized the establishment of the force at the time (Palestinian Cabinet Denies 2007).

Israel was particularly concerned over whom Siyam appointed as head of the new force. The founder and head of the PRC Jamal Samhadana, was made the general director of the Ministry of Interior, with one of his major duties being taking charge of the new force. Israel immediately announced that Samahdana's new position would in no way protect him from Israeli retaliation for numerous terrorist attacks Israel attributed to him in his former role as head of the PRCs (Palestinian Police Force Head 2006). Israel duly carried out its veiled threat. On 8 June Samahdana was killed by a rocket launched at his car from an Israeli helicopter.

Fatah and the President obviously opposed the new force. The deputy head of the Fatah bloc in the legislative council, Faysal Abu-Shahla, immediately declared the illegality of the force itself – along with the color of its uniform – as long as it did not merge and operate within the framework of the police. The LC's Supervision Committee had met on 4 June with the Minister of Interior in order to hasten the integration of the force into the regular police. Fatah demanded that the force be distributed amongst all police sections and departments based on the needs of the organization. Further, Fatah demanded that they accept orders from the commander of the police rather than those of the police department's Director General, Abu Samahdana, who as the Siyam's appointee obviously deferred to the Minister of Interior. Of course, whether to obey the authority of General Husni Rabaya, Fatah's head of the police force, or Abu Samahdana, was the key issue (Fatah Deputy Stresses ... 2006). An answer of sorts was provided three days later, when the head of general intelligence, Tareq Abu Rajab, was seriously wounded in an elevator bomb blast at his Gaza headquarters which also killed one of his aides. Widespread fighting broke out between Fatah and the families of the wounded, as well as other Hamas supporters. This strongly indicated that no cooperation could exist between Hamas and Fatah within the police force (Prothero 2006).

By that time violence had broken out between Fatah armed groups and the Executive Force, in an attempt by the nationalist forces to thwart the latter's growth. Hamas denied that the police were involved in the attack, and accused PA official al-Tayyib 'Abd al-Rahim for trying to prod the police into fighting against the newly formed force. According to the Hamas government the two forces came under the same jurisdiction of the Ministry of Interior, and it was only natural that they should cooperate to maintain the public peace (Voice of al-Aqsa 2006). Meanwhile, Prime Minister Haniyya announced that such attacks would not deter him from the continued deployment of the force, nor from its enlargement.

Instead of trying to assuage PA fears of the emergence of a 3,000-man force, the following day at a rally in the Yarmouk refugee camp near Damascus, Hamas leader Khalid Mish'al charged that "[W]hat is happening in Palestine is a policy carried out by a parallel government, a counter-government which deprives us of our prerogatives and the people of their rights. It is a plot" (Abu Toameh 2006b). To Abbas and his supporters, the remarks provided the reasoning behind the development of the new force. If in the unnamed effort Fatah was "carrying out a premeditated plan which is aimed at undermining us [the Hamas]" the force was obviously an important tool to prevent the plot from succeeding. And to add even more fuel to the fire, PRC spokesman Abu Abir ominously declared: "Fatah leaders in the Gaza Strip will not admit it, but they are in the midst of a war for survival against the new Hamas government and the street, which in the main supports it" (Regular 2006). The time was ripe for a showdown.

Surprisingly, the violence which ensued was relatively controlled and subdued considering the issues at stake between the two sides. Street battles in various parts of the West Bank and Gaza Strip broke out between Fatah and Hamas supporters on the weekend, and at least 30 people were injured in the clashes – the worst bout of violence since Hamas' landslide electoral victory four months earlier. Most of the violence took place between students from al-Azhar University which is controlled by Fatah, and students from the neighboring Hamas-dominated Islamic University. Gunmen from both sides soon joined the fray, using automatic weapons and hand grenades, forcing officials at the two universities to suspend studies. Fatah leaders and the rank-and-file demanded the removal of the Hamas government in an obvious effort to preempt Hamas' attempts to increase its military capabilities through the expansion of the Executive Force (Rival Students 2007).

Establishing the legitimacy of the new force was no less of a priority than expanding its size. The techniques employed by Siyam for winning public acknowledgment, could well have been taken from a marketing textbook for changing a brand name after a merger of two companies. To cope with the continued violence between Hamas and Fatah supporters and fighters, Siyam decided to deploy the new force in the streets of Gaza for the first time on 17 May in a new uniform. No longer black and green, colors particularly associated with Islam, the uniform was changed to blue. This was similar to the uniform of the intervention and peacekeeping forces of the regular police force, which he had announced earlier that month as part of an effort to integrate the force into the regular police. The emblem that force personnel wore was designed with the same purpose in mind. It consisted of an "eagle," the official emblem of the PA, inside a circle under which was written "The Executive – Ministry of Interior and National Security" under which the force was identified with the Palestinian police. In another rectangle on top of the circle was written "the Executive Authority." Force members deployed on the streets were seen in both blue and black uniforms (Za'anun 2006).

Other basic facts about the recruitment and training of the force also came to light at this time. Former Fatah member turned spokesman for the Ministry of Interior claimed in early May that training for 2,000 conscripts was underway. They were recruited from many factions (the PRC, Fatah, and the PFLP-General Command), but were in fact trained by instructors sanctioned by the Ministry of Interior (ibid.).

Siyam, who justified the deployment of the force on grounds that the existing security forces failed to maintain law and order, was provided with an almost instant pretext for deploying the Executive Force. On the very same day (16 May 2006) ten unmasked gunmen stormed and sacked the office of the Jawwal mobile phone company in Gaza city in broad daylight, because they claimed the company had stopped providing them with service (Gunmen 2006). Even though the employees told the gunmen that their mobile phones were not linked to the Jawwal system, they were nevertheless forced to leave the offices at gunpoint. The Jawwal office is housed in the same building as the Jordanian embassy. The building is located a mere 100 meters away from the "al-Siraya," the complex housing the security forces in the area. Yet the security forces failed to prevent the incident or arrest the perpetrators (Al-Ghul 2006). In the meantime, the deployment of the Executive Force in the streets of Gaza did not suffice to preserve order. A wave of factional violence swept Gaza over the next days.

Throughout the following months, the Executive Force was involved in violent confrontations with both the rival security forces and Fatah, while assassinations continued unabated. In one of the most serious incidents of the summer, on 10 June Fatah accused the force of firing on the funeral procession of a PS officer, Major Basim Qutb, who was assassinated by the Hamas after its members failed to kidnap him. A PS security member was killed in the attack and three security officers were wounded. Apparently the attackers' aim was the assassination of Abu Shibak, who was in the funeral procession ('Abu Awn 2006b). The toll increased during a subsequent fire-fight with the Executive Force, yet this time around the force took the brunt of the casualties with three wounded.

Abbas' decision to hold a referendum over the "prisoners' document" which attempted to reach a common agenda agreed upon by both Fatah and Hamas, and the desire for revenge, were behind the flare up. Three days later the PS kidnapped Salah Abd al-Aziz Rantisi in Khan Yunis, a dentist and brother of Abd al-Aziz, and vandalized his office and car. Rantisi pointed an accusing finger at Hasan al-Qassas, a PS officer who had himself suffered a Hamas RPG missile attack, and at the death squads belonging to the PS for carrying out the attack. The PS and the AMB wreaked even greater vengeance in Ramallah, where they vandalized offices of the Parliament, compelled the Minister of Tourism to resign for fear of his life, and attacked and destroyed offices of *Minbar al-Islah*, a Hamas-leaning newspaper published in Ramallah (Nakhla 2006).

Only on 14 June, after Haniyeh agreed to remove the Executive Force from the streets of Gaza, did the situation calm down slightly. This indicated that most of the tension was due to the desire of the Presidency, and the security services operating under it, to contain the Executive Force. Haniyeh's assent came at a price for Fatah. A spokesperson for the Ministry of Interior claimed that in the meeting between Abbas and Haniyeh, the former authorized the Minister of the Treasury to budget funds for the

Executive Force, to consist of 3,432 members. Siyam's persistence had paid off.

Israel also entered the fray against Hamas' new force. In November, Israeli planes targeted the site of the Executive Force of the Palestinian Interior Ministry west of Gaza City, completely obliterating it. The Al-Shati refugee camp home of the Executive Force commander Ala Aqeelan, a commander in the Izz al-Din al-Qassam forces, a local radio station, and the offices of the Al-Islah charity organization affiliated with Hamas in the Al-Shijaeya area east of Gaza City, were also targeted (3 Palestinians Killed 2006).

Nevertheless, there was little doubt that the Executive Force improved its capabilities. In October, the Executive Force succeeded in arresting Fatah member Muhammad ad-Dirbashi, from Nuseirat refugee camp in central Gaza, for setting fire to a jeep belonging to the force and opening fire at the Prime Minister's entourage during a visit to the area (Executive Force Arrests Fatah Member 2006).

A new threat to Abbas and the security forces emerged when Mahmud al-Zahhar, the Hamas leader and Foreign Minister announced in October, on the eve of *Id al-Fitr*, the expansion of the Executive Force into the West Bank. The expansion was justified by the need to protect government and legislative institutions located in the West Bank from continuous attack (Masdar 2006). Fatah, anxious to preserve its very favorable balance of power in the area, reacted with alarm. "We have a clear advantage in the West Bank, and we will make sure that Hamas doesn't carry out its plan," the Fatah leader in Ramallah, Hussein al-Sheikh, was quoted as saying (Harel and Issacharof 2006). A commander of the AMB in the Nablus rural area, Iyad al-Aynabusi, was more explicit in claiming that he would form a force of 500 Fatah fighters to obstruct the effort (Al-Aqsa Brigades 2006). Perhaps as a means of buying time, the Hamas tried to defuse some of the tension by claiming it was forming no more than small units to protect leading Hamas political figures and ministers (Hamas Source: Units 2006). Israeli officials speaking to reporters claimed that Israel would move against Hamas' attempts to expand the force into the West Bank (Harel and Issacharof 2006).

Abbas responds: bolstering the Presidential Guard

According to Siyam, one of the major obstacles facing the Hamas government stemmed from a situation where "[T]here are budgets that come from abroad for some of these services outside the framework of the official budget. Some of these services have great capabilities, which, regrettably, have not been used within the real framework of their work" (Abu-Khudayr 2006).

