

KEEPING YOURSELF OCCUPIED

with a 'little' help from your 'friends'

On the role of the Palestinian Authority, Israel and the International community in counter-insurgency operations against the Palestinian people.

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*'This siege will intensify to convince us to choose a harmless slavery, but with total freedom of choice.'*¹

*'Frantz Fanon was right when he said to Algerians in 1960 that just to substitute an Algerian policeman for a French one is not the goal of liberation: a change in consciousness is.'*²

1 Darwish, M (2002) *A State of Siege*. Syracuse University Press

2 Said, E (2000) *The End of the Peace Process: Oslo and After*. Pantheon Books

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Introduction

In the summer of 2012, a Palestinian theatre company toured the West Bank with its production, *Beit Yasmine* (House of Yasmine). Showed to packed theatre houses, the play narrates the story of the shooting and subsequent treatment of the human rights activist Yasmine. While she lies critically wounded, her family is required to write and submit a proposal for medicine, which will only be accepted if they also supply a written assurance that none of it will go to 'terrorists'. When the medicine arrives, the family discusses whether it will be addictive or not; a debate ensues where they are assured by the 'medical expert' that in small doses it will be beneficial. However, simultaneously, other 'experts' arrive with more types of medicine, and it soon becomes clear it is best that Yasmine remains ill in order to continue receiving such care, and for those around her to profit from it. The rebellious son of Yasmine, who initially opposes the medicine, is plied with offers of paid study abroad or a comfortable salary in a good job for his silence and acquiescence – therefore posing him with a severe moral dilemma. Clearly *Beit Yasmine* was articulating some of the dilemmas and frustrations felt by Palestinians towards Western aid and - peacebuilding in the occupied Palestinian Territory (oPt) – in particular, that it is addictive, that it is not fixing the problem, and it has largely become a mechanism for reducing rebellion and ensuring acquiescence, tainting all involved in it.³

The sight of historic enemies shaking hands on the White House lawn in September 1993 raised great hopes that the Israeli-Palestinian conflict, one of the most intractable conflicts of the twentieth century, was on the verge of resolution. One of the architects of the Oslo Accords, Yossi Beilin, even argued that it demonstrated that no conflict, be it in Northern Ireland or in Kashmir, was truly insolvable.⁴ The Oslo Accords would bring peace between the Palestinians and Israel, and a democratic Palestinian state in five years. Almost 25 years after the Oslo Accords these goals are still not met, and many conclude that the peacebuilding process that started in 1993 has failed.

The current situation can be outlined as follows. First, to date, the violence has not stopped. Between January 1st and October 31st of 2016, Palestinians killed 11 Israelis, including 2 security officers, and injured 131 Israelis, including 46 security officers, in the West Bank and Israel. In the same period, Israeli security forces killed 94 Palestinians and injured 3,203 Palestinians in the West Bank, Gaza, and Israel, including suspected assailants, protesters, and bystanders, according to Human Rights Watch.⁵ Second, there is no autonomous, viable Palestinian government and state that is fully recognized by the international community and Israel.⁶ Hamas rules in Gaza and Fatah in the West Bank. The Palestinian Authorities in the West Bank and Gaza are not in control of their borders, resources and territory. The West Bank is de facto fully occupied by the State of Israel. Israel imposed a siege on Gaza since the rise of Hamas in Gaza in 2006, where they control the borders, airspace, and

3 Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 96-97.

4 Ben-Porat, G (2008) *The Failure of the Middle East Peace Process?: A Comparative Analysis of Peace Implementation in Israel/Palestine, Northern Ireland and South Africa*. Palgrave Macmillan UK, p 127

5 Human Rights Watch (2016) *World report, Israel/Palestine Events of 2016*, <https://www.hrw.org/world-report/2017/country-chapters/israel/palestine>

6 United Nations (2012, 29th of November) *General Assembly Votes Overwhelmingly to Accord Palestine 'Non-Member Observer State' Status United Nations*. <https://www.un.org/press/en/2012/ga11317.doc.htm>

waters.⁷ Third, the Palestinian government is far from democratic. The last democratic election in the Palestinian Territories was in 2006, won by Hamas. After a bloody struggle, Fatah took over the West Bank and Hamas in Gaza. Both Fatah and Hamas restrict the freedom of expression, including arresting and detaining critics and political opponents.⁸ They also restricted the right to peaceful assembly and used excessive force to disperse some protests. Torture and other ill-treatment of detainees remained widespread in both Gaza and the West Bank.⁹ Unfair trials of civilians before military courts continued in Gaza; detainees were held without charge or trial in the West Bank. Women and girls faced discrimination and violence.¹⁰ This while the Palestinian Authority (PA) only survives by the grace of international aid. Since its establishment in 1994 it has received over 17 billion of aid, what in general makes up 37% of the general budget. Almost all the remaining funds come from local tax revenues and customs fees collected and given by Israel if they are satisfied by the performance of the PA.¹¹

The 'failure' of the 'peace process'

There is an ongoing debate why the 'peace process', that was initiated by the signing of Oslo I in 1993, has failed. Many scholars, journalists and others blame it on wrong implementation of peacebuilding policy, political choices and other circumstances. Much of this debate has been a 'blame game' designed to determine whether Israel, the Palestinians or the international community had the main responsibility for the collapse of the peace process. The Israeli government, among others, has constantly highlighted that the Palestinians are no partner for peace¹², incapable of (democratic) governance¹³ and/or that they are inherently violent.¹⁴ The PA blames the (right wing) Israeli governments for the failure of the peace process.¹⁵ The assassination of Rabin and the election of the right-wing Benjamin (Bibi) Netanyahu has compromised the Accords and peace. Others highlight the role of the international community in the peace process and the wrong implementation of aid in the oPT.¹⁶

All of these actors have different explanations why the 'peace process' failed. However, they all seem to agree that the initial structure and intentions of Oslo would pave a way towards

⁷ United Nations (n.d.) <http://palestineun.org/status-of-palestine-at-the-united-nations/>

⁸ Freedom House (2012) *West Bank and Gaza strip*. <https://freedomhouse.org/report/freedom-press/2012/west-bank-and-gaza-strip>

⁹ Arab Organisation of Human Rights in the UK (2016) *In the service of Israeli occupation. Palestinian Authority security forces. Arbitrary arrest and torture*. <http://aohr.org.uk/images/releases/Israel%20service-web.pdf>

¹⁰ Amnesty International (n.d.) *Palestine, state of. An overview*. <https://www.amnesty.org/en/countries/middle-east-and-north-africa/palestine-state-of/>

¹¹ Al-Monitor (2016) *Palestinian Authority reduce foreign aid*. <https://www.al-monitor.com/pulse/originals/2016/02/palestinian-authority-reduce-foreign-aid.html>

¹² For example; Barak, E (2001) *Israel needs a true partner for peace*. NY Times. <http://www.nytimes.com/2001/07/30/opinion/israel-needs-a-true-partner-for-peace.html>

¹³ Hinnebusch, R (2006) *Authoritarian Persistence, democratization theory and the Middle East: An overview and a critique*, Democratization, Vol 1, Iss 3, P 373-395

¹⁴ Tuastad, D (2003) *Neo-Orientalism and the new barbarism thesis: Aspects of symbolic violence in the Middle East conflict(s)*, Third World Quarterly Vol. 24, Iss. 4

¹⁵ For example; Al Jazeera (2011) *Former PLO negotiator: Israel 'no partner'*. <http://www.aljazeera.com/news/middleeast/2011/05/2011521154413267357.html>

¹⁶ For example. Lia, B (1999) *Building Arafat's Police: The Politics of International Police Assistance in the Palestinian Territories After the Oslo Agreement*. Ithaca Press

peace. They disagree on why it failed, but they agree on that the overall goal was to create a viable, democratic Palestinian state and institutions. Most scholars and researchers who wrote on the creation of the Palestinian security services share this vision.¹⁷ When 'peacebuilding' 'failed' they explained this situation primarily as a failure of implementation and difficult post-conflict circumstances.

These scholars, come to the conclusion that the post-conflict circumstances in combination with bad donor coordination and conflicting donor agendas have compromised the peacebuilding, in particular, the building of Palestinian institutions and policing structures. According to these scholars the creation of democratic institutions and 'democratic policing' failed because of the political context (colonial interests of Israel), and other factors such as the recruitment dilemma, the lack of time/resources/coordination, the cultural background, the need for repressive policing to protect fragile peacebuilding and the focus on more repressive elements of policing of the donor countries. Lia observes a clear shift in donor priority after 1996; Israel and the donors pushed the PA to focus on repressive, anti-terrorism policy, at the cost of building democratic Palestinian institutions. Lia writes;

*'However, the notion of police reform as peacebuilding was still in its infancy in the early and mid-1990s, when donors made their first steps to establish and reform the Palestinian Police. As will become clear in this study, international police assistance to the Palestinian Police was coloured by many competing agendas, and the noble aim of democratic policing was only one goal. Counter-terrorism was another goal, and was pursued with increasing vigour largely via covert programmes that circumvented the established donor coordination framework. This Palestinian case study will illustrate some of the general lessons already learned about the (lack of) effectiveness of international police assistance.'*¹⁸

Theory meets reality

This thinking derives from the 'liberal approach' that was in particular dominant at the time of the 'peace process'. After the collapse of the Soviet Union there was a huge confidence in the liberal approach. International politics was not a zero-sum game but states could both benefit from interaction. The end of the Cold War signalled the triumph of liberal democracy and thus 'the end of history,' according to Fukuyama.¹⁹ The defeat of the Soviet Union was the last episode in a longer trend of democratization. Many observers, especially in the

¹⁷ For example; Milton-Edwards, B (1996) *Policing the Peace: Northern Ireland and the Palestinian Case*, Contemporary Politics, 2 (3), (Autumn), pp. 79–100.

—(1997) *Policing Palestinian Society*, Policing and Society, 7 (1), pp. 19–44.

—(1998) *Palestinian State-Building: Police and Citizens as a Test of Democracy*, British Journal of Middle Eastern Studies, 25 (1), pp. 95–119.

Meyers, S (2000) *Police, State and Society: The Palestinian Police and Security Forces and the Maintenance of Public Order*. University of Durham, Centre for Middle Eastern and Islamic Studies,

Usher, G (1995) *Palestine in Crisis: The Struggle for Peace and Political Independence after Oslo*. London: Pluto Press

—(1996) *The Politics of Internal Security: The PA's New Intelligence Services*, Journal of Palestine Studies, 25 (2), pp. 21–34.

Lia, Brynjar (1998) *Implementing the Oslo Peace Accords – A Case Study of the Palestinian–Israeli Peace Process and International Assistance for the Enhancement of Security*. Kjeller: FFI, FFI Report No. 98/01711

—(1999) *The Establishment of a Palestinian Police Force in the West Bank and Gaza Strip*, International Peacekeeping, 6 (4), p 157–70

¹⁸ Lia, B (1999) *Building Arafat's Police: The Politics of International Police Assistance in the Palestinian Territories After the Oslo Agreement*. Ithaca Press, p 19

¹⁹ Fukuyama, F (1992) *The End of History and the Last Man*. New York: Free Press

West, believed that every state was capable of becoming a democratic, capitalist state.²⁰ In Central and Eastern Europe, the iron curtain came down and was replaced by a peace grounded on liberal mechanisms for peacebuilding: regional institutions, economic integration, democratization, mutual recognition of national rights, and the development of mutual trust.²¹ This striking tide of political change was seized upon with enthusiasm by the U.S. government and the broader U.S. foreign policy community. George Shultz, and other high-level U.S. officials were referring regularly to 'the worldwide democratic revolution.' Any process or event was interpreted from the transitional paradigm and viewed as a step in transition to democracy. The continued use of the transition paradigm constitutes a dangerous habit of trying to impose a simplistic and often incorrect conceptual order on an empirical tableau of considerable complexity.²² This was not only an idealistic consideration. The idea was that Democratic countries would not go to war with each other or sponsor terrorism against other democracies.²³ More specifically, democratizing Arab regimes was seen as the way to secure peace in the conflict-ridden region of the Middle East. Democratizing the Palestinian Authority, in particular, would be a way of achieving peace with Israel and resolving the region's most long-standing conflict.²⁴

The Israeli-Palestinian conflict was also perceived from this paradigm. Both Israel and Palestine could benefit from the 'peace process', especially with the help of the 'neutral' international community. An example is the notion that achieving regular, genuine Palestinian elections would not only confer democratic legitimacy on the new government but continuously deepen political participation and democratic accountability.²⁵ This theoretical idea did not match up with reality. Political participation beyond voting remained shallow and governmental accountability was weak. Elections did not remove the root-causes for the discontent among Palestinians, Arafat's corrupt patronage-based regime would become an essential part of controlling the Palestinians. Whatever idealistic intentions, it is impossible to understand the 'peace process' and the behaviour of the actors involved, without including realist and neo-colonial frameworks in the analysis.

Anti-Politics

The approach used in this thesis is quite similar to the case study from James Ferguson on Lesotho in his book *The Anti-Politics Machine*.²⁶ Ferguson concludes that 'development' in Lesotho has consistently failed to achieve their stated object because they are based on a 'construction' of the country that bears little relation to prevailing realities. When the development paradigm fails, the solution is more of the same; an ever-expanding

²⁰ Ercarnacion, O (2005) *The Follies of Democratic Imperialism*, Vol 22, Nr 1, Spring 2005, p 47-60

²¹ Rynhold, J (2008) Liberalism and the Collapse of the Oslo Peace Process in the Middle East. *The Whitehead Journal of Diplomacy and International Relations*

²² Carothers, T (2002) *The End of the Transition Paradigm*, *Journal of Democracy*, Vol 13, Nr 1, p5-21

²³ Diamond, L (1992) *Promoting Democracy*, *Foreign Policy*, 87,1992, p. 30

²⁴ Hinnebusch, R (2006) *Authoritarian Persistence, democratization theory and the Middle East: An overview and a critique*, *Democratization*, Vol 1, Iss 3, P373-395

²⁵ Schemann, S (1996) *Palestinian Vote: Dawn for Most, Legitimacy for Arafat*. In: NY Times.

<http://www.nytimes.com/1996/01/22/world/palestinian-vote-dawn-for-most-legitimacy-for-arafat.html>

²⁶ Ferguson, J (1990). *The Anti-Politics Machine: "Development," Depoliticization and Bureaucratic Power in Lesotho*. Cambridge: Cambridge University Press.

bureaucratic state power in people's everyday lives.²⁷ This expansion of bureaucracy could not have been done except under the cover of the apolitical development project. Development projects must fail in order to perpetuate the development institution. It is not an international conspiracy, rather, the development apparatus as a machine that cannot help but to repeatedly expand bureaucratic control through the anti-political development project.²⁸ Again and again, the wrong question is asked. Aid practitioners and policymakers looking at politics in a country that has recently moved away from authoritarianism ask; 'How is its democratic transition or development going?' They should instead formulate a more open-ended query, 'What is happening politically?' It is important not only look at what the 'development' projects fail to do, but what it achieves through its 'side effects'.²⁹

Insisting on the former approach leads to optimistic assumptions that often shunt the analysis down a blind alley. There is a great belief in malleability and certain axioms. While for example, the various assumed component processes of consolidation—political party development, civil society strengthening, judicial reform, and media development—almost never conform to the technocratic ideal of rational sequences on which the indicator frameworks and strategic objectives of democracy promoters are built. Instead, they are chaotic processes of change that go backward and sideways as much as forward and do not do so in any regular manner.³⁰

The same happens with the scholars and researchers that investigated 'peacebuilding' in Palestine. Just like the donor countries, they think in a framework that sees peacebuilding as the solution for the conflict. This framework sees the PLO as the representation of 'the people' and the 'neutral' international community makes sure any authoritarian tendencies will be contained. The state is seen as an impartial instrument for implementing plans and the government as a mechanism for providing social services and engineering growth. However, the reality on the ground is different. When authoritarianism cannot be contained and 'peacebuilding' 'fails' (according to their framework), most scholars see Arafat authoritarianism as the root cause of the expanding and dysfunctional government.³¹ When we look at the history of Arafat and the PLO it is clear that there are advantages to bureaucratic 'inefficiency' and corruption. I will argue that, Israel knowingly choose this clientelist elite and stimulated the growth of a corrupt bureaucratic system. While the 'peacebuilding' donors stimulated this due to a biased perception of 'peace' and the depoliticization of 'peacebuilding' policy. Previous researchers on the subject have either missed this, or did not value it enough because it did not fit in their framework. When aid fails, it is not a political matter, but the unfortunate result of, for example, poor organization or lack of training. The solution according to the aid donors and the scholars is more (or better) 'peacebuilding', more state.³²

²⁷ Idem. p. 67

²⁸ Idem. p. 178

²⁹ Idem. p. 180

³⁰ Carothers, T (2002) *The End of the Transition Paradigm*, Journal of Democracy, Vol 13, Nr 1, p15

³¹ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 430-432

³² Milton-Edwards, B (1997) "Policing Palestinian Society", *Policing and Society*, 7 (1), pp. 19-44.

Peacebuilding as Counterinsurgency

The Dutch police trainer Rense de Vries, active as a consultant of a Palestinian Police-Officer training facility, looks at the peacebuilding efforts from a different perspective than the scholars; 'What we are doing here is not focused on building a viable Palestinian State or establishing democracy. This is a big counter-insurgency operation dressed as peacebuilding or humanitarian aid. The larger goal is to control the Palestinian population. ... Of course, this is not the official goal in the documents, but this is what is happening'.³³

If we look at the peacebuilding goals set by the liberal approach, creating two prosperous, democratic states that live in peace together, indeed peacebuilding has failed. If peacebuilding is reinterpreted as a form of counterinsurgency whose goal is to secure a single population it has actually been quite successful.³⁴ If one wants to understand the 'peace process' there is a need to look outside the scope of liberal and Eurocentric views on 'peace(building)'. Western aid and peacebuilding in the oPT are not fixing the conflict, it has largely become a mechanism for reducing rebellion and ensuring acquiescence. This does not mean that it is a big global conspiracy with all donors involved. The donor community was very far from homogeneous, but as Ferguson explains; 'the development apparatus is a machine that cannot help but to repeatedly expand bureaucratic control through the anti-political development program'.

In the peacebuilding literature, there is a distinction made between 'democratic' and 'repressive' policing. An important part of 'peacebuilding' is the (re)establishment of a 'democratic' police force. This is an important framework for the scholars who wrote on the Palestinian police. This thesis contests the framework of 'democratic policing' versus 'repressive policing' and that due to circumstances and wrong implementation (inexperience and focus on repressive elements) 'peacebuilding' failed.³⁵ I argue that there is no contradiction between promoting Palestinian institutions, governance structures, and economic development on the one hand, and the context of Israeli occupation and colonial practices on the other hand.

This study has a similar approach as the work of Ferguson.³⁶ With a case study on Palestinian peacebuilding from a different perspective, this study aims to be insightful on the Palestinian case, but more broadly a reflection on peacebuilding literature in general. By looking outside the liberal framework we see there is no contradiction between promoting Palestinian institutions, governance structures, and economic development and on the other side Israeli occupation and colonial practices. My argument here is that if Western donor-led peacebuilding is understood as a form of counterinsurgency whose goal it is to secure a population, the contradictions vanish, and we see that peacebuilding has not failed – in fact,

³³ Interview. LTC (Retd) Rense j. de Vries (2017, October) Palestinian Officers Academy. Course director at USSC. Ramallah.

³⁴ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 96-97.

³⁵ Le More, A (2008) *International Assistance to the Palestinians After Oslo: Political Guilt, Wasted Money*. Oxon: Routledge

³⁶ Ferguson, James (1990). *The Anti-Politics Machine: "Development," Depoliticization and Bureaucratic Power in Lesotho*. Cambridge: Cambridge University Press.

quite the contrary, it has largely succeeded. For this insight, I am thankful to Mandy Turner and her article *Peacebuilding as Counterinsurgency*.³⁷

Chapter Contents:

Chapter one

To support this thesis, I start by looking at the Western conceptualization and the merge of peace, peacebuilding, and counterinsurgency. There is a deep structural symbiosis in the philosophy and methods of counterinsurgency and peacebuilding that lies in securing the population against unrest.³⁸ This is done by the implementation of governance, development and security strategies that instil acquiescence and ensure control. When peace is understood as ‘the restoration of order and stability’, ‘stability’ or ‘security’ (for the hegemon) the apparent contradictions between ‘peacebuilding’, ‘pacification’ (and other comparable terms) and counterinsurgency disappear. Modern counterinsurgency (COIN) doctrine is based on the idea that successfully securing a population and protecting it against unrest requires extensive strategies in the realm of governance, development, and security. Western donor-led peacebuilding activities also focus on these spheres, while they justify these actions with the positive goal of developing mechanisms to avoid or reduce violent conflict and build a sustainable peace. However, if we look at peacebuilding more closely, we see that there is, in fact, no real difference with counterinsurgency doctrines. The distinction made between competing agendas of democratization and more repressive approaches to acquire control, is artificial.

Development- and peacebuilding theories imply that there is a ‘natural’ state of being. Hence, it is important to analyse what was seen as the natural state or as ‘peace’ during the first years of the establishment of the PA and its security services. I argue that ‘peace’ and ‘security’ are not neutral concepts but are defined by the powerful. As Edward Said said; ‘Security for whom?’³⁹ If the institutions are created to protect a status quo, or ‘peace’, that is considered as unjust or violent, it is not a solid base to build on. The institutions can contain the ‘insurgency’ but not take away the underlying discontent.

Chapter two

In the second chapter, I describe the historic road towards the Oslo Accords. By looking at the historical context that led to the accords, it can be understood that realist and neo-colonial theories are far better frameworks to understand the behaviour of Palestinian and Israeli officials. It becomes clear that the Israel-Palestine conflict is fundamentally a colonial struggle over land and resources that pits a powerful state against a stateless people which has created a vicious cycle of insurgency and counterinsurgency. Strategic motivations made that the PLO and Israel started negotiations, rather than ideological motivations. Realism, which looks at processes as a consequence of changes in the balance of power, does a better

³⁷ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 96-97.

³⁸ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 96-97.

³⁹ Said, E (2000) *The End of the Peace Process: Oslo and After*. New York. p. 47

job in providing an explanation for the change in Israeli and Palestinian policy. I argue that the weakened position of the PLO leadership forced them to reach an agreement with Israel and the international community in order to survive (politically). The First Intifada had huge costs for Israel (i.e. both material and immaterial) and urged them to find a new approach to reach their goals. Israeli (and US) officials realized that they were at the top of their power and could never get a better deal. The fundamental structures of the Oslo Accords and the Palestinian Authority rest on neo-colonial and realistic motives, not on liberal ones. This is an important viewpoint to consider, if one wants to understand the outcomes of the peacebuilding efforts and the behaviour of the involved actors.

