

Brandeis University
Crown Center for Middle East Studies
Crown Paper 5 April 2011

“We Serve the People” Hamas Policing in Gaza

Yezid Sayigh

Crown Papers

Editor

Naghmeh Sohrabi

Consulting Editor

Robert L. Cohen

Production Manager

Benjamin Rostoker

Editorial Board

Abbas Milani

Stanford University

Marcus Noland

Peterson Institute for International Economics

William B. Quandt

University of Virginia

Philip Robins

Oxford University

Yezid Sayigh

King's College London

Dror Ze'evi

Ben Gurion University

About the Crown Paper Series

The Crown Papers are double-blind peer-reviewed monographs covering a wide range of scholarship on the Middle East, including works of history, economics, politics, and anthropology. The views expressed in these papers are those of the author exclusively, and do not reflect the official positions or policies of the Crown Center for Middle East Studies or Brandeis University.

Copyright © 2011 Crown Center for Middle East Studies, Brandeis University. All rights reserved.

Table of Contents

Glossary

Chronology

Chapter 1. Hamas in Gaza: Law and Order, Security, and Political Power	1
Hamas's Learning Curve	6
Islamic Policing?	11
Sources and Interpretation	19
Chapter 2. The Normative Framework of Hamas Policing	26
Human Rights in Discourse and Practice	28
Law and Order Versus Human Rights: "We don't want citizens to cower before policemen, so long as they obey the law."	37
Chapter 3. Hamas as a Learning Organization	43
"We are the sons of the Muslim Brotherhood"	44
The Origins of Hamas Policing: Contending with the Law-and-Order Vacuum	48
Rough-and-Ready Policing	54
Security Sector Reform and Restructuring, Hamas-style	62
Training	63
Planning	67
Administrative Upgrading and Public Service Delivery	69

Chapter 4. Pious Policing	75
The Criminal Justice System: An Integrated Approach	76
The Conciliation Committees	77
The Statutory System	81
Sharia Courts	82
Military Justice	84
Pious Policing as “Social Technology”	86
Institutionalizing Islamic Policing	89
Morals Enforcement and Gender	94
“Compliant” Policewomen	99
Surveillance Society	101
Avoiding the Temptations of the Devil	102
Information Technology: Moral and Security Threats	103
Chapter 5. Authoritarian Transformation	106
Authoritarian Dynamics	107
The Striving for Hegemony	109
Combating Collaboration	112
Chapter 6. Conclusion: “This is Hamas’s Era!”	118
Hamas: Changing from Within	119
Between Erdogan’s Turkey and the Taliban’s Afghanistan	120
Whither the IQB?	123
Implications for the Future	128
Endnotes	130
About the Author	177

Glossary

DFLP	Democratic Front for the Liberation of Palestine
EU	European Union
EF	Executive Force
GoI	Government of Israel
ICHR	Independent Commission for Human Rights
IDF	Israel Defense Forces
IQB	Izz-ed-Din al-Qassam Brigades
ISA	Internal Security Apparatus
MoI	Ministry of Interior (West Bank)
MoINS	Ministry of Interior and National Security (Gaza)
NSF	National Security Forces
PA	Palestinian Authority
PASF	Palestinian Authority Security Forces
PFLP	Popular Front for the Liberation of Palestine
PIJ	Palestinian Islamic Jihad
PLC	Palestinian Legislative Council
PLO	Palestine Liberation Organization
SPA	Security and Protection Apparatus
UNRWA	United Nations Relief and Works Agency for Palestinian Refugees
USSC	United States Security Coordinator

Chronology of Main Political Events

August 1988	Formal launch of the Islamist Resistance Movement, Hamas, by the Palestinian branch of the Muslim Brotherhood Society
September 13, 1993	PLO and Government of Israel sign the Declaration of Principles (Oslo Accords)
1994	Establishment of Palestinian Authority
1994	Establishment of Palestinian Authority Security Forces
January 1996	First Palestinian Legislative Council elections
July 2000	Camp David peace summit
September 2000	Outbreak of second intifada
March-April 2002	Operation Defensive Shield, Israel Defense Force reoccupies most PA autonomy areas in West Bank
June 2002	“Rose Garden speech” by U.S. President George W. Bush
2003	Palestinian Legislative Council approves constitutional amendment establishing post of Prime Minister in PA
April 2003	Quartet issues “Roadmap for Peace”
December 2004	First round of Palestinian Authority municipal elections
March 2005	United States Security Coordinator appointed
August 2005	Israeli disengagement from Gaza
November 2005	European Union Mission for the Palestinian Territories established
December 2005	Fourth round of Palestinian Authority municipal elections (final, fifth round never held)
January 25, 2006	Second Palestinian Legislative Council elections
March 2006	Formation of 10th PA government under Hamas Prime Minister Ismail Hanieh

March 2006	Quartet announces three “principles” for dialogue with Hamas government, imposes financial boycott
May 2006	Establishment of Executive Force
June 2006	Corporal Gilad Shalit abducted into Gaza
February 2007	Mecca accord between Fatah and Hamas
March 2007	Formation of 11th PA national unity government under Hamas Prime Minister Ismail Hanieh
June 8-14, 2007	Hamas takeover of Gaza
June 15, 2007	Formation of “emergency” government under Prime Minister Salam Fayyad
December 28, 2008	Start of Gaza War (Operation Cast Lead)
January 18, 2009	Israeli ceasefire ending Gaza War
January 2009	Term of PA President Mahmoud ‘Abbas ends, according to both independent constitutional experts and Hamas
January 2010	Term of PA President Mahmoud ‘Abbas ends, according to him and Fatah
January 2010	Term of PLC ends – Hamas and allied members of legislature continue to meet in Gaza, with Hamas members in West Bank participating by teleconference; Fatah and other blocs meet in parliamentary committees in West Bank

Chapter 1. Hamas in Gaza: Law and Order, Security, and Political Power

UNARMED POLICEMEN DIRECT TRAFFIC AT MAJOR INTERSECTIONS. The general administration for road patrols and rescues, judicial police, anti-narcotics, and other police sections each issue weekly activity reports. The public is able to make online requests for passports, for birth, marriage, and death certificates, and for other documents; to notify the population registry regarding changes of address or changes in marital status; and to submit inquiries and complaints through the Ministry of Interior website. Nongovernmental organizations may also register themselves in the same way. A newly established Police College has inducted 150 cadets into a three-year program from which they will graduate with the rank of second lieutenant and a BA degree. Community-based committees provide a social arbitration and judicial mechanism that works closely with the police. A security sector that once included a dozen or more branches and a hugely bloated payroll of nearly 57,000 men now comprises a compact four branches with some 15,000 personnel.

The place is the Gaza Strip in the spring of 2011, nearly four years after the Islamist Resistance Movement, Hamas, brought what it calls *al-falatan al-amni*, the “security anarchy,” to an abrupt end. Lawlessness had been endemic in the Strip since at least 2004, when the Palestinian Authority (PA) took on the characteristic features of a failed state: the inability of central authorities to perform basic functions and provide essential public goods, especially security. Gunmen extorted local businesses or assaulted

government facilities, demanding jobs in the PA. Armed clans turned their neighborhoods into no-go areas for the police and often overlapped with criminal networks. Unruly firing in the air at funerals and weddings left a steady stream of casualties.

Most of the gunmen and clans involved were more or less loosely affiliated with Fatah, the nationalist movement that had dominated Palestinian politics since the late 1960s (and the PA since it was established in 1994) until the upset victory of Hamas in the general elections of January 2006. Over the following year, Fatah and Hamas militias frequently traded fire, turning entire city blocks into rival strongholds. Fatah commanders of the various branches of the Palestinian Authority Security Forces (PASF) refused to reimpose law and order or to take orders from the new Hamas government—and the Fatah-led Preventive Security Apparatus and, to a lesser extent, the General Intelligence Department conducted a “dirty war” of abductions and assassinations against Hamas, to which Hamas responded in increasingly lethal kind.

When Hamas finally went on the offensive, routing its rivals and wresting exclusive control over Gaza in a matter of days in mid-June 2007, its detractors argued that it had swallowed “a poison pill” in taking over the “lawless, anarchic entity” that the Strip had become.¹ Clearly this has not happened. Quite the reverse, as “[w]ithin a month of [Hamas’s] taking over the security sector, crime, including criminal kidnapping, clan and family clashes, drug smuggling and car theft, had gone into rapid decline.”²

The government of Hamas Prime Minister Ismail Hanieh has showcased its success in delivering law and order ever since.³ There is much to justify this boast, for although Hamas enjoyed a significant advantage in inheriting PASF structures and manuals, it had to build a new police force largely from scratch. It did so, moreover, while enduring an Israeli siege that continued without a break from June 2006 to June 2010, when it was partially eased; the sweeping boycott imposed by the international Quartet (comprising the United States, European Union, Russia, and the United Nations); and Israel’s Operation Cast Lead in December 2008 and January 2009, in which 1,385 Palestinians, 762 of them noncombatants, were killed and 5,300 wounded, and some 60,000 homes were damaged or destroyed.⁴ In meeting these challenges, the Hanieh government and

its security sector have demonstrated a sharp learning curve, reflected in its constant improvement of policing practice; the introduction of new departments, units, and procedures; and the development of an integrated criminal justice system.

Nevertheless, the Hanieh government's constant reminders to the public of its record in ending *al-falatan al-amni* are wearing thin. The government remains unable to bring about a fundamental change in the principal conditions of life for the vast majority of the population: 39 to 44 percent unemployment; 70 percent of families in abject poverty or below the official poverty line (including an estimated 675,000 refugees); and a similar percentage relying on some degree of nutritional assistance.⁵ By 2010, according to the International Monetary Fund, gross domestic product per capita in Gaza was 40 percent lower than it was in 1994, when the PA was established following the Oslo Accords.⁶

The government remains almost entirely reliant on the continuing inflow of capital from external sources. Most important is over \$1.4 billion annually paid by the rival, donor-supported government of Prime Minister Salam Fayyad in the West Bank for public sector salaries, welfare payments, and public utility subsidies. Additional amounts come from private donations from the Muslim Brotherhood International, *zakat* (Islamic tithes) committees abroad, private sources within the Gulf Cooperation Council and in other Arab states, and covert assistance from Iran. Even with all of that assistance, normal business activity is subject to periodic shortages of liquidity due to Israel's refusal to ensure a regular supply of money to local banks, as part of its general restrictions on Gaza.⁷

The Hanieh government faces an additional challenge in regularizing the informal economy that has emerged from the tunnel trade with Egypt since 2008. The informal economy accounted for an estimated 80 percent of Gaza's imports by 2009 and directly employed up to 15,000 people; along with the estimated 5,000 tunnel owners and partners as well as wholesale traders, the number involved in the tunnel economy probably reached 40,000–50,000.⁸ Local bankers interviewed by the author in January 2010 believed that the Tunnels Authority of Hamas had earned \$150–\$200 million in the preceding year. This may well be an overestimate, and the increased volume of legal imports entering Gaza from Israel after the siege

was eased in June 2010 may have reduced the income from the tunnels trade, but clearly the latter had already generated large profits.

The decline of the formal economy and the business sector associated with it appears to have proceeded in tandem, moreover, with the rise of a new elite operating within the informal economy. This elite comprises senior Hamas figures, including government ministers, members of Parliament, and key administrative or political personnel. While benefiting indirectly from the influx of goods and cash into the local economy, the Hanieh government has struggled with the consequences. Opportunities for laundering profits through the Palestinian banking system are largely closed as a result of the tight controls maintained by the Palestinian Monetary Authority—even in Gaza—in compliance with the counterterrorism measures mandated by the United States Office of Foreign Assets Control.⁹ This, coupled with severely limited investment opportunities, initially led to overinvestment by eager entrepreneurs in the tunnel economy, resulting, among other things, in a Ponzi-style pyramid scheme that collapsed in early 2009, with losses to investors ranging from \$100 million to \$500 million.¹⁰ Since then there has been a flurry of new projects based on speculation in real estate, resulting in a sharp rise in land prices.

The Hanieh government has sought to normalize the informal economy in spite of the external controls in place. In 2009 it authorized the establishment of the Islamic National Bank with start-up capital reported at \$20 million, which appears to be used both to receive proceeds from the tunnel economy and to disburse payroll to government employees.¹¹ The government also licensed the al-Multazim insurance company, which was awarded the contract to insure all government cars. The proceeds from these various activities and enterprises accrue to Hamas—not to the government treasury, which is instead dependent on limited income tax revenues and on the monopoly on the import and retail sale of fuel and cigarettes that it inherited from the PA, the levies on which amount to one quarter of its markedly modest domestic revenue.¹²

Another problem for the Hanieh government is the rise in violent incidents in Gaza since late 2009, variously targeting Hamas and PASF security officers and members of the military wing of Hamas, the Izz-ed-Din al-Qassam Brigades (IQB). There are persistent reports of armed crime and

vigilante action being hushed up by a government concerned about its public image and hoping to avoid confrontations with Hamas members or their clansmen who may be involved. These developments are difficult to verify independently, and in any case remain a far cry from *al-falatan al-amni* at its worst, but they nonetheless provide a bellwether of internal strains, which are being met with a tightening of security surveillance and the intimidation of actual or potential political opponents.

At the same time, the Ministry of Interior and National Security (MoINS) has increasingly spearheaded the Islamization of Palestinian society in Gaza, as Hamas seeks to uphold its revolutionary credentials and fend off accusations by more militant groups—both secular nationalist and Salafist jihadist¹³—that it has abandoned its much-vaunted “armed resistance” against Israel or gone “soft” once in power.¹⁴ In the absence of Palestinian national reconciliation and democratic governance, the provision of law and order has fused with the need to maintain security and the struggle to ensure political survival, generating a new authoritarianism.

This paper addresses two main questions. First, what explains the learning curve demonstrated by Hamas and the Hanieh government in their approach to security? Second, can the Hanieh government be said to apply a specifically Islamic approach to policing—and, if so, what distinguishes it as such?

To answer these questions, this paper proceeds as follows. First, I place these questions in their wider context, and then assess the research sources used in this paper. Second, I discuss the normative framework of Hamas policing, focusing on the contrast between the emphasis on law and order, on the one hand, and on liberal democratic notions of reform and human rights, on the other. Third, I explore the learning curve of the Hamas-led security sector in Gaza, by examining three phases in the origins and evolution of Hamas policing: 1) the term of the PA’s tenth and eleventh governments, in 2006–7, both headed by Hanieh; 2) the eighteen months between the Hamas takeover of Gaza in June 2007 and Israel’s Operation Cast Lead in December 2008; and 3) the following two years, up to January 2011. Fourth, I consider to what extent the Hamas approach to policing is distinguished by being Islamic, and what makes it so. To this end, I survey broad developments in the Gaza criminal justice system, as

the consolidation of authority within the security sector has enabled it to play a role in restoring law and order.

I then focus on three areas: the institutionalization of specifically Islamic aspects of policing; the place of morals enforcement and gender; and the emergence of a “surveillance society” as Hamas seeks ideological hegemony—and then consider the authoritarian transformation of politics in Gaza, with particular reference to the role of the security sector. I conclude by reflecting on the implications of all of the above for the evolution of Hamas as an organization.

Hamas’s Learning Curve

The original motivation for this paper was to explain the success of the Hanieh government and the Hamas-led security sector in bringing about law and order in Gaza under adverse conditions. By all accounts, this was achieved through the application of draconian measures in the immediate aftermath of the Hamas takeover in June 2007. One might assume that Hamas-style law and order was still at a rough, basic level nearly four years later—yet it was evident by the start of 2010, if not earlier, that the Gaza security sector had in fact undergone considerable evolution in its practices and capabilities. My initial research revealed professional and institutional development on a scope and scale that suggest that major security sector reform and restructuring had occurred. This is almost wholly unrecognized outside Gaza. Indeed, more has been achieved in Gaza than has even been envisaged, let alone attempted, in Western-assisted programs in the West Bank or elsewhere in the region, such as Lebanon or Yemen.¹⁵

What is especially striking is that security sector reform and restructuring in Gaza has been undertaken entirely at the initiative of the Hanieh government—not in response to demands and pressures from Western donors, as is commonly the case in countries receiving external assistance. Furthermore, this reform and restructuring has taken place despite the total Western embargo on financial and technical assistance to the Hamas-led authorities in Gaza. In effect, the Hanieh government has demonstrated the local “ownership” so often sought by Western donors in other settings, but rarely attained and usually not successfully induced, whether through the promise of assistance or by imposing conditions on aid. In Gaza, it is

Palestinians, rather than external actors, who “design, implement and review security sector policies and programmes.”¹⁶

7

The sharp learning curve of Hamas and the Hanieh government is partly explained by the particular circumstances facing the Hanieh government in the Gaza Strip. The abrupt collapse of the Fatah-commanded PASF in June 2007 was followed immediately by a decree from the newly formed Fayyad government in the West Bank ordering all PASF personnel—along with all civil servants not engaged in vital service delivery—not to show up for work under the Hamas administration. The combined effect of these events was comparable to that attending the decision by the Coalition Provisional Authority in Iraq to dissolve the Iraqi army and senior civil service in 2003: The security and criminal justice sector was vacated, and effectively handed over to exclusive Hamas management.

Moreover, these developments, occurring as they did less than two years after the Israeli withdrawal from Gaza in August 2005, left the Hanieh government with virtually uncontested, and uninterrupted, control over the entirety of its territory and population—enabling it to attain a level of policy coherence, administrative cohesion, and political mastery that its predecessors had never enjoyed, even at the height of Palestinian-Israeli cooperation in 1994–99. In short, the Hanieh government has enjoyed a level of control that the rival Fayyad government starkly lacks, owing to the “Swiss cheese” model of intermeshing PA autonomy areas and Israeli settlements and military zones in the West Bank.¹⁷

No less significant is that the Hanieh government has been able to leave meeting a very large part of the humanitarian needs of its population to others. The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) provides primary and secondary schooling and basic health care to 1.1 million refugees (some 75 percent of the population) and basic food rations to 750,000, and employs 10,000 Gaza residents to deliver these services.¹⁸ Local and international nongovernmental organizations, including Islamic charities and NGOs funded from a variety of sources other than Hamas or the Hanieh government, provide supplementary assistance.

Furthermore, the Fayyad government pays the salaries of up to 14,000 civil servants—almost all of them teachers and health workers—who were instructed to remain at their posts, offsetting salaries that the Hanieh government would otherwise have had to incur. Equally importantly, the Fayyad government anchors domestic consumption in Gaza by continuing to pay salaries to an additional 19,500–27,900 civil servants and 34,500 PASF personnel who abstain from work in Gaza.¹⁹ The Hanieh government complains that it is deprived of income taxes and other charges that would otherwise be levied on salary payments made from the West Bank to these workers, but it presumably benefits modestly from the sales tax revenue generated by their domestic consumption.²⁰ In addition, the Fayyad government partially subsidizes public utilities in Gaza.