Within the broader political context of the increasing polarization between a United States-led alliance consisting of "moderate" Arab states, Abbas and his security forces, and an opposing Iran-led axis, this assertion was certainly plausible. The United States and its allies were obviously worried about the empowerment of the Hamas government. Seeking ways to bolster Abbas and the security forces loyal to him was certainly a major goal of United States efforts to counter Islamic radicalism. This notwithstanding, the United States' earlier promotion of democratic elections in the PA, subsequently led to Hamas' gaining of power.

Aid for Abbas often had to take a circuitous route, in order not to undermine the legitimacy of his rule and the security forces he commanded. Bolstering the role of the Presidential Guard within the framework of the Palestinian–Israeli Agreement on Gaza Border Crossings and Access provided one of the means of enhancing Abbas' control over the problematic area. The agreement covered all crossings between Gaza and Egypt, and Gaza and Israel, and thus indirectly linked the West Bank to the Gaza Strip through the movement of bus and truck convoys. The agreement also provided for the development of a plan for reducing the number of Israeli barriers and obstacles. Under United States pressure Israel agreed that the Presidential Guard, which had performed relatively well at the Rafah border crossing, would be allowed to expand their operations to the Karni (Al-Mintar) crossing in November 2006. The United States agreed to provide the Palestinians with the required mechanisms for running operations and inspection equipment and training (Chronological Review 2007).

US security coordinator Keith Dayton also brokered a deal with Israel, including the deployment of European observers at the Al-Mintar (Karni) crossing, after Norway had previously contributed to the crossing's rehabilitation after several attacks on it by opposition forces (Arna'ut 2006). Preventive Security had successfully fought off an RPC attack on the Karni crossing, the only opening between Gaza and Israel, at the end of April. The attack against such a target was a move which even the Hamas Ministry of Interior demanded "the resistance" place out of bounds, due to its crucial economic importance ('Awad 2006). Dayton obviously felt that enhancing the role of Abbas' security forces in controlling Gaza's borders was an important security asset, and had presented the plan before representatives of the Quartet in London a few days earlier (Ben and Sacharoff 2006).

Enhancing the role of Abbas' security forces along Gaza's borders was part of a larger effort on the part of the Bush administration to arm and train the Presidential Guard in Gaza. Dayton had arranged the training of a "Special Presidential Guard" in early October, drawing from a reservoir of 400 men from Force 17, the elite Fatah force, who had traditionally been assigned to the protection of the PA Chairman. Force 17 members had been training under United States experts since August 2006, in their own compound. Because of the sensitive nature of such cooperation, the President barred access by reporters to the area. *Haaretz* reported that, according to foreign press reports, the United States wanted to see the number of men in Force 17 grow from approximately 3,500 to 6,000 with three months of basic training. The best would then be selected for the Presidential Guard, whose duties were to include manning the borders (Ben and Sacharoff 2006).

The December 2006 Rafah border crisis, which set off the worst round of violence between Hamas and Fatah, proved the soundness of Dayton's strategy. The crisis began when Prime Minister Haniyeh, on a month-long trip to Iran and Arab capitals, decided to cut short his trip in response to the eruption of violence between the Hamas and Fatah and the different security services. The violence was sparked by the mistaken killing of three children of a senior officer, Colonel Ballousha from GI, their driver, and a bystander. Evidently the attackers had shot at Ballousha's car in the hope of assassinating him for having been involved in the arrest of Islamic opposition members (Fatah Blames 2006).

Abbas had apparently learned from Egyptian sources that Haniyeh was carrying with him 35 million dollars, which he suspected would in part be spent on augmenting the Executive Force's capabilities (Abu Toameh *et al.* 2006). The United States, perturbed by Haniyeh's visit to Iran where he was apparently provided with the funds he was suspected of carrying with him, had presumably pressured Israel to force the closure of the Rafah crossing. After Israel readily complied and Haniyeh and his escort were detained on the Egyptian side, the Egyptians stepped in and succeeded in reaching a compromise. The arrangement entailed depositing the funds in a local bank to an Arab League bank account, until issues related to the transfer of the money could be settled. Meanwhile, hundreds of Hamas terrorists and Executive Force members descended on the Rafah border crossing site, where scuffles followed by fire-fights broke out between the Presidential Guard manning the crossing and Hamas opponents. The melee resulted in tens of wounded (ibid.).

After several hours on the Egyptian side of the border, some of which were spent sitting with his advisor and son on cement blocks outside the crossing on a cold wintry night (captured by a photo which appeared in all the local media), Haniyeh and his entourage were allowed through the border crossing. At that point, the entourage was attacked by unknown assailants, killing Haniyeh's bodyguard, and wounding his son and senior aide Ahmed Bin Youssef. For the first time senior Hamas officials, including Foreign Minister Mahmud al-Zahhar, accused Dahlan and the Presidential Guard of being behind an assassination attempt. The charge was denounced by the Presidency, which pointed out that a committee of three, consisting of al-Tayyib ‘Abd al-Rahim, Sa'ib ‘Ariqat, and Dahlan, was tasked with ensuring that Haniyeh's crossings into Egypt as part of his planned month-long trip to Iran and the Arab world would run smoothly. Abbas then took the offensive by accusing Hamas of being behind the event (Lam Yuhadid 2006).

It was clear even at this point that a new threshold of political contestation between the presidency and the government had been reached. In April the PRC, a relatively peripheral group, had accused major security officials of collaboration with the Israeli enemy, and the accusation had now become mainstream.

Abbas' subsequent political moves inflamed the situation even more when after much procrastination he declared his decision to hold early elections for both the Presidency and the government. Hamas promptly announced the decision to be unconstitutional, a reading of the issue favored by many constitutional experts. But constitutional discourse hardly reflected either the mood or the actions that took place on the streets. Fighting broke out on Gaza's intersections and roads between Executive Force personnel and Hamas fighters against the PS, GI, the NSF, Fatah members and officers from the security services, and Hamas officials were assassinated, abducted, or both. All in all, 16 people were killed in ten days of fighting before a second truce led to a very tense stalemate, with neither the constitutional issues nor the feud over control of the security services being resolved in any way.

Abbas also took more direct measures to bolster his position. No sooner had the Ministry of Interior spokesperson announced the training of the Executive Force, when Fatah responded with a similar declaration of intention to found a 2,000 man Special Force to protect Fatah officials and security force members. A display of the capabilities of one of the first units comprising 80 men, in Rafah, accompanied the announcement (Al-Jamal 2006). Presumably, Fatah also set up joint operations rooms to deal with emergency situations.

Seeking ways of confronting the growing challenge to the security forces through augmenting their strength and creating new units did not translate into greater law and order for the average Palestinian. Palestinians still often wondered out loud why so many forces, consuming so much revenue, produced so little security. As an observer writing in a pro-Fatah newspaper commented:

> When the citizen sees hundreds training in the cities to be integrated into the security forces and asks himself where are they? (…) When one asks why the Fatah movement established a new force (the Popular Army), arms them and dresses them in military uniform, prepares them training grounds in the liberated areas and then some of them come and steal what they were guarding … When all of a sudden without prior notice one sees the Presidential Guard, the police, the NSF spread out thickly in so striking a manner in the streets of the cities and the citizen asks himself where were they?
>
> (Abu Hashish 2006)

Maybe, the writer went on, the Executive Force should be given a chance, especially since the political institution that created it was legally authorized to do so.

Continuing rifts in Fatah

Containing Fatah dissension was one of the major obstacles to the attempt to empower the security forces against the Hamas government. Palestinian security forces faced threats from Fatah-affiliated groups at almost every turn. In Gaza, the AMB threatened to shoot at the security forces if they attempted, on Abbas' orders, to prevent Fatah and other groups from launching missiles against Jewish localities within Israel (Abu Toameh 2006a). In Jenin, relations between the Palestinian police and the "special force" were especially tense over conscription, with unruly demonstrations continuing unabated (Abu al-Rabb 2006). Ostensibly created to help Palestinian security forces, the "special force" opposed efforts of the police to recruit elements from outside their group.

Much of the damage to the security forces in their attempt to meet the challenges of the Hamas government must be placed on the security services themselves, especially due to their involvement in illicit activity. As one of the justifications for the establishment of the Executive Force, Siyam claimed that the security forces were as much a part of the problem as they were the solution, and that 80 percent of illegal land acquisitions were committed by the security agencies (Siyam 2006). The killing of a member of the NSF in a brawl while off duty in Tulkarem, reflected the difficulty of the task Abbas was faced with in winning the loyalty of the public to the security services under his control. In a further example of disorder, hundreds of youths went on a rampage against local shops in the town's suc as it was teeming with buyers shopping on the eve of *Id al-Fitr* (Maqtal 2006).

Lawlessness amongst security force personnel resulted in one of the most deadly confrontations since the formation of the Hamas government. Violence had broken out on 30 September, when several hundred Fatah-affiliated policemen rioted for the third consecutive day in Gaza City streets to protest unpaid salaries. On that day they attacked the Bank of Palestine branch and set it on fire, shot indiscriminately and blocked main highways. This despite warnings by Hamas' Interior Minister, said Siyam, that he would use force to quell the demonstrations. Siyam was true to his word, and ordered the 3,000-strong Executive Force to forcefully disband the protests. This was done on the grounds that the demonstrations were politically motivated, with the aim of undermining the Hamas-led government. The demonstrations quickly turned into street gun-battles, with dire results. Eleven people were killed and more than 150 were wounded in 48 hours of fighting, in scenes which resembled the Lebanese civil war (Abu Toameh 2006b).

The rupture between Abbas' security forces and the Executive Force became complete during the violence late in December and early January 2007, and reached new heights of intensity. By that time, the PLO Executive Committee openly accused the Hamas and its Executive Force of "taqfiri" tendencies, stressing the need to disband the force (PLO Executive Committee 2007). The Hamas government responded that it would double the force from 6,000 to 12,000 personnel. A subsequent spate of mutual recriminations, bloodletting, and kidnapping seemed to indicate that the government, the Presidency, and the respective forces loyal to them, had arrived at the point of no return.