Chapter three

In the third chapter I shift focus to the content of the peace accords and the reality that they have created. Israel's counterinsurgency techniques against the Palestinians involve both direct violence and more subtle methods of population control to ensure acquiescence to the process of colonisation. It is in this context that Western peacebuilding strategies of governance, security coordination, and neoliberal economics have been pursued. This has constituted a further layer of pacification techniques. In the oPT, this is done through the establishment of a political economy, that rests on a partnership with a section of Palestinian elites. The political economy of the oPt has undergone a radical transformation since 1993, which has created an internal constituency also keen on stability. Peacebuilding as counterinsurgency has complemented and engaged with the structures of domination and repression created by Israel in subtle but crucial ways, that are not always visible. As a result, in this type of political economy repression and choice are no longer polar opposites but merge.⁴⁰ Oslo's fatal flaw was that it is neither an instrument of decolonisation nor a mechanism to implement UN resolutions that are relevant to the Israeli-Palestinian conflict. Rather, it was a framework aimed at changing the basis of Israeli control over the Occupied Territories in order to perpetuate that control. As such, the process was structurally incapable of producing a viable settlement and must ultimately result in further conflict.⁴¹

Chapter four

I argue that both parties had incentives to negotiate after the First Intifada but neither had interests in reaching a final conclusion. It can be observed that both the Israeli governments, as the Palestinian elite benefited from the status quo created by the agreements. However, the Palestinian people had to be contained, which was both in the interest of the PA and Israel. When looked at the literature on the establishment of the Palestinian Security Forces (PSF), most scholars conclude that the failure of creating a professional, 'democratic' security force is due to difficult post-conflict circumstances and failing donor strategies. I argue that they are partially right. These factors have obstructed the establishment of these forces to the standards of liberal 'peacebuilding'. However, if looked at the history and implementation it was not the main objective of Israel and Arafat to create a fully functioning 'democratic' security force. The security forces were necessary for the containment of the Palestinian people, but at the same time, a full professional and

⁴⁰ Tuner, M. and Kühn, F (2015) *The Politics of International Intervention: The Tyranny of Peace*. Routledge

⁴¹ Said, E (2000) *The End of the Peace Process: Oslo and After*. New York. p. 9

democratic security force was not in the interest of both Israel and the PA.

The donor community was very far from homogeneous. While the role of the US can be discussed due to its leading role and connection to Israel, it is fair to assume that most countries had the intention to contribute to the establishment of a democratic and independent Palestinian state. I reason that the problem of the international donor community had two (connected) components. First, they were unable to look outside the dominant concept of 'peace'. The second part of the problem was the depoliticization of 'peacebuilding'. Due to these blind spots, 'peacebuilding' has been used to continue a process of colonisation, instead of building a Palestinian state.

Chapter one – Conceptualisation of peace and peacebuilding

Introduction

Since the end of the Cold War, scholars, military historians and analysts have struggled to agree on a workable definition of contemporary warfare with regards to the conflicts that have erupted since the end of the Cold War. Perhaps the most influential of all is 'New Wars'.⁴² 'New Wars' theory is based on the assumption that contemporary conflicts differ from more traditional conflicts. In line with the changing idea of war and conflict, certain critical scholars made asserted that the distinction between war and peace has been destabilized since the end of the Cold War or 9/11. Alain Badiou suggests that 'war' has become so vague that ancient capitals could be bombed without serving notice to anyone of the fact that war has been declared. 'As such, the continuity of war is slowly established, whereas in the past declaring war would, to the contrary, have expressed the present of a discontinuity. Already, this continuity has rendered war and peace indistinguishable.'⁴³ Antonio Negri and Eric Alliez likewise comment that 'peace appears to be merely the continuation of war by other means', adding that because peace, 'otherwise known as global war... is a permanent state of exception', war now 'presents itself as peace-keeping' and has thereby reversed their classical relationship.⁴⁴

What these thinkers seem to have in common is that they all observe a recent shift. 'War' has become a continuity instead of exception, war and peacetime are increasingly convergent. Neocleous agrees that the difference between war and peace is vague, but adds that this convergence is not a new phenomenon. On European soil, war kept a traditional character but for centuries many 'non-traditional' wars have been fought elsewhere.⁴⁵ In his book *Modernizing Repression*, Jeremy Kuzmarov, points out a century of repression, often without direct military intervention, but in the form of US police missions, other humanitarian aid programs and nation-building attempts abroad.⁴⁶ Additionally, the book *Missionaries of Modernity* from Giustozzi and Kalinovsky gives an oversight of 'advisory' missions during the Cold War. Both studies deal with interventions during the Cold War and conclude that exercitation of this 'soft power' by the Western countries did not end with the end of the Cold War. As Giustozzi and Kalinovsky state;

'By the late 1950's a veritable competition for influencing non-aligned or weakly aligned countries developed between the United States and the Soviet Union, but with the participation of their respective allies, to provide advisory "services" in as large numbers as

⁴² Kaldor, M (2012), *New and Old Wars: Organized Violence in a Global Era*. Cambridge: Polity

⁴³ Badiou, A (2003) Fragments of a Public Journal on the American War against Iraq in *Polemics*, Verso: London, p. 39–41

⁴⁴ Negri, A and Alliez, E (2002) *Empire and Beyond*, Polity Press, Cambridge. p. 54

⁴⁵ Neocleous, M (2010) *War as Peace, Peace as Pacification*. *Radical Philosophy*

⁴⁶ Kuzmarov, J (2012) *Modernizing Repression, Police Training and Nation-Building in the American Century*. University of Massachusetts Press. p. 232-233

possible and to as many countries as possible. The competition between remained intense until the collapse of the Soviet Union. The new Russia almost disappeared from the scene in terms of the provision of advisory services, but American and European efforts did not relent, In fact they intensified as several new and weak states appeared on the scene. It can be inferred that it was not just Cold War competition between hegemonic powers which stimulated the reliance on advisory missions as a tool of influence and control.⁴⁷

In the next section, I discuss the concepts of 'peace', 'peacebuilding' and counterinsurgency. I aim to demonstrate that these are constructed and convergent concepts. These concepts are not randomly shaped but are a product of power relations. It is important to understand the theoretical development of these concepts in order to grasp the motivations and actions of the 'peacebuilding' mission in the Palestinian Territories.

Law as peace

There was a strong emphasis on the humanitarian aspect of interventionism, the so called 'New Peacekeeping', in the 1990's.⁴⁸ Nonetheless, before the 1990's the aim of the intervention, at least rhetorically, was also to bring peace, security and development. To understand the nature of these intentions, we have to look into the dominant conceptualization of 'peace' at the time. As stated, war and peace are artificial concepts and can change over time. The roots of the distinction between war and peace lie in liberalism.

'The liberal peace hypothesis' states that peace is the focal dynamic of civil society that the state exists in order to realize 'liberal peace' within civil society, and that international law exists to ensure peace between states.⁴⁹ The formal liberal position is that the decision about whether war exists is a legal one and that peace comes through law. Law and the social contract⁵⁰ makes the use of force a monopoly of the state, this ensures 'peace' both on the international and the domestic level. It is always 'peace and security' that are expected to come together; a conceptual couplet performing the same ideological role internationally as 'law and order' performs domestically.⁵¹ From this perspective, war is an exception to peace. Within this framework, war is a limited phenomenon in the international sphere, a confrontation between militarily organized and formally opposed states.⁵² Spreading these legal structures became equal to spreading peace. To act against resisters is simply enforcing law and order. Hence, any resistance to the law and the 'natural peace' is delegitimized and seen as barbarism.

⁴⁷ Giustozzi, A and Kalinovsky, A (2016) *Missionaries of Modernity, Advisory Missions and the Struggle for Hegemony in Afghanistan and Beyond*. London: Hurst Publishers

⁴⁸ Ratner, S (1996) *New Un Peacekeeping, Building Peace In Lands Of Conflict After The Cold War*. Palgrave

⁴⁹ Neocleous, M. (2007) *Security, Liberty and the Myth of Balance: Towards a Critique of Security Politics*. *Contemporary Political Theory*, 6: 131–149

⁵⁰ Hobbes, T (1651) *Leviathan*. Oxford University Press

⁵¹ Neocleous, M (2010) *War as Peace, Peace as Pacification*. *Radical Philosophy*. p. 9

⁵² Idem

War as peace

The idea of humanitarian warfare can back to the time of Machiavelli.⁵³ In this time the idea that liberty 'entails a commitment to empire understood as a defence and militant extension of true liberty in a hostile world' became dominant. In concrete terms, this 'translates into a pursuit of territorial security which justifies the intervention in the political life of neighbouring states and the subjugation and annexation of foreign lands.'⁵⁴ The liberal and 'humanitarian' concept of a world of universal values presupposes an expansive polity, which, in generating a politics of acquisition, in turn produces new enemies and thus requires the exercise of violence. Discipline, law and order are needed to sustain an empire. The aim of war is always peace and security. This reasoning is used to justify both defensive and offensive wars. 'For that reason, let a prince have the credit of conquering and holding his state, the means will always be considered honest'.⁵⁵

As such, violence can serve as a means to create security for the empire but the 'pacified' also benefit according to de Vitoria. Peace and security (e)merged with the law of nations. 'Permanent' colonial wars were justified with this ideological form of peace. Peace meant the restoration of order and stability along with an end to lawlessness. The idea of pacification became conjoined with the spread of a set of ideas associated with the rise of capitalism and centred around the idea of the nation state. The discourse of peace (partly) took over the discourse of war. Where war was previously seen as a necessity for the security of the state, now peace or pacification was a necessity for the security of the state. The war machine is a peace machine; the peace machine is a war machine. Permanent war is normalized as peace.⁵⁶

Within this ideological transformation, peace came to be addressed as a political issue. As the nineteenth-century liberal jurist Sir Henry Maine once commented, 'war appears to be as old as mankind but peace is a modern invention'.⁵⁷ This 'invention' came amidst the increasing monopolization of violence by the developing state, one which could be shaped and utilized by the state to help justify the violence under its control. War became ideologized as that it could benefit all, instead of being seen as a zero-sum game between actors.

Pacification

Peace became; 'the restoration of order and stability' or 'security' (for the hegemon) and was actively pursued also across domestic borders. According to this idea of peace, the world has to be harmonized and conjoined with a set of ideas based around the nation state and the free market. From the perspective of the powerful this is just 'defence of the natural order' and not seen as war or an aggressive act. Challenging this 'natural order' and law is 'barbarism' or 'terrorism' and inherently bad. These 'insurgents' had to be 'countered'. The

⁵³ Pock, J (1975) *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*. Princeton University Press: Princeton

⁵⁴ Neocleous, M (2010) *War as Peace, Peace as Pacification*. *Radical Philosophy*. p. 12

⁵⁵ Machiavelli, N (1532) *The Prince*. Duke University Press: Durham (1989) p. 55

⁵⁶ Neocleous, M (2010) *War as Peace, Peace as Pacification*. *Radical Philosophy*. p. 10-11

⁵⁷ Howard, M (2002) *The Invention of Peace: Reflections on War and International Order*. Cambridge University Press

goal was not to destroy these insurgents but as Kilcullen argues; 'classical counterinsurgency focuses on securing the population'.⁵⁸ The underlying rationale is to instil acquiescence and ensure control.

Counterinsurgency techniques have a long and extensive history as a method of control. In the colonial ages the imperial powers have often used these techniques to brutally crush anti-colonial movements within their empires.⁵⁹ In the twentieth century these practices became less acceptable (and effective). The focus of counterinsurgency gradually changed and techniques became further enhanced and developed, shifting from mainly military options to other forms of control. This does not suggest, however, that intense levels of violence are not a logical and necessary corollary of modern COIN operations; direct violence still plays a crucial role when structural methods of stabilisation fail. 'Winning hearts and minds' is often wrongly perceived as a soft approach.⁶⁰

For defending this natural order against the insurgents the term pacification became popular during the 1960's. This term implies that the order of the pacifier is the natural one and enforcing this is the same as bringing peace and stability. Pacification is not simply to defeat the enemy with military means, the participation of the pacified population is essential. Neocleous, Rigakos and Wall give an example of pacification in their article *On Pacification*.⁶¹ A speech was given by general Allard of France in 1957 at the Supreme Headquarters Allied Powers Europe (SHAPE), one of NATO's two strategic commands. France had by that time given up what had become known as its 'dirty war' in Indochina, but was happy to continue a series of wars elsewhere which were hardly any 'cleaner'. Such wars were understood by NATO and its allies, but also by their opponents, as 'revolutionary wars'. This was the subject of Allard's speech: how to defeat the revolution. Allard's view was that war against the various communist and socialist movements then in existence had to involve 'pure' military action, but that this alone would not be enough. There was also a second group of actions needed, grouped together because they worked in unison: psychological action, propaganda, political and operational intelligence, police measures, personal contacts with the population, and a host of social and economic programs.⁶² On this combined action Allard notes:

'I shall classify these various missions under two categories: Destruction and Construction. These two terms are inseparable. To destroy without building up would mean useless labor; to build without first destroying would be a delusion. The meaning of 'destruction' is fairly clear: the co-ordinated activity of army and associated state powers to 'chase and annihilate ... deal spectacular blows ... and maintain insecurity'. 'Construction', however, means 'building the peace', 'organizing the people', persuading the people 'by the use of education'

⁵⁸ Kilcullen, D (2006) 'Counterinsurgency Redux', *Survival*, 48:4. p. 111

⁵⁹ Charles Townshend. *The Oxford History of Modern War*. Oxford University Press. p. 95-116

⁶⁰ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 77

⁶¹ Neocleous, M, Rigakos, G and Wall, T (2013) *On pacification*. *The Journal of the Society for Socialist Studies* Volume 9, Number 2.

⁶² Idem. p. 1

*and, ultimately 'preparing the establishment of a new order'. 'This is the task of pacification.'*⁶³

Pacification is not only direct military action and intervention but also building roads, schools, clinics and allow 'civilization' to flourish.⁶⁴ What might be described as 'pure' military actions needed to be combined with a wider and more diverse range of political institutions and ideas to create a social order. Two important factors in pacification are productivity and development (modernization) and culture and ideology (hearts and minds).

Modernization and counterinsurgency

Pacification would benefit the 'receiving' party according to this reasoning. Active intervention would help pacified societies to make progression on the ladder towards a more 'modern' and 'civilized' society. To understand this idea of pacification and harmonizing the world around a set of ideas, one should look at modernization and other development theories. In the 1950's and 1960's this idea of modernization became popular among scholars and policymakers. Social scientists such as Walt W. Rostow, Lucien Pye, and Max Millikan believed that the United States had a historic mission to help unindustrialized, newly-independent Third World countries in their transition to a modern, consumer-capitalist society through injections of foreign capital and the introduction of new technologies.⁶⁵ Important was that the economic progress would help decide the contest between liberal capitalism and communism in favour of the West. Fearing the rise of radical social movements in an era of decolonization, they supported the kind of 'revolution' that was moderate, gradualist and anti-communist.⁶⁶ The overriding goal was to integrate these societies into the global capitalist economy. According to Latham, modernization theorists reiterated deeply held liberal beliefs that "their society [US] stood at history's leading edge" and possessed the power to transform the world. This was a progressive ideal, the State could intervene in foreign countries and help them 'develop', a global New Deal.⁶⁷

Described as both an ideology and a discourse, modernization comprised a changeable set of ideas and strategies that guided policies toward foreign aid, trade, nationalism, and counterinsurgency. The idea was that the state of economic and political advancement enjoyed by the United States and the industrialized West could be actively passed on through to the other two thirds of humanity. This process, called 'development', was the responsibility of ministries, banks, international agencies, G-7 summits, dictatorships, and insurgent groups. Governments could be stabilized, revolutions averted, and states realigned through precise interventions in the modernization process. Modernization, in Rostovian theory, was partly economic, partly institutional, but largely mental (hearts and minds). A behavioural approach emphasized the creation of new motivations and personalities and warned of the vulnerability of immature national psyches to the delusions of communism.

⁶³ Idem. p. 1-2

⁶⁴ Horne, Alistair. 1987. *A Savage War of Peace: Algeria 1954-1962*. London: Papermac. p. 338

⁶⁵ Latham, M (2000) *Modernization as ideology*. The University Of North Carolina Press

⁶⁶ Michael Latham, *The Right Kind of Revolution*. Modernization, Development, and U.S. Foreign Policy from the Cold War to the Present. Cornell University Press

⁶⁷ Idem.

Development, in this view, was a kind of conversion experience, an acceptance of the (universal) imaginary of the developer.⁶⁸

In these times, the hope was that by accepting this imaginary and value system countries would act in line with the geopolitical goals of the US and European countries. As such, both parties would benefit. Modernization and development policies were seen as tools to achieve counterinsurgency and control. In practice, American geopolitical and economic interests often conflicted with local interests and nationalist movements for many reasons. Competitive, more 'developed', economies had an huge advantage in the open markets, creating inequalities and resistance in less competitive countries. In addition, the need of the US and European countries to ensure access to vital strategic natural resources conflicted with the ideas of the people of the newly 'developing countries', who wanted to have control over their natural resources.⁶⁹

Competing agendas?

Many scholars will point out that democratization goals were overruled by geopolitical goals in the context of the Cold War. They argue that there are 'two competing agendas' with two different approaches.⁷⁰ One is the humanitarian approach, with the focus on nation-building and democratization. The second is a repressive approach, which focusses on counter-insurgency practices. Interestingly, scholars with more critical views regarding modernization theories, like Jeremy Kuzmarov in his book *Modernizing Repression*, still makes this distinction. He writes that 'persistent oversight by the US has often been catastrophic for the subject society, largely because of the repressive function for which the police programs were designed'.⁷¹ 'Many programs that were presented as humanitarian designed to support democracy, public security and nation building achieved the opposite. Instead these programs supported the rise of antidemocratic local elites that would act in line with American geopolitical interests.'⁷² Latham adds; 'Cold War concerns often led the US to pursue policies that had little to do with liberation of any kind. In many cases they shed their tenuous commitment to democratic values in favour of repressive policies that shored up dictatorial regimes and ultimately helped create the very dangers that they hoped to avoid.'⁷³ Things went 'wrong' when the focus was too much on counter-insurgency and repression according to Latham. For instance, US foreign aid was channelled into military

⁶⁸ Nick Cullather (1992) *Modernization Theory in Explaining the History of American Foreign Relations*. Cambridge University Press

⁶⁹ Nick Cullather (1992) *Modernization Theory in Explaining the History of American Foreign Relations*. Cambridge University Press

⁷⁰ Kuzmarov, J (2012) *Modernizing Repression, Police Training and Nation-Building in the American Century*. University of Massachusetts Press.

Nick Cullather (1992) *Modernization Theory in Explaining the History of American Foreign Relations*. Cambridge University Press

Michael Latham, *The Right Kind of Revolution. Modernization, Development, and U.S. Foreign Policy from the Cold War to the Present*. Cornell University Press

⁷¹ Kuzmarov, J (2012) *Modernizing Repression, Police Training and Nation-Building in the American Century*. University of Massachusetts Press. p. 232

⁷² Kuzmarov, J (2012) *Modernizing Repression, Police Training and Nation-Building in the American Century*. University of Massachusetts Press. p. 233

⁷³ Michael Latham, *The Right Kind of Revolution. Modernization, Development, and U.S. Foreign Policy from the Cold War to the Present*. Cornell University Press

and police-training programs that contributed to significant human rights violations and antidemocratic processes in Guatemala, South Vietnam, and Iran, among other countries.⁷⁴

Nation-building, building institutions and democratic policing are portrayed as opposite to (repressive) counterinsurgency. However, this is a false distinction. There are no competing agendas. The overriding goals were always the same, geopolitical interests of the hegemonic and 'pacification' of the people to make them fit in the 'natural order'. This is important if we want to understand the intentions of the donor community. The 'peacebuilding' efforts were not a global conspiracy against the creation of a Palestinian state, but the construction of 'peace' depoliticizes and justifies all 'peacebuilding' policies. The results and side-effects of the policies were no part of the planners' (bad) intentions. They can be accomplished, as it were, behind the back of the most sincere participants. In this light, the planning apparatus is neither mere ornament nor the master key to understanding what is happening. Rather than being the blueprint for a machine, it is part of the machine.⁷⁵

This great disbalance in power and the creation of a 'natural order' are driving factors in these interventions and in the Palestinian case as well. The disbalance, not in material power but more importantly how the two 'peoples' are perceived in the natural order, is important for understanding the process 'peacebuilding'. This power relations between the PLO and Israel created a disbalanced deal as we will see in the next chapter in more detail. Peace basically became to be understood as security for Israel. Edward Said famously pointed out this Western bias towards the Middle East and Palestine that is rooted in colonial thinking.

*'This biased thinking created a reality wherein the international community accepted a deal wherein the Palestinians could get a small Palestinian state without the reality of independence, and the authority can continue, at best, flawed rule. Any protests on the Palestinian side were dismissed as ungrateful. While Israel in return got full normalization or their policy, full 'peace' and full opening of markets. Only when Palestinians totally fall into line, speak the same language, take the same measures as Israel and the United States do, can they be expected to be 'normal,' at which point of course they are longer identified as Muslim or Arab. They have become 'peacemakers'. Any (nationalist) resistance is classified as Islamic, radical, barbaric, uncivilized and terroristic and therefore needs pacification. This pacification can be 'democratic' or 'repressive' but the aim stays the same. Fanon was right when he said to Algerians in 1960 that just to substitute an Algerian Policeman for a French one is not the goal of liberation: a change in consciousness is. Not only brute force and policemen, but knowledge, information and consent define power.'*⁷⁶

⁷⁴ Michael Latham, *The Right Kind of Revolution. Modernization, Development, and U.S. Foreign Policy from the Cold War to the Present.* Cornell University Press

⁷⁵ Ferguson, James (1990). *The Anti-Politics Machine: "Development," Depoliticization and Bureaucratic Power in Lesotho.* Cambridge: Cambridge University Press.

⁷⁶ Edward W. Said, *The End of the Peace Process: Oslo and After*, New York, 2000 pp. 47

New Peacekeeping

Many 'developers' truly believed that their interventions in the 1960's and the 1970's had 'failed' because they had caused more authoritarianism instead of democratization.⁷⁷ At the end of the 1980's there was opted for a new humanitarian approach. The idea was that in the past the interventions had focused too much on 'repressive elements', but 'New Peacekeeping' was supposed to be a new humanitarian approach aimed at dealing with the root causes of conflicts and bringing democratization.⁷⁸ As argued before, this is an artificial distinction and it made that 'New Peacekeeping' at its essence was a just another (developed) form of counterinsurgency.

New Peacekeeping and humanitarian interventions quickly became popular during the 1990's. Many scholars were optimistic and there was a strong increase in UN peacekeeping operations during this time.⁷⁹ There was a huge confidence in the liberal approach and that politics was not a zero-sum game, but (could be) a positive-sum game where everyone benefits. The end of the Cold War signalled the triumph of liberal democracy and the 'end of history,' according to Francis Fukuyama.⁸⁰ In Central and Eastern Europe, the iron curtain came down and was replaced by a peace grounded on liberal mechanisms for peace building: regional institutions, economic integration, democratization, mutual recognition of national rights, and the development of mutual trust.⁸¹ It was from this liberal framework that the Israeli-Palestinian/Arab peacebuilding was perceived. The end of the Cold War initiated the Middle East peace process with the 1991 Madrid Conference and the 1993 Oslo Accords signed by Israel and the Palestine Liberation Organization (PLO). The terms peacebuilding and 'human security' made their first appearance in *An Agenda for Peace*, a 1992 UN document.⁸² Central was the idea that insecurity causes poverty and that civil wars were the major cause of insecurity. Both concepts became popular among scholars and policymakers, who created many toolboxes, schemes and definitions, as well as institutions, such as the UN Peacebuilding Commission, the EU Peacebuilding Partnership, the UN Trust Fund for Human Security and the Human Security Network.⁸³

Peacebuilding literature

The majority of the available research on the Palestinian Security Forces (PSF) concludes that the creation of professional security structures failed due to circumstances and wrong implementation.⁸⁴ Many base their analysis on the peacebuilding literature that deals with building police forces in post-conflict circumstances. Much of this peacekeeping literature is

⁷⁷ Freedman, L (1996) Vietnam and the Disillusioned Strategist. *International Affairs*, 72, 1

Michael E. Latham (2000) *Modernization as Ideology*. The University Of North Carolina Press

⁷⁸ Ratner, S (1996) *New Un Peacekeeping, Building Peace In Lands Of Conflict After The Cold War*. Palgrave

⁷⁹ United Nations (n.d.) list of peacekeeping operations 1948 - 2013 - the United Nations.