Accordingly, while the Fayyad government must maintain a much larger payroll, the Hanieh government is able to focus its far more limited financial resources and its political efforts on fewer tasks. Law and order appears foremost among these; a measure of its importance is the fact that the security sector accounts for roughly half the work force of approximately 34,000 recruited or paid by the Hanieh government, whose salaries, it claims, cost \$25 million a month.²¹ The Gaza PASF accounted for roughly 53 percent of the payroll in December 2008, a proportion that has probably declined only slightly to 50 percent by early 2011. This contrasts with the 43 percent share of the public payroll devoted by the Fayyad government to the security sector as a whole in 2009, including the abstaining PASF personnel in Gaza.²²

The contrast with the West Bank security sector bears further examination. There can be little doubt that it is, quite simply, easier to provide law and order in Gaza. The demographic difference is not overwhelming—Gaza has a smaller population of slightly over 1.5 million, to the West Bank's 2.4 million—but Gaza's geographical area of only 360 square kilometers is less than one-sixth the total area controlled by the PA in the West Bank. More importantly, the West Bank security sector must contend with a zone of operations that is both fragmented and far-flung. It may not move personnel, vehicles, or arms between different PA autonomy areas without prior Israeli permission. As a result, the West Bank PASF is compelled to scatter or duplicate human and material resources, making

centralized administration difficult. This is where the contrast with its Gaza counterpart is sharpest.

The West Bank PASF is severely constrained in other ways as well. It must still deal with the legacy of Israel's Operation Defensive Shield from spring 2002, when the Israel Defense Forces (IDF) reoccupied all but one of the PA-controlled cities constituting "Area A," in which the PA nominally held full civil and security control, leaving only the autonomous area of Jericho untouched. The PA has gradually been allowed to redeploy its green-uniformed National Security Forces and Presidential Guard—which are modelled as a gendarmerie or militarized constabulary—in the main cities since 2008, but the IDF retains overall security control, and its units enter PA cities almost daily in pursuit of security suspects. In "Area B," comprising the smaller towns and villages where some 40 percent of the Palestinian population of the West Bank lives, only the lightly armed, blue-uniformed Civil Police branch is allowed to function. As of spring 2010, moreover, the Civil Police still lacked either Israeli permission or else the material means to construct or rebuild sixty police stations and refurbish existing facilities in "Area B."²³

The disadvantages this imposes in comparison with Gaza, however, should not be overstated or misconstrued. The West Bank PASF is able to concentrate its main operational and administrative assets in the main cities, which is where they normally would be anyway. Its division into scattered cantonments in the separate areas of PA autonomous control hinders it—in addition to inflicting severe damage on the Palestinian economy—but also enables it to focus its security operations on sharply circumscribed geographical zones. The National Security Forces provide the backbone of PASF deployment and operations in "Area A," where they provide support for the more lightly armed Civil Police. Criminal suspects who escape the cities to "Area B" may still be detained by the Palestinian Civil Police, and the IDF vigorously pursues security suspects throughout the 60 percent of the West Bank that remains under its exclusive security control.

None of this is as easy to carry out in Gaza, which has one of the highest population densities in the world. There, the packed urban topography may make surveillance easier, but it diminishes the utility of the IQB

(Hamas's military wing) as a police support force, since its use necessarily entails significant civilian casualties and collateral damage, as shown in clashes with the Hillis and Dughmush clans in 2008. Instead, the security sector has had to devolve the bulk of internal security responsibility to the local Civil Police branch and to other nonmilitarized branches. In short, the clear advantages enjoyed by the Gaza-based PASF in terms of its freedom of operation within the small geographical area of the Strip are insufficient to explain the notable differences in performance when compared with its Fatah-commanded predecessor. The Israeli disengagement of August 2005 offers a stark case in point: The swift degeneration of the PASF deployment in the former Israeli Gush Qatif settlement bloc in the southern Strip into complete chaos, despite months of advance notice and planning, simply has no counterpart under Hamas command.

In other words, the primary explanation for the progress made by both security sectors since June 2007 does not lie in their respective operating conditions. That the peculiarities of topography or demography have little real bearing on performance is demonstrated by the West Bank PASF itself, which has made appreciable technical and professional progress since June 2007 despite operating under far more restrictive conditions than were applied in that region prior to the outbreak of the second intifada in late 2000.

Part of the success of the Hamas-led security sector since June 2007 lies in how it has met the significant challenge posed by the clan and extended family structure of Gazan society, which is much more extensive than in the West Bank. The major shocks experienced by the isolated and resource-poor Gaza Strip since 2000—the outbreak of the second intifada, ever-tighter Israeli border closures, and the loss of daily Palestinian wage labor in Israel—revived the role of clans as mechanisms for social welfare, economic survival, and dispute resolution. Indeed, by 2004, IDF targeting of the PASF along with the progressive “state failure” of the PA meant that the clans had become more powerful than the police. Clans, the police, and criminal networks, moreover, came to overlap as Gaza reverted to its past legacy of black market activity and smuggling under Egyptian military administration in 1949–67.²⁴

The clans presented as much of a challenge to the PASF following the Hamas takeover of Gaza in June 2007 as they had to its Fatah-led predecessor. The Hamas-led security sector has been more successful in meeting the challenge, however, perhaps partly owing to the movement's strong organic roots in Gaza. In contrast to the Fatah commanders of the PASF branches in Gaza, all of them "outsiders" who were born in the Strip but had spent much of their lives in PLO exile in Lebanon and Tunisia, the new Hamas leadership enjoys greater "insider" credibility. Religion plays a part in this, as does sensitivity to social mores and customs.

The contrast between the Gaza and West Bank security sectors may be better measured in terms of the level of indigenous training and the planning capacity for the PASF, the chain of command within the PASF and the degree of integration of various branches, and, last but by no means least, the extent of civilian control and the functioning of the respective ministries of interior.²⁵ Suffice it to say here that, although Western donor assistance has been critical to the unmistakable improvement in the West Bank security sector's technical proficiency and professionalism since June 2007, it has notably failed to generate an indigenous capacity to design, plan, and implement force-building programs, budgets, and service delivery. The Hamas-led security sector in Gaza may have had little choice but to do all this independently, given its physical isolation and the international boycott, but sheer necessity did not make it inevitable that it would actually do so. Why and how the Gaza security sector has met the challenge requires explanation.

Islamic Policing?

When asked to explain how they have met the challenge in Gaza, senior officials in the MoINS (Ministry of Interior and National Security) point to their Islamic faith and to the legacy of the Muslim Brotherhood Society, to which Hamas belongs. These are presented as the main sources of their dedication to public service, their emphasis on community, and their commitment to a learning process. Some PASF officers who received their training under the previous Fatah command, before Hamas took office following the 2006 general elections, take a somewhat different view: They regard the Gaza PASF as essentially no different from any other professionally formed police force, and do not accord religion any special

role in its performance or success. Rather, what sets security sector reform and restructuring in Gaza apart, they emphasize, is the work ethic and sense of purpose that Hamas has brought to the task.

Determining whether or not the Hanieh government brings a specifically Islamic approach to policing is not a straightforward task. That the Islamist discourse within the Gaza security sector has become noticeably more pronounced since the start of 2010 may be interpreted in more than one way. On the one hand, it might be argued that the generally pragmatic discourse adopted by the Hanieh government, in which it insists that it is committed to upholding the existing secular laws that it inherited from the PA, is merely a cover for a more radical religious agenda that is now becoming more apparent. On the other hand, the accelerating pace and increasing assertiveness of Islamization since the start of 2010 may be attributed to the efforts of both Hamas and the Hanieh government to maintain legitimacy in the face of criticism from more radical Salafi Islamists, and to further enhance their control over the public sphere.

The perception that Salafi militants pose a challenge attests, ironically, to the extent to which Hamas has succeeded in reducing its main political and military rival, Fatah, and relegating it to an unequivocally secondary status in Gaza. At first, in the aftermath of the Hamas takeover of Gaza in June 2007, the IQB and the Executive Force, the adjunct police force established by the Hanieh government in May 2006, strove to suppress the relatively narrow circle of Fatah-affiliated security agencies that had actively opposed Hanieh's first government and, subsequently, the national unity government Hanieh headed in 2006–7—the PA's tenth and eleventh governments, respectively. Subsequently, however, Hamas and the restructured PASF widened the circle of potential suspects in the course of 2008–9 to include all Fatah followers.

Since then, the Hamas-led security sector has extended the net even wider, to include any constituencies that Hamas cannot co-opt or control. Factions allied with the “resistance” discourse of Hamas have been compelled to accept a clearly subordinate status, two obvious cases being the Popular Front for the Liberation of Palestine and the Democratic Front for the Liberation of Palestine, both Marxist-nationalist. More notable still is Palestinian Islamic Jihad (PIJ), which shares with Hamas the same

Islamist discourse, and indeed was founded in the mid-1980s by former members of the same mother organization, the Muslim Brotherhood. In one incident in August 2010, for example, the MoINS confirmed the arrest of four PIJ members who had abducted a citizen in Khan Yunis following a violent altercation with the armed wing of the Democratic Front for the Liberation of Palestine.²⁶ The MoINS respected and would protect resistance activity on the part of other Palestinian factions, its statement explained, but it would not tolerate them taking the law into their own hands.²⁷ More significantly, PIJ subsequently instructed its members to observe Hamas's de facto ceasefire with Israel, privately warning that any who engaged in "unauthorized" attacks would be disowned.²⁸

The ceasefire with Israel, which has held since the end of the Gaza war of winter 2008–9 despite occasional brief exchanges, has made clear that Hamas has sought to build up its "religious capital" in order to legitimize its suspension of armed resistance among its adherents while signaling openly to Western interlocutors its readiness to accept a two-state solution in the West Bank and Gaza. That Hamas politburo head Khaled Mesh'al and Prime Minister Hanieh have couched this solution in terms of "a Palestinian state on the 1967 borders with Jerusalem as the capital" without explicitly recognizing Israel's right to exist as the second state may be insufficient for the Quartet to lift its boycott and engage in dialogue with Hamas, but the implications are not lost on the movement's core constituency.²⁹

Asserting its Islamic credentials through the Hanieh government in Gaza enables Hamas to remold its political stance elastically while convincing members and followers that it remains true to its ideology. This follows the principle that "[t]he more the leadership succeeds in mobilizing internal legitimacy and external support for initiatives that require neither the recognition of Israel nor the full acceptance of the Oslo Accords—nor the complete rejection of either—the greater their chances will be of skirting decisions on fundamental issues."³⁰ This was aptly demonstrated by the manner in which Hanieh reiterated his government's approval of the establishment of a Palestinian state in the territories occupied by Israel in June 1967 when he spoke to the foreign press corps in Gaza on November 30, 2010. If national reconciliation was attained, he asserted, PA president Mahmoud Abbas would then be empowered to "resume negotiations with

Israel, on condition that any agreement will be submitted to a plebiscite among our people both inside and outside [Palestine];” he added that Hamas would abide by the outcome. The signaling of moderation and flexibility to external audiences was thus balanced by a reaffirmation of Hamas’s commitment to the unity and rights of the Palestinian people as a whole, including its large Diaspora.³¹

The problem for Hamas is that it so far remains unable to resolve the strategic predicament it faces. It cannot establish a normally functioning state in Gaza without free and unfettered access to the outside world, but such access will continue to be denied so long as it remains unwilling to bite the bullet of recognizing Israel and formally ending its stance of armed resistance. Hamas gambles on time, hoping that the passage of time will reveal both its successful governance of Gaza and the corresponding failure of the Fayyad government to attain meaningful control in the West Bank; but it is far from evident that Israel and the United States are willing to allow an Islamist movement to claim success in governing. Repeated avowals by Hamas and the Hanieh government of their wish to “open up to the world” cannot obscure their basic inability or unwillingness to meet the key political requirements for attaining that end.³²

It is this state of suspension, as it were, that best explains why the successful suppression of Fatah by Hamas and the cowing of its own allies have propelled Salafist jihadist groups to prominence since Israel’s Operation Cast Lead. It is they who now represent perhaps the greatest ideological rival to Hamas, so long as it labours under severe constraints on its freedom of political action outside Gaza and remains unable to restore normal economic life there. One consequence is that Hamas has clashed repeatedly with various Salafi groups since its takeover of Gaza in its continuing bid to control their mosques and assert its ideological hegemony.³³ Another is that it has responded ruthlessly to more direct challenges from the Salafists, employing lethal force to suppress what *Police Magazine* labeled an “ambushing *takfiri* group,” Jund Ansar Allah, when it declared an Islamic “emirate” in the southern city of Rafah on August 14, 2009: The group’s leader, the well-known radical imam of a local mosque; its military commander, a former al-Qaeda operative; and some twenty followers were killed.³⁴ Hundreds of other Salafists were arrested in February 2010, amidst

government accusations that former Fatah members had joined them in order to seek revenge against Hamas.³⁵

The Salafists are diverse, although broadly united in their distrust of, and opposition to, Hamas and the Hanieh government. The charge that Fatah has colluded with the Salafists is not unfounded: Some Fatah members have joined them, while others attend mosques affiliated with them in preference to the majority of mosques, which are now controlled by imams associated with Hamas. Most prominent Salafists in Gaza, according to the well-informed local correspondent of the *Economist*, “are university professors, doctors and graduates, who see themselves as an elite, a cut above those they view as the unprincipled populists of Hamas.”³⁶ At the same time, many are not radicalized, and consider Mahmoud Abbas to be the legitimate Palestinian leader.

Other Salafists are ideologically radical, albeit unarmed. The most important Salafist faction is Hizb al-Tahrir al-Islami (the Islamic Liberation Party), which was founded by Sheikh Taqiyyul-Din al-Nabahani in Jerusalem in 1953 and now has a sizeable following in Gaza.³⁷ Yet although this group does not pose a military threat, the Gaza police used violence to disperse a public gathering it called in August 2010 to commemorate the eighty-ninth anniversary of the end of the Islamic caliphate.³⁸ The police response reflected, in part, the group’s fundamental opposition to the entire edifice of the Palestinian Authority: Far from celebrating Hamas’s victory in the 2006 Palestinian general elections, which allowed it to take over the PA, Hizb al-Tahrir al-Islami believed that, by participating in processes and structures established by the 1993 Oslo Accords, Hamas had fallen into a trap intended, ultimately, to bring it to recognize Israel and concede Palestinian and Islamic patrimony in the whole territory of the Palestine Mandate.³⁹

That Hamas perceives Hizb al-Tahrir al-Islami as a threat underscores that its main concerns with respect to the Salafi challenge are political and ideological. On the one hand, it is especially sensitive to any questioning of the legitimacy of the Hanieh government. A statement by senior Palestinian Islamic Jihad leader Abdullah al-Shami in mid-May 2010 calling for the disbandment of the Hanieh and Fayyad governments, both of which he regarded as “a burden on Palestinian citizens,” may explain subsequent

tensions with Hamas.⁴⁰ At the same time, Hamas feels pressed to respond to Salafi accusations that the Hanih government has failed to assert and implement sharia (Islamic law) as the sole code governing all aspects of life, and so ensure a return to “pure” interpretations of Islam. These accusations have considerable potency at a time when the de facto ceasefire with Israel renders Hamas unable to lead by example in the realm of armed resistance, which contributed to its rising popularity after the outbreak of the second intifada in late 2000. It is precisely in this context that Hamas is using its morality drive, in which the government’s security sector has come to play an important role, to head off the Salafi challenge.

What Hamas fears most, however, is not the scattered Salafi groups themselves, but the ideological pull they exert on its own rank and file. Many of its former and current members are associated with Jaljalat: loose, amorphous networks of young men who claim to belong to the constantly shifting line-up of jihadi Salafist groups that have announced their presence in Gaza since the mid-2000s.⁴¹ Some of these groups subsequently disappeared, or coalesced with like-minded groups to reappear under new names. Among the better known are Ansar al-Sunnah (Followers of the Faith), the previously mentioned Jund Ansar Allah (Soldiers of the Followers of God), Jaysh al-Islam (Army of Islam), al-Tawhid wa al-Jihad (Unification and Holy War), and, currently the largest, Jaysh al-Ummah (Army of the Muslim Community).⁴² Some, such as the little-known Jihad Brigades, have declared loyalty to al-Qaeda, although the latter has not adopted or recognized any Gaza group as a local affiliate.⁴³ The pretensions of some self-proclaimed Salafist leaders of having 7,000 or even 11,000 followers—70 percent of them supposedly former Hamas or IQB members constituting Jaljalat—are wildly exaggerated; their total numbers are more credibly estimated at 2,500–3,000 or 4,000.⁴⁴

What precipitated the emergence of Jaljalat was the decision by the Hamas leadership to enter the PA political system and governing structures via participation in the general elections of January 2006. In the Salafist jihadist view this represented heresy, as the democratic process renders the people, rather than God, the source of sovereign will and makes man-made laws, rather than sharia, the source of power.⁴⁵ This perspective was adopted by senior Hamas leader Nizar Rayyan, a professor of Sharia at the Islamic University in Gaza. Rayyan also rejected what he regarded as the

ideological compromises subsequently made by the Hanieh government, especially those involving the formation of a national unity government with Fatah, which he regarded as “a party of apostates and quislings” for its pursuit of peace with Israel.⁴⁶ He opposed attempts at Palestinian national reconciliation, arguing that there could be no dialogue with Fatah, “only the sword and the rifle.”⁴⁷

Rayyan was particularly influential because he doubled as Hamas liaison officer with the IQB until his death in an Israeli air strike during the Gaza war. He was also seen as a mentor of Jaljalat—with whom he shared the belief, common to all the Salafist jihadists, that the war with Israel should be relentless and unceasing. Rayyan tapped into the fear of many within Hamas that the movement’s involvement in the mundane tasks of government and public service delivery would jeopardize its nationalist and Islamic purity and its commitment to armed resistance against Israel. This fear has a long legacy, having framed internal debates as Hamas weighed whether or not to join the PA after its establishment in 1994 or to compete in the legislative elections of 1996 or, a decade later, of 2006.⁴⁸

Responding to this fear, Hanieh government ministers and officials, as well as Hamas leaders and commentators, engaged in persistent efforts to persuade their audience that the movement had successfully achieved *muzawajah*: “marriage” between the conduct of normal governance and armed resistance against Israel.⁴⁹ As one writer in the pro-Hamas *Filisteen Almuslima* argued in early 2009, the movement had demonstrably succeeded because “‘good governance’ is a form of resistance (personal jihad)” —which, he argued, was accompanied by more “conventional” modes of resistance.⁵⁰ In combining jihad and resistance with politics and government, Hamas minister of interior Fathi Hammad reiterated in November 2010, Hamas had achieved “the unattainable, something unprecedented in the world.”⁵¹