The changing balance of power

Violence around the new year of 2007 indicated to what extent the balance of power in Gaza had shifted in favor of the Hamas government, even before the Executive Force decided to double its force size. On 4 January, Hamas and the Executive Force laid siege in Jabaliyya for hours to the home of Colonel Muhammad Ghurrayib, the head of PS in northern Gaza. After repeated assaults employing RPG launchers, amongst other means, he and six others including his brother and two daughters, were killed in the course of the day's battles (Erlander 2007). Ghurrayib's wife was also seriously wounded. Just before his death, Ghurrayib appeared on Palestinian TV and desperately appealed for help to stop the waves of attacks. Fatah fighters tried reaching his home in order to break the siege, without success. One wonders why the other security forces did not do the same. His entourage had been attacked the previous day in Jabaliyya, after two of his bodyguards presumably killed a Hamas Executive Force member, indicating that the attack that began the following morning was premeditated. Fatah accused Hamas of having taken Ghurrayib alive, and of having reported this fact to two members of the Legislative Council (Labbaika 2007).

At least three aspects of the attack attested to Hamas' increasing military clout. For the first time under a Hamas government, a massacre had taken place whose casualties almost exclusively consisted of members of the security services, their families, and Fatah members. Second, the security forces and Fatah proved unable during the course of many hours of the attack in broad daylight either to prevent the massacre from taking place, or bring the perpetrators to justice. The third novelty was the striking absence of the other security forces in coming to Ghurrayib's aid, let alone in preparing an organized assault against the attackers. The duplication of forces that was so effective in political contexts elsewhere was proving to be a liability in facing a contender for political hegemony such as Hamas, hardened through battling the IDF. Abbas responded to the crisis by dismissing the head of national security in Gaza, Suleiman Hillis, and replacing him with Jamal Kayid, formerly commander of the NSF forces in the south and then commander of the NSF (Palestinian President

Replaces 2007). Hillis had served less than 20 months at his post, a further reflection of Abbas' inability to maintain stability within security force ranks.

In an attempt to contain Hamas' military empowerment, Abbas decided in March 2007 to reconstitute "public security," the previous amalgamation of PS, MI, the police, and Fatah members of the "higher movement committee," as part of the united National Security Forces, who were henceforth to train as one body (Three Palestinians 2007). Numerous references to the previous bodies in the ensuing three months leading up to the Hamas military takeover of Gaza, including those on the official NSF Internet site, noted the failure of the various security bodies to come to each other's aid while under attack, demonstrated to what an extent the reform remained on paper alone.

To bolster Abbas, the US Congress finally approved $60 million in funds to his security infrastructure, allotting $14.5 million for basic and advanced training, $23 million for non-lethal equipment, $2.9 million for upgrading facilities and $3m for capacity building and technical assistance to the office of Dahlan, the national security advisor (Hamas Questions 2007). Hamas condemned the aid package as unconstitutional and illegal, claiming that it undermined legitimate public security. Militarily, the aid was direly needed. In an interview with the press commander of the NSF in the southern region, Colonel Umar Qanan claimed that the international and Israeli siege imposed on Gaza had rendered the payment of salaries impossible, and that soldiers were often unable to purchase and thus wear military uniforms (Al-Bakri 2007).

These measures could not have helped in the subsequent round of violence that took place in May between Abbas' security forces and Hamas supporters. Violence erupted on 11 May when NSF forces spread out in Gaza's streets. This occurred without prior coordination with Hani al-Qawasmeh, the Minister of Interior responsible for the plan to restore public order agreed by the unity government. Hamas opposed the move, claiming that public order should be overseen by the civilian police bolstered by the Executive Force. According to Hamas sources, fire-fights broke out when the NSF, and military intelligence affiliated with the forces, tried to arrest a Hamas member who had come back from an operation against the Israelis. Six were wounded in the course of the day.

The level of violence escalated two days later after an officer in PS and a senior Fatah official in northern Gaza, Ba'a Abu Jarad, and his bodyguard, were killed in an attack in Beit Lahiya. According to Hamas, Abu Jarad was implicated in the assassination of Majid Abu Darabiyeh, a senior Hamas official. Abu Darabiyeh was assassinated in the area, in front of his wife and children, in December 2006. Fatah accused Hamas of being behind the assassination of Abu Jarad and vowed to avenge his killing. By the end of the day, six were killed in clashes, prompting the Minister of Interior to resign. Fatah and the security forces accounted for most of the casualties.

It was on the last two days of the clashes that Hamas exhibited an ability to both mobilize larger numbers for concentrated attacks, more effective fire-power, coordination, and movement than either Fatah or the security forces could demonstrate. On 14 May, Hamas gunmen killed eight NSF officers in a well-planned ambush near the Karni border crossing, after their jeep overturned. One more soldier was killed by Israeli forces as he rushed westward toward the security fence. The NSF force had come to the rescue of unarmed conscripts belonging to the Presidential Guard, who were training in grounds belonging to the security force in the area. The sophistication of the ambush contrasted sharply with the lack of effective response exhibited by Fatah and NSF personnel, who proved unable to overcome heavy fire for several hours, in order to retrieve the bodies of their comrades. The bitter irony for Palestinians was that such internecine fighting took place on "Nakba" day that commemorated the demise of the Palestinian Arab community in 1948. Hamas tried to divert attention from internecine fighting in the Gaza Strip by firing dozens of Qassam rockets at Israel (Al-Mughrabi 2007).

The following day, Hamas once again took the initiative when hundreds of their gunmen surrounded the apartment of Rashid Abu Shibak, located in a multi-story residential building in western Gaza City. Hamas forces fired mortars and detonated pipe bombs for several hours, before storming inside and executing six bodyguards. Abu Shibak would likely have faced the same fate had he and his family been at home at the time of the attack. Dozens of reinforcements from PS, which Abu Shibak used to head, were unable to prevent the attack. Once again it was not clear why the other security forces did not come to the bodyguards' aid, particularly since one of the wounded, though not specifically targeted, was a senior officer in the NSF (Abu 'Awn 2007a).

In another event along Salah al-Din Road, Gaza's main artery near the Maghazi refugee camp, members of the EF were able, after a prolonged fire-fight, to set an ambush against the receding Fatah forces. The attack killed five Fatah members including an officer in a NSF unit (ibid.) Hamas' offensive strategy compelled Fatah and the security services to fight in defense of key strategic locations, especially the Tel al-Hawa where the PS headquarters were located and the "Siraya" compound and Abbas' Presidential residence (al-muntada). The Siraya housed, amongst other government agencies, the offices of the Provost-General and the military courts. Hamas waged attacks on General Intelligence headquarters in the Sudaniyya neighborhood as well (ibid.).

Such a concentrated attack on the major strategic power centers belonging to Abbas during this round of fighting suggested that the Hamas might have aimed to decisively defeat the nationalist forces. The focus of the attack was also a telling indication of the precariousness of the PA. If hitherto much of the violence between the two sides took place in the south (Khan Yunis and Rafah) or in the north (Beit Hanun and Beit Lahiya), the symbols and actual centers of power belonging to the PA now came under intense and massive attack.

In the only event where Fatah showed any kind of ability to amass troops, the Islamic University in Gaza City was surrounded by hundreds of Fatah and PA security forces. The attack was never carried out after Hamas warned "that its men would turn the university complex into a 'graveyard' for the attackers if they carried out their threat" (Abu Toameh 2007a). The same deterrence that Fatah had by that time lost had been effectively transferred to its adversary Hamas.

Finally, as one Palestinian commentator noted, the influx of weaponry into Gaza against which Israel had protested for so long was increasing the firepower of both sides. He claimed that this acted to the detriment of the Palestinian population more than that of Israel ('Uqal 2007). Hamas seemed to have the upper hand in armament as well, using howitzers extensively to soften opposition, followed by assaults with rocket-propelled grenades. According to Palestinian sources, the use of non-combatants as human shields was widespread amongst both sides (ibid.).

The hasty arrival after two months of training in Egypt – before completion of their training – of some 500 members of the presidential guard through the Rafah border crossing point was a sign that Abbas' forces desperately needed reinforcements. The forces were trained in the use of automatic rifles, curbing riots and in tactics of street battle control. The troops having arrived unarmed suggests that the move was made under duress rather than being pre-planned. The Rafah crossing was only opened for about one and a half hours upon Israeli approval for the troops to pass around noon on Tuesday. The Rafah crossing usually opens for only brief periods, twice a week (Gaza Faction 2007).

In testimony to the House Subcommittee on the Middle East, Dayton acknowledged that despite assistance to the Presidential Guard and months of efforts on the ground, they seemed to have little effect against the better-trained and disciplined Hamas militia, and its Executive Force. "We are entering a rough patch but all is not lost and our regional partners share that sentiment," he claimed in justifying aid to the Presidential Guard (Krieger 2007).

Judging from the intensity of the air strikes directed against Hamas and the Executive Force in the weeks following the last round of internal violence, it seemed Israel concurred with Dayton's assessment. Weakening Hamas militarily was no less important than the publicized goal of compelling Hamas to refrain from its rocket attacks on southern Israel (Abu Rashid 2007). Fifty Palestinians were killed in these air strikes in the last two weeks of May alone.

A feeling that Fatah was losing ground militarily to Hamas might also explain why Abu Shibak, the director of security in the Ministry of Interior, tended his resignation at the end of May. The resignation was subsequently refused by Abbas (Amr 2007). Abu Shibak was placed in the newly created position on 6 April, evidently to act as a foil for the then newly appointed Minister of Interior Hani al-Qawsmeh.

Hamas effectively employed techniques it had refined in its fight against Israel. Above all, Hamas gained much popular support from playing a leading role in fighting Israel. For the first time in the history of the resurgence of the Palestinian movement in the 1960s, Fatah lost its lead in acts of violence. Hamas' principle method was suicide-bombings, which had successfully imposed a heavy toll on their Israeli enemy. According to the Israeli General Security Services, Hamas was responsible for 40 percent of the 142 suicide acts between September 2000–March 2005 (when all the major Palestinian factions accepted a "lull" (tahdiyya) in the fighting), compared to 27 percent for the al-Jihad al-Islami and only 23 percent for Fatah. Hamas was also responsible for the most lethal attack to date, a Passover night suicide-bombing in a hotel dining room that left 29 dead. Suicide-bombings accounted for half of Israeli fatalities during the course of hostilities (Suicide bombing Terrorism, 13).