<http://www.un.org/en/peacekeeping/documents/operationslist.pdf>

⁸⁰ Fukuyama, F (1992) *The End of History and the Last Man*. New York: Free Press

⁸¹ Rynhold, J (2008) Liberalism and the Collapse of the Oslo Peace Process in the Middle East. *The Whitehead Journal of Diplomacy and International Relations*

⁸² Boutros-Ghalis (1992) *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*. www.un-documents.net/a47-277.htm

⁸³ Turner, M, Cooper, N and Pugh, M (2010) *Institutionalised and coopted: why human security has lost its way*. Routledge. p 86

⁸⁴ See footnote 17.

relatively optimistic that well-designed and well-monitored police aid programmes can have a beneficial effect on promoting democratic policing.⁸⁵ There are obstacles, such as time, resources, history, culture, recruitment-dilemma in creating a functioning security apparatus but when implemented right, this can be overcome. Sometimes repressive elements are needed to maintain order in the 'transition phase', but in the long run the international community will prevent authoritarian tendencies from the new elite.⁸⁶

The peacebuilding literature also makes a distinction between democratic policing and repressive policing (or comparable terms). Democratic policing is difficult to classify but there are some central aspects such as civilian oversight, legitimacy and professionalism. Central to this idea is that; 'the police are a service, not a force, with the primary focus on the security of the individual rather than the state. Its defining characteristics are 'responsiveness' to the needs of individuals, and 'accountability' for its actions to the public it serves'.⁸⁷ To protect the individual against arbitrariness and corruptness the police should be subject to a clear set of laws, rules and professional codes. Mechanisms of civilian oversight should be in multiple layers of society, not just ad hoc control of policing. State institutions, community groups, NGO's and the media are key actors in this dynamic of creating oversight and limiting the power of the police.⁸⁸

The introduction of democratic policing in conflict areas is very complex according to these theories. One of the problems is that national police agencies and domestic security agencies are often powerful institutions, especially in (post-)conflict societies. There is often no clear line between the internal security (police) and external security (army). It is seen as a goal of democratic policing to limit the power of these forces by legal structures. Another important aspect is legitimacy. Policing is legitimate when "the broad mass of the population, and possibly even some of those who are policed against, accept the authority, the lawful right, of the police to act as they do, even if disagreeing with or regretting some specific actions".⁸⁹

The most important aspect of introducing 'democratic policing' is the actual ability and the will of the new government to enforce democratic law enforcement. The public security, including police, judiciary or legal code and prisons, must first of all have the capacity to maintain law and order. This means having enough resources, materials and a good training. The most challenging is to create the will to serve the public and have some sort of impartiality in the security forces.⁹⁰ This can only happen if elites have the political will to

⁸⁵ For example; - Marenin, o (1989) *Predicting the Past: Reagan Administration Assistance to Police Forces in Central America*, Justice Quarterly, 6 (4), (December), pp. 589–618.

Bruce, Robert H. (1988) *Human Rights and U.S. Training of Third World Police*. Conflict Quarterly, 8, (Winter 1988), pp. 48–60.

Sheryl Lynn, S (1997) *The Impact of United States Security Assistance on Democracy in Latin America*. University of Texas

⁸⁶ Milton-Edwards, Beverley (1997) *Policing Palestinian Society*. Policing and Society, 7 (1), p. 19–44.

⁸⁷ D. Bayley (2001) *Democratising the Police Abroad: What to Do and How to Do It*. US Department of Justice. www.ncjrs.org/pdffiles1/nij/188742.pdf.

⁸⁸ Wright, A. and A. C. Mawby (1999) *Civilian Oversight of Policing in Transitional States: The Case of Hungary*. International Journal of the Sociology of Law, 27 (4), p. 335–50

⁸⁹ Berdal, Mats (1996) *Disarmament and Demobilisation after Civil Wars*. Oxford University Press, p. 57.

⁹⁰ Bayley, David (1995) *A Foreign Policy for Democratic Policing*, Policing and Society, 5, pp. 70–93.

bolster political, judicial and societal mechanisms of accountability.⁹¹ Hence, most of the blame of the scholars for the failure to create a professional and democratic Palestinian police is on Arafat and the corrupt PA elite.

Peacebuilding as counterinsurgency

If looked at the doctrines of New Peacekeeping, peacebuilding and human security, (again) structural similarities with the goals, methods and philosophy of modern counterinsurgency theories appear. It is a wrongfully conceived idea that counterinsurgency would mainly consist of aggressive and military tools and that peacebuilding focuses on humanitarian aspects such as building institutions. The main goal of COIN is not to impose order but to achieve 'collaboration towards a set of shared objectives'.⁹² This could be both with military as non-military means. 'COIN is a complex effort that integrates the full range of civilian and military agencies. It is often more population-centric (focused on securing and controlling a given population or populations) than enemy-centric (focused on defeating a particular enemy group).'⁹³ COIN doctrines focus on preventing uprisings by controlling economic, political, and military spheres through development aid, supporting sympathetic elites, and military assistance. This coheres with the concepts and practices of peacebuilding strategy as expressed in 'An Agenda for Peace' (1992)⁹⁴ that formed the ideological base of many peacebuilding activities undertaken by Western donors and international organisations.⁹⁵ The 2009 US Government Counterinsurgency Guide posits that '[t]he capabilities required for COIN may be very similar to those required for peacekeeping operations, humanitarian assistance, stabilization operations, and development assistance missions.'⁹⁶ In constructing the 'three pillars of counterinsurgency' (security, political, economic), Kilcullen incorporates best practices from all these examples and compares the process of developing the 'pillars' as akin to conducting a USAID conflict assessment.⁹⁷

Counterinsurgency is not the language used by the development community, although many Western states openly express that their international development strategies are working to advance counterinsurgency. The preferred label in the development and peacebuilding lexicon is that of the so-called 'security/development nexus'⁹⁸ and the concept of human security, that has, since its emergence in the 1990s, been dominant in the West's analysis of how to promote violence reduction, particularly in conflict zones and 'fragile states'. Yet, the symbiosis of the two strategies is obvious. US General David Petraeus, who wrote the counterinsurgency 'bible'⁹⁹, proposed to Mary Kaldor (one of the major proponents of

⁹¹ Hansen, B and Lia, B (1998) *The Role of International Security Assistance in Support of Peace Agreements in War-Torn Societies*. Kjeller: FFI, FFI-Report No. 98/05291

⁹² Kilcullen, D (2006) Three Pillars of Counterinsurgency. Remarks delivered at the U.S. Government Counterinsurgency Conference, Washington D.C., 28 September

⁹³ United States Government Interagency Counterinsurgency Initiative (2009) *US Government Counterinsurgency Guide* p. 12.

⁹⁴ Boutros-Ghalis (1992) *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*. www.un-documents.net/a47-277.htm

⁹⁵ Boutros-Ghalis (1992) *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*. www.un-documents.net/a47-277.htm

⁹⁶ United States Government Interagency Counterinsurgency Initiative (2009) *US Government Counterinsurgency Guide* p. 12.

⁹⁷ Kilcullen, D (2006) Three Pillars of Counterinsurgency. Remarks delivered at the U.S. Government Counterinsurgency Conference, Washington D.C., 28 September

⁹⁸ Hurwitz, A and Peake, G (2004) *Strengthening the Security-Development Nexus: Assessing International Policy and Practice since the 1990s*. International Peace Academy

⁹⁹ Petraeus, D (2006) *US Army/ Marine Corps Counterinsurgency Field Manual*

human security)¹⁰⁰ that the two concepts – of counterinsurgency and human security – had the same principles and goals.¹⁰¹

Endless donor involvement

Central in the peacebuilding doctrines is the slogan that ‘development requires security and security requires development’. Donor-led peacebuilding prioritised state-building and security over other aspects of peacebuilding.¹⁰² Securing the population therefore becomes a precursor to improve the economic environment. Institutional and personal insecurity is the single biggest challenge to economic development and the prime reason for this is intrastate conflict.¹⁰³ This justifies endless donor involvement, in order to secure populations. More programmes directed at ‘capacity building’, ‘rule of law’, ‘security sector reform’, ‘state building’, and ‘good governance’ are implemented in countries deemed to require securing. Elites unwilling to implement these policies are bribed or side-lined by donors.

The narrative and perception sometimes deviate, but the main goal of both COIN and peacebuilding is the same; control.¹⁰⁴ A stabilisation of the situation that benefits the powerful. Nowhere is this more visible than in the oPt, where Israel’s techniques of counterinsurgency, implemented to suppress opposition to resource appropriation and population transfer, have been supplemented since 1993 with Western donor-led peacebuilding policies. These practices have assisted in securing the population and ensuring acquiescence in the face of violent dispossession. As a consequence, from the liberal perspective the Israeli-Palestinian peacebuilding has failed. The process did not produce peace (as in the end of violence), a Palestinian State, or democratization. However, when control and stabilization are seen as the primary goal, the COIN/Peacebuilding efforts were rather successful.

As is outlined in the next chapter, the peace process was driven, and can better be explained, by realist and (neo-)colonial incentives. When trying to explain the ‘failures’ of ‘pacification’, ‘modernization’, ‘democratization’, ‘peacekeeping’ scholars blame it on wrong implementation, political choices and other circumstances. As has been pointed out, there is no contradiction between promoting institutions, governance structures, and economic development and more repressive programs. The distinction between two competing donor-agendas is artificial. Democratization and other humanitarian goals can better be seen as (sub)goals or tools to achieve the overriding goal of controlling a population and preserving the global system.

¹⁰⁰ Kaldor, M (2007) *Human Security: Reflections on Globalisation and Intervention*. Polity

¹⁰¹ Kaldor, M and Beebe, S (2010) *The Ultimate Weapon is No Weapon: Human Security and the New Rules of War and Peace*. Public Affairs. p. 68.

¹⁰² Paris, R and Sisk, T (2009) ‘Introduction: understanding the contradictions of postwar statebuilding’. Routledge, p. 1–20.

¹⁰³ World Bank (2011), ‘World Development Report 2011: Conflict, Security and Development’

¹⁰⁴ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 96-97.

Chapter two – The Road to Oslo

Introduction

To understand the framework and political reality created by the Oslo Accords, the (political) context and circumstances that led to the agreements have to be understood first. As will become apparent, the incentives to start the negotiations cannot be understood from the liberal framework only. Despite officially being in favour of the two-state solution, it was never the main goal of Israel to establish a Palestinian state. Security of Israel always has always been the main objective. To be specific, the Israeli government establishes security by controlling as much land and resources of the historical Palestine as possible. In this chapter, I demonstrate that building Palestinian institutions and colonial/security policy of Israel is not per definition contradictory.

Israeli officials came to realize that the best way to control the Palestinians was by building Palestinian institutions, give them limited self-governing and make the Palestinian elite part of the counter-insurgency strategy. The Israeli leadership wanted to benefit from the PA's security competences and control the Palestinians without creating a Palestinian state and lose territory. Therefore, Palestinian institutions had to be empowered to be a useful part of Israel's COIN practices that facilitated their colonial policies, but not so much that they could become a threat to these policies by claiming state-like authority.

The history and structure of the PLO and Arafat are essential to understand the process of state and nation-building after 1993. By looking at the history, Arafat had two options at the time. Either to become the leader of the Palestinians in a colonial setting created by these 'peace' deals that greatly favoured Israel, or to be shoved aside by Israel and the international community. Throughout his career, Arafat has shown great political manoeuvring and adaption to stay in power under extremely complex circumstances. The failure of creating a viable, democratic Palestinian state is often attributed to his corrupt way of governing. While in fact, his corrupt way of controlling his constituency made him the perfect partner to control the Palestinians inside the colonial framework that was created by the 'peace process'.

As will be extensively handled, it was both in the interest of the PA and Israel to control the Palestinian people. (Partly) dysfunctional institutions were not only in the interest of Israel, Arafat and the PLO also had advantages in bureaucratic 'inefficiency', corruption and undemocratic procedures. This undermines the 'goal' of establishing a Palestinian state because the transfer of autonomy was linked to the functioning of the PA institutions and the ability to provide security to the Israeli. However, it was impossible to live up to the 'security' standards defined by Israel while satisfying the needs of the Palestinian people at the same time. Taking land and resources from people will always provoke opposition. Therefore, strong pacification mechanisms were necessary, as is further elaborated in chapter three and four.

Most analysts and scholars point at Arafat's authoritarianism as the biggest problem of building ('democratic') Palestinian institutions.¹⁰⁵ However, I argue that the PA is not at all an impartial instrument for implementing plans, nor a machine for providing social services and engineering growth. The 'outside' PLO and Arafat were deliberately chosen by Israel and the US as a partner because of its organization and corrupt nature. Therefore, the growing (dysfunctional and corrupt) Palestinian government cannot only be contributed to the Palestinian elite, as I demonstrate in chapter three. This was also stimulated by the 'peacebuilding' efforts. The establishment of a 'democratic', fully functioning Palestinian state, the official goal of the 'peacebuilding' efforts, was never the main goal of the Israeli government and the PLO elite.

Fatah

After the 1948 Arab–Israeli War, the British Mandate of Palestine ended, and Palestine ceased to exist as a political and administrative entity. The West Bank was controlled by Jordan, the Gaza strip by Egypt and the rest of historical Palestine was now the state of Israel. During the 1948 War between 400 and 600 Palestinian villages were sacked and more than 700,000 Palestinian Arabs fled or were expelled from their homes. They ended up in the West Bank, Gaza or neighbouring countries. Many refugees expected to return to their homes after the war was over. With the establishment of the State of Israel the refugees were not allowed to go back to their houses. Dissatisfied with the response of Arab leaders to the loss of land, Palestinians started to organize.¹⁰⁶

The period between the Suez War (1956) and the June War (1967) is believed to mark the (re)emergence, of the Palestinian national movement. The rise of Fatah in the late 1950's is viewed as a direct result of the inability of the Arab regimes and the mainstream Arab political parties to move toward a resolution of the Palestinian problem. Fatah declared that 'revolutionary armed struggle' was the most effective means to liberate Palestine. The models for this strategy were third world revolutions, most prominently the Algerian FLN, in addition to the Chinese, Cuban, and Vietnamese experiences. To assure its legitimacy among its Palestinian followers, Fatah affirmed that Palestinians first and foremost must spearhead the struggle for Palestine, while Arab involvement in the struggle must be assigned a strictly supportive role.^{107 108}

The PLO

In order to maintain their control over the Palestinian population, the Arab states decided to launch a Palestinian movement, the PLO. The mandate was given to the PLO by the Palestine National Council (PNC). The PLO was working closely with the Arab regimes and viewed the liberation struggle as a joined Arab struggle.¹⁰⁹ Palestinian nationalism was seen as a threat to the Arab regimes and Fatah's operations still had to be clandestinely carried out.¹¹⁰

¹⁰⁵ See footnote 17

¹⁰⁶ Sayigh, Y (1997) *Armed Struggle and State Formation*. *Journal of Palestine Studies*, Vol. 26, No. 4 (Summer), p. 17-32

¹⁰⁷ Khalil Barhoum (n.d.) *The Origin and History of the PLO*.

http://tari.org/index.php?Itemid=10&id=10&option=com_content&view=article

¹⁰⁸ Sayigh, Y (1997) *Armed Struggle and State Formation*. *Journal of Palestine Studies*, Vol. 26, No. 4 (Summer), p. 17-32

¹⁰⁹ Abraham, S (1989) *The Development and Transformation of the Palestinian National Movement*. AAUG Press, Belmont

¹¹⁰ Idem

After the disastrous 1967 War, the Arab regimes lost their grip on the PLO. The focus of the PLO shifted from a strategy focused on political activity and organization building, to a more militaristic approach. Its structure as a government in exile stayed the same. In 1968 the Palestinian national movement experienced one of its greatest triumphs. In the Battle of al-Karameh, March 22nd of 1968, the Palestinians resisted an Israeli attack on their strongholds in Jordan. As a result, financial and military support started flowing into the movement from all over the world. The financial aid and the loosening grip of the Arab regimes made that Fatah now had the power and resources to perform operations. However, the money and opportunities also attracted other Palestinian groups consisting of varying ideological persuasions. Gradually, however, the PLO was freed from official Arab control and, in 1969, began to function as an umbrella organization for all these disparate groups. Fatah was the biggest movement in the PLO and Arafat (Fatah) became leader of the PLO in 1969.

Arab competition

In September 1970 the PLO and Arafat had a major setback. After 1967 the PLO had moved to Jordan after a civil war between the PLO and the Jordan and the Syrian government. Throughout the years Arafat always had to manoeuvre between rival forces, PLO-groups, and Arab leaders to stay in power. While Algeria's liberation movement against the French was the reputed model for the Palestinian leadership, the discipline and coherence of the National Liberation Front, the Algerian anti-colonial movement, was never seen in the PLO. In 1974, Arafat got the PLO recognized as 'sole legitimate representative of the Palestinian people'¹¹¹ by the Arab world. But this was part of a deal: Arafat would 'control' the genuine revolutionaries in his movement – those who believed that the liberation of Palestine must be part of broader revolution against the existing political order in the Arab world – and not intervene in the international politics of the Arab states. The PLO would get the blessing of the Arab leaders in return. The PLO's leadership has fiercely defended this status. The phrase was used as a shield against internal and external foes and competitors (both real and perceived). As a national liberation movement, the PLO claimed that it was essential to speak with one voice. This argumentation was used to delegitimize critique of the PLO. By defining and shaping who and what represented the Palestinians, the PLO's leadership deliberately limited accountability to their people.¹¹²

After being expelled from Jordan the headquarters of the PLO moved to Lebanon. The PLO again became part of internal politics and became a party in the Lebanese civil war in 1975, weakening its position and losing massive support in the Arab world. The 1982 Israeli invasion of Lebanon effectively ended the PLO's last political and military presence in yet another country next to Palestine. The PLO had to move to Tunis and became a strictly political organization, without any viable fighting option.¹¹³ This facilitated the reappearance of the Arab states as major players in the Palestine-Israel conflict. While the Arab leaders always vocally backed the Palestinians in their quest for national rights, often the Palestinian case was used as a bargaining chip in negotiations to ensure their position. With the demise of the Soviet-Union in the 1980's, many Arab leaders needed the US to consolidate their

¹¹¹ United Nations (1974) United Nations General Assembly Resolution 3237.

<https://unispal.un.org/DPA/DPR/unispal.nsf/0/512BAA69B5A32794852560DE0054B9B2>

¹¹² Khalil, O (2013) 'Who are You?': *The PLO and the Limits of Representation*. <https://al-shabaka.org/briefs/who-are-you-plo-and-limits-representation/>

¹¹³ Ross, D (2005) *The Missing Peace*. Farrar, Straus and Giroux. p. 40-41

position. In return for military and economic aid, Jordan and Egypt made peace with Israel.¹¹⁴ ROSS

Structure of the PLO

At its establishment, the PLO was structured as a government in exile. It had a parliament (PNC), chosen by the Palestinian people, as the highest authority in the PLO, and an Executive Committee (EC), elected by the PNC.¹¹⁵ In practice, however, the organization became a hierarchic one with a military-like character. The PLO's institutions were deliberately constructed to limit broad-based representation, supposedly, until victory was achieved.¹¹⁶ The PLO decision-making was practically in the hands of the EC. Over time, decision-making within the EC and budgetary control were consolidated under Arafat and used to influence decision-making. This would also be an important feature of Arafat's rule in the PA.¹¹⁷

Arafat was leading an organization that had to deal with internal division and an extremely complicated political context. Central to staying in power was the control over the PLO's budget and 'patron-clientelism'¹¹⁸. In Palestine, patron-clientelism is rooted in the social values of kinship and familial ties, which are in turn shaped by factional politics. These social and political ties provide the ruling elite with a strategic tool to control constituents and expand the network of supporters by redistributing public resources in order to buy political loyalties. This is essential for the ruling elite to preserve the status quo and maintain its dominance of political and economic assets. All of this contributed to the climate of corruption by favouring incompetent loyal political constituents while excluding skilful people on an arbitrary basis. This would later greatly impact the formation of the PA institutions and its security services.¹¹⁹

The prevailing corruption fostered rivalry among clients who compete to demonstrate their loyalty to the ruling elite. Corruption is further reinforced because patrons reward loyal clients by tolerating their financial malfeasance.¹²⁰ Patron-clientelism characterized the internal relations between the PLO executive and the national institutions and political constituents.¹²¹ The inner circle of the PLO leadership used patron-client networks on a systematic basis for multiple purposes: to extend influence over political constituents, to exclude other political forces and to implement its political agenda without opposition. Several political leaders - independents, leftists, and Islamists - were incorporated into the PLO (and later the PA), which they initially claimed to reject. They were offered privileges,

¹¹⁴ Ross, D (2005) *The Missing Peace*. Farrar, Straus and Giroux. p. 171-175

¹¹⁵ Ross, D (2005) *The Missing Peace*. Farrar, Straus and Giroux. p. 171-175

¹¹⁶ Khalil, O (2013) 'Who are You?': *The PLO and the Limits of Representation*. <https://al-shabaka.org/briefs/who-are-you-plo-and-limits-representation/>

¹¹⁷ Khalil, O (2013) 'Who are You?': *The PLO and the Limits of Representation*. <https://al-shabaka.org/briefs/who-are-you-plo-and-limits-representation/>

¹¹⁸ Patron-client relations are based on inequality whereby a patron monopolizes the centers of power and resources to contain the client within his sphere of influence. See Eisenstadt, Shmuel N., & Roniger, Luis. (1984). *Patrons, clients and friends. Interpersonal relations and the structures of trust in society*. Cambridge: Cambridge University Press.

¹¹⁹ Dana, T (2015) *Corruption in Palestine: A Self-Enforcing System*. <https://al-shabaka.org/briefs/corruption-in-palestine/>

¹²⁰ Brynen, R (1995) *The Neopatrimonial Dimension of Palestinian Politics*. *Journal of Palestine Studies*, Vol. 25, No. 1, p. 23-36.