Clearly, not all Salafists were convinced, Jaljalat among them. They have on occasion attacked Internet cafés (“[t]hey...open their doors for boys to watch things that contradict humanity”), women’s salons employing male hairdressers, and educational or cultural institutions that were regarded as American or missionary even before Hamas took exclusive control of Gaza.⁵² In both 2009 and 2010, masked gunmen burned down several

youth summer camps run by UNRWA along with a privately owned water park, alleging that boys and girls were being permitted to engage in joint activities; police supposedly guarding those areas were noticeably slow to react, in each case arriving only after the attackers had left. Many of these attacks were attributed to Jaljalat, who also claimed to have planned to assassinate former U.S. president Jimmy Carter and Quartet special envoy Tony Blair during visits to Gaza in 2009, in the wake of Operation Cast Lead.⁵³

Most worrisome, from the perspective of the Hamas leadership and the Hanieh government alike, is that these tensions within the movement appear to have spilled over into internecine violence. A Jaljalat leader was reportedly arrested on February 10, 2010, on suspicion of responsibility for a dozen bombing attacks on Hamas vehicles and security offices over the preceding five weeks.⁵⁴ A few weeks later, IQB commander Ahmad al-Ja'bari privately warned Khaled Mesh'al of "acute disputes leading to liquidations and the collapse of morale" and listed thirty-one armed attacks that had taken place in the preceding four months, many of them targeting IQB members.⁵⁵

That Hamas has received growing assistance from Iran has, in this particular respect, produced its own blowback: The Salafist group Jaysh Al-Umma condemned Hamas (and PIJ) for accepting support from "the Persians, who are Shia."⁵⁶ The appearance of such frank sectarian discourse reflects the growing impact of Saudi-educated Salafists, further highlighting the contradictory consequences of Hamas's own promotion of Salafist values.⁵⁷ Perhaps appropriately, the MoINS took a page of its own from the Saudi book: Following the bloody confrontation with the "emirate" of the Salafist group Jund Ansar Allah in August of 2009, it revealed that it was reindoctrinating the "misguided elements" (*mudallalah*) in its custody in the hope of returning them to "middle-of-the-road Islamic religion" (*al-din al-islami al-wasati*), much as Saudi counterterrorist agencies do with their own radicalized Salafists.⁵⁸ The Ministry's Political and Moral Guidance Commission designed a three-month program, during which "preachers gave [the Salafist detainees religious] lessons with the aim of getting them to abandon their negative thoughts."⁵⁹

Sources and Interpretation

This paper draws almost entirely on primary sources, principally the extensive online media both of the Hanieh government and of Hamas. A major source is the Ministry of Interior and National Security (MoINS), which posts daily news updates in addition to hosting websites for individual PASF branches. The MoINS site posts all laws pertaining to the work of the Ministry and of the security sector, while the affiliated sites of the individual branches list the departments or units of each branch and describe their functions and duties. Among other materials posted on these various sites are *Police Magazine*, of which thirteen issues have been published; short biographies of personnel killed in the line of duty; personal social news; and articles and op-eds on both professional and political topics. The Military Judicial Staff, which comes under the administrative responsibility of the MoINS, also maintains its own website, with a similar range of postings.

The Government Media Office publishes *alRay* (Opinion), a useful weekly roundup of news and perspectives covering all ministries which is distributed in downloadable pdf files. Additionally, every ministry and most government agencies maintain their own websites: Some of these were relatively inactive or underdeveloped until August 2010, but since then, all, including the majority that were already active, have undergone major updates and professional redesign. Those of the Ministry of Justice, the General Personnel Council, and the Government Computer Center in particular provide information pertinent to the criminal justice sector and to training of civilian staff at the MoINS.

To the preceding should be added a range of online newspapers and other news media that are affiliated with or sympathetic to Hamas, especially the Palestinian Information Center and *Filisteen alMuslima*, a diaspora-based monthly which is also distributed in downloadable pdf files. These media often carry interviews with the minister of interior or other MoINS officials, as well as op-eds addressing the important issues and debates of the day, which convey a sense of pro-government opinion and concerns.

Taken together, these sources provide a remarkable range of information about and insight into all aspects of government and security sector functioning; they also project an impressively businesslike image. And they provide the bulk of the data cited in this paper.

These media naturally reflect a particular perspective on Hamas and the Hanieh government: hardly a critical perspective, for the most part, and only obliquely or opaquely critical when it is so at all. Yet these media are no less important for all that. For one thing, they reveal the image that the Hanieh government wishes to project—whether to the Hamas constituency, to the general Palestinian public in Gaza and the West Bank, or to external audiences—of its capacity to govern. According to “Mapping the Palestinian Web Space,” a product of the Information Society in Palestine project in late 2007, Hamas-affiliated websites constitute an interlinked space in which the information they generate is mirrored and shared through syndicated Web feed news readers and services (RSS),⁶⁰ thereby reinforcing any image they seek to project, while helping to create a self-referencing domain for their core audience. In any case, the fact that the Hanieh government considers an active online presence important is in and of itself telling, as it suggests a strong desire for public approval and legitimization that may also influence its actual performance.

It is not possible to verify consistently whether the MoINS, PASF branches, and various government agencies actually deliver the training, services, or outputs claimed on their websites, but it is highly significant that they are able to identify the issues that they think merit publicizing and then to maintain a sustained focus on them. It is very likely, however, that the activities described have a reality in Gaza that goes well beyond mere image. Many civilian cadres in the Hanieh government, including some ministers, hold degrees and other qualifications obtained from universities in the West, as do many of the professionals working in university departments, private firms, and NGOs who provide training and other services to the public sector. Universities in Arab or non-aligned countries further afield, such as India, also account for many of Gaza’s graduates, belying the prejudiced assumption among many Western development experts and agencies that they are the only source for models of professional formation, institution-building, and post-conflict reconstruction.

Much is at stake here. Just as the Hanieh government seeks to portray itself as caring and capable, its detractors discount both the sincerity of its intentions and the substance of its claims. Crediting or dismissing the data on Hanieh government websites, therefore, becomes part of a wider political struggle, greatly complicating the task of assessing the real achievements and shortcomings of the Hamas-run security sector. In the polarized atmosphere of the bitter rivalry between Hamas and Fatah, everything is subject to highly charged—and highly contradictory—analytical interpretation, affecting even people experiencing the same events on the ground, let alone interested external actors and observers. Embittered former Hamas cadres in Gaza, for example, are as likely as local Fatah members to regard all claims made by the Gaza-based MoINS and PASF as fundamentally fraudulent or misleading, while former Fatah security officers and secular human rights activists—also in Gaza—acknowledge the Hanieh government’s strong work ethic and methodical approach to the construction and rehabilitation of a functioning security sector.

Sifting fact from fiction, then, is clearly difficult. By its own account, the Hanieh government has built a textbook security sector: professional, coordinated, committed to upholding the law, and ethically driven. In contrast, Fatah media regularly report tales of human rights abuse, corruption, and internal dissension within Hamas, the Hanieh government, and the Gaza security sector. These stories often crudely inflate or deliberately misrepresent events, but they nonetheless reveal a side of Hamas rule in Gaza that Hamas and the Hanieh government wish to obscure. The extensive, and generally far more impressive, media controlled by Hamas and the Hanieh government predictably seek to project an image of no wrongdoing, and are considerably more effective than Fatah media in, if nothing else, molding the image they present to the public. Yet they gloss over uncomfortable facts about favoritism or partisan policing, or challenges to public security, and airbrush some issues completely out of the picture.

The picture is further confused by the issue of “labeling.” How to label the Hanieh and Fayyad governments in particular constitutes a political minefield: The former is decried as being composed of “putschists” and is labelled “the dismissed government” to underline its lack of legitimacy,

or else described more kindly as “de facto,” while the latter is predictably vilified for waging war on the “resistance” and for engaging in security coordination with Israel.⁶¹

More pertinently here, media affiliated with the Fayyad government (such as the official news agency, WAFA) or with Fatah routinely refer to all armed personnel in Gaza as “ Hamas militia,” deliberately obfuscating any distinctions between the local security sector, the IQB (Hamas’s military wing), and Hamas itself.⁶² Hamas and the Hanieh government reciprocate by referring to Western-trained PASF branches in the West Bank as the “ Abbas militia” or as “ Dayton’s militia,” the latter a reference to United States Security Coordinator Lieutenant General Keith Dayton, who oversaw the retraining of National Security Forces and Presidential Guard battalions in 2006-2010.⁶³

In fact, though, the conflict over labeling the rival security sectors reveals more similarity than difference. The suggestion of an integral, even symbiotic relationship between the Gaza PASF and Hamas implied by the term “ Hamas militia” is not wholly misplaced, but it is equally true with respect to the relationship between the West Bank PASF and Fatah. Indeed, what is striking in this context is not so much that the Hamas-led security sector behaves differently in some respects, but rather just how similar to its opposite number it is in terms of its partisan nature. Thus, a major round of rotations and promotions in October 2010 affecting an estimated four to five thousand Gaza PASF personnel—amounting to up to one-third of its strength—is reported to have favored Hamas members and loyalists—lending obvious weight to the view that membership in the Gaza PASF is virtually synonymous with membership in Hamas.⁶⁴

Hamas minister of interior Fathi Hammad seemed to give this view further credence in a newspaper interview published on November 1, 2010, in which he described the 250 PASF personnel who died during the Gaza war as “ members of Hamas and the various [Palestinian] factions.”⁶⁵ The IQB, he added, lost between two and three hundred men, in addition to another 150 unidentified “ security personnel, with the rest [of the casualties] being from the people.”⁶⁶ For its part, the IQB website listed 340 dead in the war. The discrepancy points to the ambiguity of such data and the need for its

careful interpretation—and to the difficulty of drawing clear distinctions between partisan affiliation and membership in formal institutions.⁶⁷

Indeed, a case-by-case comparison of the names of 232 Civil Police personnel who were killed in the Gaza war with the names of IQB dead shows that 168 of the former also belonged to IQB or were at least listed among its dead.⁶⁸ Such a high ratio—72 percent—lends weight to both sides of the argument. On the one hand, it confirms the extensive overlap of Hamas or IQB membership with recruitment into the Civil Police, which is most likely mirrored in other Gaza PASF branches. On the other hand, it calls into question the veracity of the overall death toll given above by Hammad: If 168 of the PASF personnel who died were also counted as among the IQB dead, then the total appears inflated.

The important question is not whether one particular statistic or another is accurate, but rather to discern the political purpose involved. Fathi Hammad's main purpose may well have been to highlight Hamas's sacrifices and boost its political standing. Yet the suggestion that all PASF dead were members of Hamas or of other Palestinian factions downplays economic factors: The basic pay of \$200 is a powerful incentive to join the PASF in the impoverished Strip. This was graphically demonstrated when a reported 14,000-15,000 applicants responded to an MoINS notice in February 2010 advertising 1,000 openings in the Civil Police.⁶⁹

Prosaic reasons almost certainly underlie casualty statistics and the issue of political affiliation. Credible testimony from senior PASF officers and independent analysts in Gaza indicates that losses among the IQB's core personnel were much lower than the posted figures: these were enlarged by the inclusion of IQB auxiliaries, many of them Hamas members, who, under pressure from their families, were also described as "IQB martyrs"—which is portrayed as granting them more prestigious status.

More importantly, this practice represents a throwback to the PLO practice in previous decades of ensuring full welfare entitlements for surviving dependents by listing the dead as official military martyrs.⁷⁰ In the wake of the Gaza war, the Hanieh government decreed that the salaries of all civilian and military employees who had died in the conflict would continue to be paid indefinitely to their families in full.⁷¹ A previous

government decree had already promised to cover the costs of condolence receptions held by the families of PASF personnel who died in conduct of their official duties.⁷² The Martyrs' Family Rights Authority Law 7 of 2009, which was later passed separately by the Hamas parliamentary bloc, further expanded the circle of beneficiaries by defining as martyrs "anyone who is killed defending the homeland while confronting the [Israeli] enemy as part of the resistance, or while preparing for resistance or supporting it, or due to the [Israeli] occupation in Palestine, and who has been recognized by the Authority as a martyr."⁷³ According to Article 9 of the law, their families would continue to receive their full basic salary or pension, whichever was higher, plus supplements.⁷⁴

Contention over the formal affiliation of PASF and IQB personnel also bears directly on any assessment of the capability and performance of the Hamas-led security sector. Outside commentators routinely present it as a given that the IQB plays an active role in maintaining internal security in Gaza, most commonly citing three incidents in 2008 and 2009 in which considerable firepower was used, leading to a total of forty-eight deaths, including at least five PASF personnel. PASF officers and some independent analysts just as firmly insist that the IQB was not deployed in the third and most serious incident: the confrontation with Jund Ansar Allah in Rafah in August 2009, in which some twenty-two militants and five policemen died. That engagement was in fact undertaken by the Intervention and Public Order Force, a unit within the Civil Police that was assigned the police support role that had previously been fulfilled by the IQB following the 2008 incidents. That an IQB commander was killed while attempting to mediate, however, and that one of the police officers killed in the encounter was also an active IQB member who undertook routine military tasks whenever he was not on police duty underscores the difficulty of maintaining precise analytical distinctions.⁷⁵

The critical issue is not the doubling of IQB commanders and members as PASF personnel, attending at police stations and carrying official service titles and identity cards. After all, this may partly reflect a deliberate transfer of the formal burden of the IQB payroll from Hamas to the government, a throwback to the legacy of the PLO under Arafat, in which he nominally transferred Fatah guerrilla forces in exile to the PLO's Palestine National Liberation Army for precisely that purpose.⁷⁶ Rather, what is important

is the likelihood that, even if the IQB are operationally separate from the PASF, the fact that they may be deployed as the hammer to the PASF's anvil, so to speak, underpins the latter's deterrence. The sense of intimidation this no doubt imparts to the general public is, arguably, not mirrored in the West Bank, where Fatah's fractious al-Aqsa Martyrs' Battalions have been disbanded and disarmed by the Fayyad government.

The contribution to the effectiveness of the Gaza security sector made by the dovetailing between the IQB and the PASF—and, as will be discussed later, between the latter and the security and proselytizing arms of Hamas—is crucial. Nonetheless, the distinctions between them are real, and must also be taken into account. This paper will analyze what the Hanieh government is trying to do with regard to law and order and internal security in Gaza and how it advertises what it is trying to do; and will provide evidence that is at least indicative, if not conclusive, with respect to the actual outcomes of these efforts. In order to complement, qualify, or challenge the online data as needed, the paper also draws on interviews and correspondence with officials, analysts, and other local witnesses conducted or accessed by the author during various field trips to the West Bank and Gaza between 2005 and 2010.

Chapter 2. The Normative Framework of Hamas Policing

What drives the Hamas approach to policing is primarily a concern with “law and order” rather than with “reform,” in the specific sense that the latter has acquired in Western practice since the end of the Cold War, with its associated emphasis on liberal democratic governance. The distinction is highly significant, as it determines the purposes for which policing is conducted, and often dictates the forms that such policing will assume as well. In actuality, there has been an evolution in the approach taken by Hamas to policing: from the more reform-based official discourse of the first Hanieh government, which took office in March 2006, toward a mode of policing based more explicitly on an Islamic social order, which has become more prominent since Israel’s Operation Cast Lead in winter 2008–9 and appears to have accelerated since the start of 2010, as the Salafist jihadist challenge came to be seen as more pressing.

Originally, Hamas won the Palestinian general elections of January 25, 2006, on a reform ticket. The official statement announcing the formation of the first Hanieh government on March 27 described ending the security anarchy that existed within PA autonomous areas as “a task that may not be postponed,” making it second in priority only to ending the Israeli occupation. “[T]he government will work,” the statement added, “to improve the performance of the security agencies [and] reinforce their role as responsible for the protection of our people and the preservation of their security...for protecting the rule of law and maintaining order, and [for] providing citizens with security without violating their constitutional rights or demeaning their dignity as humans or interfering in their civic lives.”⁷⁷

The normative shift since then toward “law and order” reflects, or at least coincides with, the retreat of Hamas “pragmatists” and “moderates”—mostly older, civilian cadres closer to the traditional worldview of the Muslim Brotherhood.⁷⁸ Some, though not all, of them strongly advocated participation in the municipal elections of 2004–5 and the succeeding bold entry into parliamentary politics in 2006. Others among them feared the impact that assuming government office would have on the

political cohesion of Hamas, preferring the movement to remain an extra-parliamentary opposition force. After Hamas won the general elections, they cautioned against the urge to monopolize governmental power and argued for power-sharing with Fatah, even if this meant making serious compromises.

The failure of the nascent Palestinian democratic process—which had witnessed the first instance in any Arab polity of an opposition party winning free and fair elections and actually assuming office—and the subsequent collapse of the short-lived national unity government of March–June 2007, followed by the severe tightening of the Israeli siege on Gaza, led directly to a reversal in the political fortunes of the pragmatists within Hamas. The internal balance tipped in favor of more militant and relatively younger cadres, who upheld purer Salafist Islamic values and were unambiguously committed to their implementation in government. They regard themselves as faithful to the core tenets of the Brotherhood but claim the right to ideological distinctiveness within its fold; they continue to act with growing political assertiveness, and appear, as of this writing, to be ascendant in Gaza. Minister of Interior Fathi Hammad spoke for them when he told a journalist interviewing him that “we have our personality and identity, our [political] color that is distinct from all other Islamic models worldwide.”⁷⁹

This is not to suggest a fundamental opposition between reform-based and law-and-order-based approaches to policing in Gaza, however. From the perspective of the Hanieh government, its promotion of professional policing, on the one hand, and Hamas’s use of the security sector to spearhead the Islamization of society, on the other, reflect distinct but complementary notions of the relationship between policing and the social order, rather than defining a harsh dichotomy between them. Furthermore, both sides of this internal debate seem to be agreed on the need to maintain the ceasefire with Israel. This is not a division between those advocating negotiation and those preaching unceasing conflict, but rather a divergence over the proper extent, manner, and pace of promoting Islamic values.

The complications involved in applying the distinction between reform-based and law-and-order-based approaches to policing in Gaza is powerfully brought out by the tension between the human rights discourse

and practice of the Hamas-led security sector. In effect, the obligation of preserving lives and of ensuring the collective right to live in safety and security is seen as overriding other, “secondary” rights, such as the freedoms of speech and assembly. According to this perspective, maintaining order assures the individual freedoms that are enshrined at the heart of human rights but also supersedes them whenever this is necessary for the preservation of collective security—so it is entirely consistent for policing to serve order first and foremost. By extension, the normal deterrent function against crime served by policing has come to include deterring deviation from the social order preferred by Hamas and, more importantly still, thwarting direct political challenges to its rule. It is in this way that policing in Gaza differs most obviously from the liberal democratic norm assumed in the “reform” label.