Even more prominent was Hamas' role in the major surprise attacks Palestinians launched against Israeli settlements in Gaza, and against Israeli outposts and fortifications and IDF tanks. On 26 June 2004 Hamas blew up an IDF post outside a Gush Qatif settlement, killing one soldier, by digging a tunnel from a considerable distance. Even more spectacular was the attack Hamas terrorists, in cooperation with members of the PRC and Jaish al-Islam, carried out on 26 June 2006. After having dug a tunnel 700–800 meters long from the outskirts of Rafah to within 300 meters of the Israeli border near Kibbutz Kerem Shalom, the group split into three squads, simultaneously firing anti-tank missiles, setting off charges, and throwing grenades at a tank, an empty armored personnel carrier, and a lookout tower. After hitting the tank and killing two soldiers, the group kidnapped the surviving third soldier, blew a hole in the fence between Israel and the Gaza Strip, and successfully retreated. Two soldiers manning a lookout tower were also wounded, and three more were slightly wounded when charges the terrorists left behind hit them as they searched the area. Israel claimed, but could not prove, that two of the attackers were killed (IDF Force 2006).

The failure of the unity government – March 2007

Pressures to attenuate internal violence, and the larger concern of breaking the partial embargo on the Hamas government after almost a year of efforts to reach an agreement over a unity government, finally bore fruit in the Mecca Agreement of 8 February 2007 (The Text 2007). The agreement revived hope in unifying a security force essentially composed of two rival armies, at least in Gaza.

From the beginning of the negotiations over the allocation of ministerial posts and the persons to fill them in the future government, it was apparent that designating the future Minister of Interior would be the most important item on the agenda. It would be no exaggeration to say that most of the five weeks spent between the signing of the Mecca Agreement and the subsequent unity government document of 17 March was spent wrangling over who was to secure the post (Program 2007). Fatah and Hamas finally compromised over Hani al-Qawasmeh, an obscure figure with reported leanings towards the Hamas.

Designating a person of little standing boded ill for the unity government, suggesting that Hamas and Fatah, their leaders, and most importantly the security forces under their command, would simply circumvent him. Only by doing so could the troubled status quo between the factions be maintained. President Abbas' decision to elevate the two leading security figures the Hamas loathed most, Rashid Abu Shibak to director-general of the ministry, and Dahlan to head the National Security Council, could only reinforce suspicions that the unity government was unified only in form rather than in substance.

These fears were quickly proven well-founded. Soon after announcing a new security plan, to be realized in 100 days, Dahlan also announced his resignation. The resignation, however, was hardly due to the skepticism and criticism accompanying both the announcement and the substance of the security plan, though given the inefficiency of past security plans that would have been readily understandable. The true cause was internal opposition in attempting to realize control over the security forces in anticipation of executing his three-stage plan. In letters addressed to Abbas and Haniyeh as well as to the Egyptian security chief Umar Suleiman, who since 2003 had become an almost perennial broker between the two sides, al-Qawasmeh pointed an accusing figure at Rashid Abu Shibak and Dahlan for undermining efforts of placing the security forces under the command of his proposed Central Forces (Abu Toameh 2007b).

Al-Qawasmeh initially had hoped to buy time by proposing a three-stage plan that began with dealing with minor violations of the law, such as arresting peddlers and confiscating stands that blocked traffic and dealing with minor traffic offenses, then moving on to deploy security forces to contain abductions, thefts, fratricide, and clan feuds. Only in the third stage would he attempt the unification of the factional militias into one security force, the same goal that was published in the PA's 100-Day Plan for Reforms in June 2002 (Nasser 2007). He obviously came to the conclusion that with so much internal opposition there was no point in even trying.

Against the backdrop of behind-the-scene squabbling, Kawasmeh also faced a deteriorating security situation. Though the violence between Fatah and Hamas had abated considerably, criminality seemed to have increased. The Minister of Interior had the misfortune of assuming office days after BBC reporter Alan Johnston was kidnapped in Gaza city on 12 March. Johnston endured the longest period of captivity for a foreign journalist in Gaza since kidnappings became endemic there in 2003. The Doghmush family, who is thought to have a militia of about 2,000 men, is suspected of abducting him and was also blamed for the abduction of two Fox TV journalists held for two weeks during the previous summer. Hani Habeeb, a sociologist with Gaza's al-Azhar University, pronounced Gaza "… a country of mafia." Habeeb was obviously referring to the Doghmush clan's involvement with the Army of Islam terrorist group.

At least on criminalization of political violence, Fatah and Hamas politicians concurred. Muhammad Dahlan acknowledged that potential recruits were more attracted to joining clan militias than the security forces, while Palestinian Justice Minister Ali Sartawi, a Hamas appointee, warned that the family clans and gangs in Gaza have become so powerful that Palestinian security forces could no longer control them. "If the interior minister takes action alone against this family and all the suspects [before the unification of the security forces] the result will be catastrophic." The editor of *al-Hayat al-Jadida*, Hafiz al-Barghuthi, lamented the lack of coordination between the security agencies in coping with such lawlessness after the slaying by criminals in two separate incidents in the West Bank and Gaza, of two members of the NSF (Al-Barghuthi 2007).

Hamas takes over Gaza

Less than a month after the May 2007 Hamas attacks on the "security rectangle," in which the headquarters of most of the security agencies and the Presidential residence were located, Hamas' military preparations were dramatically vindicated by the complete collapse of Abbas' security forces. This entailed the complete Hamas military takeover of Gaza, after only a few days of fighting in mid-June.

Much of the quick collapse of Fatah and the security forces owing allegiance to Abbas, can be easily attributed to the cowardice of the Fatah leadership, despite their superior numbers compared to their Hamas foe. A Fatah security officer who surrendered to Hamas in the Gaza Strip without a fight explained that he and his colleagues were "very disappointed with our leadership" who by his account "had fled to Ramallah and Cairo, where they were issuing orders to us from air-conditioned hotel rooms" (Abu Toameh 2007c). The failure of key security personalities, principally Dahlan, Abu Shibak, and Samir Mashharawi, to lead the fight from within Gaza was striking. Abbas himself cancelled a scheduled meeting with Haniyeh to discuss the security plan a week before the last and final round of fighting broke out. Little wonder that the above quoted officer noted that some of his colleagues had gone to Hamas a day earlier and offered to join the Islamic movement in return for clemency.

The President also failed to declare a state of emergency, and to give clear orders to attack Hamas, even after Hamas had captured the headquarters of the Preventive Security and General Intelligence. "We were never told to fight against Hamas," the officer had explained, noting in his case the uselessness of being killed "defending an empty building while the president and Muhammad Dahlan are sitting in Ramallah" (ibid.).

So tepid was Abbas' handling of the situation that Martin Indyk, a former US ambassador to Israel, was convinced that Abbas consciously abandoned Gaza as part of a long-term plan to establish a provisional state in the West Bank. Indyk surmised that Abbas hoped to administer the area after the failure of the Hamas government in Gaza due to foreseen international isolation of Hamas. The theory obviously floundered in the face of Abbas' repeated incompetence to rule. This incompetence was reflected in his inability to convince the United States not to hold general elections in the PA, and in failing to prevent the Fatah renegades from contesting the elections (Indyk 2007). Abbas failed in Gaza because of his inability to lead alone, or to come up with a viable strategy. If Indyk was right, Abbas was duping the United States by receiving vast amounts of military aid to no purpose, and thereby risking the support of his only reliable ally.

Were the collapse planned, Abbas would have had every reason to order the destruction of thousands of weapons and documents, which inevitably fell into the hands of Hamas after its members captured the headquarters of the various security agencies (Abu Toameh 2007d). Both the weapons and the documents could only serve to bolster the resistance of Hamas to Israeli attacks. In turn, such resistance would enhance the image of Hamas, and reduce the chances that a temporary provisional state in the West Bank could eventually expand to include Gaza as well.

An analysis of the news items placed on the newly created Internet site belonging to the NSF, dispels any notion that the defeat of Fatah and Abbas' security forces was in any way preplanned. The NSF reported on 13 June in a series of announcements that they were taking the offensive against the "putchist" elements in Hamas. This would be done primarily through taking control of several high-rise residences surrounding the security rectangle housing the headquarters of the various security services and the "muntada," Abbas' official residence (Min Qiyadat 2007).

Israel, worried about both the possible political and military ramifications of the Hamas takeover, was at least relieved that it had not accepted the Dayton plan which had called for free passage between Gaza and the West Bank. "Thankfully we rejected the plan," claimed an Israeli official. "Imagine if we would have succumbed to American pressure and accepted the plan and then Hamas would have taken over" (Katz 2007). Israeli officials criticized the effectiveness of United States aid to the Presidential Guard responsible for the Rafah and Karni crossings, which were easily taken over by Hamas forces. Fatah figures in the West Bank concurred with the Israeli assessment.

In an apparent gesture of goodwill Hamas decided to free ten senior security figures after the takeover, handing them over to a Fatah faction headed by Ahmad Hillis, a rival of Dahlan, who refrained from fighting

Hamas since the latter rose to power. These included Brigadier-General Jamal Kayid, head of the NSF in Gaza, Brigadier-General Musbah al-Buhaisi, the commander of the Presidential Guard, his immediate subordinate Hamuda al-Shaikh ʻAli, and Muhammad al-Buhaisi, a senior officer in Military Intelligence. All of them found their way to Ramallah the following day. In light of the brutal murders carried out in public view against other prominent Fatah commanders, a desire to further demoralize Fatah ranks in the West Bank, rather than compassion, probably motivated Hamas to make this gesture (Kata'ib al-Qassam 2007).

A house divided: two governments and security forces

Meeting the challenge of social lawlessness was hardly sufficient for keeping the unity government from falling apart. Hamas' military takeover of Gaza, palpably demonstrated through the conquest of all key institutions associated with the Presidency and the brutal public killings of senior members of the security forces and of Fatah, led to the effective emergence of two political entities. Hamas dominated Gaza, in which the elected government of Haniyeh prevailed. This situation was countered by President Abbas' influence over the West Bank. The latter, in a flurry of Presidential decrees, dissolved Haniyeh's government, established an emergency government under former finance minister Salam Fayyad to replace it, outlawed Hamas as a political faction and militia, and declared the Executive Force illegal. Haniyeh and Hamas responded by adamantly rejecting the constitutionality and legality of the decrees, principally the one dissolving the democratically elected and constitutionally mandated government of the PA (Marsum Riyasi 2007; Al-Ra'is Yasdur 2007).