¹²¹ Ghanem, A (2010) *Palestinian Politics After Arafat: A Failed National Movement*. Indiana University Press

advantages, and access to prestigious posts in the public in exchange for political loyalty. In fact, some of those co-opted personalities have become key actors in PLO politics.¹²²

For example, during the 1980s, the PLO leadership used the Sumud (Arabic for steadfastness) Fund, in the occupied Palestinian territory (OPT) to award their supporters and exclude others. This approach encouraged manipulation and monopolies and introduced corrupt practices and duplication of development projects. While the stated objective of the Sumud Fund was to support education, agriculture, health and housing sectors, in reality, the main beneficiaries were 'the big landlords of the Jordan Valley, the industrialists, and professional groups who received generous housing loans.'¹²³

Pre-Oslo negotiations

In 1967, after The Six-Day War Israel had occupied Gaza and the West Bank. Israeli prime-minister Rabin stated that; '*Israel could not always be present in the West-Bank ... and that eventually, these lands had to be transferred back in some kind of way.*' Although many doubt the real intention of the Israeli representatives to give back the occupied land (informal) peace talks started after the 1967 War between Israeli and Palestinian political elites.¹²⁴ Building Palestinian institutions and a Palestinian security forces have been part of these talks from the beginning. There was a wide range of Israeli ideas on how these police forces should be organised and in what kind of political setting. There were several proposals; in some the Police would get full jurisdiction while in others they would have limited autonomy.¹²⁵ Proposals for a Palestinian security force functioning under Israeli occupation were rejected, as this would legitimize the occupation and undermine Palestinian independence. In Israel, the discussion was also very controversial. Supporting a plan that consisted of arming Palestinians, or handing over territorial control could jeopardise political careers.¹²⁶

Camp David

In 1978 the Egyptian President Anwar El Sadat and the Israeli Prime Minister Menachem Begin reached an accord after twelve days of secret negotiations at Camp David. During the negotiations, the parties had agreed that elections should be held in the (undefined) Palestinian Territories. This should lead to a (Palestinian interim) self-government and would put an end to the Israeli occupation within five years after the establishment of this government. There was also no definite agreement on the form and responsibility of the Palestinian government. This would be dealt with in later negotiations.¹²⁷ The leaders also agreed that a future agreement 'will include arrangements for assuring internal and external

¹²² Khalil, O (2013) '*Who are You?': The PLO and the Limits of Representation.* <https://al-shabaka.org/briefs/who-are-you-plo-and-limits-representation/>

¹²³ Tamari, S (1991) The Palestinian Movement in Transition: Historical Reversals and the Uprising. *Journal of Palestine Studies*, Vol. 20, No. 2, p. 63. See also: Nakhleh, K (2004) *The Myth of Palestinian Development: Political Aid and Sustainable Deceit.* Jerusalem: Passia

¹²⁴ Gazit, S (1980) Early Attempts at Establishing West Bank Autonomy. *Harvard Journal of Law and Public Policy*, 3, p. 129

¹²⁵ Abdul Hadi, M (1996) *Oslo. The Conflict, the Mediators and the Breakthrough.* http://www.passia.org/media/filer_public/a2/53/a2535664-0ed6-4640-867c-c692b83eec50/14-oslo-long.pdf

¹²⁶ Lia, B (2006) *A Police Force without a State.* Reading: Ithaca Press. p. 93

¹²⁷ Ross, D (2005) *The Missing Peace.* Farrar, Straus and Giroux. p. 652

security and public order’, and ‘a strong local police force will be established’.¹²⁸ Although the Camp David agreement included the role of local police in providing ‘security for Israel and its neighbours’,¹²⁹ there was no explicit link made between Palestinian police performance and Israel’s security concerns and its withdrawal from territory, although this was proposed in subsequent autonomy negotiations.¹³⁰ This linkage would later become an essential part of Oslo I.¹³¹ In 1985, the peace talks that were a continuation of the Camp David, were ended because the parties could not agree on starting conditions.

The First Intifada, Cold- and Gulf War

In December 1987, an Israeli colonist (disputed whether accidentally, or not) killed a number of Palestinians which triggered riots in the oPT. Strikes and stone throwing at Israeli soldiers and settlers became a daily reality, that was named by the Palestinians as the Intifada (Uprising). The Intifada was an expression of Palestinian frustration with the occupation. Israeli actions to try to break the Palestinians resistance – preventive detention, physical intimidation and abuse, demolition of houses of the families of the terrorists – only deepened Palestinian resentment. The Intifada was led by Palestinians from the oPT and took Arafat and the leaders from the (outside) PLO in Tunis by surprise. The leaders from the (inside) PLO in the oPT became a threat to the position of Arafat.¹³²

UNC

During the intifada the Palestinians massively mobilized against Israeli institutions and instruments of control.¹³³ The Intifada was directed and coordinated through a vast network of neighbourhood or popular committees under the overall guidance of a PLO-led body, the Unified National Command of the Uprising (UNC). The Palestinians tried to establish new alternative state structures to replace the Israeli occupation. The UNC stressed that the revolt and the establishment of ‘national government’ institutions under the PLO’s leadership must go hand in hand. In the first years the UNC ‘exercised a state-like authority over the Palestinian inhabitants in the West Bank and Gaza Strip’. At the core of the new guerrilla-state entity was the emergence of new agencies for Palestinian self-policing.¹³⁴

Israel for its part was adamant that it would ‘strongly resist any attempt by the Palestinians to form their own police force’.¹³⁵ The resignation of most of the Palestinian police officers and the contraction of Israeli public police services in the Occupied Territories did not lead to an immediate surge in crime and a breakdown of the social fabric of the Palestinian community. The vacuum was quickly filled by an expansion of customary forms of self-policing and by paramilitary groups, who gradually took it upon themselves to police Palestinian society. Initially, the UNC was quite successful in keeping the order. The

¹²⁸ the Camp David Agreement. Section A.1(b).

¹²⁹ the Camp David Agreement Section A.2.

¹³⁰ Lukacs, Y (1992) *The Israeli-Palestinian Conflict: A Documentary Record 1967–1990*. Cambridge: Cambridge University Press. p 78–80.

¹³¹ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 93

¹³² Ross, D (2005) *The Missing Peace*. Farrar, Straus and Giroux. p. 47-49

¹³³ Lesch, A (1990) *Prelude to the Uprising in the Gaza Strip*. *Journal of Palestine Studies*, 20 (1), (Autumn), p. 1–23.

¹³⁴ Rigby, Andrew (1997) *The Legacy of the Past: The Problems of Collaborators and the Palestinian Case*. Jerusalem: PASSIA

¹³⁵ Cowell, A (1988) *Palestinians quit the police force in Occupied Territories*. *New York Times*, 13 March

grassroots network of popular committees gave legitimacy and the UNC had the authority to control the different fractions.¹³⁶

However, the organization of the Palestinians during the First Intifada is often portrayed as very chaotic and violent. The First Intifada is often referred to as a prime example of Palestinian incompetence of governing and their violent nature.¹³⁷ This image also fits in the image of Arabic and Islamic incompetence. For many, this led to the conclusion that Palestinians were not capable of building their own institutions. The only way to achieve this, was reaching a deal with Israel and build institutions with the support of the international community. At the end, the Palestinians failed to establish a functioning and unified alternative state-structure during the First Intifada. However, it was not simply culture or incompetence that led to this failure. Rather, it was a result of the policies of Israel and the 'outside' PLO.

Criminalization

The UNC failed to seriously compete with Israel as a state-like authority. The presence of the Israeli authorities, in particular, made it impossible to become an effective substitution for a police force.¹³⁸ In the summer of 1988, Israel banned the popular committees so they had to operate more clandestinely. After the criminalization of the local popular committees in mid-1988, the paramilitary filled the gap to police Palestinian communities. The ranks of these paramilitary groups were filled with activists, often recruited from among students and/or former prisoners. The UNC relied more on paramilitary groups to stay organized and keep the uprising alive. There was no alternative; any centralized command would hardly have survived Israeli repression, and the PLO in Tunis did not favour a strong leadership in the oPT.

These paramilitary groups came to see themselves as the new police. In 1990, Israeli arrested the entire UNC leadership and entire ranks of local activists, making it harder to direct and control the various local groups. The mass mobilization for the Intifada was waning, and the support for the popular committees also declined. In their place, smaller faction-based resistance groups played a growing role in directing the uprising at a local level. Young and relatively inexperienced militants were left in charge of leading the resistance, which eroded the position of clan leaders and the PLO elite. This led to a great increase in violence, also among Palestinians themselves.¹³⁹

Hamas

The UNC was also undermined by the quick rise of Hamas during the First Intifada. Hamas was able to gain power quickly because they had a huge social network in the Palestinian communities. Hamas was established in 1978 as a branch from the Egyptian Muslim Brotherhood. While the Israeli government fought fiercely against all PLO branches and all nationalistic organizations, they stimulated Palestinian organizations along religious lines.

¹³⁶ Lia, B (2006) A Police Force without a State. Reading: Ithaca Press. p. 43

¹³⁷ Morris, B (1999). Righteous Victims: a History of the Zionist-Arab conflict, 1881-1999. New York: Knopf.

¹³⁸ Lia, B (2006) A Police Force without a State. Reading: Ithaca Press. p. 77

¹³⁹ Lia, B (2006) A Police Force without a State. Reading: Ithaca Press. p.60-70

During the late 1970's, Tel Aviv gave direct and indirect financial aid to Hamas over a period of years, according to former U.S. intelligence officials.¹⁴⁰ The Israelis tried to use it as a counterbalance to the PLO. By supporting Hamas, the Israelis tried to divide and weaken support for a strong, secular PLO by using a competing religious alternative. Islamic movements in Israel and Palestine have historically always been weak. As such, the secular PLO was considered more dangerous than Hamas by Israel. When the Intifada began, the nationalistic agenda of the PLO still had the most support among the population. Israel was trying to undermine the nationalist groups, by stimulating religious organizing as a counterweight. For example, the Israelis only allowed religious gatherings in mosques and churches during the Intifada. As a result, this stimulated the growth of religious organizations. During the Intifada Islamic groups quickly began to surge in membership and strength to the surprise of the Israeli leadership.¹⁴¹

Arafat

Arafat's position was already seriously weakened before the First Intifada. The Arab leaders publicly backed the Palestinian struggle and the PLO, but at the same time had conflicting agendas and prioritized the preservation of their own power. Arab hopes for leverage soared after the 1973 War, given its successes on the battlefield and the use of oil boycotts. However, Arab leverage required unity, and what became increasingly apparent was that each Arab country – while obliged to speak the idiom of the Arab unity – pursued and protected its own interests.¹⁴²

With the demise of the Soviet Union, the Arab world lost its principal military patron and its chief military option. The Gulf War in 1990 definitely marked the position of the hegemony of the US. Assad, president of Syria, seemed to see the geopolitical trend. Assad joined the Gulf Coalition against Saddam Hussein and Iraq.¹⁴³ Arafat chose to support Saddam, seeing his popularity among Arab publics for his defiance of the West. This choice had a devastating consequence for the Arafat and the PLO. Feeling betrayed, the Kuwaitis, Saudis, and others expelled hundreds of thousands of Palestinians from the Gulf. Arafat lost his main financial base and political support of the Arab countries. The PLO almost went bankrupt. This posed a serious threat to Arafat because financial resources were essential to his power and position in the PLO.¹⁴⁴

In conclusion, three developments – the demise of the Soviet-Union, the Gulf War, and the first Palestinian intifada – seriously weakened the PLO and the Arab World. The Intifada took Arafat by surprise. Here were Palestinians in the territories resisting Israeli occupation and capturing the attention – and sympathy – of the world. Palestinians in the West Bank, Gaza, and East Jerusalem were organizing, planning, and guiding the resistance while Arafat

¹⁴⁰ Sale, R (n.d.) Analysis: Hamas history tied to Israel. <https://www.upi.com/Analysis-Hamas-history-tied-to-Israel/82721024445587/>

¹⁴¹ Roy, S (2007) *Failing Peace. Gaza and the Palestinian-Israeli conflict.* Pluto press. p. 180-186
Interview: Jack Tubasi. Training Coördinator USSC

¹⁴² Abdul Hadi, M (1996) *Post Gulf War Assessment : A Palestinian Perspective.* PASSIA .
Ross, D (2005) *The Missing Peace.* Farrar, Straus and Giroux. p. 41

¹⁴³ Ross, D (2005) *The Missing Peace.* Farrar, Straus and Giroux. p. 47-49

¹⁴⁴ Abdul Hadi, M (1996) *Post Gulf War Assessment : A Palestinian Perspective.* PASSIA .

and the (outside) PLO were far away in Tunis.¹⁴⁵ Of course, Arafat tried to claim the Intifada and re-establish himself as the leader of the Palestinian resistance, but he failed. In order to make himself relevant, he made a decision that was highly controversial among Palestinians. In November 1988, he engineered the PLO's adoption of the Algiers Declaration which called for a two-state solution to the conflict with Israel, without asking the same from Israeli. The PLO was ready to accept a Jewish state alongside an Arab state. Arafat knew that the only way to regain power was by the opening of a dialogue with Israel and acquire the support and financial resources from the international community.¹⁴⁶

Israel and the need for negotiations

The Intifada clearly affected Arafat. However, it also affected the Israelis; for the first time they were confronted with high costs for the continued occupation. Not only did the anti-Intifada mission blackened Israel's image internationally; the Israeli military also did not like the mission. Reservists did not like firing on Palestinian youth and serving in Palestinian cities. They saw themselves as preserving an occupation, instead of defending Israel. Israel Defense Force (IDF) officers began to tell the Israeli press that there was no military answer to the Intifada, there could only be a political answer according to them. Not only the military costs were rising, the Intifada seriously damaged the Israeli economy as well. In the first three months alone, government revenues dropped by 30 percent (compared to the same period the previous year) and exports to the oPt declined by 40 percent.¹⁴⁷

Furthermore, the withdrawal of Palestinian workers from their jobs in Israel, estimated to lie anywhere between 20–40 percent, led Israel's minister of Finance to conclude that 'ending the uprising is one of the top priorities for the Israeli economy'.¹⁴⁸

Israel tried to crush the resistance by curfews, arrests and direct military violence but this also deepened the Palestinian resistance.¹⁴⁹ Thereby the hard military actions were bad for Israel's image. Israel was used to justify most of its actions towards the Palestinians on the grounds of traditional state security concerns. Israel's attempts to expand its state, and secure dominance over the land and resources of historic Palestine, was always carefully refracted through the discourse of 'security'. The Intifada portrayed the image to the international community of Israel as a repressor and a colonizer instead of a weak state that was defending itself. The material and immaterial costs of the Intifada and the occupation were unsustainable for Israel. Even right-wing Israeli government officials, who were very sceptical of handing autonomy and territory, such as minister of Justice Dan started to see the need for a political deal with the Palestinians. The political climate was good for making a deal according to Dennis Ross, main negotiator of the US during the Oslo Accords. He declares in his biography: 'It was not just that the US had taken on an obligation to do so; it was also that I expected circumstances in the region to give us fleeting opportunity to accomplish something once we defeated Iraq. Radicals would be discredited, Arafat would be weak, regional moderates would be ascendant, our standing and authority in the region would be unprecedented, and Soviets would be on our side.'¹⁵⁰

¹⁴⁵ Abdul Hadi, M (1996) *Post Gulf War Assessment : A Palestinian Perspective*. PASSIA

¹⁴⁶ Ross, D (2005) *The Missing Peace*. Farrar, Straus and Giroux. p. 49

¹⁴⁷ *idem.* p.79

¹⁴⁸ *idem.* p. 80

¹⁴⁹ *idem.* p. 80-81

¹⁵⁰ *idem.* p. 82

Conflicting Interpretations of the Camp David Framework

The changed political reality during the First Intifada and political pressure from the international community made that both Israel and the Palestinians accepted the Camp David agreements as the starting point of the 1991 Madrid peace talks. The conservative Likud Prime Minister Yitzhak Shamir of Israel only participated in direct talks with Palestinians under pressure of the US. It was a public secret that minister Yitzhak Shamir was openly criticizing the content. Especially the parts on the transfer of authority and Israeli withdrawal. The Camp David Accords did not specify the precise power and structure of the Palestinian Authority and its 'strong police force'. Shamir was not willing to give the Palestinians any armed authority. During the Madrid talks, Israel proposed giving the Palestinians only civil autonomy and administrative duties. Israel would be responsible for the security and would keep territorial control.¹⁵¹

The Palestinians pointed out that the Camp David agreement consisted of 'withdrawal and a replacement of the military government' and argued that they could hardly win popular support for autonomy proposals which would 'only legitimize the occupation and do not change anything on the ground'.¹⁵² The Palestinians demanded an end to any form of occupation and full authority enforced by Palestinian security forces, backed up by an international peacekeeping force, solid international supervision and security guarantees.¹⁵³

An Israeli change of view

With the election of a new Labour government in 1992, the Israeli position slowly started to change. At first, the Labour government was not willing to give in on matters such as autonomy and security forces. This changed as the Intifada continued and costs were rising. The Israeli government started to come to the conclusion that Palestinian institutions and a local police force could be a 'significant advantage to ensure law enforcement in these areas'.¹⁵⁴

Israel and the US regarded the PLO since its foundation as a terrorist organisation but in the year of 1993 Israel's position on the PLO gradually changed. This created space for opening non-officials talks with the PLO. One of the reasons this position changed was because the Israeli were impressed by the 'realistic' views of the PLO security experts. This gave the Israeli government the idea that the PLO was capable of keeping the order. The Israeli government realised that the PLO was the only entity that had enough authority and credibility to control the Palestinian population in the Territories. They considered that it would be better incorporate the PLO, give them an actual role in the territories and share responsibility. In the Palestinian community, the proposals of Palestinian policing were very controversial. Many Palestinians saw nothing in the establishment of security forces or elections before the occupation was ended.¹⁵⁵

¹⁵¹ Ross, D (2005) *The Missing Peace*. Farrar, Straus and Giroux. p.80-82

¹⁵² al-Fajr (1992) *Document: Israel's idea of Palestinian autonomy*. 9 March

¹⁵³ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 97

¹⁵⁴ Jerusalem Post (1992) *Ben-Eliezer: areas police should not be 'army under different name*. Jerusalem Post, 3 August

¹⁵⁵ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 97

In April 1993, in a new round of negotiations in Washington, Foreign Minister Peres announced that he was in favour of establishing a strong Palestinian police force.¹⁵⁶ A strong force was necessary to facilitate Palestinian elections. Peres believed that Israeli supervision of the election would lead to the rise of radical parties during the elections.¹⁵⁷ Israel was also willing to assist the Palestinian police with training and material assistance. The cooperation was conditional and only under strict terms. Israel should always keep the veto right on the recruitment of the Palestinian forces.¹⁵⁸ Also, the Israeli police would always handle situations where Israelis were involved. The hope was that elections would confer democratic legitimacy on the new Palestinian 'government' and satisfy the Palestinians. This theoretical idea did not match up with reality, as it would turn out. Political participation beyond voting remained shallow and governmental accountability was weak. Elections did not remove the root-causes for the discontent among Palestinians and Arafat's corrupt patronage-based regime would become an essential part of controlling the Palestinians.

The willingness of the Israeli government to give the Palestinians their own police caused much friction with right-wing Israelis including the settler community that lived in the Palestinian Territories. It was not clear if these settlers would fall under the jurisdiction of the Palestinian Police. This created a violent protest in the influential settler community, which fiercely opposed the peace talks. Mostly because of ideological reasons, they did not want to give up any of the 'promised land', but used security threats to influence public discourse.¹⁵⁹ Peres' proposal did not include any territorial control for the Palestinians and was therefore rejected by the PLO leadership. The Palestinians only wanted to establish a police force and elections if Israel would end the occupation. The Palestinian leadership demanded autonomous regions and a role for the PLO and Palestinian Liberation Army (PLA). They proposed to bring members of the PLA back as police forces for these autonomous regions.

The Palestinian battle over the Police Forces

Although Jordan had withdrawn its claim of representing the Palestinians, Arafat was not certain of his position as spokesman of the Palestinians. There was a competition between domestic (inside) PLO, Palestinians living in the territories and the foreign (outside) PLO, that was based in Tunis. Faisal Husseini, the *de facto* leader of the domestic PLO, had credibility among Palestinians as the son of Abd al Kader Al Husseini, a Palestinian war hero from the war of 1948. He was also a pragmatist that was in favour of negotiations with Israel and actively involved in the debate on Palestinian policing. Publicly, he backed Arafat as chairman of the PLO, but his growing support among Palestinians in the West Bank became a real threat to the PLO leadership abroad. The authority over the Palestinian security forces would be one of the decisive factors of the competition for the Palestinian leadership. This authority could only be gained by negotiations with the Israeli.¹⁶⁰

¹⁵⁶ Habermann, C (1993) Israel set to let Palestinian have a police force and other powers. New York Times, 24 April.

¹⁵⁷ Passia (1993) Annual Report 1993. Jerusalem: Passia

¹⁵⁸ Lia, B (2006) A Police Force without a State. Reading: Ithaca Press. p. 97

¹⁵⁹ Karsh, E (1997) From Rabin to Netanyahu: Israel's Troubled Agenda p. 174-176

¹⁶⁰ Ross, D (2005) The Missing Peace. Farrar, Straus and Giroux. p. 77-79

Mid 1992, al-Husayni started talking with the Jordanians over the future Palestinian Police forces without knowledge of the foreign PLO or the other leaders of the domestic leadership.¹⁶¹ The Jordanians and al-Husayni were both competing with Arafat for the power in the territories and discussed training, structure and size of the forces with his security experts. Other preparations for a nation-building effort were discussed with the Jordanians as well. The meeting, especially the discussion on policing, was not uncontroversial. Other prominent Palestinians argued that the focus should be on the relationship with Israel and controlling territory, not on controlling the Palestinians. The resistance against Palestinian policing came from two sides. One fraction of the Palestinians was against (the Madrid) negotiations with the Israeli. They argued that independence would never be achieved at the negotiation table. The Palestinian police force would never be more than a 'collaborationist militia', only enforcing Israel's interests in the territories. Another group was concerned that an early focus on policing would weaken the Palestinian negotiation position. They argued that policing should be discussed after discussing sovereignty and Israeli colonization of the territories or that it would otherwise be an acceptance of the Israeli position.¹⁶²

Although al-Husayni and other proponents tried to appeal to the nationalist aspects of such a Palestinian force, many Palestinians were in doubt. After years of Israeli occupation this prospect indeed made many Palestinians proud, and in the chaos of the Intifada, many Palestinians saw the need for a strong police force, especially amongst richer Palestinians. Nevertheless, there were many concerns within Palestinian society regarding the creation of such a substantial repressive and unproductive part of society. A force of 30,000, the proposed size by al-Husayni, would mean one a security member for every 50 residents. According to al-Husayni, this was not a problem because the security force had to become a part of a broader functioning government, which must include a legislative body and a judiciary in addition to the executive.¹⁶³

Furayh Abu Middyayn, the head of the Bar Association in Gaza and a member of the Palestinian delegation in Madrid, criticized the proposed force of 20,000–30,000 men, labelling it 'not a police force but a militia'. Before any future police force was created, he stated, 'there must be a legal system ... If not it would be like putting the cart before the horse.'¹⁶⁴ It is one of history's little ironies that less than two years later, Furayh Abu Middyayn became minister of Justice of the PA without a preceding process of legal reform and judicial institution building and with a police force that subsequently expanded far beyond 20,000. It illustrates the gradual shift in opinion on the police issue towards a greater acceptance of the reality on the ground.¹⁶⁵

¹⁶¹ Ross, D (2005) *The Missing Peace*. Farrar, Straus and Giroux. p. 77

¹⁶² Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press.

¹⁶³ Passia (1993) *Annual Report 1993*. Jerusalem: Passia

¹⁶⁴ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press.

¹⁶⁵ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 111

Arafat

There was much resistance from Tunis towards the al-Husayni proposal. Arafat did everything to hinder policing preparations in the oPT. This did not mean that the PLO leadership was turning its back on the possibility of a police force. The PLO in exile continued to have security experts meetings and started to recruit young Palestinians from the diaspora to become ready for policing tasks. Regardless of the Arafat's open hostility towards al-Husayni's police plans, al-Husayni continued.

Arafat did everything he could to avoid al-Husayni's efforts to create a police force based on the Inside and had tightened control over everything related to the police preparations.¹⁶⁶ All decisions regarding recruitment, training and deployment had to be taken by Tunis first, and not the 'technical committees' of the Inside leadership.¹⁶⁷ Police training offers from a few European countries were rejected. Arafat preferred working with friendly Arab countries, allowing him to control the police preparation process.¹⁶⁸ This to the frustration of police committees in the oPT. The launching of a full-scale programme of training could not begin before an autonomy agreement had been reached, but at that point it would be too late to create a professional police force before deployment. Tunis didn't want to empower the inside leadership, but at the same time had to make sure that anti-DOP, such as Hamas or Islamic Jihad would take over. Therefore informal policing structures from the First Intifada were revived. Arafat-loyal Fatah Hawks were empowered as unofficial police in the oPT and local Palestinian police committees were marginalized.