Human Rights in Discourse and Practice

The edict issued by the “emergency” West Bank government of Prime Minister Salam Fayyad in the wake of the Hamas takeover of Gaza in June 2007, instructing all PASF personnel to stay away from work or suffer removal from the public payroll, left the Hanieh government without a police force. It responded by immediately assigning that role to the Executive Force (EF), an adjunct police unit of some 6,500 men that Hamas minister of interior Said Siyam had originally set up in Gaza in May 2006. The EF proved effective in imposing public law and order, but it resorted far too readily to force. Members of Fatah and of the former intelligence agencies in particular were subjected to severe brutality, as old scores were settled.⁸⁰ Armed lawlessness and criminal activity were swiftly brought under control, but at the price of human rights abuses and increasingly vocal public complaints.

Siyam had been replaced as Minister of Interior in the national unity government that was formed with Fatah in March 2007, but he resumed effective command of the Gaza security sector following the Hamas takeover of Gaza in June. (He was not formally designated minister of interior again until April 2008; Hanieh himself was acting minister in the interim.) As public complaints mounted, according to senior MoINS officials and PASF officers (including non-Hamas members), Siyam instituted a strict punitive policy in order to curb abuses. He reportedly

often exceeded statutory penalties in order to change attitudes, disregarded intercessions from families and political factions on behalf of accused officers, and extended the same penalties to Hamas militants as to members of the PASF.

After six Fatah supporters marking the third anniversary of former PA president Yasser Arafat's death were killed by police fire on November 13, 2007, and eighty were wounded, Siyam also ordered police in public places to be unarmed and had nonlethal electroshock stun batons imported for crowd control.⁸¹ It is not clear whether or not these measures were in fact put into practice then, or have been consistently maintained since, but the police do seem to have adopted more standard riot control methods in Gaza, albeit increasingly to disperse peaceful demonstrations protesting various government policies. More to the point, however, the measures instituted in the aftermath of the Hamas takeover did not amount to "a proper complaints or internal investigation mechanism," in the assessment of Milton-Edwards.⁸² The Palestinian Centre for Human Rights responded to this shortcoming by calling on Hanieh in mid-September 2007 to "designate a party that is legally authorized to handle legal issues."⁸³

Nearly four years later, the picture differs considerably in certain respects, while remaining deeply problematic in others. The MoINS website hosts a portal for complaints, which are handled by the Monitoring and Complaints Unit. Minister of Interior Hammad instituted a human rights unit within the MoINS in November 2009, and by the end of that year there were local human rights units attached to the branch offices of the MoINS Inspector-General in each of Gaza's five governorates.⁸⁴ Following instructions from Hanieh, the Civil Police set up its own complaints bureau (*diwan mazalem*) in April 2010 to receive complaints from the public about abuses by PASF officers as well as submissions from human rights organizations.⁸⁵ Meanwhile, Minister of Justice Mohammad Faraj al-Ghoul and officials of the MoINS and the Higher Justice Council regularly publicize inspection visits to prisons and detention centers intended to ascertain conditions in these facilities and to "check that nobody is wrongly detained."⁸⁶

Fathi Hammad has repeatedly been at pains to confirm that the Hamas government security sector's adherence to human rights is genuine. In

March 2010, for example, he insisted that “we attempt to implement the loftiest laws in practice. We have observers in the Palestinian Legislative Council and an inspector-general and inspectors in all governorates. We allow wide scope to [human] rights organizations and open the prisons to everyone, and fear nobody.”⁸⁷ A few months later, he admitted that rough measures “may have been utilized when the security agencies started operations because our personnel did not have enough experience,” but he noted that “we have abandoned all these methods and employ methods used internationally....I reiterate that we don’t have political prisoners; We sometimes interview certain people who we suspect of...operating as sabotage groups.”⁸⁸

Also in contrast to late 2007, when there was “little if any evidence that the EF seriously engaged with human rights NGOs that have offered advice and training in the past to other security agencies,” the MoINS now routinely advertises meetings with representatives of local and international human rights organizations.⁸⁹ The MoINS has announced formal cooperation agreements in the field of human rights with two NGOs that are based only in Gaza—the Dameer Institute for Human Rights and the Gaza Community Mental Health Programme; but activists from other human rights organizations report that they have come under pressure from the Fayyad government or the West Bank security sector not to provide their Gaza counterparts with training. Some have nonetheless included Hamas or Hanieh government representatives in their invitation lists for public events.⁹⁰

Separately, the MoINS renewed the agreement originally concluded by the PA in the mid-1990s with the International Committee for the Red Cross to provide the PASF with human rights training. Four courses were conducted in the first year of the renewed program, in 2008; the most recent course, which started on June 22, 2010, provided instruction to the Security and Protection Apparatus (SPA)—a new internal security agency established by Hamas in the second half of 2007—in international humanitarian law.⁹¹

It is, again, difficult to verify what measures have actually been implemented and, if they have been, to what extent or with what impact; how consistently they have been maintained; and what internal procedures,

if any, have been adopted for ensuring accountability. The Gaza security sector, like its West Bank counterpart, chooses the scope and scale of information it offers with respect to its human rights practices and when it chooses to do so, treating such disclosure as a matter of discretion rather than of legal obligation. Prime Minister Hanieh provided a telling instance of this in mid-2008 when he revealed publicly that the committee investigating the bloodshed at the Arafat memorial rally the previous November had assigned responsibility to both the police and Fatah, and that penalties had been imposed on nine senior officers and twenty-nine other ranks.⁹² The announcement was certainly significant, but promises to local human rights organizations to publish or share the committee report were not kept, and the names of the indicted officers and the penalties they received were not divulged, preventing proper monitoring of the manner in which the investigation had been handled and concluded.⁹³

Such impediments notwithstanding, senior PASF officers and MoINS officials in Gaza insist that the security sector “has adopted a new philosophy and ethic based on non-abuse or torture,” in accordance, they also claim, with a list of fifteen “security prohibitions” decreed by Hanieh.⁹⁴ Compliance with human rights norms may be more of a concern among professional Civil Police officers—especially, though not exclusively, those recruited and trained under the previous PASF command. An article in *Police Magazine* by Major (Advocate) Sameh al-Sultan, for example, offered a utilitarian argument against the use of physical coercion or torture during interrogation, observing that the police “have many other ways of finding evidence that don’t require violence.”⁹⁵ Local human rights activists confirm that violence is not ordinarily used anymore against political dissidents, who are instead repeatedly subjected to temporary detention as a means of dissuasion—coercive violence being reserved instead for criminal offenders such as drug dealers, from whom information is sought.⁹⁶

Generally, human rights activists confirm that there has been constant improvement in government practice, but argue at the same time that “the situation remains below the desirable or acceptable minimum.”⁹⁷ This conclusion partly reflects the persistence of certain forms of abuse. A report in June 2010 by the official Palestinian news agency, WAFA, based in the West Bank, described what it regarded as typical forms of physical and psychological torture employed against Fatah members in Gaza,

including the “chair” (also used by Israeli interrogators), the “screw,” and accusations of being informers for the Israel Security Agency, formerly the General Security Service.⁹⁸ A Fatah website, meanwhile, claimed that the Gaza PASF had detained and beat 1,500 Fatah members over the preceding month. It alleged that the PASF ran a “shift” system: holding one batch of detainees during the day and releasing them at sunset, whereupon a second batch would be brought in and later released in the morning—thereby avoiding the need to record a formal arrest procedure and thus misleading human rights monitors. The same report also claimed that detainees were pressured to work as informers for the Hamas-led Internal Security Apparatus (referred to as ISA hereafter).⁹⁹

The allegations of torture were previously credible, but they do not appear to reflect current practice in Gaza. The emphatic statement by MoINS Inspector-General Hasan Saifi in June 2009 that “Gaza police and security centers are completely free of beating and torture” may indeed reflect reality, at least in relation to political detainees, though it probably does not hold with respect to security suspects or criminal offenders.¹⁰⁰ It is worth noting that the figures for unlawful detentions alleged by Fatah exceed by a very wide margin the number actually reported by individuals to the highly respected Independent Commission for Human Rights, which maintains offices in both the West Bank and Gaza. (Hamas’s claims that 250 of its followers were arrested and 1,000 questioned in the West Bank in June were also inflated, although by a much narrower margin.)

In both Gaza and the West Bank, however, distortion of the *scale* of human rights abuse does not always distort its scope. The terror (and hatred) expressed by veteran Fatah cadres still residing in Gaza—including many who are untainted by allegations of corruption or nepotism—towards the Hamas-led security sector is real. The Salafist jihadists who have also been targeted by the security sector appear to regard it with similar feelings of fear and bitterness. Local human rights activists confirm that detainees are often held without charge in makeshift facilities such as “portacabins” rather than in police stations or proper holding cells, thereby allowing deniability.¹⁰¹

If these various reports are accurate, then the repeated declarations by Fathi Hammad, MoINS spokesperson Ihab al-Ghussein, and other officials that

“there are no political prisoners” in Gaza are disingenuous, based as they are on deliberate resort to a technicality.¹⁰² They additionally disguise the intimidating effect of repeated detention, even if violence is not used. The question must also be raised about the nature of the infractions for which 1,200 security sector personnel were dismissed, suspended, or fined between the start of 2009 and July 2010, according to Fathi Hammad.¹⁰³ That the criteria by which abuse is defined or measured are not clear is demonstrated by Hammad’s own statement in November that “more than 900” personnel had been subjected to “severe disciplining” over the previous two years for unspecified violations, which represented a drop of some 300 from the figure he had given publicly only three months earlier.¹⁰⁴ Similarly, the assertion by ISA Director-General Salah Abu-Sharkh that there had been a sharp decline in the number of complaints lodged against his agency—from 1,100 in some fifteen months under Said Siyam, to only 200 in the whole of 2009–10—requires further elucidation and substantiation, given the ISA’s role in monitoring and interrogating political opponents.¹⁰⁵

Whatever their factual accuracy, these reports confirm the tit-for-tat dynamic that determines behavior in the Palestinian territories: rises and declines in the detention or interrogation of Fatah members in Gaza closely parallel the arrests of Hamas members and supporters in security sweeps by the West Bank PASF. This is confirmed by the Independent Commission for Human Rights: In a typical two month period, for example, it received 175 complaints from the public against the West Bank PASF in May 2010, including 129 claims of wrongful arrest on arbitrary or political grounds, and 40 complaints in Gaza, including 18 claims of wrongful arrest; the comparable figures for June were 204 (including 110 claims of wrongful arrest) in the West Bank and 46 (including 20 claims of wrongful arrest) in Gaza.¹⁰⁶ The figures published by the Independent Commission for Human Rights may actually underreport the full extent of human rights abuses in either the West Bank or Gaza, since not all victims submit complaints; but they do confirm the general trends. The Commission moreover confirmed that detainees in both regions were subjected to “shackling for long hours, beating on feet, cuffing hands to the back and hanging the body by a hook from a high window, blindfolding the eyes for long hours in addition to beating with batons and leather sticks, kicking by feet various parts of the body in addition to ill treatment.”

The Commission and other human rights organizations have periodically come under fire from the Hanieh government, even though they reveal that the same abuses are perpetrated in the West Bank as in Gaza, and on a larger scale to boot. For example, Fathi Hammad regarded the objections of human rights organizations to the execution of several convicted criminal offenders and collaborators with Israel in May 2010 as “siding with the criminals at the expense of the victims in an unbalanced way.”¹⁰⁷ Minister of Justice al-Ghoul similarly expressed his “concern over some positions taken by human rights organizations” which did not distinguish what he presumably regarded as the superior behavior of the Hanieh government from that of its West Bank rival, adding that these organizations “are not fully impartial and objective between the two [governments] and allow political bias to color their stance.”¹⁰⁸

The relationship between the Hanieh government and local human rights organizations is complex, reflecting neither unconditional cooperation nor unambiguous hostility. An “Open Letter to My Colleagues Working in Human Rights Organizations” penned by MoINS Inspector-General Hasan Saifi in July 2009 reveals the tension:

You enjoy full freedom in the Gaza Strip to say whatever you wish, regardless of whether or not your statements please or annoy us. Whether we comment, object, or deny, this is what we have agreed. We have also agreed that we are always biased in favor of Palestinian humans, whatever their religion, gender, or political and social color....So what is the matter with you? Why are your voices silent? Why have you broken your pencils? Has the siege prevented you from owning luxury pens, and so you are unable to write true words except with imported ones?

Saifi’s questioning related to the death in June of two fugitive IQB members in a PASF raid on their safe house in the West Bank town of Qalqilya. Responding to the apparent reluctance of local human rights organizations to condemn what he perceived as a war crime committed by the U.S.-trained force, he continued:

If my questions are true, then I feel compelled to pose the big question: What is the objective of the existence of some of

you? Do you have one concept of human, or more? Does the concept of law and human rights have one content, or has the American disease of double standards infected you? Does [the definition of] a crime in your view vary according to differences of location and geography, or what?

Saifi then accused the human rights organizations collectively of rushing to issue judgments about events in Gaza without even checking for the Hamas-led authorities' explanation or view, while delaying and prevaricating before commenting on crimes in the West Bank. He concluded: "You want me to trust you. I value this trust, but I am not sure whether it will last or not..."¹⁰⁹

These reactions were not followed by direct or sustained threats against human rights organizations in Gaza, although this has been an emerging trend in the West Bank. The Gaza MoINS has continued to allow the Independent Commission for Human Rights access to the PASF and to detention facilities, while bringing it under pressure in other, more subtle ways. But such pressure is increasing in both regions as the polarization of Palestinian national politics sharpens authoritarian tendencies. The Commission protested the obstruction of its work in both Gaza and the West Bank in May 2010, for example, as tensions mounted between Fatah and Hamas, and also between Hamas and international humanitarian organizations operating in Gaza.¹¹⁰

Indeed, the Hanieh government subsequently took steps to acquire meaningful influence over the Commission. In August, the Hamas parliamentary bloc in Gaza approved a draft law regulating the Commission's work. The law had awaited passage by the Palestinian Legislative Council since 1997, and so the Hamas bloc's move appeared to be constructive, as it confirmed the Commission as the official PA human rights ombudsman.¹¹¹ But the draft law effectively sought to make the Commission, which so far still acts as the sole official ombudsman institution bridging the West Bank–Gaza divide, answerable in the first instance to the Hanieh government. The Commission vehemently disputed the validity of the draft law, challenging its constitutionality in the absence both of a proper parliamentary quorum and of national reconciliation. It also pointed out that, in any case, it performed its mission in accordance

with a presidential decree issued by Yasser Arafat in 2003, “in his capacity as President of the State of Palestine and chairman of the Palestine Liberation Organization.”¹¹²

The episode underlined once again the difficulty of providing adequate legal protections for human rights in the absence of democratic governance. The erratic relationship of the Gaza security sector with the Independent Commission for Human Rights reflects the ambivalence and contradictions that generally characterize the former’s human rights behavior—though the MoINS has made a persistent public effort to portray an image of respect for human rights. Yet, the normative framework it promotes privileges a vision of social order that subsumes, if not altogether suppresses, the core human rights values of individual freedom and tolerance of difference and dissent. This is not to argue for a reading of human rights that regards the collective as necessarily the enemy of the individual, but rather to underscore that the full meaning and impact of legal protections is intimately tied to the practice of accountable government and participatory politics, and it is these that are fundamentally missing in Gaza, as in the West Bank, today.¹¹³

The preceding discussion suggests that the official promotion of human rights discourse or its translation into training programs and monitoring may serve the utilitarian purpose of appearing to conform to international standards more than it reflects any genuine, let alone unconditional, acceptance of what has become universal human rights doctrine. This is an emerging trend as well in the donor-assisted West Bank PASF, where the PA and an array of NGOs run an impressive number of human rights courses for PASF officers. There, continuing training has yet to have a lasting impact on actual human rights practice on the part of PASF operational agencies, and is often viewed by its recipients as a necessary but cosmetic means of securing donor funds or, in the case of individual officers, promotion. Thus, the noticeable reduction in physical violence employed by West Bank intelligence agencies against detainees starting in October 2009 was welcomed by local human rights organizations—but the use of torture and “rampant impunity” was reportedly back to their previous levels by the summer of 2010.¹¹⁴

Law and Order versus Human Rights: “We don’t want citizens to cower before policemen, so long as they obey the law.”¹¹⁵

What is arguably most troubling from a human rights perspective—and, for that matter, from a secular one—is that the modus operandi of the Hamas-run security sector is increasingly resembling that of its counterparts in the West Bank—and in countries that do not profess an Islamic doctrine. In the case of the Hanieh government, the discrepancy between official human rights discourse and actual practice reflects a particular understanding of the relevant norms and standards and a distinctive ordering of priorities. In government, Hamas has brought a perspective to the security sector that emphasizes both law and order as fundamental: Human rights inhere in observing the first and maintaining the second. A core value—indeed, *the* core value—is social harmony within an Islamist vision, not human rights principles per se and the fundamental individual freedoms they entail.

According to this view, it is order, albeit maintained in accordance with established law, that truly manifests and upholds both collective security and individual rights, in accordance with particular social preferences. A universal human rights discourse is acknowledged but not really necessary, according to MoINS spokesperson Ihab al-Ghusein, “since our faith deals appropriately with issues of prisoners and human rights.”¹¹⁶ A more caustic view was expressed in a statement issued by the Government Media Office in August 2010 to highlight the Hanieh government’s principal achievements since 2006: These included “exposing the false claims about human rights and the rights of peoples.”¹¹⁷

That this was meant as an indictment of the failure of the international community to uphold its own principles when it came to protecting the population of Gaza from Israeli siege and attack was spelled out further by a writer in the government weekly *alRay* in December 2010. “We have heard much about the lie that is called ‘human rights,’ for which the international community claims to have set statutes, laws, treaties that nobody may bypass or transgress,” he wrote, “but this figleaf used by the international community and the [Israeli] occupation to hide behind together has dropped dramatically to reveal their shame. It has become

evident that human rights and respect for humanity are not granted to everyone, and that people have different weights in their scales. Indeed, animals...in some of those states enjoy better protection and rights than do humans in other states...conventions agreements, treaties, and texts that are not worth the paper they were written on.”¹¹⁸

The particular concern with order is hardly new, and affects the understanding of the Hanieh government of the relationship between human rights and policing. As Beverley Milton-Edwards observes, “ Hamas does not promote civil policing as a security sector reform model; it is there merely to enforce a vision of order common to many contemporary Islamist movements in an age of violence, instability and disorder.”¹¹⁹ According to Ahmed Yousef, deputy minister of foreign affairs in the Hanieh government, “Islam requires policies that prevent chaos, disorder and division.”¹²⁰ There can be little question that Gaza was violent, unstable, and *disorderly* until June 2007; what the Hanieh government has done since then is to reserve to itself the power both to define the nature and source of threats to the maintenance of law and order and to identify the social domain as the primary setting within which to counter those threats. It has proceeded to justify particular policies—and politics—in the name of upholding that selfsame law and order.