The Hamas response

The emergence of two Palestinian entities obviously had ramifications for internal security matters, with the Hamas government taking the initiative. Immediately after Haniyeh declared his refusal to resign, the spokesperson of the Ministry of Interior and former Fatah member Khalid Abu Hilal, announced that Haniyeh had formed, in his capacity as acting Minister of Interior, the Higher Committee of the Police in the southern districts under the presidency of Brigadier-General Tawfiq al-Jabr – formerly head of public intelligence in the police department. He and Brigadier-Generals Hasan al-'Ajrami and Khadir Abbas were charged with the task of writing up a report regarding the future structure of the police, in an obvious move to coopt senior commanders who did not openly identify with Fatah. An order to promote two groups which had enlisted into the PS in January 2007 was similarly aimed at mollifying former opponents (Al-Masharawi 2007).

Not all of Haniyeh's immediate moves were conciliatory. He dismissed Abu Shibak as director-general of the PS as well as the chief of police in

Gaza, Kamal al-Sheikh, who had also fled to the West Bank. An attempt to get all police personnel back to work immediately, and NSF personnel back to work within 24 hours from the time that they would be ordered to do so, was accompanied by an implicit threat voiced by Abu Hilal that if they would not return, they could easily be replaced by thousands of youths who were more than willing to join the security forces in their stead. Al-Sheikh, the former head of the police, responded by demanding that police personnel refuse these orders. Several days later, the PS announced the same, while promising full salaries and entitlements to those refusing Hamas orders (ibid.; Al-Waqa'i Yu'aradu ... 2007).

To draw the policemen back into service, the new government utilized processions of patrol cars with loudspeakers throughout Gaza, urging their return. In an obvious appeal to their sense of nationalism, the police cars were bedecked with Palestinian flags (as a corrective to the flying of Hamas flags on captured security sights during the takeover), carried pictures of Arafat, and banners announcing that "service is not a salary" (Hamla li-Hath 2007). The latter message was in obvious reference to their worries over the ability of the Hamas government to guarantee their salaries. The slogan suggested, paradoxically, that the Hamas government justified their fears in not being able to meet the bill. A counter petition signed by policemen and circulated in Gaza denounced the new Haniyeh appointee to head of the Higher Council for Police Matters in Gaza, Tawfiq al-Jabr, as a "mercenary," and stipulated that as police who always abided by the constitution they could only remain loyal to the official institutions (Abu 'Awn 2007b).

Hamas also rallied religious opinion to get the police back on the job. The media received from the Directorate of Religious Rulings of the Association of Ulama in Palestine a ruling announcing that receiving a salary as part of a long-term contract of employment requires the employee to carry on his work, and that failure to do so was forbidden by Muslim law (Yasin 2007).

General al Jabr, the head of police in Gaza, acknowledged that the Fayyad government's threat to withhold payments from those who decided to return to work was effective. By his own account, only 600 of 11,000 police went back to work within two weeks of the takeover (Qashta 2007). In the same interview, he praised the policing of the Executive Force, largely responsible for creating a "99 percent" calm in Gaza, after the security forces who were largely responsible for the disorder were routed and ousted. The EF embarked upon a media campaign to demonstrate its fight against crime. Towards the end of June, it announced that the EF had raided four drug "dens," after having received information about them being used as hideouts for drug dealers. The suspects were questioned by the EF interrogation department. In a separate incident, arms dealers launched a rocket-propelled grenade shell which wounded two EF members while besieging a home in the Sha'af residential section in Gaza City (Executive Force Storms 2007).

Having most of the police force on strike presented Hamas with a substantial dilemma. On the one hand, the effectiveness of the strike gave the impression that an important group in society felt that Abbas' ability to pay salaries was greater, and posed a challenge to Hamas' overall authority. On the other hand, the future payments of the police would ease the economic boycott on Hamas, by injecting much-needed income with which to resuscitate the economy.

Meanwhile, Hamas and the Executive Force began conducting house-to-house searches in an attempt to collect unauthorized weapons, despite the amnesty Hamas had offered to Fatah activists and members of the security forces. At least one Palestinian commentator noted wryly that Hamas was making the very same mistakes it accused the PA of committing, when in actual fact the PA actually refrained from doing so throughout Fatah rule ('Awad 2007).

There were several other indications, however, that Hamas rule in the first weeks after the takeover was far from complete. Mahmoud al-Zahhar announced that Hamas would pursue "Israeli spies," an apparent reference to Fatah loyalists close to Dahlan. Also, BBC correspondent Alan Johnston, presumably held by the Gaza City-based Doghmush clan militia headed by Mumtaz Doghmush, had still not been released. A Hamas official in Gaza City claimed, in an interview with the *Jerusalem Post*, that his movement was determined to free Johnston "even if we have to wipe out the entire clan." He accused the groups of being behind the bombing of more than 50 Internet cafes, restaurants, and hair salons in the Gaza Strip over the past year (Abu Toameh 2007e). By virtue of these pronouncements, Hamas had turned Johnston's release into a test case of their ability to restore law and order to Gaza.

Placing such a benchmark proved unwise in the subsequent weeks, as the Hamas government encountered difficulties containing the group, let alone destroying it. A spate of kidnappings then occurred. By far the most important was the 1 July arrest of the Army of Islam spokesman, Abu Khatab al-Maqdisi. According to Sami Abu Zuhri, a senior Hamas official, al-Maqdisi was arrested during a gun battle. According to the Army of Islam he was arrested while leaving early-morning prayers. The Army of Islam kidnapped ten Hamas members in retaliation (In Ma'an 2007; Isacharoff 2007b). Hamas accused Dahlan and other forces in Fatah of providing support for the group, as they had in the past, and of warning the group against releasing the British journalist. The alleged motive was to demonstrate that Hamas was incapable of bringing about law and order in Gaza (Hamas 2007).

Nevertheless, Hamas and its Executive Force clearly had the upper hand against this estimated 400-strong militia, most of whom belonged to the Doghmush clan. Members were reluctant to leave their homes for fear of being targeted by Hamas militiamen after three members of the clan, Ahmed, Munir, and Farid Doghmush, were killed by Hamas militiamen after being found outside their neighborhood in the Sabra district of Gaza City. According to Hamas officials, a plan had been drawn up to crush the group.

The group was never crushed, but Johnston was indeed set free with great fanfare on 4 July by a government craving foreign acknowledgment of its claim of having imposed security and order, when just three weeks previously an atmosphere of terrorizing foreigners, kidnapping of journalists and employees of international relief organizations prevailed (Editorial 2007).

Failing to protect the border crossings so economically vital for Gaza also suggested that the Hamas government was neither monopolizing nor channeling violence to meet its interests. The Karni crossing that had been opened in the Gaza Strip in order to allow humanitarian assistance to flow into the Strip during the present internal conflict, was closed for several days after a large explosive device was uncovered close to it. In January 2005, terrorists bombed the separation wall and infiltrated into the Israeli side, opening fire in all directions. They killed six Israeli workers and wounded five others. The Karni crossing was an important outlet for Gaza flower exports and one of the economic mainstays of the Gaza economy (Issacharof 2007). Israel, to salvage the flower export sector, allowed flower seeds to enter Gaza (to be exported later as full-grown flowers) through the Sufa border crossing. It soon became apparent that Fatah was behind the attack, in an attempt to keep the crossings closed and increase the pressure on the Hamas in Gaza. The group calling itself "Al-Buraq" justified the action as a form of retaliation to Israeli assassinations of AMB members during the two previous days (Fatah-Affiliated Group 2007).

Graver still was the closing of the Rafah crossing, the only link to Egypt, through which over one million people passed annually between Gaza and Egypt. European monitors had announced that for legal reasons they could not return to the Rafah crossing between Gaza and Sinai until Abbas' Presidential Guard regained authority over the crossing. This left thousands of Palestinians stranded on the Egyptian side (Kinon 2007). At least one prominent Hamas figure, Sheikh Yunis al-Astal, blamed the Egyptians for the closure. He suggested that the Palestinian factions come up with "a military solution" to the problem, and then quickly retracted his remarks in the face of Egyptian rage (Al-Hayya 2007).

Nevertheless, in order to pressure the Egyptians the Hamas government deployed a 200-man force along the 13 kilometer-long border between Gaza and Egypt, claiming that the force was composed mostly of NSF men backed up by Hamas "volunteers." The convoy transporting the force was bedecked with Palestinian flags, and the troops appeared in NSF uniforms to give the impression that this was indeed a "national mission." Yet this could not hide the fact that the head of the force, Captain Ibrahim Abu Al-Haija, was an officer in the Executive Force. To make the move appear less threatening the Hamas government framed the deployment as a complementary effort to secure the border on both sides, in anticipation of the opening of the border and the inflow of the thousands stranded on the Egyptian side. By that time the spokesperson of Hamas, Fawzi Barhoum, was talking of "Palestinians, trapped on the Egyptian side," in order to accentuate the gravity of the situation (200-Strong 2007; Qashta 2007b). The Egyptians remained obdurate in keeping the border closed in the absence of a formal solution to the problem. Not least among Egyptian motives was the US Congress' consideration of reducing $200 million of US aid to Egypt, for failure to expend sufficient efforts in assuring better border control across the Egyptian–Gaza divide (Assir 2007).

Solving the refugee problem along the Egyptian–Gaza border turned into a major political issue, with Israel anxious to arrange their crossing through the Kerem Shalom border passage point which Israel exclusively controls. All Palestinian factions and the Hamas government were opposed to this. Politically, the Rafah crossing was the only international border crossing the PA controlled. Security issues were also important. Many refugees stranded on the Egyptian side of the border were affiliated to the Palestinian factions, and feared interrogation and even arrest. They demanded, at the very least, Israeli guarantees to Egypt prohibiting such moves. To undermine the feasibility of the Kerem Shalom alternative, both Fatah and the JI continued to launch missiles at the Kerem Shalom border crossing presumably in retaliation for Israeli attacks on their members, the most important of which was the killing of Muhammad Abu al-Heija, a Fatah commander in Jenin (Al-Qasir 2007). The Abbas government changed its mind in light of its shared concern with Israel over Hamas' growing links with Iran and Syria, and a Minister in Abbas' emergency government Riyad Al-Maliki announced that 79 of those stranded on the Egyptian side had indeed been trained by Iran and Syria (Al-Maliki 2007). Al-Maliki had been one of three ministers to investigate the plight of the Palestinians on the Egyptian side of the border.