The expansion of informal policing or vigilante practices was facilitated by the new relationship between Israel and the PLO after Oslo. This relationship manifested itself in a formal PLO declaration of an end to the Intifada, the legalization of the Fatah movement, a limited amnesty for previously 'wanted men', a laxer Israeli enforcement of the ban on arms and a gradual thinning out of Israel's military presence in Gaza. Although the formal police training and recruitment process was largely deadlocked, informal and clandestine policing practices flourished after the conclusion of the DoP. The DoP paved the way for a new security regime between the Arafat-loyal forces and the Israeli army in the Occupied Territories, allowing the Fatah movement to operate openly and reassert its authority on the ground.¹⁶⁹

Arafat was successful in undermining the 'inside' PLO. Palestinians working in Jerusalem became extremely careful to stress that they took their orders only from Tunis.¹⁷⁰ The domestic PLO did not have enough credibility among the Palestinians to overrule Arafat. The establishment of a Palestinian police would de facto mean an end to the armed resistance for independence and the Palestinian Authority would be responsible for the enforcement. The domestic Palestinian leadership was too badly organized or too radical for these tasks. The Israelis considered that Arafat was a better partner to control the PLO and the

¹⁶⁶ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 128

¹⁶⁷ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 129

¹⁶⁸ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 133

¹⁶⁹ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 93

¹⁷⁰ Passia (1993) *Annual Report 1993*. Jerusalem: Passia

Palestinians with his clientelist way of ruling. The outside PLO had armed forces and other state-like institutions. At the same time, the Israelis were afraid to boost the process of the formation of a Palestinian state. The Israeli leadership wanted to benefit from the PA's security competences and control the Palestinians without creating a Palestinian state and lose territory. Therefore, Palestinian institutions had to be empowered to be a useful part of Israel's COIN practices that facilitated their colonial policies, but not so much that they could become a threat to these policies by claiming state-like authority.

PLO versus other Palestinian groups

Next to the inside PLO, Arafat also had to deal with other Palestinian groups that were increasingly critical on negotiations with Israel. In December 1992, Rabin had ordered to deport 400 'Islamist' Palestinians to Lebanon because he regarded them as a danger to Israel. Many Palestinians were furious and under public pressure the PLO ended the peace talks until the exiles could return. A few months later in April 1993, the PLO resumed the peace talks without one deportee being allowed to return. This was extremely controversial and the PLO lost credibility among many Palestinians. The PLO delegation that attended the talks received many death threats.¹⁷¹

Tensions between Palestinian groups were rising and the PLO delegates were in desperate need of personal security. Protection by Israel was not an option as this would undermine their position among the Palestinians even more and would enforce the image portrayed by Hamas and others as them being collaborators with Israel. An informal personal security force composed of young Fatah supporters was established to secure the delegates. The Israeli government approved training for these forces in Jordan and Egypt. The newly formed personal security service of these delegates created debate in the Palestinian community. Many saw this service as a predecessor of the Palestinian police which was seen as premature and undermining the struggle for independence. The PLO leadership also tried to avoid the image of them needing protection against other Palestinians. This would be very harmful to their credibility. The leadership claimed that the force was established to protect them against Israeli radicals, although death threats by the Palestinian opposition against the delegates were widely reported. From the beginning the police had to deal with a bad image, securing the leadership against the people they represent at these peace talks. The public association between this security and the future Palestinian police enforced the idea that the police would be established to enforce an unpopular 'peace' with Israel.¹⁷²

Conclusion

The Oslo process is often perceived as a process that was mainly driven by liberal prescriptions for building peace. There would be a peace grounded on liberal mechanisms for peacebuilding: regional institutions, economic integration, democratization, mutual recognition of national rights, and the development of mutual trust. However, I pose that building Palestinian institutions, elections, economic development and establishing

¹⁷¹ Haberman, C (1992) *Israel Expels 400 From Occupied Lands; Lebanese Deploy to Bar Entry of Palestinians*. New York Times. <http://www.nytimes.com/1992/12/18/world/israel-expels-400-occupied-lands-lebanese-deploy-bar-entry-palestinians.html?pagewanted=all>

¹⁷² Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press

Palestinian security forces were part of a realist strategy to ensure safety. During the First Intifada, Israeli officials came to the realization that the better way to control the Palestinians was by building Palestinian institutions, give them limited authority and make them an active part of the COIN strategy. Realism views insecurity, which results from both human nature and anarchy within the international arena, as the central dilemma of international politics. Within this paradigm, cooperation is driven by security concerns; that is, states decide to cooperate primarily to check the power of another state or coalition of states that pose a common threat.

If the decades of negotiations are closely analysed, it turns out that Israeli officials were willing to empower Palestinian institutions, but without the transfer of territory or far-reaching autonomy. This can be explained in two ways: from a security perspective and from a colonial perspective.

First of all, it makes sense from a historical viewpoint that Israel and the Jewish people never wanted to act in a way that could danger their existence again. Therefore, it is argued that the transfer of land and autonomy could only happen as soon as their safety was guaranteed. As such, the 'peace process' is sometimes explained as; a 'test' to see whether the Palestinians had really adopted a strategy of state-building and had abandoned terrorism and the goal of destroying Israel. This is the central argument in the 'peace' for land narrative. The Palestinians would guarantee the safety of Israel and in exchange, Israel would give the Palestinians a state.

Second, as the implementation of the accords and peacebuilding is examined in detail, which is done in the next chapters, it can be concluded that security was not the only goal of both the Labour- as later right-wing Israeli governments. During negotiations before and after Oslo I Israel structurally tries to control as much of the land and resources of the historical Palestine with the least number of Palestinians on it as possible. This process of modern colonisation seems contradictory to the aim of the accords to create Palestinian institutions but the opposite is true. The main goal of 'peacebuilding' is control, building institutions or 'democratic policing' can help in achieving this goal.

In this light, the PLO was an essential part of this counter-insurgency strategy. Shifts in the balance of power forced Arafat to the negotiation table. Before that, the Palestinian, and the Arab countries had always refused to establish Palestinian institutions or security forces before the Israeli occupation ended as this would legitimize the occupation and undermine the goal of Palestinian independence. I argue that for this reason, the change of the Palestinian position should primarily be understood as a consequence of changes in the balance of power. Three major developments – the demise of the Soviet-Union, the Gulf War, and the first Palestinian Intifada – had greatly weakened the position of Arafat in 1993. Arafat was losing power and funds, where both were necessary to maintain his clientelist way of ruling and to control the Palestinians. Finally, Arafat was in need of physical protection which resulted in an urgency for both the PA and Israel to control the Palestinian people.

Adnan Al Damiri, a former Arafat trustee and now spokesman on security matters of the PA, declared to me in an interview; 'Arafat had no choice. His only way to survive was to take the deal. He knew it was a bad deal, but at least it would take him back to the oPT. From Jericho, he could then try to improve the situation.'¹⁷³ Arafat who had survived for centuries by making deals and political manoeuvring had to take the deal or risk being shoved aside by Israel and the international community. Not only did he risk losing power, but also being killed by the Israelis¹⁷⁴, or by the Palestinian opposition. Israel took advantage of the fact that Arafat's goal to liberate the Palestinians, was in many ways subordinated to his goal of survival and staying in power. Arafat's 'patron-clientelism' is often perceived as one of the reasons why the 'peace process' failed.¹⁷⁵ He is generally portrayed as a 'necessary evil', who undermined democratization and nation-building efforts. However, when the goal of 'peacebuilding' as a form of counterinsurgency with the purpose of securing a single population is reconsidered, actually Arafat's way of ruling was not contradictory to 'peacebuilding'. Rather, it makes him a good partner in crime.

¹⁷³ Interview Major. Gen. Adnan Damiri (2017, October) Political Commissioner. General spokesman for the security forces. Ramallah.

¹⁷⁴ <https://www.timesofisrael.com/israel-admits-to-top-secret-operation-that-killed-top-fatah-commander-abu-jihad-in-1988/>

¹⁷⁵ See footnote 17

Chapter three - The accords and counterinsurgency

*'The peace process is a farce. We do not control anything, no recourses, no people and no land. They are eating the pizza while we are negotiating on how to divide it and there is nothing we can do.'*¹⁷⁶

Introduction

In this chapter, I provide a closer look at the content and implications of the accords that set the contours of the 'peacebuilding' efforts. By looking at the road to the Oslo Accords, I argued that shifts in the balance of power gave the parties a strong interest in negotiations and that it was not (only) driven by liberal incentives. In this chapter, I aim to demonstrate that 'peacebuilding' became a form of counterinsurgency to acquire control over the Palestinian population instead of the official goal, building a Palestinian state.

The content of the accords, as is outlined in this chapter, created a status quo that was profitable for both Israel and the Palestinian elite, but unsustainable without pacification. The building of Palestinian institutions and economy were simply efforts to increase the control on the Palestinian people instead of paving the road towards self-determination. As a consequence, I argue that the framework of the accords did not lay foundations for a functioning Palestinian state but for an Israeli controlled state-like entity.

Next, I assess the nature of Israel's counterinsurgency strategies against the Palestinians. These do not only involve 'kinetic' techniques such as direct military intervention, extensive repression through mass incarceration, detention without trial, torture, and house demolitions, targeted assassinations and collective punishment, but also included more sophisticated pacification techniques. The additional counterinsurgency strategies include state-building, security sector reform, democracy promotion, private sector economic promotion, and civil society support, all fully paid for by the international community. Peacebuilding as counterinsurgency operates as another layer of pacification techniques that have complimented and meshed with the structures of domination and repression created by Israel.¹⁷⁷ This chapter takes a closer look at these sophisticated pacification techniques created by the 'peace process' accords.

Each of the agreements are briefly discussed in this chapter. In Oslo I (DoP) was decided that the negotiations would be conducted in two phases: a first 'transitional' period during which Israel would gradually withdraw from (yet to be defined through negotiations) Palestinian areas in the oPT in return for Palestinian guarantees, particularly on security-related issues. The second phase would conclude a 'final status' agreement' by May 4 1999. During the 'transitional' period several deals were signed, including, the Agreement on the Gaza Strip and the Jericho Area (Oslo I, 4 May 1994), the Palestinian-Israeli Interim Agreement on the West Bank and the Gaza Strip (Oslo II, 28 Sept. 1995), the Protocol Concerning the

¹⁷⁶ Interview Daoud Nassar (October, 2017) Director Tent of Nations. Bethlehem

¹⁷⁷ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 96-97.

Redeployment in Hebron (Jan. 1997), the Wye River Memorandum (Oct. 1998) and the Sharm El-Sheikh Memorandum (Oct. 1998).¹⁷⁸ However, no 'final status agree' was reached.

Nonetheless, the colonial policies of Israel continued during these negotiations. Israel's actions show that its security concerns expand to the protection of an illegal extra-territorial population in the West Bank (including East Jerusalem). Indeed, during periods of 'peacebuilding' Israel has managed to transfer more settlers to the oPt. Between September 1993 and 2000, the total Jewish settler population (excluding Jerusalem and its environs) increased from 110,000 to 195,000, a staggering 77 percent.¹⁷⁹ This expansion was made possible by the provision of generous Israeli state subsidies, the promise of military protection and a substantial infrastructural support system. Policies to expand the Jewish population of the oPt have gone hand-in-hand with strategies to diminish and restrict the number of Palestinians. These policies undermined any chance of making the PA a legitimate Palestinian government.

Oslo I (DoP)

On September 9, 1993, Arafat, in his communication to Rabin, recognized 'the right of the State of Israel to exist in peace and security,' accepted United Nations Security Council Resolution (UNSCR) 242 and 338,¹⁸⁰ committed himself to the Middle East Peace Process, renounced 'the use of terrorism' and 'other acts of violence and agreed to assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations and discipline violators.'¹⁸¹ In response, Rabin wrote that the Government of Israel had '... decided to recognize the PLO as the representative of the Palestinian people and commence negotiations with the PLO within the Middle East peace process.'¹⁸² Then, following this communication, the Oslo Accords or the Declaration of Principles on Interim Self-Government Arrangements (DoP), better known as Oslo I, was signed on the 13th of September 1993. The document declared that it represented an agreement between Palestinians and Israelis:

'... to put an end to decades of confrontation and conflict, recognize their mutual legitimate and political rights, and strive to live in peaceful coexistence and mutual dignity and security and achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process'.¹⁸³

While the DoP agreement established the PA and a legislative council, many wondered how the Interim Agreement would transform itself into a 'permanent settlement' without any semblance of agreement on the most divisive issues such as 'Jerusalem, refugees,

¹⁷⁸ Konrad Adenauer Stiftung (n.d.) Major Agreements of the Oslo Peace Process http://www.kas.de/wf/doc/kas_8471-1442-2-30.pdf?121212121642

Abdul Hadi, M (1997) *Documents On Palestine - Vol. II: From The Negotiations In Madrid To The Post-Hebron Agreement Period 1991-1997*. Passia: Jerusalem

¹⁷⁹ Passia (2001) *Settlements*. Passia: Jerusalem

¹⁸⁰ United Nations (n.d.) *Security Council resolutions 242 and 338*. <http://www.un.org/Depts/dpi/palestine/ch3.pdf>

¹⁸¹ BBC (2001) "Text: 1993 Declaration of Principles". *Declaration of Principles on Interim Self-Government Arrangements*. 29 November 2001.

¹⁸² idem

¹⁸³ idem

settlements, security arrangements, [and] borders.’¹⁸⁴ In this mutual recognition, Rabin had made no commitment beyond recognition of the PLO. Palestinian statehood was not mentioned. The new, somewhat ambiguous recognition of the two sides mutual ‘legitimate and political rights’ seemed to be due to an effort to avoid the term ‘national rights’. This was a reflection of the asymmetry and the weakened position of the PLO, a liberation movement facing a state that had the full backing of the US.

The Gaza–Jericho Agreement.

The Gaza–Jericho Agreement, officially called ‘Agreement on the Gaza Strip and the Jericho Area’, was a follow-up treaty to the Oslo I Accord in which details of Palestinian autonomy were concluded. The agreement is commonly known as the 1994 Cairo Agreement. It was signed on 4 May 1994 by Yasser Arafat and the then Israeli Prime Minister Yitzhak Rabin.¹⁸⁵

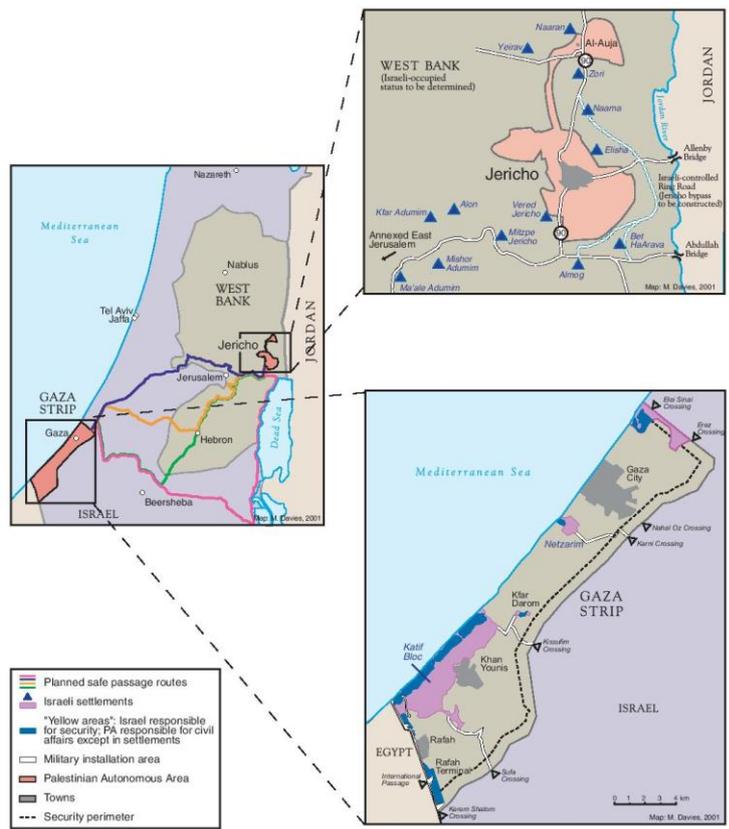
The Palestinian Authority was created, of which Yasser Arafat became the first president on 5 July 1994 upon the formal inauguration of the PA. As a part of the agreement Israel withdrew partly from the Jericho region in the West Bank and partly from the Gaza Strip, mainly the more crowded city areas, and were replaced by Palestinian police who assumed responsibility for public order and internal security. The Palestinian police only had authority over its own citizens in the territories. ‘Israelis shall under no circumstances be apprehended, arrested or placed in custody or prison by Palestinian authorities’ and ‘uniformed members of the Israeli military forces, as well as vehicles of the Israeli military forces, shall not be stopped by the Palestinian police in any circumstances, and shall not be subject to any identification requirements’.¹⁸⁶ The agreement also included (and therefore legitimized) redeployment of Israeli military forces to the ‘Settlements and the Military Installation Area’ including all borders and the entire sea and airspaces. In the accords Israel’s security interests prevailed over including individual and collective Palestinian rights.¹⁸⁷ In doing so, it formalized and normalized arrangements that created apartheid with guaranteed overall Israeli control.

184 idem

185 Abdul Hadi, M (1997) *Documents On Palestine - Vol. II: From The Negotiations In Madrid To The Post-Hebron Agreement Period 1991-1997*. Passia: Jerusalem

186 *Agreement on the Gaza Strip and the Jericho Area* (1993) <https://israelipalestinian.procon.org/view.background-resource.php?resourceID=000923>

187 Finkelstein, N (1998) *Securing Occupation*. *New Left Review* 1/232, November–December



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Forming the PA security apparatus

The structure of the PA security apparatus was specified in the Gaza-Jericho Agreement, where it is defined as a ‘strong police’ that would exist for five years, by which time a final status would supposedly have been negotiated. No other force than the Palestinian police and the Israeli military forces were allowed to be active in the Gaza Strip or the Jericho Area.¹⁸⁹

The duties of the Palestinian police were to ‘perform normal police functions, including maintaining internal security and public order’, ‘protecting the public and its property and acting to provide a feeling of security and safety’ and lastly ‘adopting all measures necessary for preventing crime in accordance with the law’.¹⁹⁰ The Palestinian police was supposed to be one integral unit under the control of the Palestinian Authority and composed of three branches, Civil Police (Al Shurta), Public Security, and Emergency Services and Rescue (Al Difa'a Al Madani). In each district, all members of the three police branches shall be subordinate to one central command.¹⁹¹

¹⁸⁸ Abdul Hadi, M (1997) *Documents On Palestine - Vol. II: From The Negotiations In Madrid To The Post-Hebron Agreement Period 1991-1997*. Passia: Jerusalem

¹⁸⁹ *Agreement on the Gaza Strip and the Jericho Area* (1993) <https://israelipalestinian.procon.org/view.background-resource.php?resourceID=000923>

¹⁹⁰ idem

¹⁹¹ idem

Recruitment and training of the Palestinian police force

The number of this force was set at 9,000, of which 7,000 were recruited from the Palestine Liberation Army (Diaspora) and 2,000 from the oPT. Palestinian policemen coming from abroad were allowed to bring their spouse and children. Palestinians recruited as policemen would receive training. The employment of policemen who have been convicted of serious crimes or have been found to be actively involved in terrorist activities subsequent to their employment would be immediately terminated. The list of Palestinians recruited, whether locally or from abroad, had to be approved by Israel.¹⁹²

All personnel required Israeli authorization and the PA police force was to be equipped with a maximum of 7,000 personal firearms, 120 medium and heavy machine guns, and 45 armoured vehicles. The police were allowed to have communication- and other forms of equipment if agreed on by the Israeli in the Joint Commission. All foreign contributions and other forms of assistance to the Palestinian police must comply with the provisions of the Agreement. Except for the arms, ammunition and equipment of the Palestinian police and those of the Israeli military forces, no organization or individual in the Gaza Strip and the Jericho Area shall manufacture, sell, acquire, possess, import or otherwise introduce into the Gaza Strip or the Jericho Area any firearms, ammunition, weapons, explosives, gunpowder or any related equipment.¹⁹³

Economic consequences: [Paris] Protocol on Economic Relations

Part of the Gaza-Jericho agreement was the [Paris] Protocol on Economic Relations. The Paris Protocol established the interim-period economic relations between Israel and the Palestinian Authority. The Paris Protocol remains to this day the economic framework for relations between Israel and the Palestinian Authority, even after the Second Intifada (the Palestinian uprising beginning in 2000) and Israel's Disengagement Plan from the Gaza Strip. In July 2012, the two sides signed a new agreement to facilitate components of the Paris Protocol.¹⁹⁴

The accords formalized the areas controlled by the Palestinian Authority as part of Israel's economic zone with a single currency; the Israeli Shekel. The Paris protocols are, more or less, in line with standard economic thinking regarding economic zones, economic unions, and monetary unions between large industrialized economies and small agriculturally based economies. The practical effect of selecting this model was preservation of the economic relations that had existed until then; a Palestinian economy integrated into, and dependent on, the Israeli economy. This monetary and economic union has emerged as a crucial facilitator and financier of the occupation instead of empowering a future independent Palestinian state.¹⁹⁵

192 idem

193 idem

194 Daud, S (2011) *Money for nothing and occupation for free: The 1994 Paris protocols on economic relations between Israel and the PLO*. <http://mondoweiss.net/2011/09/money-for-nothing-and-occupation-for-free-the-1994-paris-protocols-on-economic-relations-between-israel-and-the-plo/>

195 Btselem (2001) *The Paris Protocol*. http://www.btselem.org/freedom_of_movement/paris_protocol

Roy, S (2007) *Failing Peace. Gaza and the Palestinian-Israeli conflict*. Pluto press. p. 180-186

Taxation and trade in the Paris Protocol

Regarding goods from other countries, the Protocol established a joint external border for the interim period. Israel collects the import taxes on the goods and transfers to the Palestinian Authority the taxes on goods that were intended for the Occupied Territories. The Protocol further provides that Israel may unilaterally establish and change the taxes imposed on imported goods. The customs union agreed upon to give Israel sole control over the external borders and collection of import taxes and V.A.T.. This enabled Israel to delay the transfer of taxes that it collected for the Palestinian Authority, or threaten delay in transferring the money, as a means of pressure or punishment. Israel employed such a measure several times since the protocol was signed, severely undermining the functioning of public services in the West Bank and Gaza Strip.^{196 197}

This kind of relationship was preferable to Israel, which did not want to establish an economic border with the Palestinian Authority. This act would give a clear flavour of sovereignty and create a binding precedent on the eve of the final status stage. The relations established in the Paris Protocol emphasized the disparity in power that had existed between the two sides from the start. The Palestinian Authority had no choice but to accept the model set forth in the Protocol, as Israel made acceptance a condition for its continuation to allow Palestinians to work in Israel. Israel imposed the condition at a time that the Palestinian Authority was unable to provide employment within the autonomous areas to the tens of thousands of Palestinians working in Israel. Palestinian labour mobility was very important for a number of reasons. The most important was that the Palestinian Authority's only source to get foreign currency (the shekel was controlled by the Bank of Israel) relied on the ability of the Palestinian Authority to collect revenue from Palestinians who work in Israel.^{198 199}