Taken together, these elements constitute a moral universe that is seen as the ground of human rights—and to which those rights are subordinate whenever that is regarded as necessary for its maintenance. Consequently, as noted above, when the MoINS showcases such things as human rights training, it is taking a utilitarian approach, focusing on technical and procedural issues, that in effect instrumentalizes human rights, as a means to gain recognition and acceptance from external actors. It is *not* demonstrating its adoption of core normative values that regard individual freedoms as sacrosanct.¹²¹

A response to concerns raised by human rights organizations written by independent security analyst Mohammad Diab, and published in the pro-Hamas online newspaper *Filasteen al-An* in February 2010, reflects a typical view of the relative weight of human rights versus law and order in the eyes of the Hanieh government. He noted, first, that the MoINS “has opened the doors of the security establishment and detention centers to human

rights organizations, the [International Committee of the] Red Cross, and all other monitoring agencies”; “ended favoritism and nepotism in arresting or detaining individuals or suspects and treated all citizens as equal before the law”; and “activated internal monitoring...and set up a human rights unit within the Ministry.”¹²² The bulk of Diab’s article, however, was devoted to detailing the achievements of the Hanieh government since June 2007 in ending *al-falatan al-amni*, imposing law and order, and restoring public confidence in, and respect for, the police. Human rights were acknowledged, but clearly were understood to be both subsumed by the need for law and order and outweighed by the government’s record in providing those goods.

Clearly, for at least the first year following the Hamas takeover of Gaza, the acid human rights test for the Hanieh government was its handling of the rivalry with Fatah. There is a deep desire among those who have constructed the Hamas-led security sector over the past nearly four years never to return to the security anarchy of the past. In particular, there is an explicit determination to avoid repeating the mistakes of Fatah and the Fatah-commanded PASF, including in the area of human rights. However, the rivalry *with* Fatah is equally strongly felt, and a large part of the Hamas-led security effort in Gaza is focused on containing Fatah. This is the point at which the Hanieh government seems least able, or least inclined, to assert unambiguously the rule of law—or, rather, to assert the rule of law as understood by civil society organizations who seek implementation of universal human rights in Palestinian-controlled areas. This echoes the practice in the West Bank, where the main focus of the security sector is on containing Hamas, and where the Fayyad government is correspondingly unable or disinclined to uphold human rights and the rule of law in full.

Ironically, since mid-2009 the growing contest between Hamas and militant Salafist Islamists operating outside its framework has overtaken the rivalry with Fatah, thereby offering a more intriguing test case of human rights practice in Gaza. The turning point was a bloody incident on August 14, 2009, in which the PASF assaulted a mosque and neighboring houses held by a jihadist Salafist group that had declared an Islamic emirate. The group’s leader, Sheikh ‘Abdul-Latif Mousa, and its military advisor, a former al-Qaeda member who accused Hamas of apostasy for failing to establish a full Islamic government in Gaza, were both killed, along with

twenty-three other people, including five police officers. Government monitoring and detention of Salafist jihadists intensified over the following months, reinforcing the Salafists' belief that the Hamas-led PASF would not hesitate to respond with extreme measures if they regrouped. What is remarkable is that although both Hamas and its emerging rivals refer to Islamic, rather than universal (for which read "Western"), human rights values, the sense of terror among those Islamist rivals is credibly reported to be palpable.

On the face of it, these practices contradict the rule-of-law framework eloquently articulated by Deputy Commander of the Civil Police Tayseer Mustafa al-Batsh in an interview in the spring of 2010. Speaking to *Police Magazine*, he identified the primary tasks of his command as "preserving the security and stability of society, enforcing the law, maintaining social peace and security and the general calm, and protecting freedoms within the framework of the law."¹²³ Refuting claims that the PASF held political prisoners, MoINS Inspector-General Saifi asserted shortly afterwards that "the rule of law is the principle; the margin allowed security to deal with certain complex matters does not mean that it takes precedence over the law."¹²⁴

In practice, however, there is a hierarchy of priorities, as the confrontation with the Salafist jihadists in Rafah showed. In Gaza, as in the West Bank, the overriding concern with law and order is understood to, in effect, justify security "excesses" that result in human rights violations. Nonetheless, there has been an incremental shift over time in both outlook and practice on the part of the Gaza-based MoINS and PASF. Local human rights activists confirm that the politically motivated arrests, beatings and torture of detainees, and often egregious violations of the constitutional rights of speech and peaceful assembly that characterized the first year following the Hamas takeover—almost all of these measures targeting Fatah activists and affiliated institutions—have become less severe.

Much depends, of course, on point of view. Fatah media reported the 11:00 p.m. curfew on outdoor wedding celebrations issued in February 2010, for example, as an attempt by the Gaza MoINS to impose "societal controls," and likewise condemned the demolition in June of twenty illegally constructed homes built on government land in Rafah.¹²⁵ Yet in

these and other cases—such as reactivating the value-added tax on cigarettes or levying licensing fees on cash-strapped shopkeepers and craftsmen—the Hanieh government is castigated by its opponents for applying laws (and assessing taxes) already on the books, not for breaking them. Accusations by its rivals have had more traction when they have coincided with public sentiment: Thus, local objections to the demolition of the illegal houses in Rafah concerned the high-handed manner in which the authorities acted rather than the legal principle involved.

Whatever its other merits or demerits, the public relations competition between Hamas and Fatah may be serving to incrementally socialize the Gaza MoINS and PASF into improving human rights practices. Both bodies, along with the Hanieh government in general, are clearly keen to gain the approval of their own public and also to indicate to external actors their grasp of, and respect for, human rights. This is evident in their investment in maintaining and continually upgrading an extensive online presence, their publication of regular performance reports, and their frequent citation of online polls expressing satisfaction with the police or support for specific policies or decrees—including the implementation of death sentences against collaborators and against the perpetrators of serious crimes.

Much the same is true with respect to the training extended to police officers in public relations skills with the specific purpose of enabling “positive interaction to influence public opinion”—an approach that is mirrored, moreover, in the West Bank security sector.¹²⁶ Having demanded that human rights organizations limit themselves to “constructive criticism in accordance with specific and objective standards and criteria,” MoINS Inspector-General Saifi also conceded that “it is their right to criticize, and indeed this is the nature of their work and role...we need these organizations to show us our mistakes and help us solve them.”¹²⁷ Whether or not human rights principles are being genuinely internalized in Gaza, these indications and statements demonstrate a concern for legitimization that may in time shape, and ultimately improve, praxis.

Awareness that good practice requires translation into formal procedures and structures is not sufficient to ensure proper observance of human rights, but it is a necessary element: In testimony to the legal committee

of the Palestinian Legislative Council in June 2009, ISA Director-General Abu-Sharkh confirmed that the ISA had been brought under the oversight of the attorney general and the MoINS Inspector-General, for example, and a year later Fathi Hammad reaffirmed the imposition of strict penalties on PASF personnel who committed violations.¹²⁸ That said, it is the ISA that is most routinely cited as applying de facto policies that escape judicial review. Not least of these has been the continuing attempt to prevent public political activity on the part of Fatah—which has been all but outlawed, although “there is no formal decree” announcing this.¹²⁹ Having reduced Fatah to a secondary threat, the ISA is moving increasingly against NGOs pursuing secular social agendas, and against some of the plethora of militant Salafist groups that have sprung up in Gaza over the past five years or more.

It appears that the wider shift within Hamas away from the pragmatist view and in favor of a stance that is more demonstrative of the movement’s commitment to Salafist belief and practice signals a narrowing opportunity for more reform-based policies, and the increasingly open application of ideological standards. Statements by senior MoINS officials such as “the situation has now reached a point where we can allow political activity so long as it remains within the law” exaggerate official tolerance of dissent to the point of flatly contradicting reality.¹³⁰ Most significantly, they reveal that the default approach of the Hamas-led security sector is to acquire and maintain full security control, whether through coercion or deterrence, before allowing tolerance and human rights—as opposed to regarding these as fundamental to, and constitutive of, developing an orderly state.

Chapter 3. Hamas as a Learning Organization

43

Despite emerging strains, it is not mere propaganda to say that the Hanieh government has achieved a level of reform and restructuring in the Gaza-based security and criminal justice sector—taken here to comprise the PASF, the MoINS, and the criminal justice system—that is demonstrably ahead of its counterpart in the West Bank, if only in that the process of getting to that point has been entirely self-driven. The common image as seen from outside Gaza is one of a draconian approach to law and order; but on paper, at least, the Hanieh government has met some of the security “performance benchmarks” that the Fatah-dominated PA was originally required to meet in the Quartet’s “Roadmap to Israel-Palestinian Peace” of April 30, 2003. Since June 2007, the Gaza PASF has been consolidated into fewer branches, greatly reduced in size, and brought in its entirety under unambiguous civilian control: It now reports, through a single chain of command, to an empowered minister of interior, and through him to the cabinet. These measures have yet to be implemented in the West Bank security sector, which has received United States and European Union assistance averaging \$150 million a year since June 2007.

As discussed above, however, it has been the concern with law and order rather than the normative framework of “reform” that has driven the constant improvement of operational capabilities and upgrading of institutional capacity in the Gaza-based PASF and MoINS. The abstention policy decreed by the rival Fayyad government with respect to PASF personnel posed an immediate challenge after June 2007, but it inadvertently relieved the Hanieh government of having to work with a hostile and uncooperative PASF. Its reaction was to restructure the security sector. Dogged determination and perseverance as much as, if not more than, technical know-how generated government responses, adaptations, and innovations.

According to independent analyst and former Civil Police officer Hani Albasoos, security sector management even now is “not 100 percent professional, but [it] follows a course Hamas has set itself,” in which the impetus to improve “comes from the desire of Hamas and the Hanieh government to streamline social affairs, administration, and security.”¹³¹

Israel's Operation Cast Lead appears only to have intensified and accelerated institutional development in this regard, as the government grasped that it would have to shoulder a growing burden of service delivery and welfare provision for the civilian population over the long term.

The picture that emerges reflects a considerable degree of improvisation on the part of the Hamas-led security sector, but also a striking ability to learn. This is all the more remarkable because, although Hamas had acquired considerable security and military experience by the time it won the general elections of 2006, it came to power without a grand reform plan. The Hanieh government had few prior ideas about managing civil policing or the security sector as a whole, and little opportunity to gain experience during the short-lived national unity government with Fatah. Its response was to take “immediate decisions as and when needed to achieve certain tasks.”¹³²

The fact that the Hanieh government no longer faced major adversaries in the first year after the Hamas takeover of Gaza meant that whatever errors it made were not fatal. Some local critics argue that the Gaza PASF is less a real police force than a manifestation of the fragmentation and localization of coercive power in the PA, but it is now incontestably more complex, developed, and institutionalized than its predecessor, the Executive Force. The learning curve revealed by this evolutionary process demonstrates an ability, first and foremost, to identify problems—and then to devise responses, observe their impact, and absorb feedback, leading to revision of the initial responses.

“We are the sons of the Muslim Brotherhood.”

What explains this learning curve, and how has it been achieved? Former Fatah security officers in or from Gaza argue that much of the Hanieh government's success is due to the experienced, professionally trained officers it inherited from its predecessors. It is true that these officers, including several Fatah veterans, provided critically important planning and management skills: The “multiplier” impact of the likes of Tawfiq Jabr; Khadr Abbas, who drafted the blueprint for the Police College; and former Fatah officer Sami Nawfal, now security advisor to Minister of Interior and National Security Hammad, is indisputable.

But this only drives home the point that the Hamas-led security sector has made far more effective use than its Fatah-commanded predecessor of the human resources, as well as the structures and manuals, at its disposal. The entire security sector leadership echelon, along with critical commands such as the ISA and the SPA, consists of Hamas cadres: It is they, rather than professionally trained PASF officers, who make all key decisions. And under their strategic direction—in contrast to that of its Fatah-led predecessors—the current PASF command is characterized by a consistent approach, sustained effort, and serious follow-up; and it appears, moreover, to delegate meaningful powers and responsibilities to its subordinate commands.

Senior Hamas officers in the Gaza-based MoINS freely acknowledge the contribution of “some honorable brothers” in the PASF, both before and after the June 2007 takeover. But they interpret their learning curve differently. “We are the sons of the Muslim Brotherhood, we work 24/7 for our faith. We have a [broader] goal, and so we operate the security establishment in a different way.”¹³³ Their references to this legacy are striking in several respects. First, they express a deep sense of political, organizational, and intellectual continuity stretching back over eighty years, to the foundation of the Muslim Brotherhood in Egypt in 1928. This claim of legacy is deliberately invoked, in part, in response to Fatah’s claim to the mantle of nationalist legitimacy as the movement that fired “the first bullet” of armed resistance to Israel in 1965.¹³⁴

The emphasis on the Muslim Brotherhood legacy also underpins a powerful esprit de corps—or, as its Fatah opponents see it, clannish *‘asabiyyah* (primordial solidarity)—forged since the Palestinian branch of the Brotherhood launched Hamas as an autonomous organization in 1988. It is the continuity of the past twenty-two years that is most impressive, as it has generated the powerful personal and group bonds that have enabled Hamas to endure the assassination by Israel of the entirety of its first political leadership echelon, most of the second, and successive generations of military commanders, along with the detention of many other members in Israeli prisons.

References to legacy also suggest a powerful institutional memory that has been continually accumulating experience and building on it. The starting

point, in terms of the eventual emergence of a fully fledged security sector, was the Organization for Struggle and Call [to Islam] or *Munadhamat al-Jihad wa al-Da'wah*, known as Majd. This was the internal security apparatus—formed around 1986 by Sheikh Ahmad Yassin, subsequently the founder of Hamas—that was entrusted with punishing informers, drug dealers, and other “deviants.”¹³⁵ It subsequently recruited among inmates in Israel’s Negev prison as their numbers swelled following the start of the first intifada in December 1987 and the launch of Hamas in August 1988. Majd provided “the first building blocks of security terminology and scientific method.”¹³⁶ No less importantly, its expansion inside Israeli prisons allowed a shared security culture to evolve between cadres from the otherwise geographically separated West Bank and Gaza Strip: In the words of ISA senior officer Mohammad Lafi, “we are all sons of one school, the prisons where we all met.”

The start of the second intifada in late 2000 marked the next turning point. The Israeli strategy of targeting the PASF and degrading its operational capability persuaded Hamas that a security vacuum was in the making in PA autonomous areas. It took two steps, the first of which was to rapidly expand the IQB—under the command of Ahmad al-Ja’bari, originally a Fatah member when he entered an Israeli prison in 1982—as “the nucleus of a small army” to confront Israel. The second, in 2002–3, was to set up *Jaysh al-Murabitoun* (Army of Holy Defenders), a militia for neighborhood protection in Gaza that was to provide the core of the Executive Force in 2006–7.¹³⁷

Planning for a professionally trained military force had in fact already been undertaken by Hamas in the mid-1990s, if not earlier. This is clear from information provided in the online biography of Isma’il al-Ja’bari (Abu Hamzeh), who was killed on the first day of the Gaza war. Al-Ja’bari had already served an Israeli prison sentence when he left Gaza to study early in the decade. After studying briefly in Sudan and then India, he attended war college in Iran for four years, before being arrested and imprisoned in Israel once again on his return home in 1998. He then worked as a hospital administrator until being recruited by Said Siyam to head the Protection and Security Apparatus in 2006–7. He was succeeded by Lieutenant-Colonel Mohammad Khalaf (Abu Hilal), who had accompanied him in Sudan and India and during five years in prison, and who had presumably

also undergone professional military training abroad prior to his own imprisonment.¹³⁸

The construction of a parallel security system was apparently stepped up as PA institutional capacity disintegrated in 2004. Hasan Saifi, now the inspector-general of the Gaza-based MoINS, was assigned by Hamas to head a shadow structure mirroring the despised, Fatah-commanded Preventive Security Apparatus.¹³⁹ This organization presumably drew on Majd, which otherwise remained the military security apparatus of Hamas and the IQB, and it was probably the precursor to the ISA, which was officially established in September 2007.¹⁴⁰ It was also during these years that Hamas organized itself “at street level through a local ‘leader of the neighborhood’ (*amir al-manteqa*), [thereby] covering almost every street and block in the cities and refugee camps of the Gaza Strip” and at the same time constructing a twofold system of power that was to help ensure a swift and relatively smooth transition of control and the continued delivery of public services after June 2007.¹⁴¹

As a result, although Hamas had not expected to come to power and assume sole responsibility for law and order in PA autonomous areas in 2006, it could draw on a dedicated security cadre to devise a comprehensive approach to policing, once it became clear that the Fatah-commanded PASF would largely not cooperate.¹⁴² By all accounts, Said Siyam played a critical role in this process, acting more as a chief of staff than as a minister of interior. Under his watchful oversight, as Milton-Edwards details, the “[f]ormalization of training took up the principal resources and energies of the organization and the Hamas-controlled Ministry of Interior,” in recognition of the need to transform the EF, an essentially paramilitary force, into a police force.¹⁴³

It is, of course, possible that the EF was more than an ad hoc response to an immediate need. A prior intention to supplant the existing PASF might be inferred from the fact that, although EF members underwent the same training curricula as Civil Police personnel and were eventually outfitted with identical uniforms, they (EF members) were enlisted separately by MoI recruitment boards (while these were still unified, even before the open split of June 2007) and many were sent abroad separately for training in a variety of skills and specializations.¹⁴⁴ Perhaps lending credence to

this interpretation, a group of Hamas-affiliated professors at the Islamic University was commissioned in the spring of 2007, prior to the Hamas takeover of Gaza, to study ways of avoiding the errors of Fatah and the PASF.¹⁴⁵ In any case, whatever the original intentions behind these various measures, they enabled the seamless merger of the parallel security sector of Hamas with the MoI and the remnants of the PASF after Hamas seized power in June.