Containing the Hamas government proved to be a multi-faceted operation. Israel increased the pressure by destroying, within two weeks of the takeover, the District Coordinating Office in which border crossings were coordinated across Erez along the northern Gaza border with Israel, and the surrounding NSF posts that tried protecting this important artery from attack (Sheikh 2007).

Hamas had to be sensitive to the way it managed the border crossing because it raised issues relating to the legitimacy of the Hamas government. Press reports appeared "accusing" the Executive Force of arresting a member of the Siraya al-Quds for planting a bomb in a truck that was used to collect produce coming in from Israel through the Sufa border crossing. Hamas was accused by Fatah-dominated outlets of preventing "resistance," which both the Executive Forces and the al-Qassam brigades denied. Nevertheless, the pro-Hamas *Felesteen* daily corroborated the arrest and justified it on the grounds that the bombing would have brought about the closure of the border crossing, preventing much needed food imports from entering Gaza (Al-Qassam 2007). The incident gave credence to the claim that Hamas, once in power, bends to Israeli designs in ways it never tolerated from Fatah when it controlled Gaza.

Despite Hamas' claims of marked success in restoring order, it was less clear that they were succeeding in creating an effective public security system. Within one month, the EF claimed that they had radically reformed the security services in the Siraya headquarters. The number of officers present at headquarters had been reduced, they claimed, from 40,000 to 5,000, and a central operations room had been established and was being maintained. The operations room was to coordinate between four units – criminal investigation (al-mabahith), the anti-drug squad, preventive security, and general security in conjunction with seven local centers. Each unit served as an autonomous unit, and issued its own daily report that was then filed in the separate archive (Mushtaha 2007).

Yet according to the same newspaper report, all four branches were part of the General Activity Directorate (GAD or al-Nashat al-'Amn) and operated by the law which Husam al-Hamasi accused of being "for the benefit of religion and the homeland" (ibid.). The GAD evidently also had its own operating room, raising the question regarding the division of labor between the branches. Al-Hamasi claimed that the central operations room identified the problem geographically, while the GAD decided on the appropriate solution, the number and type of forces needed, and the coordination between them. The role he accorded to the central operations room hardly justified its existence, let alone the claim that it was the central operations room that coordinated between the different branches (ibid.).

In order to counter the President's campaign against the Hamas takeover, Hamas responded with a series of broadcasts and interviews that accused the security services, especially General Security, of selling intelligence to foreign security services in return for material benefits, without the knowledge of the President. They also accused Abbas' forces of eavesdropping and photographing potential informants in morally compromising situations, for the purpose of blackmailing them. Siyam, supporting the revelations of Hamas member of the LC Dr. Khalil Hayya, claimed that he had in his possession recordings in which the President was heard ordering security officials to kill those firing rockets at Israel. The security services also spied on each other, with a cell in General Security amassing information for the benefit of the PS (Siyam 2007).

Abbas' response

In the West Bank there were also calls for change in the security structure under the nominal leadership of President Abbas. Hatem Abdel Kader, a top Fatah operative in the West Bank and former member of the LC, called for a commission of inquiry to determine who was responsible for the fiasco in Gaza, while another senior Fatah official declared in an attack on Abbas and the Fatah leadership that "[T]hose responsible for the defeat must pay the price." Prominent Palestinian poet Mahmoud Darwish asked even more scathingly in the PA-funded *Al-Ayyam* newspaper "how can a hungry guard protect the home of a leader who is spending his vacation in France and Italy?" Comparing what transpired in Gaza to the Six Day War, he added "[W]e didn't find anyone to defeat us again, so we defeated ourselves" (Issacharoff 2007).

Barghuthi, the former commander of Fatah's Tanzim jailed in an Israeli prison, called for the heads of all Fatah security organizations in the Strip to be replaced. Jibril Rajoub, Ahmed Ghanem, Mohammed al-Hurani, Samir Shehadeh, and other prominent members of Fatah's Revolutionary Council expressed similar opinions in a meeting of 20 council members in Ramallah (ibid.).

Dahlan, speaking from an apartment in the West Bank city of Ramallah, attributed his absence from Gaza to convalescence arising from knee surgery. He claimed that Hamas' superiority over Fatah's fighters, despite Fatah's greater numbers, was no surprise. He attributed the latter's failure to match the Islamists' dedication to the lack of a clear goal and warned that "[I]t would be very easy for a few people who have a goal to succeed over a large army that does not have a goal and does not have proper weaponry" even in the West Bank (ibid.).

Egyptian officials also joined the chorus of criticism leveled at Dahlan, Abu Shibak, and Mashharawi. According to *Al-Quds al-'Arabi*, director of the Egyptian Intelligence Service, General Umar Suleiman, sharply criticized the three for the disorder that prevailed in Gaza, and for Fatah's total military defeat in which approximately 20,000 Fatah fighters succumbed to several thousand Hamas fighters and the Executive Force, despite being trained and provisioned by Egypt (Abbas Swears In 2007). He was especially bothered by the grossly inaccurate intelligence assessments Fatah and the security forces had provided the Egyptians. It should be noted that Egypt had withdrawn its permanent security delegation from Gaza just before the final takeover, and moved its embassy to the West Bank to protest Hamas control.

Bowing to pressure, Abbas announced a commission of inquiry for the events which transpired in Gaza. The commission was to be composed of four Fatah officials, headed by Abbas' close confidant al-Tayyib 'Abd al-Rahim, and would investigate the speedy collapse of Fatah military efforts. However, there can be no doubt that Abbas' vacillation in giving specific orders to crush Hamas played a major role in the defeat (Al-Ra'is Yushakilu 2007). Among the officials the committee expected to question were Abu-Shibak, Dahlan, Samir Mashharawi, Majid Abu-Shamalah – a member of the Fatah Revolutionary Council, Mahir Miqdad – Fatah spokesperson in Gaza, and Nabil Tammus, who headed the so-called "death squad." Tammus was believed to have fled to Cairo, where Abu Shibak was also located. Within two weeks, Abbas fired two senior officers, Commander of the Presidential Guard in the southern Gaza Strip General Musbah al-Buhaisi, and Colonel Suleiman Khadr of the PS, for surrendering to Hamas (Abu Toameh 2007f; Al-Ra'is Yushakilu 2007). By the end of July, it was Dahlan's turn to resign as security advisor (Abbas Security Chief 2007).

A form of competition developed between the two "governments," as media organs unofficially tied to them began publishing news items to demonstrate the effectiveness of their security agencies in achieving law and order. At the same time the newly founded Gaza-based *Felesteen* reported both the effectiveness of the Executive Force in achieving social order, by virtue of the recent success in its showdown with Abbas' security forces and Fatah, and by the successful efforts of a voluntary police force in solving Gaza's traffic problems. The Abbas-linked daily, *al-Hayat al-Jadida*, reported how the PS in Qalquilya, acting upon intelligence sources, disclosed several hideouts containing military uniforms, knifes, and hatchets belonging to embryonic cells of the Executive Force in the West Bank (Al-Waqa'i 2007). In that particular swoop 23 people were arrested. It was important for Abbas and his government to dispel the impression of wanton violence left by Fatah attacks on local Hamas-affiliated social organizations, which had occurred in retaliation for the treatment meted to Fatah activists in Gaza.

By far Abbas' boldest move on the security front since the Hamas takeover of Gaza, was his Presidential edict outlawing all armed militias and military or semi-military formations, forbidding any military activity whatsoever, and warning that anyone according these groups any kind of aid would be subject to prosecution. The edict also demanded the implementation of existing laws forbidding the bearing, possessing, and displaying unregistered arms in public. Newly instated Prime Minister Salam Fayyad explained the reason for the edict succinctly: "security chaos and [the establishment] of the state run along two parallel lines that do not meet" (Dr. Salam Fayad 2007).

Disarming the "fugitives," members of factions pursued by the Israeli authorities for involvement in terrorism, and assuring their safety through negotiations with Israel formed an integral part of achieving a monopoly in the use of violence in areas under the PA's formal jurisdiction. Towards mid-July, the PA had convinced 178 fugitives to sign commitments renouncing terrorism, and to give up their arms. Heading the list was Zakariya Zubeidi, head of the AMB in Jenin. The PA presumably paid large amounts of money, $3,000 for an AK-47 and $9,000 for an M-16, to retrieve the weapons. Nevertheless, other PLO factions such as the PFLP, the DFLP, and the PRC, rejected the arrangement in principle. Of course so did Hamas and "Fatah al-Yasir," a Fatah breakaway organization it supported. Nor did the arrangement include all the Fatah fugitives, some of whom opposed the arrangement in principle (Awad 2007; Da'wat Abbas 2007). As a palliative, but no doubt also to embarrass the Hamas government that might not have had the same financial wherewithal, Abbas passed an edict exempting Gaza's citizens from the payment of income and value added taxes or fees for any services offered by government authorities on individuals and companies (Marsum Riyasi 2007).

Intimately related to the support Abbas received from the US, Egypt, Jordan, and the European Community in countering the political threat posed by the Hamas takeover, the edict was publicized the day following the Sharm al-Sheikh summit between Israeli Prime Minister Olmert, Egyptian President Mubarak, King Abdullah of Jordan, and Abbas. The move might have also been timed to steal the thunder from Hamas' attempts to minimize the importance of the summit, by publicizing on the same day a recording of the kidnapped Israeli soldier on the first anniversary of his capture. In the terminology of the media, this was meeting a spin with a spin.

Hamas reacted to Abbas' presidential edict outlawing the militias with slander. Spokesperson Fawzi Barhun described the move "as an acceptance of American and Israeli dictates in implementing the Dayton Plan based on striking at [Palestinian] resistance in return for a few dollars and virtual concessions" or as he put it even more succinctly, "money in return for the resistance" (Barhun 2007). The criticism stopped short of branding Abbas a traitor. Barhun also made note of the point that Israeli concessions fell far short of offering a plan that dealt with the outstanding political issues, and warned of the consequences of not learning from Arafat's experience with the Israelis. Saraya al-Quds, the military wing of JI, also rejected the Presidential decree. The following day, three of their members were killed in Israeli attacks in Shuje'iya and Rafah. Even Zakariya al-Zbeidi, the AMB commander in Jenin who at first accepted the decree, subsequently announced on camera that the AMB was still part of the "resistance." He made sure to score points by being visibly armed in contravention of Abbas' decree (Abd al-Rahman 2007). It seemed that Abbas was beginning to lose the third and perhaps final round (ibid.).