Economic dependency

The Paris Protocol established a relationship of dependency of the Palestinian Authority on Israel. Israel was responsible for collecting the Palestinian taxes. Thereby, was the PA largely dependent on the ability of Palestinian workers to work in Israel to generate shekels. Israel's economy was profiting from the cheap Palestinian labour. During the First Intifada, many Palestinians went on strike and this damaged the Israeli economy severely. Therefore, Israel gradually imposed hermetic restrictions on the mobility of the Palestinians living in the Israel-Palestine economic zone. Israel has effectively boycotted Palestinian labour and because of this, the Palestinians have turned into simply an imprisoned population with almost no capacity for economic activity. This reduced the ability of Palestinians to resurrect economic community action witnessed in the First Intifada. Strikes and boycotts, that affected Israel greatly during the First Intifada, no longer had an impact on the Israeli economy on that scale (only the PA's budget). Israel's boycott of Palestinian labour has

196 Btselem (2001) The Paris Protocol. http://www.btselem.org/freedom_of_movement/paris_protocol

197 Gisha (2012) Will we always have paris? <http://gisha.org/en-blog/2012/09/13/will-we-always-have-paris/>

198 Haj Khalil, M (n.n.) Guide to Palestine – Israel Economic and Trade Relations.

http://www.mzv.cz/file/806096/Guide_to_Palestine___Israel_Economic_and_Trade_Relations___Czech_Rep_Office.pdf

199 al-Ghoul, A (2015) Will Palestine get its own currency? Al-Monitor. <https://www.al-monitor.com/pulse/originals/2015/10/palestine-currency-shekel-israel-economy.html>

turned the Paris Protocols into an unmitigated economic disaster for the Palestinians.²⁰⁰ As a result, the Palestinian Authority has lost much of its capacity to generate the revenue needed to run an effective public service or implement any sort of economic policy. This made the PA dependent on Israel for collected taxes which were transferred to the PA (roughly 70 % of the income of the PA).²⁰¹

For other revenues, the PA was dependent on the EU and the US to help pay the wages of its public service.²⁰² As such, international aid, intended for building the two-state solution, in fact, facilitated the occupation by paying its costs. This while the Geneva convention states that the occupying power is responsible for the well-being of the occupied population.²⁰³ Therefore, the 'peacebuilding' aid to the Palestinian population was actually (unintended) aid to Israel. The Paris Protocol, and the other accords, made the occupation profitable again for Israel. The costs of security were decreased by giving responsibility to the PA, while the international community was paying for these security services and other social services. At the same time, the accords made the PA fully economically dependent on Israel, that collected the tax, and on the (financial and military) aid of the international community.²⁰⁴

The Palestinian-Israeli Interim Agreement on the West Bank and the Gaza Strip (OSLO II)

The Interim Agreement on the West Bank and the Gaza Strip commonly known as Oslo II or the Taba Agreement, was signed on 28 September 1995. It was continued on the foundations of Oslo I, but added the provision of; 'a Palestinian Interim Self-Government Authority for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement based on Security Council Resolutions 242 and 338'.²⁰⁵

The Israeli Ministry of Foreign Affairs declared the main object of the Interim Agreement '*to broaden Palestinian self-government in the West Bank by means of an elected self-governing authority [to] allow the Palestinians to conduct their own internal affairs, reduce points of friction between Israelis and Palestinians, and open a new era of cooperation and co-existence based on common interest, dignity, and mutual respect. At the same time, it protects Israel's vital interests, and in particular its security interests, both with regard to external security as well as the personal security of its citizens in the West Bank.*'²⁰⁶

The Interim Agreement, like all Oslo documents before it, stipulated that the West Bank and the Gaza Strip constituted of one territorial unit (boundaries to be defined in further negotiations) with the exclusion of Jerusalem. The agreement divided the West Bank into three zones: Areas A, B and C. In Area A (17.2% of the West Bank), the PA has sole jurisdiction and security control, but Israel still retains authority over movement into and out

200 Daud, S (2011) Money for nothing and occupation for free: The 1994 Paris protocols on economic relations between Israel and the PLO. <http://mondoweiss.net/2011/09/money-for-nothing-and-occupation-for-free-the-1994-paris-protocols-on-economic-relations-between-israel-and-the-plo/>

201 Btselem (2001) The Paris Protocol. http://www.btselem.org/freedom_of_movement/paris_protocol

202 Hanieh, A (2013) Lineages of Revolt: Issues of Contemporary Capitalism in the Middle East Chicago: Haymarket Books p. 110

203 International committee of the red cross (2014) Occupation and international humanitarian law: questions and answers. <https://www.icrc.org/eng/resources/documents/misc/634kfc.htm>

204 Hanieh, A (2013) Lineages of Revolt: Issues of Contemporary Capitalism in the Middle East Chicago: Haymarket Books p. 110

205 The Interim Agreement on the West Bank and the Gaza Strip (1995)

206 Abdul Hadi, M (1997) Documents On Palestine - Vol. II: From The Negotiations In Madrid To The Post-Hebron Agreement Period 1991-1997. Passia: Jerusalem

of these areas, and repeatedly makes use of this 'right' during incursions and arrest raids. In Area B (23.8% of the West Bank), the PA has civil authority and responsibility for public order, while Israel maintains a security presence and 'overriding security responsibility'. In the agreement, Israeli and Palestinians officials agreed on the establishment of twenty-five Palestinian police stations in specified towns and villages to enable the Palestinian police to exercise its responsibility for public order. The agreement contains provisions requiring that the movement of Palestinian police be coordinated and confirmed with Israel. The remaining 59% of the West Bank, Area C, remained under total Israeli occupation.²⁰⁷

Oslo II was a continuation of the security agreements of Oslo I but some important additions were made. The agreement added the task for the PA of preventing and combating violence and incitement of violence against Israel.²⁰⁸ The primary task of the PA became the security of Israel. Often it is suggested that Arafat is responsible for the continued growth of the PA. However, Israel and the international community mainly approved and stimulated the growth of the PA security apparatus. In the agreement it was decided that the structure of the PA security apparatus would be restructured. The number of policemen increased to 30,000, and eight official security services were created: Civil Police, Preventive Security, Civil Defense, National Security, Presidential Security, Military Intelligence, Naval Police and General Intelligence. Furthermore, four new security services were formed or put under the formal control of an official agency while acting independently: the Special Security, the Military Police, the Border Police and the Special Forces.²⁰⁹

In addition, the PLO and Israel agreed upon more cooperation between the PA forces and the IDF. To deal with 'threat, or acts of terrorism, violence or incitement' Palestinian and Israeli forces 'will cooperate in the exchange of information and coordinate policies and activities'.²¹⁰ Thereby, joint security committees were established to coordinate the IDF and the Palestinian police. Joint patrols were established to guarantee free and secure movement on designated roads in Area A and to serve as rapid response units in case of incidents and emergencies.

The Interim Agreement was more widely criticised by the Palestinian public than previous agreements, as Palestinians believed that it only perpetuated PA subordination to the Israeli government.²¹¹ The agreement stressed more strongly the importance of Palestinian prevention of terrorism against Israel as a requirement for continued Israeli redeployment. This brought the PA into an impossible situation. If they would live up to the terms of the Oslo and Cairo accords and curb acts of terrorism, the Palestinian opposition portrays them as Israeli stooges. If, on the other hand, they do not prosecute offenders with sufficient vigour, Israel charges them with incompetence and refuses to extend Palestinian self-rule.²¹²

²⁰⁷ Abdul Hadi, M (1997) Documents On Palestine - Vol. II: From The Negotiations In Madrid To The Post-Hebron Agreement Period 1991-1997. Passia: Jerusalem

²⁰⁸ The Interim Agreement on the West Bank and the Gaza Strip (1995)

²⁰⁹ idem

²¹⁰ idem

²¹¹ Abdul Hadi, M (1997) Documents On Palestine - Vol. II: From The Negotiations In Madrid To The Post-Hebron Agreement Period 1991-1997. Passia: Jerusalem

²¹² Weinberger, N (1995) *The Palestinian National Security Debate*. Journal Palestinian Studies. Vol. 24. N3 (Spring)

The Wye River Memorandum (October, 1998)

The Wye River Memorandum was an agreement negotiated between Israel and the Palestinian Authority at a summit in Wye River, Maryland, U.S., held from 15–23 October 1998. Security was the primary focus of the Wye Memorandum and included specific guidelines. At the time of the negotiations trust in the PA and the agreements had reached a low point. The ‘peace process’ had not brought any improvement. The economic position of many Palestinians was far worse than before Oslo and there was little hope on political wins. Interim redeployments, earlier agreed on in Oslo II, were stopped. The transfer of land was stopped by Israel because they claimed that the PA was not holding up its end of the deal and was not committed enough to Israel security. The PA thus found itself responsible for nearly 90% of the oPT’s population, while deprived of enforceable authority in virtually all the territory (2% of the West Bank and circa 60% of the Gaza Strip). The PA had to invest most of its money and efforts in political and security institutions to prevent all violence against Israel and the PA. It was compelled by its agreements to punish and prevent all opposition to the Oslo process. The PA gradually found itself unable to compete with the more extensive welfare services provided by its opponents, such as Hamas.²¹³

The Wye River Memorandum was important to Arafat and the PA. Without territorial gains, the PA would soon find itself unable to face its constituents. Pressed on all sides, the PA faced Netanyahu at the Wye River Summit in October 1998 and was forced to again renegotiate further redeployments - this time from an even weaker position. Foreign Minister Sharon described it as, ‘the best agreement possible’²¹⁴; Israel agreed to withdraw from an unspecified further 13% of the West Bank. In exchange for redeployment, the PA accepted to make its policy ‘zero tolerance for terror and violence against both sides’.²¹⁵

The plans gave Israel and the US even greater control over Palestinian security. The CIA was brought in to monitor PA adherence to this policy. The plans included the arrest of suspects according to an Israeli list and to outlaw all organisations of a military, terrorist or violent character operating in areas under the jurisdiction of the PA (this potentially included nearly all non-PA welfare and private-sector institutions). Also, a U.S.-Palestinian-Israeli committee was established to; ‘assist and enhance cooperation in preventing the smuggling or other unauthorized introduction of weapons or explosive materials into areas under Palestinian jurisdiction’.²¹⁶ The agreement also consisted that the Palestinian side would issue a decree; ‘prohibiting all forms of incitement to violence or terror, and establishing mechanisms for acting systematically against all expressions or threats of violence or terror’.²¹⁷ The U.S.-Palestinian-Israeli committee was established to ‘meet on a regular basis to monitor cases of possible incitement to violence or terror and to make recommendations and reports on how to prevent such incitement’. Finally, there were commitments towards ‘continuous, intensive and comprehensive’ bilateral security cooperation between the two sides and

²¹³ Passia (1998) Wye River Memorandum. <http://www.passia.org/maps/view/32>

²¹⁴ Birzeit University (2016) Colonizing Palestine: Urban and Landscape changes since the ottoman empire. p. 60. <https://fada.birzeit.edu/bitstream/20.500.11889/2529/1/PALESTINE.pdf>

²¹⁵ idem

²¹⁶ Wye River Memorandum (1998)

²¹⁷ Idem

exchange of forensic expertise, training, and other assistance.²¹⁸ Regarding the Palestinian police, the Palestinian side had to provide a list of its policemen and the US was willing to provide technical assistance to help with the cooperation with other donors.²¹⁹

The Wye Memorandum was signed in the absence of a map, leaving Israel free to impose its territorial strategy upon the redeployments. Israel made its redeployments contingent on its satisfaction with the PA's performance and Netanyahu advised his supporters that this would free them from having to implement their side of the agreement. Foreign Minister Sharon addressed the settlers after Wye as follows: 'take over more and more hills, the time is coming when what we take will be ours'.²²⁰ Within three months, 17 new outposts were erected and work had begun on 15 new bypass roads. Israel transferred 2% of the West Bank from Area C to B and 7.1% from B to A on 20 November 1998. Then, in a final effort to regain his extreme-right support, Netanyahu suspended the process, despite US State Department assurances of PA compliance.²²¹

Critics on the Wye Memorandum

The Wye Memorandum was widely criticised from all sides. Right-wing Israelis argued that Netanyahu should not have agreed to redeploy any more of the West Bank, while many Palestinians felt that Arafat had given too much to the Israelis and received little in return. However, the most emphatic condemnation came from Palestinian and international human rights organisations. The Palestinian Society for the Protection of Human Rights and the Environment (LAW) expressed its concern that to 'prevent incitement' the PA would not only have to arrest peaceful protesters and political critics, but also those opposing the expansion of settlements or house demolitions.²²² Internationally, Human Rights Watch criticised the 'Human Rights and Rule of Law' article of the agreement, stating that it applied only to the Palestinian Civil Police, not to the other Palestinian police and security branches nor to the Israeli security agencies, and that the wording implied that 'compliance with human rights standards is secondary to security concerns'.²²³

The Wye Memorandum was different from previous agreements in that it related the entire progress of the peace process to security arrangements and left the PSF obliged to fulfil its tasks. In the relationship between the PA and Palestinian society, the memorandum encouraged the PA to act in a more authoritarian manner. This meant they were less accepting of any opposing or differing views through its requirements to prevent incitement and to have a zero tolerance of terrorism. What the Israeli government viewed as incitement or terrorism was often perceived by Palestinian society as an expression of their opinions

²¹⁸ idem

²¹⁹ Tartir, A (2017) The Palestinian Authority Security Forces: Whose Security? https://al-shabaka.org/briefs/palestinian-authority-security-forces-whose-security/?utm_source=Al-Shabaka%20announcements&utm_campaign=f8813b757d-PolicyBrief_Tartir_May2017&utm_medium=email&utm_term=0_a9ca5175dc-f8813b757d-416227785

²²⁰ Passia (1998) Wye River Memorandum. <http://www.passia.org/maps/view/32>

²²¹ Idem

²²² Ginbar, Y (2002) Submission concerning Israel's policies in the Occupied Palestinian territories relevant to the UN convention against torture and other cruel, inhuman or degrading treatment of punishment. <http://www.omct.org/files/2004/03/2333/israelcat020502.pdf>

²²³ Human Rights Watch (1998) An Analysis of the Wye River Memorandum. <https://www.hrw.org/news/1998/11/01/analysis-wye-river-memorandum>

and a fight against occupation. The society began to feel that the PSF were no longer for their safety and security, but for that of Israel and the PLO. The trilateral and bilateral committees established in the memorandum were created less to build trust than to ensure the Palestinians were fulfilling their security obligations. These committees further involved Israel in Palestinian policing and introduced the United States into the equation. The voice of Palestinian society became supplanted by that of Israel and the US because American and Israeli approval allowed for further redeployment and progress in the peace process.

The Sharm El-Sheikh Memorandum

The Sharm El Sheikh Memorandum was a memorandum signed on September 4, 1999 by Prime Minister of Israel Ehud Barak and PLO Chairman Yasser Arafat at Sharm el Sheikh in Egypt. Both parties accused each other of not fulfilling their share of responsibilities that was agreed on under the Wye River Memorandum. The Sharm El Sheikh Memorandum was basically a renewed commitment of the new Israeli prime minister Barak and the PLO to implement earlier reached agreements. Israel promised redeployment of Israeli troops and the PLO had to affirm its commitment to fighting 'terrorism'.²²⁴ Also, there was a timetable for final status talks to deal with Jerusalem, borders, refugees, and settlements. A framework agreement on permanent status was to be achieved by February 2000 and permanent agreement by September 2000. Both sides called; 'upon the international donor community to enhance its commitment and financial support to the Palestinian economic development and the Israeli-Palestinian peace process'.²²⁵ The implementation of the agreement ended with the outbreak of the Second Intifada in September 2000.

Evaluating the accords (1993-1999): Economy and Aid

The PA was given no alternative but to proceed according to the strategies set by the United States and Israel. As a result, Palestinian society has questioned the PA's ability to provide them with internal security and public safety. The PA and Arafat tried to compensate this lack of legitimacy by making Palestinians financially dependent on the administration. The 'peace' accords had a disastrous effect on the Palestinian economy. The Palestinian economy was undermined by trade restrictions and by restricted access to natural resources and land. Thereby the accords made it more difficult for Palestinians to work in Israel. The Palestinians became largely dependent on international aid that is distributed by the PA and NGO's.²²⁶ The creation of the PA and other institutions facilitated the rapid growth of the public sector. The Israeli-imposed Civil Administration, which had ruled over the oPt during the occupation, employed 20,000 Palestinians on the eve of Oslo. By 1999, the numbers employed by the PA was 120,000.²²⁷ This, plus the expansion of the NGO sector, drove the growth of a middle class in the oPt, which became a solid foundation for peacebuilding as counterinsurgency. Around 56 % of PA expenditures went towards paying public employee

²²⁴ The Sharm El-Sheikh Memorandum (1999)

²²⁵ Idem

²²⁶ B'Tselem (2012) Economics and Politics in the Israeli Palestinian Conflict (2015) www.bgu.ac.il/~arnona/aixbook2015_FINALLLLLL.pdf

²²⁷ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 96-97.

salaries, while 15 % went towards the payment of social benefits, meaning that more than 70 % of the PA's expenditures went towards the upkeep of the population.²²⁸ The PA became, in essence, a large social security net tying a huge section of the population into its stability and future existence. Arafat and the PLO leadership could reward loyal people with a carrot and punish the opposition with a stick (the security services). Many Palestinians and their families were dependent on resources provided by the PA and the international community and therefore supported the Oslo-process and the PA. The 'patron-clientelism' of Arafat became an important part of the counter-insurgency practices. The Oslo process has incubated new 'predatory classes' that have fed upon vulnerable groups, accessed political privilege and donor funds, and given a veneer of legitimacy to normalization with the structures of Israel's occupation while serving as sub-agents for the occupation.²²⁹

Evaluating the Accords (1993-1999): Maintaining a profitable status quo

From a realist perspective, shifts in the balance of power gave the parties a strong interest in negotiations and in developing ways of managing the conflict. While both sides had an interest in starting negotiations, they did not necessarily give them a strong interest in conflict resolution. This was the situation with regards to the Oslo Accords. Although both Israel and the PLO were ripe for negotiations, there remained large gaps between how they conceived a permanent settlement. The act of mutual recognition embedded in the Oslo Accords masked this critical flaw in the Oslo process.²³⁰

Moreover, the relevant agreements never refer to the West Bank and Gaza Strip as 'Occupied'. They do not commit Israel to desist from illegal activities such as settlements designed to consolidate Israeli rule, in contravention of international law. There were no real efforts to resolve the core issues that collectively define the Israeli- Palestinian conflict, namely borders, refugees and Jerusalem. There were no clear-cut guidelines for further steps towards a two-state solution. Instead, the Palestinians' rights were postponed as 'final status issues'. Arafat knew that making a deal in the given parameters would mean losing all his legitimacy with the Palestinian people. At the same time, he had to keep negotiations going to keep the aid and tax coming to ensure his own position. He satisfied the Palestinian people with his charisma and personal marketing of himself as a fierce fighter for Palestinian rights and blaming Israel for the situation.

At the same time, Israel had few incentives to make a deal. The Oslo Accords had created a situation where they were in full control on land, resources, borders and the population. Meanwhile, the international community is taking care of a large part of the costs of the occupation. International humanitarian law states that Israel, as the occupying power, is responsible for ensuring the well-being of the population. International aid relieves Israel of its obligations, and thus subsidizes the Israeli occupation. Thereby at least 78% of aid money

228 Turner, M and Shweiki, O (2014) *Decolonizing Palestinian Political Economy: De-development and Beyond*. Palgrave

229 Nakhleh, K (2014) Oslo: Replacing Liberation with Economic Neo-Colonialism <https://al-shabaka.org/commentaries/oslo-replacing-liberation-with-economic-neo-colonialism/>

230 Rynhold, J (2008) *The Failure of the Oslo Process: Inherently Flawed or Flawed Implementation?* THE BEGIN-SADAT CENTER FOR STRATEGIC STUDIES BAR-ILAN UNIVERSITY Mideast Security and Policy Studies No. 76

to the West Bank and Gaza is subverted by use for imports from Israel, hereby covering at least 18% (and up to 31%) of the costs of the occupation for Israel.²³¹ Israel also receives huge amounts of (mainly military) aid from the US in the form of coupons that have to be spent on US manufactured weapons. This is the result of an intensive lobby by the military-industry. If interest is added to the calculation, the total aid that Israel received from the US from 1973 to 2008 is over US \$200 billion.²³²

In his works, researcher Shir Hever shows that not only nationalistic and biblical ideology, but also economic considerations are important to understand the Israeli political resistance to end the occupation. The occupation proved to be highly profitable on many levels for some groups (particularly military companies and homeland security industries). While sustaining the occupation is not beneficial for Israeli society as a whole (increased levels of inequality, a looming crisis in public services and an unstable political system), working-class Jewish-Israelis identify with nationalism and therefore support parties in favour of the occupation.²³³

Both for Israel and the Palestinian elite, the status-quo created by the accords was preferable. While the 'peace process' might have been started with good intentions from (some) Palestinians, Israeli's and international actors, during the process there were not many incentives to work on the two-state solution. Oslo's fatal flaw was that it is neither an instrument of decolonisation nor a mechanism to implement UN resolutions relevant to the Israeli-Palestinian conflict. Rather, it was a framework aimed at changing the basis of Israeli control over the Occupied Territories in order to perpetuate that control. As such, the process was structurally incapable of producing a viable settlement and must ultimately result in further conflict.²³⁴ In reality Oslo forced the Palestinian leadership to continually prove that it could deliver security to Israel, before the withdrawal of occupation forces, during which the land expropriation, settlement expansion, and military violence continued.

Concluding analysis of the contents of the 'peace agreements'

The disbalance of power between Israel and the Palestinians and biased thinking of the international community created a disbalanced deal. Peace basically became to be understood as security for Israel, by controlling the Palestinian people. The framework of the accords did not lay foundations for a functioning Palestinian state but for an Israeli controlled state-like entity. The Oslo framework made the PA fully dependent upon Israel and the international community. The dominance of Israel over the PA in nearly every area of life made its preferences and policies a major determinant of the evolution of the PA institutions and security services, as will be discussed in further detail in the next chapter.

The legitimacy of the PA and a future Palestinian state rested on its negotiating abilities with Israel. Issues very important to the Palestinians, such as settlements, refugees, the status of Jerusalem, and the very existence of a Palestinian state have all been delayed until the final status negotiations. The 'peace process' did not offer the Palestinians any prospect on

²³¹ Shir Hever, (2015), How Much International Aid to Palestinians Ends Up in the Israeli Economy? Aid Watch Palestine, <http://www.aidwatch.ps>.

²³² Idem

²³³ Shir Hever (2010) *The Political Economy of Israel's Occupation: Repression beyond Exploitation*. London: Pluto Press

²³⁴ Edward W. Said, *The End of the Peace Process: Oslo and After*, New York, 2000

political wins on these critical issues and the economic situation was worse than before the occupation. The resistance against the PA, Israel and the 'peace process' grew. As reaction, any (non-violent) resistance was criminalized by the agreements instead of looking at the needs of the people. The PA agreed in the agreements to take 'all measures necessary' to prevent all 'hostile acts'. As the agreements focussed increasingly on security, the PA has been put under greater and greater pressure to crack down on the opposition. The result has been mass arbitrary arrests, the detention of political opposition leaders, and increasing distrust, causing a growing divide in Palestinian society. By doing this, the PA has contributed to a situation in which the Palestinian struggle for freedom has itself been criminalized. Rather than recognize resistance as a natural response to institutionalized oppression, the PA, in tandem with Israel and the international community, characterizes resistance as 'insurgency' or 'instability' that threatens the peace. Such rhetoric, which favours Israeli security at the expense of Palestinians, echoes discourse surrounding the 'war on terror' and criminalizes all forms of resistance.²³⁵

Repression and arrests by the Israeli army and the Palestinian security forces against opposition against the 'peace process' was just one way to control the Palestinian people. Additionally, many critics of Arafat's policies have been granted cabinet seats or high-ranking positions in the PA. Still, others have simply been taken out of the political 'loop', being left in their position with little to no authority. The Wye Memorandum has further lessened these domestic pressures by requiring the PA to prohibit all forms of 'incitement'.²³⁶ The PA and Arafat gradually lost legitimacy by these policies and without any political wins. Therefore these repressive policies became essential for the survival of Arafat and the PA.