Since then, the Hanieh government has publicly promoted a strong ethos of “serving the people,” backed by a consistent emphasis on professionalism. “Their foundation is serving the citizen and his security,” a former PASF officer in Gaza averred, adding that “even if the security apparatus has ‘one color,’ [i.e. partisan] professionalism is stressed over political allegiance.”¹⁴⁶ The professional, people-centered security discourse—now also adopted by the West Bank security sector—could of course be mere public relations, and it does not negate the partisan aspect of the security sector. Nonetheless, it is significant that this is the image that Hamas chooses to promote in the security sector, and indeed throughout its public administration. Evidence from Fatah critics, former PASF officers, human rights activists, and secular businessmen in Gaza, moreover, confirms a strong Hamas work ethic, and lends credibility to claims by senior Hamas cadres in the MoINS that “the mentality of working in a government institution differs from that in an organization [i. e., Hamas]; we altered the perks and privileges that came with PASF employment, we seek neither rest nor gain.”¹⁴⁷

The Origins of Hamas Policing: Contending with the Law and Order Vacuum

When Hamas won the Palestinian general elections in January 2006, European Union officials in East Jerusalem privately anticipated that the new government would tackle the pressing need for security sector reform and restructuring, a task its predecessors had patently avoided.¹⁴⁸ The assessment of a PASF officer who was later to assist in the formation of the Hamas-led security sector in Gaza was widely shared: to wit, that the Fatah-dominated PASF suffered from “overlap of jurisdiction, lack of military doctrine, inflation in numbers and grades [ranks], slack training,

corruption, and [outsized role of] *wasta* [personal influence, *proteksiya*] and *mahsoubiyyah* [clientilism].”¹⁴⁹

The EU had provided the bulk of international budgetary support for the PA until then, and so it especially hoped that a Hamas government would achieve a significant reduction in personnel in the security sector. Instead, the PASF grew further, as the Fatah commanders successfully resisted ceding control to the incoming Hamas government. The pace of recruitment had already accelerated in the ten months *prior* to the general elections, as Fatah sought to bolster its electoral prospects: 19,321 Fatah members were added to the PASF payroll in that period, bringing its overall numbers to 73,000. Another 13,800 Fatah members were added after the Hamas victory, increasing PASF strength to 86,800 as of February 2007.¹⁵⁰

The expansion of the PASF highlighted the complete lack of control exercised over the security sector by the Hanieh government in its first year. It also underscored that that sector, and law and order more generally, would be critical arenas for political competition between Fatah and Hamas. This was made immediately apparent: Abbas responded to the Hamas election victory by seeking to assert presidential control over the security sector as a whole, and by reviving the all-but-defunct National Security Council as an operational command under his authority. The PA’s Basic Law, which is its main constitutional document, in fact placed several PASF branches—the Civil Police, Preventive Security, and Civil Defense—under direct government control, but the Fatah-affiliated commanders of most branches publicly declared their refusal to take orders from the incoming cabinet.

The formal transfer of power eased matters somewhat, but over the following months the Hamas minister of interior, Said Siyam, complained of “sluggishness on the part of the security agencies in fulfilling missions, sometimes incapacity, and at times a wish not to implement [orders], with the purpose of demonstrating the failure and weakness of the government.”¹⁵¹ The Civil Police even withdrew its permanent guard detail from the building where the cabinet met, and PASF commanders would not take calls from Siyam. He quickly discovered that he had been quarantined from direct contact with PASF branches by Rashid Abu-Shbak, a senior Fatah intelligence officer, who had been appointed

by Abbas as Director-General of the MoI shortly before the Hanieh government was sworn into office. A frustrated Siyam complained that he had become “minister for birth certificates only.”¹⁵²

Siyam, often regarded as a Hamas hardliner, was more inclined to create faits accomplis than submit to them. On May 17 he announced the formation of the Executive Force (EF), an adjunct police unit of 3,000–3,500 men in Gaza. He argued that this was made necessary by *al-falatan al-amni* and the concomitant incapacity of, and lack of discipline in, the PASF, whose personnel were staging armed protests against the government. Besides, the Civil Police branch, which was less heavily staffed by Fatah members and generally less overtly hostile to the new government, was in a parlous state after years of Israeli countermeasures. Rebuilding it would take considerable time, and an effective means of policing was needed in the meantime.¹⁵³

Siyam sought to allay the possible concerns of Abbas and Fatah by emphasizing that a second EF would not be formed in the West Bank.¹⁵⁴ This was something that Israel would certainly have prevented in any case, as the EF was regarded as unambiguously affiliated with Hamas. The IQB and *Jaysh al-Murabitoun* neighborhood protection militia of Hamas certainly provided its backbone, with a joint contribution of 2,500 (see Table 1), but up to 1,800 were former Fatah members who had broken away to form local militias of their own after the start of the second intifada. The EF was commanded, however, by Jamal (Abu ‘Ubaidah) Jarrah, a forty-one-year-old graduate of the Islamic University and veteran Hamas cadre, who had been imprisoned first by Israel (1988–91) and subsequently by the PA (1996–2001) for his military activities within the IQB.¹⁵⁵

Table 1.
Composition of the Executive Force, by Faction, as of January 2007¹

Faction	Strength
Hamas	2,500
Former Fatah	1,100
Popular Resistance Committees*	600
Popular Front for the Liberation of Palestine	250
Democratic Front for the Liberation of Palestine	50
Arab Liberation Front	202
Popular Front–General Command	100
Ahmad Abu al-Rish Battalions*	90
Wadi' Haddad Groups	70
Unaffiliated	540

* Largely composed of former Fatah members.

Siyam's announcement reflected the failure of several weeks of discussion between Hanieh and Abbas over ways of dealing with the growing security anarchy in Gaza, during which Abbas agreed to the recruitment of an additional 5,100 men to the Civil Police but opposed the formation of a new, autonomous force.¹⁵⁷ Abbas promptly pronounced the EF illegal and declared it dissolved, but the MoI contested his constitutional authority to do so and announced plans to expand the force. It had grown by then to a strength of 5,600 men, organized in six Brigades, and the EF spokesperson stated that Siyam had given preliminary approval for a further expansion to 12,000; it apparently reached a strength of 6,500 by June 2007.¹⁵⁸

The EF did not expand further, and indeed the Hanieh government was to disband it a few months after the Hamas takeover of Gaza, in October 2007. The short-lived experience of the EF was pivotal, however, as it enabled the government to reimpose law and order swiftly after the takeover and to test the approaches and models that were to shape the reform and restructuring that subsequently took place in the Gaza-based

PASF. The most authoritative study of the EF, based on extensive fieldwork, is worth quoting at length:

Organizationally and in terms of size, the EF mirrored the highly centralized and proto-military structure of the PCP [Palestinian Civil Police].... In addition, the EF organized and established special units for close personal protection of Hamas government ministers, Hamas Palestinian Legislative Council (PLC) members, and senior employees/civil servants in the ministries. The EF also formed institutional guard units to protect national and public institutions such as the buildings of the PLC, various Hamas-controlled ministries, and other institutions....At first, its commander and district officers operated out of rented apartment buildings that were progressively equipped and fitted out for specific duties and operations. They gradually built up office equipment and supplies, including stationery, and communications and computer systems. The EF also kept a crime report log, and established a dedicated telephone line, "Dial 109" free telephone number, and operations room to receive public calls and crime reports. They then created dedicated training sites and command posts and stations.¹⁵⁹

The result was that the EF "developed a highly visible public profile centred on projecting an ethos of 'public service' in a law and order vacuum," leading to

an emerging consensus that the EF, compared to the Fatah partisans of other branches of the [PASF], were disciplined and sincere in their attempt to address ordinary law and order issues. Before the Hamas security takeover, the EF was regularly called upon by community organizations, traders, and municipal and PA officials to contribute to policing. In addition, the EF embarked on community initiatives, including attempts to break up the criminal gangs involved in car theft and burglaries.¹⁶⁰

These efforts proved insufficient, however, to stem, let alone reverse, the breakdown of law and order from late 2006 onwards. Moreover, the EF found itself in a pitched battle against the Presidential Guard and other PASF branches loyal to Abbas and Fatah in the same period, resulting in 22 dead, over 186 injured, and 22 abducted in November and December of 2006.¹⁶¹ The IQB website shows that it had already lost 15 dead from all causes (including Israeli air and artillery attacks) in October; the sharp increase to 32 dead in November reflected the internecine violence, as did the loss of another 10 in December and 13 more in January 2007.

Given how extensively the PASF branches closest to Fatah had recruited among local *hamayel* (extended families, often also referred to as *'asha'er*, or “clans”), the internecine violence took on an additional dimension. Clans had already emerged as significant local actors by 2004 as PA governance was degraded, prompting then prime minister Ahmad Qurei’ and several security commanders—all of them members of Fatah’s leading bodies—to acknowledge that PASF personnel were seeking clan protection, and that the clans, the PASF, and criminal networks overlapped.¹⁶² Speaking at a workshop on the impact of the clans on security governance, Tawfiq Jabr, then director-general for public relations of the Civilian Police in Gaza, warned: “We have a security earthquake here....We have high levels of murder, thefts, and attacks on public properties. And we have Israeli incursions and attacks. We have a severe deterioration on all fronts....The families become stronger and stronger. People are attacking the Police, people from society.”¹⁶³

Alarm at the damage to the social fabric that this indicated, and at lawlessness generally, had been an important factor prompting Hamas to participate in the general elections in January 2006.¹⁶⁴ As security conditions worsened in early 2007, local clans openly formed militias and “established near autonomous zones with their own militias and informal justice and welfare systems.”¹⁶⁵ Siyam asked clan elders “to control their sons,” but by then they had lost their traditional authority over their heavily armed younger men.¹⁶⁶

These developments took place under the sweeping political and financial boycott imposed on the Hanieh government in late March 2006 by the Quartet. The boycott had an especially detrimental effect on law and

order, in part because it triggered the suspension of the EU program launched in 2005 to assist the Civil Police, which was one of the PASF branches answering to the MoI. The boycott complemented the “regime change” strategy that the administration of U.S. President George W. Bush pursued vis-à-vis the Hanieh government.¹⁶⁷ The United States Security Coordinator, a position established by the U.S. Department of State in 2005 and at the time filled by Lieutenant General Keith Dayton, stepped up the retraining and rearming of Abbas’s Presidential Guard, with the declared aim of deploying it to manage the border crossings into Gaza.¹⁶⁸ It was the private understanding, however, of the PA’s Technical Team for Reform, formed in December 2006 and headed by Abbas’s national security advisor, Muhammad Dahlan, that the U.S. effort was intended to counterbalance, and ultimately defeat, “the enemy,” Hamas.¹⁶⁹

The consequence of these US policies was to further militarize Palestinian national politics, and to reinforce the division of the PASF into two, rival police forces. Under these conditions, the national unity government formed by Hamas and Fatah in March 2007, following Saudi mediation, was doomed. So was the 100-day security plan launched in mid-April by the new minister of interior, Hamas nominee Hani Qawasmi: It aimed to curb the violence, end the public display of unlicensed weapons, and purge the PASF of clan allegiances. Qawasmi also proposed to reform and restructure the PASF and end its “monochrome political allegiance.”¹⁷⁰ He immediately ran into the same obstacles as had his predecessor, Siyam, however, not least those placed in his way by MoI Director-General Abu-Shbak. Faced with the continued noncooperation of the PASF, and aware that Dahlan’s Technical Team for Reform was drafting a rival Security Sector Transformation Plan, in close consultation with the Dayton mission, that would completely circumvent the MoI, Qawasmi resigned in frustration. Dahlan, meanwhile, formed Fatah’s own “Executive Force” of some 5,000 men, mostly clan members recruited into the Preventive Security Apparatus that he had previously commanded. The stage was set for a final showdown.

Rough-and-Ready Policing

The comprehensive collapse of the Fatah-commanded PASF on June 14, 2007, appears to have taken even Hamas by surprise. Although Fatah

subsequently accused Hamas of carrying out a pre-planned “coup d’état,” the weight of evidence supports Hamas’s claim that it had selectively targeted the Preventive Security Apparatus and General Intelligence Department, along with elements of the Presidential Guard, in order to bring the constant threat they posed to a decisive end.¹⁷¹ The majority of PASF personnel and Fatah members appear to have agreed, or at least did not see this as their fight, and so remained on the sidelines. The committee appointed by Mahmoud Abbas to investigate the loss of Gaza concluded that no more than 10–15 percent of PASF personnel in Gaza, and maybe fewer than 2,000, or 3.5 percent, fought against Hamas, and noted the “collective military abstention” of local Fatah members, “even [those] in leadership echelons.”¹⁷² In any case, the commanders of the EF and the IQB were wholly unwilling to relinquish their victory once its extent dawned on them, but they do not appear to have anticipated the rapid unraveling of the entire PASF command structure.

The Hanieh government now found itself unexpectedly facing the challenge of providing law and order without a police force. The “emergency” caretaker government headed by former finance minister Salam Fayyad that Abbas now appointed in the West Bank—a step for which there was no constitutional provision—instructed all PASF personnel in Gaza to stay home or lose their salaries. With only 450 officers out of the 11,885 originally on the Civil Police payroll in Gaza willing to defy the abstention edict—which Hamas called a policy of *istinkaf* (sulk, disdain)—the Hanieh government assigned full responsibility for policing to the EF.

In the first three months after the Hamas takeover of Gaza, the EF rounded up “rapists, car thieves, clandestine liquor merchants, money forgers, the employers of a Sri Lankan maid who had not been paid and dozens of alleged sexual miscreants. Forty drug dealers were incarcerated...public display of weapons was banned, unofficial roadblocks prohibited and thoroughfares cleared for safe and toll-free passage.... Hamas also actively intervened to bring the informal economy under control and combat many of its criminal phenomena such as kidnapping, car theft, drug smuggling, racketeering and the hitherto open arms market.”¹⁷³

Earlier, in October 2006, EF commander Jarrah had argued that most EF personnel had “come from the mosques, they are educated and aware and know how to deal with people...they are among the best youths, possessing high morals.” They did not require legal expertise in order to avoid misconduct, in his view, “because they know it is forbidden religiously.” When dealing with criminals, he added, they behaved in accordance with “Islamic Sharia and human ideals.”¹⁷⁴ Despite his assertions, however, the EF proved ready but rough, not least because the IQB provided armed backup. Those who resisted it were met with force—often lethal force.

Such behavior may explain Hanieh’s exhortation to the EF in August to present a “security model of integrity that differs from the actions of the previous security agencies.”¹⁷⁵ Local human rights organizations continued nonetheless to protest the EF’s excessive use of force and the lack of clear instructions regulating the use of firearms during police operations. Of particular concern were the restrictions on freedom of expression and assembly, mainly targeting Fatah activists, and the involvement of the IQB, both in acting as a police force and in administering detention centers “in which civilians arrested by the EF were detained, interrogated, and subjected to torture and other forms of cruel and inhumane treatment.”¹⁷⁶

The June 14 takeover had already compelled the Hanieh government to think seriously about restructuring its security sector. The EF had performed well so long as it conducted informal, neighborhood policing, but its personnel were unfamiliar with Palestinian criminal law and proper procedure and unaware of the need to apply them—and in any case were not trained to do so. Immediately after the takeover, a Hamas leader was quoted as having said, “We are creating a new reality, new police, new security apparatus, a new, legitimate judiciary.”¹⁷⁷ The movement was not as ready as this declaration suggested, however. Interim measures were proving inadequate or problematic: Boy Scouts were drafted to direct traffic, for example, and the EF suffered from a severe lack of qualified financial administrative staff after it was absorbed within the Civil Police.¹⁷⁸ Cadres were drawn from the Hamas security apparatus to help make up the shortfall in senior police officers, although they were more used to fighting Israel than to doing police work.¹⁷⁹ The growing tide of criticism and complaints, including from within Hamas and the government, made change a necessity.

The turning point came when Major-General Tawfiq Jabr was assigned to establish a Police Command Council to manage police affairs, sometime within the three months following the Hamas takeover of June 2007.¹⁸⁰ Jabr was a veteran Fatah security officer who had most recently served under the national unity government as director-general in Gaza for public relations in the Civil Police, but had become disillusioned. Detractors in Fatah claim that he had been suspected of corruption and sidelined, although there is no independent corroboration of this. In any case, his image has been used in an iconic manner on the Gaza Civilian Police website and in Hamas-affiliated publications and websites since he was killed in the opening Israeli air strikes of Operation Cast Lead—and senior PASF, MoINS, and government officials have visited his family routinely on the annual anniversary of his death.

Jabr is credited with reactivating PASF units and departments (including the police band, the protocol section, the mounted police, the computer and data department, and traffic rescue patrols) and with improving others. According to the same source, he also reactivated the border crossings department and re-established the separate women's police unit.¹⁸¹ Starting in September 2007, Jabr abolished the EF, transferring its personnel into the Civil Police, and appointed new commanders for all sections. According to senior MoINS officials and PASF officers in Gaza, he now asserted a clear division of labor between the security sector and the IQB: The latter was regarded as an "army" and was separated entirely from the PASF in terms of command structures and personnel.¹⁸²

The separate designation of the IQB appears, in hindsight, to have related to its official function of confronting Israel, without necessarily preventing dual membership for many of its personnel: paid policemen by day, IQB mujahideen by night. Nonetheless, the formal withdrawal of the IQB contingent of some 2,500 men from the EF left the Civil Police seriously undermanned. The shortfall was made up by inducting some four to five thousand "Qassam supporters" or "mosque youth," along with a number of militiamen from the Hamas-affiliated al-Nasser Salah al-Din Brigades.¹⁸³ The Arafat Training Center was reactivated as a boot camp, and processed some four thousand new recruits in a short period.¹⁸⁴ Dozens of officers were also sent abroad for specialist training, adding to the initial number of EF personnel who had already received training in criminal investigation

in Syria and Sudan by the spring of 2007.¹⁸⁵ Separately, Said Siyam appointed Hamas cadre Hasan Saifi inspector-general of the MoINS, to curb violations by PASF personnel. Saifi rapidly proved effective, reportedly initiating one thousand disciplinary actions against officers in the year prior to July 2008, though it is unclear what proportion this represented of the overall number of violations.¹⁸⁶

Jabr also oversaw the reorganization of the PASF into four branches (see Table 2): the Civil Police, National Security Forces (border guards), the ISA (which replaced the Preventive Security Apparatus and the General Intelligence Department), and the Security and Protection Apparatus (which replaced the Presidential Guard as protector of government buildings and officials).¹⁸⁷ All other operational PASF agencies were disbanded or brought under one of these four branches, with the exception of the two auxiliary services—the Civil Defense branch (emergency services) and Military Medical Services—and the Military Judicial Staff, all three of which were attached separately to the MoINS.

Reorganization was accompanied by a sharp drop in overall PASF strength, from 56,887 prior to the Hamas takeover of Gaza in June 2007 to some 15,000, a level that has been maintained more or less consistently ever since.¹⁸⁸ The majority of the original personnel observed the “stay home” policy decreed by the Fayyad government and continued to draw their salaries from that government, and are not taken into account when discussing the Hamas-led PASE. The new Gaza security sector was largely built from scratch, although it eventually absorbed some 3,000 former PASF personnel who were removed from the Fayyad government payroll over the next two years. This indicates that the Hamas-run MoINS has succeeded in building an entirely new security sector cadre of at least 12,000—rising to 14,000 if replacements for losses in service or during Operation Cast Lead are also included—besides several hundred civilian personnel in the MoINS.¹⁸⁹

MoINS officials claim that the roles and responsibilities of each PASF branch were clearly defined following the restructuring of fall 2007, largely ending the problematic overlap of functions that had bedeviled the PASF since its establishment in 1994.¹⁹⁰ That this assertion might be overly sanguine, however, was suggested by Sami Nawfal (Abul-Shayma’), MoINS

security advisor and general coordinator between PASF branches. Speaking in July 2009, he acknowledged that the constant threat of Israeli strikes impeded coordination, making collective meetings risky and compelling security commanders to rely more heavily on individual meetings and follow-up.¹⁹¹

Table 2.
Gaza PASF Branches and Strength¹⁹²

Branch	Date of establishment	Personnel	Former PASF personnel
Civil Police	1994	8,500–10,000	1,000–1,400
National Security Forces	1994	800–1,200	100–200
Internal Security Apparatus	2007	1,000	–
Security and Protection Apparatus	2007	1,000–2,000	Not known
Civil Defense (emergency services)	1994	700	Not known
Military Medical Services	1994	520	37
Total		12,520–15,420	

The restructuring of fall 2007 did yield measurable improvements in law and order. An annual performance report issued by the Civil Police in July 2008 showed that cases of murder and manslaughter had declined steeply compared with the year preceding the June 14 takeover: from 68 to 16 and from 10 to 1, respectively.¹⁹³ The same report stated that 185 police officers had died either battling drug traders or in Israeli air strikes; total PASF losses in the three years beginning June 2007 amounted to some 470, besides the 250 or so killed in Operation Cast Lead.¹⁹⁴ Whereas the police had been unable to enforce 8,000 arrest warrants in 2005–6, not to mention an even greater number of court summons and notifications, the activation and empowerment of the Judicial Police section now enabled full enforcement.¹⁹⁵ The marked rise in public confidence in the criminal justice system was reflected in a 500 percent increase in the number of

complaints lodged with the police and in the number of civil or criminal cases filed with the courts by the end of 2008.¹⁹⁶ The accuracy of these statistics cannot be verified independently, but the general trend is not in doubt.