Repealing contracts and terminating payments to the Executive Force, and of those security and government personnel who did not abide by the strike or who signed new contracts with the Hamas government, was another important move Fayyad's government took to weaken their opponents. Israel's decision to hand over to Fayyad's government $118 million as a first installment of an estimated $600 million of value added tax revenue on imports into the territories, withheld since the establishment of the Hamas government, enabled the PA to pay full monthly salaries for the first time since March 2006 (Jammal 2007). The secretary of Haniyeh's cabinet, who also presided as acting head of the bureau of employment, estimated the number of those who signed contracts with the

Hamas government at 23,000, approximately one-sixth of the total amount of government employees (Al-Madhoun 2007). The transfer was immediately confronted with difficulties. According to Riad al-Maliki, the new Minister of Information, Hamas had threatened to raid the banks in Gaza from which employees could draw their salaries. Maliki also warned that if EF raids on the passport office in Rafah continue, the PA would desist in issuing passports (Jammal 2007).

On the actual day of payment, it turned out that all those whose contracts dated after November 2005 – 31,000 in all – did not receive any salary. Of these 23,000 were military personnel and 8,000 were civilians. Though Fayyad tried to emphasize that the move was taken against the massive increase in government employment in the last days of the Fatah government as well, its main thrust clearly aimed at placing pressure on the Hamas government (Fursa Akhira 2007). Unfortunately for Fatah, Hamas deliberately staged the release of Alan Johnston on the day Fayyad's government transferred the salaries, in order to downplay the payments.

Funding from Israel and elsewhere, and the resultant payment of salaries, allowed Abbas to paralyze the legal system in Gaza. The Higher Legal Council decided on 2 July that judges, prosecutors, and legal staff in the courts would desist from any rulings or from taking any action involving the police, whose duties were taken over by the Executive Force due to the police strike (Al-Markaz 2007). The Hamas responded by dismissing 'Abd al-Karim Abu Sallah, the head of the law promulgation section of the Ministry of Justice (Diwan al-Fatwa wal-Tashri') in Gaza, for the role he played in maintaining the strike (Hamas Tam'anu 2007). More importantly, Hamas created a legal committee within the Executive Force, composed of a former officer in the adjunct general's office, an Islamic law expert, and the acting head of Gaza central prison, to deal with hundreds of criminal complaints that normally would have been referred to the courts.

Despite these moves, Abbas' security forces failed to improve their performance in the West Bank, let alone gain any foothold in Gaza after the takeover. Three weeks later, the pro-Abbas newspaper *Al-Ayyam*, revealed on its front page that "al-mutarradun" – members of factions pursued by the IDF – had forced the closure of two halls where matriculation exams were taking place in Nablus using live fire, to protest what they perceived as the failure of the authorities to open a hall especially for them, as had been done the previous year. Abbas had ordered the change without having ensured the conditions under which this new policy could be carried out. Disruptions continued in which the students were forced out of the closed halls, since many of them took the exams with weapons and mobile phones in hand. The ability of the authorities to conduct matriculation exams over the summer has been one of the primary tests of Palestinian self-governance since the first Intifada (Ghazi and Khalid

2007). A student, after relating to a reporter that the police had refused to interfere against the Fatah gunmen, summarized the event succinctly: "What kind of a government is this? If they can't impose order, they must go" (Abu Toameh 2007g).

Endless dissension within Fatah and security agency ranks no doubt helped to prevent any improvement in the performance of the security forces. The divisions reflected personal rivalries, relations between the "inside" and "outside," and statist versus revolutionary outlooks. Hani al-Masri set off dispute when he essentially upheld the Hamas version of the takeover. Specifically, he claimed that Hamas was compelled to counter Dahlan's corrupt group which had associated itself with the USA and the Dayton Plan, against the interests and desires of the majority of Palestinians and of Fatah members (Awad 2007b).

He was joined by Jibril Rajoub, the former head of the PS and Dahlan's rival of long standing, and Ahmad Hillis, the veteran Fatah leader who remained in Gaza. Rajoub, not content with the demands made by 20 members of Fatah's Revolutionary Council to oust Dahlan, Rashid al-Shibak, and Tirawi, demanded instead that they be tried in court. On that very same day, members of Marwan Barghuthi's family were accosted by the Presidential Guard, perhaps because Barghuthi began opposing Abbas' plans to rein in the AMB, which after all remained his power base. Once again, the fissures between revolutionaries and statists rose to the surface. Taken together, these fissures gave the distinct impression that no matter how threatening the opposition appeared to be, the Fatah and nationalist center's unraveling was to continue unabated.

Just as Abbas seemed to be losing the helm, the relative calm in Gaza under the Hamas government and the Executive Force made the situation on the West Bank look worse. This placed the Hamas in a better light. Undeniably, the Executive Force made mistakes. A member of parliament representing Fatah in Rafah was shot in his office by members of the Executive Force, on suspicion that he had sent to the Treasury Department in Ramallah the names of 37 police and security agency members who had defied the strike in order to ensure that their pay would be discontinued. The Hamas deputy-speaker of the LC condemned the attack and called upon the security forces to protect LC members' immunity while reports abounded of arrests and torture of Fatah members (Al-Ifranji 2007). These incidences notwithstanding, day to day calm became a fact of life for most of the population of Gaza.

Abbas had already conceded effective defeat concerning Gaza, when in a meeting with French President Nicolas Sarkozy on 29 June he asked him to support an initiative to place a 20,000-man international force in Gaza. Abbas requested that the force preferably be composed of NATO troops, to maintain law and order, and protect Gaza's inhabitants from Israeli retaliation (Al-Naami 2007). The military wing of Hamas, the Al-Qassam Brigades, had made it clear that such a deployment would be perceived as an occupation force. Political circles within Hamas interpreted the plan as an effort to force the dismantling of their government in Gaza.

Conclusion

Hamas' takeover of Gaza was a dramatic event in the annals of the Middle East in at least two ways. For the first time since the emergence of independent states in the Arab world, a grass-roots movement took over power from an incumbent in an important political arena. Equally novel was this movement's Islamic identity, adding to the regional salience of the event. Viewed from a more parochial perspective, the takeover created a situation in which two competing governments prevailed, each with nearly exclusive control in its own enclave. The bifurcation of the PA into two official security systems emerged after Hamas' electoral victory, and with the creation under the Hamas-controlled Ministry of Interior of the Executive Force. This division solidified into hard incontrovertible fact after the military takeover of Gaza, as incessant repressive actions against the political and military infrastructure of Fatah in Gaza by the Hamas government, and against Fatah institutions in the West Bank by the Abbas-led government. Thirteen years after the creation of the PA, envisioned as a state-in-the-making, the quest for a military had effectively led to the emergence of two party militias, each with some more or less professional arms.

In taking over Gaza the underdog had won the battle, but at the incredibly high price of the Palestinians having lost the war. 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. The rift also reflected a fault line in an emerging conflict between Israel and Arab states allied with the United States, against a Hamas government that is becoming increasingly aligned with Iran and her Syrian and Hizballah allies. In this broader context Palestinian strategic goals, of either camp, can only play a small role. For the United States, dealing with the Iranian nuclear program, Iraqi state-building and cohesion, assuring oil supplies, Gulf security, and the war on terrorism, will all have a salience greater than the Palestinian problem, which in the last 20 years has failed to have had considerable regional implications. On the Iranian side, containing United States' offensive liberalism, promoting its own theocratic revisionism, its nuclear program, and solidifying its ties with Syria, will be much more important objectives than Palestinian statehood could ever be.

Regarding the Palestinian quest for a military, the impact of foreign largesse, and professional and technical expertise will have a major impact in solidifying the rift between the two security systems. Diverging interests, ideology, doctrine, and professional development will render difficult, if not impossible, the efforts at unity. This could remain the case even after the politicians succeed in reaching some form of political compromise.

Perhaps the greatest burden the Hamas takeover brings to bear on the

Palestinians lies in Hamas' excessive faith in will, at the expense of acknowledging structural and distribution of power-related constraints. These constraints form the basis for the insights offered by Tilly and others. A hegemonic world order characterized by considerable hierarchy, and the promise of achieving more limited political objectives through the type of "juridical statehood" which revolutionaries typically frown upon. Hajj Amin had erred in assessing world power distributions, Arafat erred in discounting the prospects of a devolution strategy of juridical statehood which might have yielded him the state he wanted, while Hamas seems to disregard both realities. As the emerging power in the Palestinian arena, this means that the Palestinians will have to bear the price of one more leadership faced with a steep learning curve.

10 Conclusion

For the Palestinians the quest for a military has been intimately involved with liberation and independence (state-building), and the search for a centralized armed force, or a constellation of military institutions that could both defeat a formidable enemy as well as achieve a "monopoly of violence" on the home front. A project to achieve these objectives does not necessarily mandate a particular array of security institutions, either normatively or practically speaking. A centralized and unified force could achieve either both objectives (China, Eritrea, Israel), or neither of them (Algeria). Normatively, liberals as well as radical socialists have championed militias as a means of limiting government, and of protecting individual rights, as well as for the dissemination of radical ideas. Conversely, nationalists from all walks of life have championed the virtues of forging nationalism through the creation of a centralized army.

Since there exists no one military format that must always be followed, the question regarding the Palestinian experience is not whether they abided by a certain "state-building" military project, but to what extent the format they developed over time served their interests, and what are the likely consequences of these decisions for the future. The criteria for the assessment of both of these issues can be set by the objectives the creation of a security establishment was supposed to achieve – internal stability and the propagation of nationalism on the one hand, and the movement towards liberation and state-building, on the other.

Even the most generous assessment of the ability of the Palestinian military program to achieve stability, and promote cohesion for the Palestinian population, would be harsh. Preventing the criminalization of individuals and groups involved in the military effort is probably the most important aspect in achieving internal cohesion, as Mao's writings on maintaining "revolutionary" discipline within militias and armed forces stressed.