²³⁵ Tartir, A (2017) The Palestinian Authority Security Forces: Whose Security? https://al-shabaka.org/briefs/palestinian-authority-security-forces-whose-security/?utm_source=Al-Shabaka%20announcements&utm_campaign=f8813b757d-PolicyBrief_Tartir_May2017&utm_medium=email&utm_term=0_a9ca5175dc-f8813b757d-416227785

²³⁶ Passia (1998) Wye River Memorandum. <http://www.passia.org/maps/view/32>

Chapter four – The Palestinian security services

Introduction

In this chapter, the focus is on the establishment of the Palestinian security services after the 'peace accords'. There are several scholars who wrote about the establishment of these security services.²³⁷ The scholars, who mostly base their research on the peacebuilding literature, assume that the Oslo process contained liberal prescriptions for building peace. Most scholars think the two-state solution was genuinely pursued by the actors involved. They conclude that it was the intention to build a democratic Palestinian state, but it failed due to the difficult post-conflict circumstances and wrong policy implementation. In chapter two I demonstrated that the behaviour of the PLO elite and Israel can be better explained by the realist framework. Israel only participated in negotiations because the (material and immaterial) costs of the First Intifada were unbearable, while Arafat participated in order to stay in power. The content of the accords, as we have seen in chapter three, created a status quo that was profitable for both Israel and the Palestinian elite, but unsustainable without pacification. An essential part of this pacification process were the security services established after the return of Arafat in 1994.

As stated, the main goal of the Israeli government was to keep control over the Palestinian without actually creating a Palestinian state. The Palestinian institutions and security services were a useful tool for requiring control, but it was also in their interest that they would not be too professional, or democratic. A strong PA could make a stronger claim with the international community that they were ready for full independence. Plus, when Palestinian institutions and security services became too strong, this also could endanger Israel. Simultaneously, Arafat benefited from keeping his security services weak and 'undemocratic' because he feared competition. When the establishment and functioning of the security services are studied, it becomes clear that creating an independent Palestinian State was never the main objective of the PA elite and Israel. The security services were primarily occupied with providing safety for both Israel and Arafat's PA, at the cost of the Palestinian people. It has largely become a mechanism for reducing rebellion and ensuring acquiescence while Israel could continue its colonial practices in the background.

The first part of this chapter discusses the formation of the Palestinian security services along the lines of the mentioned scholars.²³⁸ They arrive to the conclusion that the post-conflict circumstances in combination with bad donor coordination and conflicting donor agendas have compromised the peacebuilding, in particular, the building of Palestinian institutions and policing structures. The creation of democratic institutions and 'democratic policing' failed because of the political context (colonial interests of Israel), and other factors. Other mentioned factors are the recruitment dilemma, the lack of time, resources, and coordination, the cultural background, the need for repressive policing to protect fragile peacebuilding and the focus on more repressive elements of policing of the donor countries.

²³⁷ See footnote 17

²³⁸ See footnote 17

For this thesis, initially, the same framework of analysis was used. Therefore, the first part of this chapter is a combination of data collected by the author and the data collected by other researchers based on the analytical tools provided by the peacebuilding literature. The reason for adding this framework to the analysis, is that it leads to a more profound understanding. A deeper look is taken into these 'implementation failures' and with politicizing them, it can be stated that the establishment of these institutions were, in some cases, knowingly undermined.

As a result, international aid and 'peacebuilding' have undermined their official goals; the two-state solution and the building of a state. Instead, their contributions have largely become a mechanism for reducing rebellion and ensuring acquiescence. This does not mean that 'peacebuilding' efforts were a big conspiracy with all donors involved. The donor community was very far from homogeneous in their approach and goals. I argue that the base of the problem of the international donor community had two (connected) components. First, they were unable to look outside the dominant concept of 'peace'. As explained in chapter one, 'peace' basically became to be understood as security for Israel. The second part of the problem was the depoliticization of 'peacebuilding'. By depoliticizing 'peacebuilding', the planners (and researchers) were blind to the structural problems with their approach. 'Peacebuilding' was seen as the solution for the problems, there was never a critical assessment of the actual (side) effects. When facing problems, either more or better 'peacebuilding' was the solution. This created the situation where they achieved the opposite of their official goals, 'democratic policing' and a two-state solution.

4.1 The accepted view on post-conflict difficulties in building professional democratic Palestinian security forces

4.1.1 Historic and cultural factors

Among other scholars, Milton Edwards, Lia and Usher point out that the (absence of) policing and governing cultures were an important factor in the failed professionalisation of the police of the Oslo accords.²³⁹ The Palestinians have a long history of occupation. In particular, in the case of the British and the Israeli, there was not much confidence in official (police) authorities. Palestinians would only turn to the police as a last resort and would instead depend heavily on traditional methods of conflict resolution or justice. Community law enforcement and order were maintained through a number of informal bodies such as the family (extended), the clan (hamula), political factions, religious leaders or community/neighbourhood councils.²⁴⁰ The police, including Palestinian officers (in Israeli service), were often seen as illegitimate and serving the occupier. It kept alive power relations based on family, kin and village, which undermined the PA.²⁴¹

Multiple scholars have drawn the conclusion that this Palestinian experience with policing before the establishment of the PA had a negative effect on the functioning of the PSF, especially during the First Intifada. During the Intifada, the Palestinians undermined the

²³⁹ See footnote 17

²⁴⁰ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 343

²⁴¹ Milton-Edwards, B (1997) "Policing Palestinian Society", *Policing and Society*, 7 (1), p. 23

Israeli policing structures with success. The establishment of local and neighbourhood committees were designed to replace every aspect of the Israeli administrative structure, including the police. However, the Palestinians failed to establish their own alternative state and policing structures. Self-policing by the Palestinian insurgents turned into brutal vigilantism and arbitrariness. 'The very agencies of Palestinian policing became part of the law and order problem, as their practices degenerated into random lynching, feuding and extortion.'²⁴² Much has been written in researches, reports and by the media about violent executions and other atrocities committed by the Palestinians during the Intifada. Often these observations are combined with a cultural explanation. Insurgency-policing was based largely on tribal or customary mechanisms and this contributed to the arbitrary. Also, the Palestinian leadership in- and outside the oPT stimulated this culture. According to Milton-Edwards; 'the Palestinian national leadership was compelled, more by international pressure than local pressure, to speak out against the activities of the armed wings and their policing functions.'²⁴³ The action of the PLO leadership was too little too late. PLO leader Yasser Arafat was drawn into the debate in the Palestinian community over the manner in which Palestinians were policing themselves. After the armed groups failed to heed the calls of local leaders, Arafat, in a written communiqué, ordered a stop to collaborator killing. Usher points out the Intifada had turned instead 'into the property of rival bands of armed strike forces ... a domestic affair ... drift (ing) to internecine struggle.'²⁴⁴ The high grade of militarization, a culture of fighters and a lack of power and will of the leaders to maintain their forces during the Intifada hence contributed to a violent policing culture.

4.1.2 Recruitment of the police forces

This argument of a violent culture would carry through in the so-called recruitment dilemma. Peacebuilding literature points out that perhaps the most critical security challenge to post-conflict societies is the demobilization, disarmament, and reintegration of former combatants.²⁴⁵ The peacekeeping literature strongly emphasizes 'the potentially destabilizing role' of disgruntled soldiers and ex-combatants whose status in society has been reduced and who often face economic hardship in the post-conflict economic crisis. They form a security challenge as potentially dangerous recruits to the world of organized crime, and may easily instigate insurrection in the volatile post-agreement period.²⁴⁶

For the newly established or reconstituted police forces, the dilemma lies in the politics of recruitment. Procedures for screening or 'vetting' the new forces in order to weed out unqualified and undesirable individuals are important but are difficult to carry out because of political constraints.²⁴⁷ Although a clear and workable separation of military and police

²⁴² Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 77-78

²⁴³ Milton-Edwards, B (1997) "Policing Palestinian Society", *Policing and Society*, 7 (1), p. 26

²⁴⁴ Usher, G (1995) *Palestine in Crisis: The Struggle for Peace and Political Independence after Oslo*. London: Pluto Press p. 5

²⁴⁵ Berdal, Mats (1996) *Disarmament and Demobilisation after Civil Wars*. Oxford University Press

Wright, A. and A. C. Mawby (1999) *Civilian Oversight of Policing in Transitional States: The Case of Hungary*. *International Journal of the Sociology of Law*, 27 (4), p. 335-50

Mani, R (2000) *Contextualizing Police Reform: Security, the Rule of Law and Post-Conflict Peacebuilding*. *Peacebuilding and Police Reform*, pp. 9-26.

²⁴⁶ Idem

²⁴⁷ Berdal, Mats (1996) *Disarmament and Demobilisation after Civil Wars*. Oxford University Press, p. 57.

institutions is judged to be an essential condition for democratic policing, the need to provide employment for demobilized combatants and militants, in addition to a lack of other trained personnel, often dictates the inclusion of significant numbers of former guerrillas and military personnel into the police. 'If ex-combatants trained for warfare are inducted into the police ... precisely at the moment when the distinction between the military and the police is sought to be reinforced – will the police reform ever be possible?... doing so may reinforce the nexus between police and military doctrine, and thereby perpetuate the military's influence over the police.'²⁴⁸

The inclusion of members of old police structures into the new police force constitutes a major obstacle to democratic policing. New personnel is likely to produce better policing than 'recycled personnel' from the old regime.²⁴⁹ Exactly the opposite happened in the oPT after the Oslo Accords, according to Lia and Milton-Edwards. In many ways, this was counterproductive to creating a professional democratic police force. 'Many recruits are poorly educated, convicted murderers, and former heroes of the intifada acting in an independent manner.'²⁵⁰ While the first police forces that were established after the return of Arafat were largely made-up of Palestinians from outside the oPT, soon the domestic militant Fatah groups such as the Fatah Hawks were integrated into the PSF, predominantly into the Preventive Security Service. This had several reasons. First of all, it was a tool to reward the fighters of the Intifada. Many of them were injured or had served years in jail and had a difficult time providing for their families because of the massive unemployment in the oPt. Recruitment was used as a tool by the PA to ensure loyalty and control former fighters and other influential or dangerous people. Secondly, the policemen from outside the PLO had no experience, existing structures and (violent) militant groups in the oPT were therefore necessary to maintain the order. The integration of these militias enforced a violent and militaristic policing culture. Thereby, the security members who came from outside, part of the Palestinian Liberation Army and had mostly received only military training.²⁵¹

4.1.2a Selection and vetting practices

Soon the after the establishment of the PSF in 1994, the different branches grew very fast and exceeded the numbers set out in the agreements. In the interim agreement was agreed on 30,000. In 1996, the PSF contained over 45,000 men (and some women). To become a part of the Palestinian government or the PSF one first had to be selected by a special committee of the PA.²⁵² Creating loyal and dependent forces was more important than creating a professional 'democratic' police force. Recruits were often selected for promotion

²⁴⁸ Mani, R (2000) Contextualizing Police Reform: Security, the Rule of Law and Post-Conflict Peacebuilding. Peacebuilding and Police Reform, p. 15

²⁴⁹ Stanley, W (2000) Building New Police Forces in El Salvador and Guatemala: Learning and Counter-Learning. Peacebuilding and Police Reform, p. 119

²⁵⁰ Lia, B (1999) *Building Arafat's Police: The Politics of International Police Assistance in the Palestinian Territories After the Oslo Agreement*. Ithaca Press p. 231

²⁵¹ Interview Jack Tubasi (2017, October) Training Coordinator USSC. Ramallah.

Interview Brig. Gen. Mohammed Al-Homaidi (2017, October) Commandant of The Palestinian Officers Academy . Jericho.

Interview Major. Gen. Adnan Damiri (2017, October) Political Commissioner. General spokesman for the security forces. Ramallah.

²⁵² Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 248

or specialised training programmes on the basis of political ties, family connections, and party affiliation. This makes that a lot of possible good recruits refrained from pursuing a career in the PSF.²⁵³ This clearly affected the capabilities of the police forces. The PA tried to hold up the appearance that it recruited from all sectors of society rather than just reorganising personnel from the ranks of Fatah in the PLA or the Hawks. The debate about recruitment internally, however, focused on the already politically biased nature of the policing force, in which the PLA played such an important part. In addition, there was a reluctance within Islamist circles to give outright encouragement to recruitment; recognition of policing implied recognition of the Declaration of Principles which Hamas and the rejectionist nationalist forces refused to do. This undermined a community-wide attempt at recruitment, as serving in the police was viewed as tacit acceptance of the DoP.²⁵⁴ As one observer noted, this association with the Oslo agreement inhibits and narrows the development of the police force as an organisation that is neutrally serving the whole community, 'it was created by the Agreement, those that reject the agreement reject the power of the police and they certainly don't wish to serve in its ranks.'²⁵⁵

4.1.2b Leadership recruitment and inclusiveness issues

Loyalty was more important than competence, as also showed from the appointment of leadership positions. This further undermined the functioning and legitimacy of the security services. During the negotiations, not all branches and leaders from the (inside and outside) PLO were backing Arafat. When Arafat formed his government, he only chose people that were loyal and supported the Oslo agreements. He could do this because the PA was much smaller than the PLO branches combined (in and outside of the oPt). The key positions in his administration and the PSF were filled with Palestinians from the diaspora. Being invited by Arafat to join the administration and the security services was the only way for these Palestinians to return to the oPt with their families. This enforced their dependence and loyalty to Arafat.²⁵⁶

As such, leaders of the Palestinian Liberation Army and Palestinian Liberation Organisation that served under Arafat abroad took the most important positions in the newly formed security branches in the Palestinian Authority. Mohammed Dahlan and Jabril Rajoub were the only two from the oPt who were assigned a leadership role. They were local heroes of the Intifada and leading big domestic militant Fatah groups that were very loyal to them. Arafat knew that the only way to get control over these forces was to integrate these leaders from the oPt in his administration. Hence, these militant groups were integrated into the Preventive Security Service.²⁵⁷

While the returnees were from the PLA and seeing themselves as liberators, the Palestinians from the oPt were not all enthusiastic. Many felt that these security forces were 'theirs' instead of 'ours', and the last thing local Palestinians wished for was to replace the foreign

²⁵³ Interview. LTC (Retd) Rense j. de Vries (2017, October) Palestinian Officers Academy. Course director at USSC. Ramallah.

²⁵⁴ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 133-134

²⁵⁵ Milton-Edwards, B (1997) "Policing Palestinian Society", *Policing and Society*, 7 (1), p. 33

²⁵⁶ Interview

²⁵⁷ Meyers, S (2000) *Police, State and Society: The Palestinian Police and Security Forces and the Maintenance of Public Order*. University of Durham, Centre for Middle Eastern and Islamic Studies. p. 111-112

occupation with a local one.²⁵⁸ Palestinians were not expecting practices such as the Black Friday in Gaza in November 1994, when Palestinian police fired live ammunition at civilian demonstrators killing 13 and wounding another 200, or the arresting and torturing of the opposition.²⁵⁹ Hence, inclusiveness was a challenge from the beginning.

This lack of inclusiveness was reinforced by recruitment policies, since the vast majority of the recruited security personnel belonged to one political party, Fatah. Such policies served to 'de-legitimize the whole institution and [were] not viewed as neutral national institutions by the public'.²⁶⁰ The recruitment process lacked transparency and accountability. This meant that nepotism was the marker of merit rather than actual training or skill set. As pointed out in 1997 by Mohammed Dahlan, the PA Preventive Security Chief in Gaza at that time: 'We have 36,000 people of whom we only need 10,000. This huge number is a burden on the PA and a burden on the security organ. We view it as a social issue because I cannot tell a prisoner who spent 15 years in jail that I have no job for him'.²⁶¹ 'Thirteen years later in the summer of 2010, I asked Dahlan about the progress of the PA security forces, he told me: 'the major problem for our misery now and the defeat in Gaza in 2007 is attributed to prioritizing quantity over quality.'²⁶²

4.1.2c Training the Palestinian police force

With the exception of the small number of Palestinian police who served in the Israeli police force in the West Bank and Gaza Strip, the recruits of the PSF did not have a background in civilian policing duties or law enforcement. Recruits to the new policing service are drawn from the outside (the PLA) and the inside, former Fatah Hawks, political activists, and released prisoners. In order to prepare the PSF for their tasks, the international community together with Israel and the PA attempted to train trainers and senior officers. As a result, some 17 different courses have been offered since the PSF was formed.²⁶³

The PSF had two basic training courses for all branches: extensive training for new recruits and rehabilitative training for police officers from the PLA or PLO units. The rehabilitation training is for former fighters who want to become officers or officers that need additional police training. Rehabilitation training is open to all branches of the PSF and many branches send former fighters to get them ready to function inside the force. Each training course was divided into education and physical training. The education module includes lectures in police science, such as criminal law, procedure, human rights, narcotics, traffic control, and civil defence. The physical training module involves fitness, discipline, and weapons. Basic training lasts four months and involves approximately 50 students per course. The trainers are the former officers of the PLA and the police recruits are being encouraged to focus on

²⁵⁸ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p. 235-238

²⁵⁹ Frisch, H (2008). *The Palestinian Military Between Militias and Armies*. London: Routledge.

²⁶⁰ Al-Shu'aibi, A (2012) *Security Sector Reform in the Arab Countries: The Case of Palestine*, ARI Thematic Studies: Arab Securitocracies and Security Sector Reform. p.2

²⁶¹ Le More, A (2008) *International Assistance to the Palestinians after Oslo: Political Guilt, Wasted Money*. London: Routledge. p. 78

²⁶² Quote of Dahlan from: Tartir, A (2015) *The evolution and reform of Palestinian security forces 1993– 2013*. Stability: International Journal of Security & Development, 4 (1). ISSN 2165-2627

²⁶³ Milton-Edwards, B (1997) "Policing Palestinian Society", *Policing and Society*, 7 (1), p. 36

discipline and military training. Recruits live in barracks, they are encouraged to respond to military discipline and a command system modelled on the same military chain-of-command and hierarchy.²⁶⁴

According to official statements, the recruits in the first years were trained in a wide variety of police subjects, such as basic forensic science, human rights, emergency response, working with people, and collecting evidence. In reality, it was different. During the first two years, there were hardly any decent training facilities or materials. There was a lack of preparation time and recourses. Recruits were trained at five pre-1948 training facilities in Jericho. There was a lot of improvising from a training perspective and a lack of international funding and coordination. The training was coordinated by the former PLA officers. A three-month internal training was given, recruits were not allowed to leave during these months. Although on paper many subjects were addressed, in practice the focus was on creating a uniform and disciplined security personnel. There was a focus on physical training such as drills, to further create unity and make them loyal. An important goal was to unify orders, reporting systems and ways of communication. Next to this, there was educational training, mainly lectures about Palestine and what it stands for, such as geography and history. The absolute focus was on endless drills and lectures to make them loyal members of the PA.²⁶⁵

This was a complete break with the training that the recruits had received outside Palestine, which had a more militaristic approach. In the new training, there was hardly any weapon handling. Coordinator of the USSC Jack Tubasi has recently read all the documentation regarding the training in the first years:

'In all the documents I did not read the word tactics one time. It was discipline and a little bit about rule of law. Surprise, because I thought it would be armed combat, military training. Recruits were people from both inside and outside the oPt, young and old. All had different levels of experience and training. Many officers had received training in countries such as Bangladesh, Algeria, Yemen, India, Pakistan. They all had received different training and most were trained as insurgents with a more militaristic approach; not for policing, internal security and law and order. Both the diaspora Palestinians as the Palestinians from the oPt were trained in a militaristic way, or/and had militaristic experience'.²⁶⁶

As Adnan al Damiri states: 'they had the mindset and skills of fighters, they saw armed resistance against Israel as the way to overcome the occupation'. The goal of the training in the first years was to make a loyal and uniform force; the training was therefore focused on creating cohesion, structure and discipline.²⁶⁷

²⁶⁴ Milton-Edwards, B (1997) "Policing Palestinian Society", Policing and Society, 7 (1), p. 37

Interview Jack Tubasi (2017, October) Training Coordinator USSC. Ramallah.

²⁶⁵ Interview Jack Tubasi (2017, October) Training Coordinator USSC. Ramallah.

Interview Brig. Gen. Mohammed Al-Homaidi (2017, October) Commandant of The Palestinian Officers Academy . Jericho.

²⁶⁶ Interview Jack Tubasi (2017, October) Training Coordinator USSC. Ramallah.

²⁶⁷ Interview Major. Gen. Adnan Damiri (2017, October) Political Commissioner. General spokesman for the security forces. Ramallah.

4.1.2d Human rights training

Since 1994, the United Nations High Commissioner/Centre for Human Rights (UNHC/CHR) has actively pushed for training programmes on human rights. International organisations, but also Palestinian organisations, such as the Mandela Institute and al-Haq have also provided human rights training. According to one UNSCO official, the Palestinian Civil Police have possibly received the most human rights training. There are courses and lectures on human rights before any other training is officially provided, and all courses, whether they are on riot control or forensic science, begin with lectures on human rights issues. Palestinian officers were trained in Geneva to establish an office under General Naser Yusuf to oversee the entire PSF regarding human rights.²⁶⁸

The course for basic recruits regarding human rights contained fourteen sessions, which dealt with the sources of human rights legislation, principles, moral questions and practical matters, including procedures for arresting suspects and treatment of prisoners. Courses in arbitration and conflict resolution are also being offered by Palestinian lawyers and human rights workers. While some researchers and interviewed (ex) security members declare that the recruits were very receptive to the training, other state there was a lack of interest and attendance was poor. However, they all agree that often the circumstances made that it was not possible to uphold human rights.²⁶⁹

4.1.2e Specialized training

All security forces recruits received three months of basic training. Further training was on a selective basis. There is a difference between the training of police and security branches of the PSF. Training was provided in different fields, such as policing, tactics, combat actions, intelligence, customs, interrogation, data analysis, and monitoring. Training of the Civil Police has been well documented and is transparent, coordinated primarily through the UNSCO Police Advisor and Coordinator for Training.²⁷⁰ Training for the security forces is often more secretive and less often coordinated through UNSCO. Regarding some trainings of the security branches, such as Presidential Security or Military Intelligence, very little is known at all. Thereby, much of the material and documents regarding the PSF, including the Civil Police, got destroyed in the Second Intifada when Israel destroyed all PSF facilities.

For these special trainings, there were better facilities than for basic training. Often, the training was abroad. Many Palestinians received professional training in the US, Egypt, Dubai, Algiers and many European countries. There was also training inside the oPt. Some foreign governments provided the PSF with trainers in a variety of specialisations, who then undertake the training of Palestinian police trainers.

After suicide incidents by Hamas in 1996 and the terrorism conference in Egypt in 1996, the American Central Intelligence Agency (CIA), and to a lesser extent the European Union (EU),

²⁶⁸ Milton-Edwards, B (1997) "Policing Palestinian Society", *Policing and Society*, 7 (1), p. 39-40

²⁶⁹ Interview Col. Bassam M. Eljerbi (2017, October) Director of Planning. Jericho.