A critical factor was the large reduction in clan violence, which the Hanieh government claimed had dropped by an estimated 80 percent by March 2010—a statistic that appears consistent with incident reports compiled by Palestinian human rights organizations.¹⁹⁷ The MoINS trod cautiously at first, avoiding comprehensive disarmament of extended families and insisting only that they not deploy their arms in public. The death of five Hamas members in a beachside bombing on July 25, 2008, however, led to a dramatic shift: The police accused the powerful Hillis family of sheltering the perpetrators and seized its neighborhood on August 2, in fighting that left ten family members dead and dozens wounded. Six weeks later, the police responded to the murder of one of its officers by besieging the neighborhood inhabited by the Dughmush family, the largest and most heavily armed in Gaza, leaving eleven of its members dead and forty-six wounded.

The Hillis and Dughmush families had both been closely allied with Fatah in the past, but not all MoINS officials and PASF officers were happy with the crude military tactics that had been used in suppressing them. Those tactics reflected the involvement of the IQB in the siege of the Dughmush neighborhood, as well as police inexperience and the lack of a suitably trained and armed police support unit. Thereafter the IQB was proscribed from engaging in further internal security operations, and the police support role was assigned instead to the Intervention and Public Order Force, which makes up some 20 percent of Civil Police personnel.¹⁹⁸

The robustness of the security system that had been put into place in Gaza over the preceding eighteen months was put to an extreme test by Israel's Operation Cast Lead. Tawfiq Jabr died in the initial Israeli air strike as he attended a Civil Police graduation parade on December 28, 2008; nearly 200 cadets also died, including 30 members in training of the Police Discipline and Headquarters Security Force, along with seven out of eight members of the "Guardians of the Homeland" police choir and the entire mounted unit (horse patrol); the commander of the SPA, Colonel

Isma'il al-Ja'bari and his deputy Lieutenant-Colonel Mohammad 'Abdul-Latif al-Ashqar; and the director-general of the MoINS.¹⁹⁹ Another 65–73 policemen died in the central region, including 57 out of 65 officers in the Abu-Meddain police station alone, as the Israeli Air Force proceeded to destroy some sixty PASF facilities throughout the Gaza Strip.²⁰⁰

In all, 330–400 PASF and MoINS personnel died during the war, of whom 250 belonged to the Civil Police, and 500 were wounded.²⁰¹ Said Siyam himself was killed in an air strike that targeted him on January 15, 2009. Although many of the PASF casualties may have been Hamas members or supporters, the IQB additionally lost 49 dead among its core personnel, not counting losses of 15 dead in the Salah ed-Din Division (the military wing of the Hamas-allied Popular Resistance Committees), and 39 dead from the Jerusalem Brigades, the military wing of Palestinian Islamic Jihad.²⁰²

The loss of 5 percent or more of the entire PASF in a single day along with the loss of key commanders was a massive shock, but plans drawn up before the war were rapidly put into effect. These were quickly, and dramatically, proved inadequate but were quickly revised, with the result that few additional losses were suffered after the first day.²⁰³ A central Emergency Field Committee combining “all security [PASF] and movement [Hamas] agencies” was formed, with a branch in every governorate, to ensure defense coordination and assume responsibility for food and supplies. The Internal Security Apparatus was temporarily merged with the Civil Police, to take joint responsibility for predetermined security “squares.”²⁰⁴

A special committee was also quickly formed to study the files of 900 prisoners held in the Central Prison at PASF headquarters in Gaza City, after it suffered collateral damage in the opening air strikes. The Director-General of Rehabilitation and Reform Centers, Colonel Sami Nawfal, subsequently stated that he had been given assurances by the International Committee of the Red Cross and other “civic agencies” on the eve of the war that the prison would not be struck.²⁰⁵ Nonetheless, five hundred detainees were released overnight, while those accused of “security or honor [sexual] or drugs offenses” were moved to other locations; the prison was completely destroyed on the second day of the war.²⁰⁶ Some IQB members took advantage of the chaos to execute some two dozen suspected

collaborators who had been held in the prison, including Fatah members accused of relaying information to their leadership in the West Bank.

Security Sector Reform and Restructuring, Hamas-style

Operation Cast Lead proved to have little, if any, adverse impact on the development of the operational capabilities and institutional capacity of the security sector in Gaza. The Civil Police quickly made up its losses, training five hundred officers “in advanced courses” within a few months of the war, according to Fathi Hammad.²⁰⁷ Physical reconstruction was considerably more difficult, owing to the Israeli blockade on building materials. Nonetheless, 50–60 percent of destroyed facilities had reportedly been rebuilt by spring 2010, and the first of two new prisons in Gaza and Khan Yunis, with a total capacity of seven hundred, was inaugurated at the end of June.²⁰⁸ The MoINS faced even greater difficulty in replacing over four hundred vehicles that had been destroyed in the war or made irreparable as a result of the blockade on spare parts: Seventy percent of vehicles in service with the National Security Forces branch in May, for example, were past their operational life or failed to meet technical standards.²⁰⁹ The MoINS set the value of its total material losses at \$200 million.²¹⁰

Continuing material difficulties notwithstanding, programs and trends that were already underway in 2008 were largely unaffected by the war, nor were they accelerated in its wake. Speaking a few months later, Fathi Hammad stated that, in the face of extensive destruction of police facilities and equipment and the severe lack of resources, “we divided our plan to reconstruct security quarters into...a) extremely necessary and urgent, b) medium plan, and c) strategic plan to develop the police.”²¹¹ Speaking at a ceremony to honor police commanders a year later, Hanieh felt able to claim that “we have bypassed the phase of security attrition internally and externally, and entered a new phase...of developing security performance.”²¹² The unceasing effort to develop and consolidate the security sector and enhance its credibility is evident in three main areas: PASF force-building, especially in relation to increasingly sophisticated training and personnel development; planning; and administrative capacity of, and public service delivery on the part of, the MoINS. By the same token, these are also the areas that bring into focus questions about the

objectives of reform and restructuring in the Gaza security sector—and the substance and quality of what was actually achieved.

Training

63

The emphasis on continuous training is among the things that most set the Hamas-run PASF apart from its predecessor. The emphasis on developing specialist and administrative skills is especially striking. On any given day, the websites of the MoINS, PASF branches, the Ministry of Justice, the General Personnel Council, and the Government Computer Center might display courses open to PASF or MoINS personnel in Linux programming or mid-level administration, preparation of budgets or project management, or traffic and road accident regulation. Veteran secular and human rights activists in Gaza confirm that Fathi Hammad, like his predecessor, demonstrates the importance he attaches to training by frequently attending courses in person.²¹³

In all, the MoINS asserted, its Training and Administrative Development Department had conducted 120 training courses in the three years prior to July 2010, “more than the same department achieved in the previous 13 years under the previous Palestinian Authority.”²¹⁴ In October, the Ministry provided a breakdown of 18 training courses that it claimed 333 of its employees had attended since the start of the year, with 46 also attending a total of 26 courses conducted by the General Personnel Council. In November the Council helped conduct a course at the MoINS in “strategic planning” for its senior officials.²¹⁵

Nongovernmental bodies have also been involved in training. In May 2010 the MoINS signed a protocol of cooperation with the Ministry of Foreign Affairs to help develop training opportunities for MoINS staff abroad, and the following month it subcontracted the organization of a workshop discussing policing models and requisite skills sets to the House of Wisdom, a local think tank headed by leading Hamas official and deputy minister of foreign affairs Ahmed Yousef.²¹⁶ The House of Wisdom also engaged with outside counterparts such as the Geneva Center for Democratic Control of Armed Forces, with which it conducted a series of workshops by video conference in the first half of 2010 dealing

with international “best practice” with respect to a range of security sector operations and management.²¹⁷

Such activities were typical implementations of the declared aim of developing a “culture of comprehensive quality,” also promoted as the central purpose of the First Police Scientific Conference, held on August 4, 2010.²¹⁸ Speaking to new training instructors who graduated in late June, Fathi Hammad, who became minister of interior following the death of Siyam, articulated a guiding ethos: Training is the key “to reach[ing] the level of advanced states,” as well as the means to “reach heaven, pride, and dignity.”²¹⁹ A four-year review of PASF achievements published in April 2010 gives a sense of the cumulative impact of the training program. National Security Forces commander Major-General Hussein Abu-‘Adhrah claimed that 80 percent of his men had received “high-quality cultural and security training,” for example, while SPA commander Lieutenant-Colonel Mohammad Khalaf claimed that 70 percent of his personnel had undergone “specialist training.”²²⁰

The Military Medical Services and Civil Defense branches, both formally attached to the MoINS, separately announced increased training activities to make up for war losses and to apply lessons learned. The former set up a training institute for paramedics and ambulance drivers; the latter claimed to have trained 4,000 civil defense workers to deal with fires, accidents, and first aid, and also to have conducted 70 training courses in the first six months of 2010, in which 1,605 civilian volunteers and 1,315 personnel received additional instruction.²²¹

That all being said, the quality of the training offered, the accessibility of courses to non-Hamas members, and the nature and content of such things as “cultural” training cannot be independently assessed—and this is an important gap in our understanding. Senior PASF officers state that professional, nonpartisan criteria are applied in recruitment and selection for training, but knowledgeable insiders in Gaza insist that personal and partisan connections and favoritism still play a critical part. They allege, for example, that the sons and relatives of the new Hamas elite receive favorable consideration with respect to acceptance in officer training courses held locally or abroad, much as occurred when Fatah was in command; and they describe Civil Defense training as “summer camp.”²²²

Other impartial observers believe that Hamas-led government institutions generally “maintain a perceived meritocracy, along with a real opportunity to participate at the low- and mid-level.”²²³ Yet, a Hanieh government decree issued in September 2009 highlighted the importance of political or ideological factors by awarding up to two years’ seniority to PASF personnel who memorized all or part of the Qur’an.²²⁴ A large wave of four to five thousand new appointments, promotions, and rotations in the PASF a year later was met with accusations by critics that “movement criteria” relating to membership in Hamas had been invoked to favor Hamas loyalists: the date of their *bay’ah* (swearing of allegiance to the Muslim Brotherhood Society), years spent in prison for resisting Israel or spent enduring PA repression in the 1990s, seniority in IQB service.²²⁵ This replicated past practice under Fatah command, in which the PASF graded personnel according to their *dhatiyyeh* (personal record) showing their date of membership and rank in Fatah.²²⁶

Certainly, as Ibrahim Habib, the assistant dean of the Police College in Gaza, acknowledged, the Hamas-run security sector has reduced, but not ended, the appointment of senior officers on the basis of party affiliation alone, with promotions based not on qualifications but on party activity or years spent in Israeli prisons. In an honest critique of the development of the PASF under both Fatah and Hamas commands since 1994, he also noted the continuing “importance of the political echelon in securing proper promotions and appointments,” as well as the problems arising from the lack of legislative oversight and the involvement of the security sector in factional rivalries.²²⁷ To take just one example of the importance of party affiliation, Tayseer Mustafa al-Batsh was a public school teacher before joining Said Siyam’s staff at the MoI in 2006, after which he became deputy director-general of the ISA—a position held only by core Hamas members—for three years, before being promoted to the rank of brigadier-general and appointed deputy commander of the Civil Police in early June 2010.²²⁸

Nonetheless, the Gaza-based PASF appears to have achieved a measure of professionalization and specialization, in large part by sending personnel abroad for training—mainly to Iran and Syria, but also to Sudan and possibly some Gulf Cooperation Council states.²²⁹ A number of EF personnel had already received training in criminal investigation in Syria

and Sudan prior to June 2007, and local security experts estimate that PASF trainees now account for approximately one-third of all those sent outside Gaza, the rest belonging to the IQB.²³⁰

Special skills acquired abroad are then adapted and absorbed into PASF operations according to its own definition of its needs and capabilities. This contrasts sharply with the previous experience of the PASF under Fatah command, which sent thousands of personnel abroad to receive training from 1994 onwards, but made little or no effort to bring about minimal coherence in curricula or to develop standardized practices.²³¹ “The problem,” in the words of a senior police officer in Gaza, “is that we didn’t have a single Palestinian police, security, or military ‘school’—we didn’t even salute in a standard way.”²³²

Siyam and Jabr had already grasped the need to address this problem by late 2007. The Arafat Police Academy was reopened after six months of preparation under the command of a former PASF officer, as a training center internal to the Civil Police, with the aim of training two hundred noncommissioned officers. The need for an advanced training capability for *commissioned* officers based in Gaza intensified, however, as the Israeli blockade tightened. According to Cabinet Secretary Mohammad ‘Awad, the MoINS “had an ambitious plan to develop and refine the capabilities of our security officers, but the siege prevented [outside] states from receiving them [for training], which adversely affected police performance, which is why we launched a police college.”²³³

A Faculty for Police and Legal Sciences already existed within al-Ummah University for Continuing Education in Gaza.²³⁴ The faculty comprised two main sections: Law, which offered a 143-credit degree program over four years, and a Police Sciences section, which offered a 144-credit degree program over a similar period.²³⁵ Al-Ummah University had itself only been established in 2008, but the faculty trained two cohorts of commissioned officers under the aegis of the MoINS in 2008–9—presumably granting a one-year diploma designed specifically for the purpose. To speed their promotion to leadership positions and motivate them, the government decreed in September 2009 that graduating officers at the rank of lieutenant would be awarded one increase in grade, and officers at higher ranks would receive two years of seniority.²³⁶

In September 2009, a government decree replaced the Faculty for Police and Legal Sciences with the Palestinian Police College as the provider of professional training for officers.²³⁷ This followed accreditation from the Ministry of Higher Education for the BA degree program offered by the Police College, which was condensed from four years into three to meet the PASF's pressing needs.²³⁸ Modeled loosely on the Mubarak Academy in Egypt, Mu'tah University in Jordan, and the Police Academy in Yemen, the Police College also drew on the faculties of law at the Islamic, al-Azhar, and al-Ummah universities in Gaza.²³⁹ The latter two universities engage some part-time teaching staff under private contracts, but the bulk of the curriculum of 145 hours of police sciences, law, and general topics is taught by PASF officers with relevant expertise.²⁴⁰

Minister of Interior Hammad inaugurated the commencement of studies at the Police College on October 17, 2009. It has since been attended by some 150 cadets—a cohort that was whittled down from 670 applicants, including 450 civilians, through entrance exams and physical tests.²⁴¹ According to the College's assistant dean, Major Ibrahim Habib, cadets study daily, except Fridays, from 6:00 a.m. to 5:00 p.m. over eight academic terms, and are assessed 300 Jordanian dinars (\$425) per term, payable upon graduation.²⁴² Graduating officers have an obligation to serve the MoINS for ten years.²⁴³

Planning

The launch of the Police College reflected a critically important planning capability. Said Siyam had set up a committee in November 2008 to restructure the PASF, and over the following year the committee determined the number of agencies and support departments it required, while also dictating personnel needs and providing job descriptions for all positions. According to Siyam's successor, Fathi Hammad, after the war, the MoINS "established a technical unit within my office to plan reorganization of police and security services [and] also set up a specialized technical bureau to design new police facilities (local kiosks, patrol posts, police stations, and central facilities), all according to set parameters and standard models—[and] we may also set up offices in [cargo] containers to serve citizens."²⁴⁴

Hammad later described this unit as a “special committee comprising experts and administrators to evaluate the performance of all personnel in the security agencies on a scientific basis,” which had “compiled a database of the performance of all security agencies and identified their strengths and weaknesses, in order to start addressing weaknesses and elevate the Gaza security cadre.”²⁴⁵ This responsibility was probably subsequently assigned to the Research and Planning Section at the MoINS, which claims an ability to determine the security sector’s future need for officers and specializations.

The PASF had always had a surfeit of officers, owing to the “quota” of appointments awarded to PLO factions after 1994 and to the custom of rewarding former prisoners or other veterans of the armed struggle against Israel with promotions; that legacy has endured under Hamas command, albeit to a lesser extent. As a result of a MoINS review, however, plans for a second intake of cadets to the Police College in 2010–11 were initially delayed, not to be resumed until August 2010.²⁴⁶ In the meantime, 200 new police privates were inducted, in order to improve the balance of noncommissioned ranks vis-à-vis commissioned officers.²⁴⁷ That only this number was accepted after the MoINS had advertised for 1,500 may have reflected financial constraints, but given that over 14,000 applied, this also indicates generally tight control over recruitment in an economy characterized by extremely high unemployment and poverty rates and a legacy of patronage-based hiring in the public sector.

Planning capability is also evident in the upgrading that has reportedly taken place in the General Directorate of Training, with the declared aim of providing both “specialist and security training” for all PASF branches, in such varied areas as traffic management, criminal investigation, combating drugs, guard duty, and anti-espionage.²⁴⁸ The General Directorate—which maintains facilities in northern, central, and southern Gaza—was reportedly reformed in coordination with al-Ummah University and the Academy for Police and Security Sciences.²⁴⁹ On July 1, the Directorate announced the graduation of its third “qualifying course” for officers in three years, bringing the total number of graduates to 750.²⁵⁰ Shortly thereafter, Fathi Hammad revealed that the MoINS also hopes to establish a “comprehensive military college” in the coming few years.²⁵¹

This may be linked to the goal he announced a few days later to introduce “voluntary” national service in the near future, to be followed eventually by compulsory conscription.²⁵²

Both the military and financial feasibility of instituting conscription in Gaza, as well as the willingness of local Palestinian society to bear that burden, are highly questionable, as both the Egyptian military administration and the Palestine Liberation Organization found when they attempted similar schemes in the Strip in the early 1960s. An online poll by the Hamas-associated newspaper *al-Resalah* showed public opinion in Gaza to be evenly divided on the issue, with a reported 49.8 percent of 950 respondents in favor of compulsory military conscription and 48 percent opposed.²⁵³ As elsewhere, conscription would probably serve primarily to reinforce political control.²⁵⁴

Administrative Upgrading and Public Service Delivery

An essential component of the evolution of the PASF has been the subordination of all of its branches to the MoINS in terms of command and control, alongside the integration and centralization of PASF administration within the Ministry. This is the single most important achievement of the Hanieh government in contrast to its predecessor, which never succeeded in imposing unambiguous civilian control over all PASF branches—something the Fayyad government has achieved only partially at best. But the Gaza-based MoINS also claims other significant achievements in the areas of administration and public service delivery.