There is obviously a correlation between engaging in externally directed violence, and the growth of internal violence. Internal Palestinian violence in the territories occurred on a large scale during the two time periods in which Palestinians were engaged in widespread hostilities against Israel, during the 1987–1993 Intifada and after the outbreak of hostilities in late 2000.

Yet if the propensity to indulge in criminality by both security agencies and militias is the whole story, it fails to explain why the slope in the growth of internal violence which steepened after the intensity of hostilities between Israel and the Palestinians declined during both periods. This was true during the first Intifada after 1989, and in the second period after Palestinian terrorism reached its climax in 2003. Terrorist attacks peaked at 7,634 in 2001, declined to 5,176 in 2002 when Israeli casualties soared, and declined once again to 3,941 in 2003,[1] just as internal Palestinian violence took a sharp upswing. Still less does the "tendency towards criminalization" explain the striking differences in the patterns of internal violence between Gaza and the West Bank, as they played after 2003, during the second period under investigation.

Israel's relinquishing of internal policing control during the first Intifada, and the destruction of the physical infrastructure of the security forces in the hostilities after 2000, could possibly have explained the steep rise as the effects of reduced policing accumulated. However, this argument looses ground in light of the striking differences between the levels of internal violence between Gaza and the West Bank during the second period under consideration. Israel, after all, destroyed just as much of the infrastructure in the West Bank as it did in the Gaza Strip. The conclusion follows simple logic: a constant in both areas can not explain the variation between the two.

Socio-economic and ecological factors are almost always featured as key candidates in explaining violence of all sorts. The West Bank and Gaza are easily distinguishable along a host of socio-economic and ecological dimensions, which facilitate testing these kinds of arguments. Basically, the West Bank is significantly better off, with its population more evenly dispersed. Gaza is characterized by the obverse situation, with very dense concentrations of population, and since Israel built a security fence in 1996 is also penned-in.

Since 1993 internal violence has generally been higher, but this has not been true for all periods. Between 1971 and 1987, after General Sharon wiped out Palestinian terror cells, Gaza exhibited less violence than the West Bank for a period of 16 years. Again, constants such as differences in economic welfare (true throughout the past 40 years), and population density and concentration can not explain variation in the levels of violence over time. And even if Gaza suffered from more internal violence for most of the past 40 years (since the inception of Israeli rule in 1967), it does not explain the steepness of the curve in the most recent round of violence.

Reasons endogenous to Palestinian society, its governing institutions, and political make-up must be ferreted in order to provide an explanation that can account for the steepness of the curve ***and*** for the crucial differences over space between Judea, Samaria, and Gaza over the last two decades in general, and during the last seven years in particular.

Particularly since the takeover, Hamas and many of the PA's other detractors have argued that the criminalization of the security forces has led to rising internal violence. Once again a comparison between the West Bank and Gaza does not bear this thesis out. If the criminal activities of the security forces increased general levels of violence, those rates of violence should have been just as high, proportionately, in the West Bank as they were in Gaza. The reverse proved true, suggesting that political competition actually created the conditions for increasing domestic violence of all sorts.

In order to be effectively violent, one has to have the means and the desire to act in such a manner. Both conditions were met with the rising military capabilities of the Hamas, the JI and other opposition elements to the point where they could present a major challenge to the near monopoly of violence the PA and Fatah possessed at the initial stages of Palestinian self-rule. While the PA and Fatah refrained from violence during most of the period 1993–2000, the Hamas and the JI honed their skills and capabilities in numerous terror attacks and suicide-bombings. Both movements, particularly Hamas, were especially strong in Gaza.

Initially, Hamas was stymied most by the sheer political, military, and economic resources at the disposal of the Palestinian Authority. If after the second Gulf War the PLO and Fatah were strapped for cash with Hamas being the major beneficiary, the Oslo peace process, and to a lesser extent the slump in oil revenues enjoyed by the Gulf States, turned the tide.

This was the decade when Arafat enjoyed more direct access to the President of the United States than most actual heads of state, the PA enjoyed a budget of over $1 billion (at least five times the most generous estimate of the budget of Hamas), and employed nearly 150,000 workers, of which one-third were security personnel. Militarily, Hamas was no match for the Palestinian Authority's dozen or so security forces, especially after Arafat reactivated the Fatah Tanzim and the militia in 1996, both as a counterweight to his other security forces and to deter Hamas on the popular level.

Hamas clearly realized where the power lay. Despite massive detentions, particularly in 1996–1997, and occasional security cooperation with Israel against the movement, the Hamas refrained from retaliating against the PLO. It almost always limited its opposition throughout this period to protests and demonstrations.

All this changed with the outbreak of the low-intensity war with Israel in September of 2000. Just as the power of the PA semi-state cowed the Hamas, the punishment Israel exacted on the PA as an attempt (unsuccessful in retrospect) to compel it to refrain from terrorism, bolstered the movement's prospects throughout the course of the hostilities.

The tradeoff between economic welfare and terrorism disappeared as

Israel in the face of unprecedented high levels of terrorism, reduced access to the Israeli labor market to a trickle. Gone was the carrot in the form of access to the Israeli labor market that also acted as stick in pressuring Hamas to refrain from violence, as was the case in 1996 after the triple bombings of February–March 1996. Hamas could now revel in the glory of "the resistance" against Israel without being blamed for the costs it was generating. The confrontation with Israel marginalized the internal Palestinian political system, principally the legislative council. Hamas' absence from an arena of increasingly diminishing importance could hardly be noted.

Some of the movement's growing popularity could also be attributed to the strengthening of religious currents. A poll conducted in March 2000 in the territories showed that an overwhelming percentage of the respondents, 85.8 percent, felt that the PA should be more religious than it was (JMCC Poll 2000). The importance of religion for the Palestinians is also indicated by the title given the present outbreak of hostilities beginning at the end of September 2000: the "al-Aqsa Intifada" (Khatib 2002). Al-Aqsa is the name of the mosque situated on the Temple Mount in Jerusalem, where the first acts of violence took place.

Ironically, Hamas' rising stature was reflected in the external symbols adopted by Fatah. To compete with Hamas religiously, Fatah created a new fighting arm called the Martyrs of al-Aqsa Brigades that virtually replaced the Tanzim organization, with a logo of the Al-Aqsa mosque combined with a verse from the Koran. Video clips of Fatah suicide bombers featured would-be martyrs with a gun in one hand and the Koran in the other. Many of their announcements, most of which focused on the attacks leveled against Israelis and tribute to the martyrs that were responsible for them, were deeply imbued with religious symbolism and verses from the Koran (see www.fateh.tv). With the rise of an Islamic opposition, the security forces' role in nation-building was made much more difficult.

One can not, however, discount other more long-standing political factors in Palestinian politics which affected the Palestinian quest for a military. The failure to develop a unified military and security command was a feature common to all eras of Palestinian mobilization, which must ultimately be tied to the failure to achieve political unity or end the reliance on divide-and-rule tactics. Arafat's excessive use of this tool lay at the foundations of the fragmented security system he created, the costs of which became all too apparent in the successive waves of assault conducted by the Hamas and its Executive Force against the PA security agencies, and with Fatah's notable failure to act in a unified way.

Palestinian attempts to create a unified and integrated military were almost always compromised, either by the lack of objective conditions needed to make their efforts feasible, or by the military desirability of the project. Creating a unified command was a difficult task under the conditions which prevailed under the British mandate. During this period the British were strong militarily, and had resolved since the 1930s to remain in control. The same can be said of the situation that prevailed in the Palestinian diaspora, in which a dispersed people were constrained by Arab states eager to assert their sovereignty and control over Palestinian political and military projects within their borders. That the PLA units were named on the basis of the historical events that took place within the host states' borders was a telling indicator. In Lebanon, the Palestinians fought best in small guerrilla formations in Ein Hilwe against Israel, and least effectively as more formally organized units of the PLA. This brought into question the desirability of a unified military command.

Arafat was the first Palestinian leader who clearly had some latitude to choose what type of security system he would create. Paradoxically, a system of counterbalancing that was to assure his control failed his successor miserably. This was not because the model was necessarily wrong for many other cases, but because it proved unsuitable for the Palestinian case for at least two reasons. First, counterbalancing is not effective against an ideological movement that sees itself as an alternative to the incumbent leadership. Second, as we saw in the chapter on the security system under Oslo, counterbalancing or divide-and-rule is helpful only if one maintains a working relationship with an external sponsor. Walking away from the peace process, tolerating the acts of mass violence in late September 2000, and seeking and receiving aid from the external sponsor's foe – Iran – compromised the effectiveness of the security structure which Arafat created.

Ultimately, the Palestinian failure to create a military, and the generally related failure to create a Palestinian state, can be explained by their having failed to internalize the insights considered by Tilly and Rosberg and Jackson. In order to achieve success in their objectives, the Palestinians should have accepted the growing gap between core and periphery states and regions, the need to cooperate with the core states, to align one's objectives with the constraints of the world distribution of power, and ultimately to employ a strategy of political devolution in order to achieve statehood. Abbas and his security forces have accepted these conditions, but perhaps too late to make a significant difference. Hamas challenged the validity of the above insights by prevailing over the local incumbents, and taking over Gaza, only to find itself internationally contained and isolated by states which have learned the humbling lessons of defying powerful core states. The likelihood of the creation of a Palestinian military rather than the partisan militias that presently exist seems lower than ever, about as distant as the prospects of the emergence of a unified Palestinian state.

Notes

7 Politics, law, and security

1 Special tribunals which allow for different rules of evidence in security-related matters were also used in Great Britain and Israel (Hofnung 1994, 351–368).

2 Seventeen laws were enacted by the PA between its establishment in May 1994 and the elections to the Legislative Council in January 1996 (47 laws altogether until 2000). For a complete list, see Birzeit University Institute of Law, at http://lawcenter.birzeit.edu). Also on this matter, see Jamal al-Khatib, director of the legal department in the LC, interview, 27 July 1997. It has been confirmed by the liaison lawyers at the Israeli Ministry of Justice, Sigal Ben Shabbat, Interview, 16 July 1997, and Jan Claude Needam, Head of the Legal Aid (to the Palestinian Authority) Department, Ministry of Justice, Israel, interview, 27 July 1997.

3 See special issue of *Al-Siyasa al-Filastiniyya* 24 (Winter 1999) devoted to the NGOs and in particular Uthman (1999, 139–150).

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