Interview Col Ziad Hab Ar-Rieh (2017, October) Preventive Security of West Bank. Jericho.

²⁷⁰ Meyers, S (2000) *Police, State and Society: The Palestinian Police and Security Forces and the Maintenance of Public Order*. University of Durham, Centre for Middle Eastern and Islamic Studies. p. 115-116

became more involved in training and providing equipment in counter-terrorism. The CIA had a plan to support the security branches to build a 'Security Academy'. The focus was mainly on the different intelligence agencies. They trained Palestinian forces in espionage, information-gathering and interrogation techniques. For example, how to obtain information from a suspect quickly to prevent a terrorist attack (the 'ticking bomb' scenario) and how to assess the accuracy of information received. The Federal Bureau of Investigation (FBI) also supported the PSF at the CIA's Counter-Terrorist Centre. Lia states in his report that the US police and intelligence officers have supervised the training of the PSF in Langley, Virginia, and at a Philadelphia police department since the spring of 1995; the Presidential Guard and the PSS have long been trained in counter-terrorism in the US.²⁷¹

CIA representatives stated that 'the CIA instructs its trainees in non-violent interrogation techniques; its lessons prohibit torture'.²⁷² Nevertheless, according to Mazen Shaqora, Human Rights Officer with UNTIC/CH1R, in the courses 'there is no condemnation of torture, legally or on a human rights basis, by the CIA'. The training of the CIA was not coordinated with the official donor structures, so there are no official documents of their support for the PSF.

4.1.3 Arafat's authoritarianism

Arafat understood that he had to integrate local leaders such as Rajoub and Dahlan, but also felt threatened by them. The groups led by Rajoub and Dahlan were extremely loyal to their leaders. This became clear when riots broke out in Gaza over the news that Dahlan would be replaced in 1995. As a result, Arafat created many different security branches to reward his loyal friends, but more importantly to create competition to divide power and rule. This structure with many branches and overlapping responsibilities created an intense competition between the various organisations of the PSF as well as within certain structures. In particular, the intelligence service. A culture was created where the main goal became to protect one's own position on the very hierarchically structured ladder. The leaders of all policing structures were ultimately responsible to PLO leader Yasser Arafat, who during this period of transition has embraced this securocratic model of administering his rule since his return to the Gaza Strip in July 1994. In almost all the literature on Palestinian policing, this is seen as one of the main reasons for the failure to establish professional Palestinian policing structures. The authoritarian leadership style of Arafat is a recurring theme in the literature on the PSF and PA. The militarization was to a large extent the result of both the culture of the members of the security services and Arafat militaristic and authoritarian thinking. This, in combination with Arab mentality, is one of the major factors that have contributed to the failure of building a professional and democratic police force, according to these scholars.²⁷³

271 Lia, B (1998) *Implementing the Oslo Peace Accords – A Case Study of the Palestinian–Israeli Peace Process and International Assistance for the Enhancement of Security*. Kjeller: FFI, FFI Report No. 98/01711. p. 91

272 Weiner, T (1998) *CIA is Teaching Tricks of the Trade to the Palestinians*, *The New York Times*, 5 March 1998, A9.

273 See for example;

Milton-Edwards, B (1997) "Policing Palestinian Society", *Policing and Society*, 7 (1), p. 42-43

Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p.

Robinson, Glenn (1997) *The growing authoritarianism of the Arafat regime*, *Survival*, 39 (2), p. 23–41.

Milton-Edward writes; 'The security services are under the praetorian leadership of Arafat used to protect a regime rather than build a democratic state. Within this praetorian milieu, the civil police sit at the bottom of a pyramid dominated by the Palestinian intelligence agencies and the NSF. They turned policing into an exercise in control by the Palestinian executive of the West Bank over its people. Constitutional accountability and oversight which should be core to the SSR agenda have been jettisoned.'²⁷⁴

4.1.4 Why Arabs Lose Wars

Most (non-western) police trainers mentioned the article Why Arabs Lose Wars while being interviewed. In line with de Atkine, the trainers argue that the professionalisation of the Palestinian security services is difficult due to cultural circumstances. De Atkine, a retired Army colonel with extensive first-hand knowledge of the Arab military, points at Arab culture and customs as the main reason for military failures.

Essential for the failure of Arab armies is that Arab leaders are afraid of their own army, according to De Atkine. The leaders fear that the army can perform a *coup d'état*. Therefore, they establish different (very vertically organized) branches and create competition between the branches and staff. This culture also affects lower officers. The officers are constantly afraid that they will lose their position. This creates a culture where officers; do not share information with each other, do not work together and (micro)manage as much as they can. Initiative and ambition are punished. This is a threat to the regime in general, but also to individual positions of the officers. This culture makes that there is less competence in lower ranks and that they are less capable to improvise. This is also caused by the focus of Arab education on memorization instead of acquiring analytical skills. Arab officers are very conscious of social status and symbols. Furthermore, 'units do those things well that their bosses care about' also affects the capability of their units.²⁷⁵

4.1.4a Palestinian trainers and coordinators

The Palestinian trainers mostly disagree with the arguments and the article. Jack Tubasi, a Palestinian Coordinator of the USSC, stated; 'It is easy to blame things you are comfortable with. When you do not get the results you wanted to achieve as an international trainer you just blame the Arab mentality and everybody will just nod his head. It is an easy way to avoid responsibility for the results, these views are rooted in racist views on Arabs and Muslims.'²⁷⁶ The Palestinians involved in the establishment of the PSF mainly argue that time and resources are the most important factor why the professionalization and democratization have failed. Rebuilding a professional police force is a time-consuming process. According to them, it is not reasonable to expect a fully functioning system in a couple of years, especially under the circumstances of occupation.

²⁷⁴ Milton-Edwards, B. (2000) SECURE IN THEIR RIGHTS? INTERNAL SECURITY AND CITIZENSHIP UNDER THE PNA. Syracuse University Press, p. 1-30

²⁷⁵ De Atkine, N. (1999). Why Arabs Lose Wars. Middle East Quarterly December

²⁷⁶ Interview Jack Tubasi (2017, October) Training Coordinator USSC. Ramallah.

4.1.5 Influence of the donor communities

As discussed in the first chapter, the literature on the new peacekeeping increasingly acknowledged that police reform was an important aspect of peacebuilding. Guidance from the donor countries was essential for the road towards democratic peacebuilding with a focus on human rights. A repressive approach was needed to maintain law and order in the difficult post-conflict situation, however with the help of the (Western) donor-countries authoritarianism of the Palestinian elite could be detained. For example, Milton Edwards, was very positive on the role that the donor community had to play regarding democratization of the Palestinian police. Milton-Edwards states: ‘the structure and organisation of the police is also affected by external factors, predominantly the donor community and the input of the UN-appointed coordinator of policing and his office. The effects of this factor are difficult to measure but there can be no doubt that the presence of the donor funding issue and UN coordination helps promote the vision of creating a police force which is seen to grapple with policing issues common to all societies in transition. The donor community, through the provision of funding, can in part help promote a type of policing widely embraced in liberal democratic communities through support for training, recruitment and other organisational issues.’²⁷⁷

Lia, for example, was more critical on the role of donors in peacebuilding. Indeed it could work, however he point at history and claim that there is a ‘bad track record of International Police Aid producing Democratic policing and democratic institutions’.²⁷⁸ More critical scholars also take the priority of the donor country into account. They ask the question if; the priority of the donor country is with democratic policing or with more repressive counter-insurgency and counter-terrorism? Lia points out that ‘the way in which international police aid programmes are implemented is of paramount importance, especially in a climate of competing foreign policy agendas’.²⁷⁹ He continues; ‘the rhetoric’s focused on promoting democratic policing, the largest part of OPS’s training curriculum for foreign police dealt with counterinsurgency, and included equipment and training in surveillance techniques, interrogation procedures, methods of conducting raids, riot and crowd control and intelligence’.²⁸⁰ Lia, but also for example Meyers,²⁸¹ make this argument by looking at how much of the ‘peacebuilding’ budget was assigned to police assistance aiming to promote democratic policing and how much was assigned to more repressive elements. According to them the budget is an indicator that reveals the priorities of the donors. According to these scholars, when the focus of the donor country is too much on repressive elements, the (democratic) peacekeeping goals will not be achieved.

²⁷⁷ Milton-Edwards, B (1997) “Policing Palestinian Society”, *Policing and Society*, 7 (1), p. 32

²⁷⁸ Lia, B (1999) *Building Arafat's Police: The Politics of International Police Assistance in the Palestinian Territories After the Oslo Agreement*. Ithaca Press p. 14-15

²⁷⁹ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p.17

²⁸⁰ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p.7

²⁸¹ Meyers, S (2000) *Police, State and Society: The Palestinian Police and Security Forces and the Maintenance of Public Order*. University of Durham, Centre for Middle Eastern and Islamic Studies. p. 122-123

Milton-Edwards mainly blames Arafat's authoritarianism, while Lia also sees a negative role of the international community that focussed too much on repressive policing at the costs of 'democratic policing'. They, however, both see 'peacebuilding' as opposite to (repressive) counterinsurgency.

4.2 Analysis of the security services from the alternative framework

I have argued in this thesis that it was in the interest of both the PA elite and Israel to undermine building professional and democratic institutions. Bob Sharp, program adviser at the USSC, described the situation as followed; 'Palestinian security forces are like a bonsai tree. It looks like a tree, smells like a tree, feels like a tree but it isn't a real tree. Israel keeps it that way so they can play with it and keep it small so it won't become a threat.'²⁸² In the next section, I will give some examples how not only the PA, but also Israel undermined the functioning and 'democratization' of the security forces. While most of the following information is based on interviews, it also draws on information from researches of the mentioned scholars. While this information clearly points at the undermining of 'peacebuilding' by Israel, this doesn't have a major role in their conclusions.

4.2.1 Continuous undermining

Lia mentions that; 'there can be little doubt that the Palestinian Police inherited a legacy of insurgent-based policing culture from the Intifada of 1987–93. This proved to be a formidable obstacle to the development of a civilian-oriented democratic policing. Several factors accounted for this.'²⁸³ As I discussed in chapter two, the Palestinian insurgent-based policing culture turned violent after constant undermining from the Israeli side. This makes sense before the 'peacebuilding' efforts. However, the undermining continued after the first Oslo accord.

After Oslo I, before Arafat had returned, the 'outside PLO' did not want to empower the inside leadership. At the same time it had to make sure that anti-DoP parties, such as Hamas or Islamic Jihad, would not take over. Therefore, informal policing structures from the Intifada were revived. Arafat-loyal Fatah Hawks were empowered as unofficial police in the oPt and local Palestinian police committees were marginalized. Many Fatah Hawks did not only participate to gain an important role in the new to be established government. Many of these paramilitaries had acted brutally during the Intifada, they needed protection against the families of Palestinians and their new status would provide this protection. They lacked any training in civilian policing and were strongly committed to fighting collaborators and other enemies of the Palestinian revolution. With these street fighters and guerrillas, the consolidation of a paramilitary and 'vigilante' policing culture was hard to avoid.²⁸⁴

The expansion of the informal policing was facilitated by the new relationship between Israel and the PLO after the Oslo accords. This relationship manifested itself in a formal PLO

²⁸² Interview Col Bob Sharp (2017, October) program manager and academic adviser USSC. Ramallah

²⁸³ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p.429

²⁸⁴ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p.160-166

Interview Major. Gen. Adnan Damiri (2017, October) Political Commissioner. General spokesman for the security forces. Ramallah.

Interview Brig. Gen. Mohammed Al-Homaidi (2017, October) Commandant of The Palestinian Officers Academy . Jericho.

declaration of an end to the Intifada, the legalization of the Fatah movement, a limited amnesty for previously 'wanted men', a laxer Israeli enforcement of the ban on arms and a gradual thinning out of Israel's military presence in Gaza. Although the formal police training and recruitment process were largely deadlocked, informal and clandestine policing practices flourished after the conclusion of the DoP. The DoP paved the way for a new security regime between the Arafat-loyal forces and the Israeli army in the Occupied Territories, allowing the Fatah movement to operate openly and reassert its authority on the ground.²⁸⁵

4.2.2 Israeli stimulation of division

As mentioned before by other scholars, Arafat created many different security branches to divide power and rule. This structure, with many branches and overlapping responsibilities, created an intense competition between and within the various organisations of the PSF. It resulted in a culture where the main goal became to protect one's own position.

This is all true, however, this was also stimulated by Israel. Israel profited from the power struggle in the PLO and the way the PSF was organized. After the establishment of the forces, Israel made the branches compete for their favour. Coordination with Israel could help a branch to become more effective. Israel could provide information, travel permissions, material support and could grant permissions to operate outside of Area A. In return, the PSF would provide information or perform certain actions. In the Oslo agreements, Israel and the PLO agreed on creating structures that facilitated the Palestinian - Israeli security coordination. In reality, much of the cooperation between Israel and the PSF was outside these fixed structures. Both the Israeli military officials and PSF officials benefited from working directly with certain organisations or leaders, which greatly compromised the official structure.²⁸⁶

For example, in 1994, leaders of the PSS, Rajoub and Dahlan, stroke a deal with head of Israel's General Security Service (GSS) Ya'acov Pen and then deputy chief of staff Amnon Shahak. In this deal the PSS would provide intelligence on the Palestinian opposition, in particular Hamas, to Israel. In return, the IDF would grant the PSS a free hand to ensure 'law and order' throughout the West Bank and Gaza, both before and during Israel's redeployment in these areas.' This deal was making the PSS the leading Palestinian security organisation in the Palestinian Territories.²⁸⁷ With it, the cooperation undermined the set security structure, and by this, transparency and accountability towards the Palestinian people.

4.2.3 Israeli support for Hamas

Almost all interviewed Palestinian officers mentioned that the unrest in the Palestinian society was often caused by Israel.²⁸⁸ Israel would secretly support Hamas and other

²⁸⁵ Lia, B (2006) *A Police Force without a State*. Reading: Ithaca Press. p.148

²⁸⁶ Interview

Dana, T and Tartir, A (2017) *Focus On: Palestinian-Israeli Security Coordination* <https://al-shabaka.org/focuses/focus-palestinian-israeli-security-coordination/>

²⁸⁷ Usher, G (1996) *Security Blanket*. *New Statesman and Society*, 19 January, p. 24

²⁸⁸ Interview Col. Bassam M. Eljerbi (2017, October) Director of Planning. Jericho.

Palestinian opposition groups. This was done, according to these officers, to claim that the PA was not capable of providing safety. As a consequence, the unrest resulted in a situation where Israel did not have to transfer any territory or authority. One officer from the Military Intelligence mentioned; 'all the chaos in Palestinian society is caused by Israel, as we would get the free hand in security matters, this would be the safest place on earth'.²⁸⁹ Although, as mentioned in chapter two, there is evidence of Israel supporting Hamas before the 'peace process', I could not find any additional evidence that Israel was still supporting Hamas or other opposition groups. Of course, it is a comforting idea for the Palestinian security service members that they are not really fighting other Palestinians, but that it is caused by Israel.

4.2.4 An alternative view on recruitment

As stated, to become a part of the Palestinian government or the PSF you first had to be selected by the PA. You had to be selected by a special committee of the PA to become a recruit for the PSF. As discussed, loyalty and creating dependency were often decisive in this process. Recruits were often selected for promotion or specialised training programmes on the basis of political ties, family connections, and party affiliation.

This was not only stimulated by the PA and Arafat but was also part of Israeli policy. After the PA selected recruits, the Shin Bet, the CIA and the Jordanian Secret Service (if they were trained in Jordan) had to approve the recruits. As a Dutch advisor of a Palestinian officer academy in Jericho explained:

*'All the smart guys, with leadership qualities, are either in an Israeli jail or are refused. It is very difficult to find good recruits, on this course we barely have leaders. In the academy, we mostly have 'followers', less critical people. This is both ideal for the PA and Israel. If you make it through the course and you are competent, take initiative, and have leadership qualities, you are likely not to be hired or promoted. Nobody wants an assistant that is more capable than you. If you want to hold your position or make promotion, you stay silent and make sure you are not seen as a threat.'*²⁹⁰

Understandably, this greatly undermined the formation of professional Palestinian forces.

4.2.5 The lack of proper equipment

Several (international) trainers and Palestinian officers have mentioned the lack of proper resources and equipment for training and regular police tasks. All foreign contributions and assistance to the Palestinian police had to apply with the provisions of the accords. The introduction of arms, ammunition and equipment into Gaza and Jericho for the police would be co-ordinated through the JSC. Many Palestinians who worked in the field complained that their weapons and equipment were inferior to the weapons of Hamas and other opposition groups. 'We have to fight with pistols, while they have M-16 guns'.²⁹¹

Interview Maj. Majed Faraj (2017, October) Military Intelligence Service. Jericho.

Interview Col Ziad Hab Ar-Rieh (2017, October) Preventive Security of West Bank. Jericho.

²⁸⁹ Interview Maj. Majed Faraj (2017, October) Military Intelligence Service. Jericho.

²⁹⁰ Interview. LTC (Retd) Rense j. de Vries (2017, October) Palestinian Officers Academy. Course director at USSC. Ramallah.

²⁹¹ Interview Maj. Majed Faraj (2017, October) Military Intelligence Service. Jericho.

Bob Sharp, an important coordinator from the USSC, described how this is intentionally done by Israel. Sharp:

*'Almost all of the equipment comes from donors but only if Israel agrees. Israel agrees with the security forces having helmets, as long as an Israeli bullet can still penetrate it. However, when the forces enter into a refugee camp the 'bad guys' have the same weapons. Israel does not really care, they want them to be a 'real tree'²⁹². They want them just to be useful.'*²⁹³

4.3 The inability of donors to look outside of the dominant frameworks

In order to 'make Oslo work', Western aid donors supported the 'peacebuilding' efforts. Western donors have therefore continually committed significant resources towards supporting the Oslo process, as shown by the level of official overseas development assistance which rose from US \$39.24 million in 1993 to \$1.741 billion in 2009. In this same time period, therefore, total aid from OECD donors and multilateral agencies has constituted nearly US \$12.2 billion.²⁹⁴ The official goal of all donor countries was the two-state solution. They all wanted to help the Palestinian 'democratic' state-building efforts. Instead, the opposite is achieved.

International aid and 'peacebuilding' have undermined their official goal. As I described, 'peacebuilding' has largely become a mechanism for reducing Palestinian rebellion. The scholars who wrote about the Palestinian 'peacebuilding' efforts generally make two kinds of arguments why aid has 'failed'. The first argument is that the intentions of the donors were good, but the coordination of aid was bad and the policies were wrongly implemented. The second argument is that the donors prioritized their own agenda over the Palestinian and therefore stimulated 'repressive' policing at the cost of 'democratic' policing.

I argue that both arguments are not right. The donor community was very far from homogeneous. While the role of the US can be discussed due to its leading role and connection to Israel, it is fair to assume that most countries had the intention to contribute to the establishment of a democratic and independent Palestinian state. I reason that the problem of the international donor community had two (connected) components. First, they were unable to look outside the dominant concept of 'peace'. The second part of the problem was the depoliticization of 'peacebuilding'.

Throughout this thesis I reasoned that 'peacebuilding' was not simply done in a post-conflict area, as is argued by the mentioned scholars. 'Peacebuilding' was depoliticized by the donors, but the situation in the oPt was not a *tabula rasa* and the PA was not a neutral tool to execute policies. The PA and its security services were created in a setting of occupation and colonisation. It had neither sovereignty nor control over its resources, and it had no defined borders. The only body that holds sovereignty over the land and resources of the oPt

²⁹² Interview Col Bob Sharp (2017, October) program manager and academic adviser USSC. Ramallah

²⁹³ Interview Col Bob Sharp (2017, October) program manager and academic adviser USSC. Ramallah

²⁹⁴ Turner, M (2015) *Peacebuilding as counterinsurgency in the occupied Palestinian territory* - Review of International Studies (2015) 41, British International Studies Association, p 82

and controls the borders was Israel – therefore, ‘peacebuilding’ has been used to continue a process of colonisation, instead of building a Palestinian state.

Conclusion

In this study, I have argued that there is no contradiction between promoting Palestinian institutions, governance structures, and economic development and on the other side Israeli occupation and colonial practices. As Franz Fanon argued; 'Not only brute force and policemen, but knowledge, information and consent define power.' While it was both in the interest of Israel and Arafat to start the process of 'peacebuilding', establishing an independent, democratic Palestinian state was never in their main interest. Yet, if peacebuilding is understood as a form of counterinsurgency whose goal it is to secure a population, the contradictions vanish and it seems that peacebuilding has not failed but has largely succeeded.

I added that the donor-community and the mentioned scholars were not seeing the realist incentives of Arafat and Israel. They were, and still are, unable to look outside the dominant concept of 'peace' that has formed throughout the centuries. The power relations in this situation made that 'peace' translates into 'the security of Israel'. This shows from the PA being continually forced to prove that it can deliver security to Israel, without getting anything in return. Another part of the problem was the depoliticization of 'peacebuilding'. The PA was corrupt to its roots, which made it a perfect partner for an Israeli controlled state-like entity.

What I further aimed to demonstrate was that the peace accords created a status quo that was profitable for both Israel and the Palestinian elite, but unsustainable without pacification. The building of Palestinian institutions and the economy were simply efforts to increase the control on the Palestinian people instead of paving the road towards self-determination. Besides these pacification techniques, the Palestinian security services were essential in maintaining the status quo. Where most scholars conclude that 'peacebuilding' has failed because the Palestinian security services did not become full professional and 'democratic' forces, I claim that this was never the intention. It was not simply a failure of implementation in difficult circumstances, as is argued by these scholars, but in the interest of both Israel and the PLO that this would 'fail'.

The donors only looked what 'peacebuilding' failed to do. They did not see that it actually did: supporting a status quo that conflicted with their official policy of a two-state solution. The solution to any encountered problems was always more, or better, 'peacebuilding'.

Discussion

Just like the donor countries, many scholars who wrote about 'peacebuilding' were unable to look outside the dominant understanding of 'peace' and 'peacebuilding'. When I was in Palestine for this study I initially used the same paradigm and analytical tools as these scholars. However, while being in the oPt I realized that looking at post-conflict circumstances and the implementation of 'peacebuilding' policies is not enough to understand the 'failing' peacebuilding. By critically looking at the conceptualization of 'peace', 'peacebuilding', and 'counterinsurgency', and taking a look at the history and power

relations of Israel and the PLO, I was able to construct a different analytical perspective. While I needed much time to come to this understanding, the use of this approach to analyse the actual 'peacebuilding' policies could have been performed in a better way. The undermining of 'peacebuilding' by the PLO and Israel and the blind 'peacebuilding' by the donor community could be analysed in more detail by future studies. This might lead to a better understanding of the Palestinian case and would further contribute to this analytical approach. Therefore, I would argue that more research regarding Palestinian 'peacebuilding' efforts from this perspective is needed.

While the case of Palestine is quite unique, this analytical approach might have interesting implications for research on other 'peacebuilding' and 'development' efforts. It is important to understand that these concepts are not neutral tools and that the context can never be depoliticized. Especially Western countries, organisations and scholars see themselves and their ideas as the norm, and neutral. This technocratic approach makes these actors blind to (unintended) side-effects. Ages of colonialism and imperialism are deeply rooted in our mindsets and influence how we perceive the world. This bias can only be overcome by taking a continuous and critical look at our history. We first have to become aware of our colonial history and of power relations before 'helping' 'the underdeveloped'.