In addition to human resources development through training, as noted above, the PASF has benefited from improvements to the MoINS system of pay, the computerization of personnel records, and other administrative measures. The MoINS revised the system of PASF payments in March 2010, in accordance with an advisory opinion from the cabinet regarding the need to monitor pay more carefully.²⁵⁵ Whereas previously 120 “disbursement committees” had issued pay, taking two days to do so, personnel now receive pay at ten main postal facilities throughout the Gaza Strip. The MoINS also houses all PASF personnel data, though for security reasons it does not allow online access to its computerized database. In addition, the MoINS has set up a mutual assistance fund, financed

by deductions from PASF paychecks, which extends small loans, with a fifteen-month repayment period, to 150 personnel a month.²⁵⁶

Esprit de corps, as well as administrative efficiency, are enhanced through routine visits between heads and staff of PASF branches and those of MoINS departments and occasionally of other government agencies, during which tasks and work methods are reviewed and experiences exchanged. Many of these visits cement personal relations between Hamas members as well, since they hold many command and managerial positions. Personalization is also enhanced by the online social sections on some MoINS and PASF websites and in publications such as *Police Magazine*, all of which post congratulations to colleagues on events such as marriages, births, and graduations or promotions, along with condolences in the event of deaths in their families. The detailed biographies of personnel killed in the line of duty that are posted by most PASF branches probably reinforce these bonds, while reiterating themes of duty, patriotism, and sacrifice.²⁵⁷

The MoINS, however, seeks to publicly dispel any perception of favoritism towards its own. Officially, it is committed to following the government in striving to inculcate a sense of civic duty in public sector workers. In late 2009, for example, the Hanieh government replaced the previous “one day on, two days off” work shift of the PASF with a more demanding three-shift system of 6/6/12 hours, allowing personnel only one day of rest weekly. The PASF also stated that it was implementing an existing, but rarely enforced, ban on personnel holding second jobs or opening commercial ventures; and on June 1, 2010, it announced that it would end the practice, popular among personnel on the West Bank-based PASF payroll who observed the “abstention” policy, of moonlighting as taxi drivers.²⁵⁸

If the MoINS’s statements are to be believed, the continuous upgrade of administrative skills and management systems within the Ministry has apparently enabled an impressive transformation of its public service delivery and outreach. This is part and parcel of the overall push for e-government in Gaza, spearheaded by agencies such as the General Personnel Council, which has declared itself “paper-free.”²⁵⁹ The MoINS has likewise announced that it is entering a “total quality phase” in terms

of operating in a globalized world and dealing with information and communications technology.²⁶⁰ It runs an active and continually updated website carrying official news and announcements and providing dedicated portals for employees, NGOs, and citizens to access data, to register births and deaths or new NGOs, and to submit requests for services or complaints.

Thanks to these improvements, the MoINS claimed in April 2010, Gaza residents could obtain birth certificates in an hour, for example, and passports in one or two days, while “good conduct certificates,” which prospective employers may request to confirm a clean criminal record, are issued “within minutes” by local MoINS branches in the five governorates of Gaza.²⁶¹ In all, these branches had reportedly processed over one million service requests in the previous four years, including 285,000 in 2009. The accuracy of these figures cannot be confirmed independently, but the MoINS has clearly continued to perform despite the loss of archives due to Operation Cast Lead. (Its branch in the Gaza governorate—its largest, serving 700,000 people—suffered a massive loss when its records, some dating to 1917, were burned in the bombing.²⁶²) To ensure the managerial skills and effective lateral communication within the MoINS that make e-government possible, the Ministry stated that it ran fifteen internal training courses in 2009, another twenty-four with external partners, and ten other external seminars and workshops; funded outside training for fifty staff members at local universities and academies; and signed a cooperation and exchange agreement with the Islamic University.²⁶³

The emphasis on efficiency savings achieved through computerization reflects a special awareness of the importance of effective service delivery and, thereby, of responsiveness to the public. This is reflected, for example, in the online publication of weekly activity reports by various Civil Police sections; in the cancellation of the requirement to obtain “security clearance” from the ISA—whose main function is to gather political intelligence, involving surveillance of other Palestinian factions—as part of getting a “good conduct certificate” for public employment; and in the response to 7,170 requests for statistical information in 2009.²⁶⁴ A Monitoring and Complaints Unit was set up and received 2,727 online complaints from the public in 2009, all of which it claimed to have investigated and resolved. The unit’s work was complemented

by the General Administration for Conciliation and Clan Affairs, which announced that it had registered 1,427 cases in 2009, of which 1,156 had been resolved by April 2010. In June 2010, the Civil Police launched *Police and People*, a weekly phone-in radio program aimed at resolving problems faced by the public and acquainting it with the work of various police departments.²⁶⁵

The Hanieh government's declared commitment to transparency and public service has similarly been reflected in the posting online of all laws, regulations, and ordinances pertaining to the work of the MoINS and PASF and to public safety, in addition to a digitized version of the Official Gazette of the PA, from its first issue in 1995 onwards, containing all promulgations and senior civil service or PASF appointments.²⁶⁶ The MoINS has also responded to disturbance of the peace and road safety complaints from the public: Edicts issued in the first few months of 2010, for example, decreed that wedding celebrations could not be held outside of homes or function halls after 11:00 p.m. at night, banned motorcycle riding after midnight in residential neighborhoods in the southern city of Rafah, and enforced regulations that had long been disregarded requiring motorcycle riders to hold proper licenses and vehicle registration certificates, be of legal age, and wear protective helmets.²⁶⁷ Faced with the frequency of accidents owing to the poor state of Gaza's roads, vehicles, and driver training, the MoINS assigned the mission of improving road safety to a newly formed Higher Traffic Council in May.²⁶⁸

The performance of the Gaza-based MoINS needs to be seen in context. On the one hand, the MoI was always among the weakest of PA ministries from 1994 onwards, handling few, if any, of the most crucial functions. Liaison with Israel regarding travel and entry permits, passports, and birth or death certificates was handled by the Civil Affairs Department; municipalities came under the Ministry of Local Government Affairs; and the PASF separately administered its own pay, procurement, recruitment, and promotions. The Gaza-based MoINS started at much the same level as its West Bank counterpart in June 2007, but it has apparently been transformed since then.

Furthermore, the Gaza MoINS has had to overcome additional impediments along the way. The West Bank-based MoI contracted

with Western information technology consultants to hack into the Gaza MoINS system and sever it from the central population registry, and also blocked its access to the passports office.²⁶⁹ A separate bone of contention has involved the transfer of Palestinian passports by the West Bank MoI: The Gaza MoINS complains that its counterpart withholds or delays the delivery of new passports to Gaza residents. Ten thousand blank passports used to reach Gaza every month to meet local demand until June 2007, it alleges, but only five thousand a month—arriving at erratic intervals—have been provided on average since then.²⁷⁰ The loss of access and the “passports blockade” have been sore points ever since, although they have not altogether prevented cooperation: The General Personnel Council consults daily with its West Bank counterpart so as to prevent duplication of public sector hiring.²⁷¹

On the other hand, the Gaza-based MoINS’s extensive media and public relations operations do not acknowledge specific faults or failures. There are periodic hints—such as the passing reference, by the reporter for *Police Magazine* who interviewed the new Civil Police deputy commander Tayseer Mustafa al-Batsh, to public complaints about “excesses” (*tajawuzat*) on the part of some policemen.²⁷² MoINS officials otherwise offer only vague statements about their striving for further improvement, within the limits of available resources and opportunities. A good example is the acknowledgment on the main MoINS website that the Ministry “does not deny the occurrence of violations [*khurouqat*] and unacceptable practices by some who work in the security and police establishment, and exerts itself strenuously to pursue and resolve any flaw, while distinguishing mistakes from corruption” (the latter a clear reference to its Fatah predecessors).²⁷³

Similarly, in a letter addressed to Civil Police personnel in November 2009, MoINS inspector-general Hasan Saifi wrote that “some errors are still repeated and there is no justification for their repetition,” while assuring them at the same time that they enjoyed 86 percent approval ratings among the general public according to polls conducted between March and October.²⁷⁴ When Civil Police commander Jarrah was pressed by an interviewer in the same period to explain “erroneous and bad behavior damaging to the reputation of the police and government” and leading to excesses and deaths during interrogations, he replied that police personnel

worked under the strain of the constant threat from Israel, and that conduct had improved.²⁷⁵

Such reticence is hardly surprising, and indeed is typical of government agencies everywhere. The foremost concern of most of the officials cited above appears to be to deny any resemblance to the performance of the security sector under Fatah command. At the same time, the limited opportunity for critical public review by Parliament, by independent media, or by human rights or other civil society organizations makes it difficult to assess the true extent of achievements and shortcomings on the part of the security sector under Hamas command. This in turn raises a pertinent question about who the intended audience is for the continuous public announcements and performance reports: Hamas's core constituency, the general public in Gaza, fellow Palestinians in the West Bank, or all of the above? The competitive drive to win hearts and minds is healthy, but the sharp political polarization characteristic of Palestinian national politics makes it difficult to take official statements at face value, as the issue of human rights practice amply demonstrated.

Chapter 4. Pious Policing

75

The security sector is a crucial lens through which to assess the vision that Hamas brings to bear on governance, all the more so because it represents an attempt to provide law enforcement and social regulation in the absence of a state. Indeed, developments within the Gaza security sector since 2007 help us understand the evolution of Hamas itself as an organization, as they reflect its “transition from ruled to ruler, from vigilantes and militia to the construction of a state-like policing alternative.”²⁷⁶ In the Hamas vision, moreover, Islamization is seen as necessary for, or on a par with, “professional policing”—meaning, the business of preventing or solving crime, maintaining social peace, and providing regulatory functions such as traffic control. For Hamas, policing is, at the same time, a means of reconstructing a pious public order in keeping with Islamic and conservative social values.

The carrying out of five death sentences in Gaza in April and May 2010 brought the use of Islam as an explicit frame of reference for policing and the criminal justice system to the fore. The five were a mix of offenders accused either of collaboration with Israel or of serious crimes, and their execution provoked an outcry among local and international human rights organizations. Hamas Minister of Justice Mohammad Faraj al-Ghoul responded to the charge that executions were not legal unless ratified by the PA president by arguing that Article 46 of the Basic Law effectively granted the Hanieh government the exercise of presidential powers following the end of Abbas’s tenure on January 29, 2009.²⁷⁷ This was a considerable misinterpretation, not least as the Hanieh government’s own constitutional standing was very much in question as well.

A more telling response came from Jamal Nassar, an influential leading member of the Hamas parliamentary bloc and chairman of the Financial Affairs Committee in the Palestinian Legislative Council. The execution of “murderers and criminal offenders,” he said, was pursuant “to God’s law first, and then to laws passed by the previous [Palestinian] Legislative Council.”²⁷⁸ His comment was revealing of the tensions inherent in the application of a legislative framework and penal code that are broadly secular or civic in origin, rather than divinely ordained, by a political

leadership with an unambiguously Islamist agenda. The abeyance of electoral democracy in the PA has, moreover, weakened the effect that public opinion previously had on Hamas's inclination to engage in Islamizing practices.²⁷⁹

The Criminal Justice System: An Integrated Approach

One of the features that most distinguishes the Hanieh government from its predecessors is its approach to the construction of an integrated criminal justice system that brings together an effective police force and a functioning judiciary. This is an objective that consistently eluded the PA in 1994–2006, if it was ever genuinely pursued at all. And despite considerable improvement, it has been attained only partially by the Fayyad government in the West Bank since June 2007: “The PA justice sector still lacks sufficient infrastructure, organization, and updated laws... [C]ooperation between the elements of the criminal justice system—the courts, police, and prosecutors—is poor.”²⁸⁰

The Hanieh government clearly has a particular vision of justice and the law that is shaped by the Islamist ideology of Hamas, but this only reinforces its central concern with establishing a rule-bound, enforceable system. Indeed, in the minds of Hamas leaders, the collapse of the justice system was part and parcel of the anarchy and lawlessness that it called *al-falatan al-amni*, all of whose components it was determined to combat. This explains why justice has been the one sector in which the Hanieh government has been most willing to establish new institutions, in contrast to its policies in other areas. The result has been not a single-minded focus on Islamic Sharia, nor simply a conservative reversion to clan justice, but rather the development of a justice sector comprising two principal components: a structured network of community-based conciliation committees along with a government-run judicial system embracing the existing civil (statutory) system, sharia, and military courts. In the coexistence of formal and informal dimensions of governance, one sees again a reflection of the special relationship between the government's agenda and that of Hamas.

The Conciliation Committees

During its first fifteen months in office, from March 2006 to June 2007, Hamas found itself beset by the need to restore social peace as well as provide law and order. The justice sector, which was already in deep disrepair when the PA inherited it from the Civil Administration branch of the Israeli military government in 1994, suffered further neglect until 2000, after which the violence of the intifada and Israeli countermeasures against the PASF left it all but completely incapacitated. Informal arbitration and dispute resolution mechanisms that had always existed in parallel with the formal justice system—conciliation committees (*lijan al-islam*, or *sulhab*) that drew heavily on Islamic law and on various forms of customary law (*urf*), including tribal or clan adjudication—came to play an inordinate role in dispensing justice in the context of the greatly weakened statutory system of the PA.²⁸¹ Even the PASF resorted to these mechanisms, as cases of “murder, assault, theft, embezzlement and others left in limbo by the courts were resolved in the informal sector.”²⁸² The PA formalized *lijan al-islam* in a Committee of National Reconciliation, which in 2006 handled 8,556 cases.²⁸³ The conciliation committees were governed by the Arbitration Act, which allowed dispute resolution outside the courts.²⁸⁴

After the Hanieh government took office, its ministers as well as Hamas leaders found much of their time taken up in mediating between feuding families. This was especially the case in Gaza, where the breakdown of the formal justice system was most severe and clan justice most in evidence. Faced with the noncooperation of the Fatah-commanded PASE, which had in any case given up contesting the authority of the extended families, Said Siyam sought to build up the conciliation committees into a civic tool that, together with the EF, would restore societal security.²⁸⁵ In similar fashion, the noncooperation of the judiciary with the Hanieh government following the Hamas takeover of Gaza in June 2007 prompted the temporary replacement of the district attorney’s office by a *sulhab* (conciliation) committee in July.²⁸⁶ According to Hani Albasoos, “[b]y September 2007, Hamas was running about 30 such committees in Gaza, applying Islamic regulations in a moderate fashion...[as] a temporary solution to stimulate the judiciary.”²⁸⁷

Siyam subsequently formalized and upgraded the conciliation system into a new General Administration for Clan Affairs and Societal Conciliation within the MoINS. Abu Nasser al-Kujuk, an experienced Hamas conciliator previously employed by the public relations office at the Islamic University, was assigned to head the new department.²⁸⁸ The breakdown of the wary truce with the Hillis and Dughmush families in August–September 2008 greatly diminished the role of the General Administration for Clan Affairs and Societal Conciliation, however, and it was largely supplanted by the Association of Palestine Ulema (religious scholars). This was a nongovernmental body originally established or promoted by Hamas in the mid-1990s to parallel the PA criminal justice system. It was intended, in particular, to compete with the Bureau of Clan Affairs, which Arafat had set up during the first intifada and which he subsequently attached to the President’s Office after the establishment of the PA in 1994.²⁸⁹ According to the International Crisis Group, Arafat also established a “central committee” for conflict resolution using customary law, along with specialized departments in the governorates also versed in *‘urf*.²⁹⁰

There is now said to be a network of thirty-six such conciliation committees (*lijan al-islam*), with a total of 600 committee members. The rule of thumb is for every main neighborhood to have its own committee—Gaza City, for example, was subdivided for this purpose into seven neighborhoods—each with its own rented premises and an assigned liaison with the local police station. Many, if not all, of the committees are headed by a religious scholar belonging to the Association of Palestine Ulema, thereby ensuring their conformity with sharia as well as their knowledge of customary law. The conciliation committees issue official “coupons” to confirm the transfer of particular disputes—and, when relevant, detainees—to their jurisdiction, and to notarize formal outcomes. Difficult cases are referred to a regional conciliation committee in every governorate, which in turn can refer cases to a “central judicial court.”

The attendance of Civil Police commander Jarrah and Minister of Justice Faraj al-Ghoul at a conciliation involving several families in March 2010 attests to the importance attached to the system by the Hanieh government.²⁹¹ Indeed, Hanieh himself presided over another major conciliation on July 4, accompanied by Ahmad al-Bahr, the deputy speaker

of the all but defunct Palestinian Legislative Council, and a bevy of other ministers, parliamentarians, and other senior officials.²⁹² The public also appears to view the conciliation system as effective: According to the Association of Palestine Ulema, the number of cases resolved by *lijan al-islah* jumped from 6,000 in 2008 to 10,140 in 2009, comprising cases involving land sales, inheritances, family or financial disputes, theft, and manslaughter.²⁹³

The rise to prominence of the conciliation system reveals much about the worldview of Hamas. Secular critics have not been alone in decrying “the consolidation of the concept of tribalism into PA society; Hamas also objected to the promotion of customary tribal (sometimes known as clan) law, which it regarded as often deviating from sharia.²⁹⁴ Nor was Hamas alone among Islamists or Muslim clergy in feeling this way. As Lynn Welchman shows, the PA’s chief Islamic justice (*qadi al-qudat*), Taysir al-Tamimi, sought to integrate “the state legal system with the normative values of Islamic sharia in an explicit contestation of the authority of the tribal law system.”²⁹⁵ The conciliation committees that Hamas has developed in Gaza, therefore, do not simply reproduce or perpetuate customary tribal or clan law. Rather, according to Hani Albasoos, they “are a recently structured version of their traditional counterparts, containing more educated and professional members.”²⁹⁶

In bringing together the police, the Ministry of Justice, Hamas-run mosques, the Association of Palestine Ulema, and local Hamas membership, the conciliation system demonstrates the dovetailing of the Hanieh government and Hamas at its closest, and reveals an acute understanding of “the importance of controlling the coercive function and social control potentials of policing.”²⁹⁷ Furthermore, assigning a central role to the Association in managing and implementing the conciliation system clearly serves Hamas, politically as well as ideologically. The *lijan al-islah* are not Iranian-style revolutionary *komitehs* (committees) meting out rough justice or exercising crude political control, but they further two important aims.

The first is to erode, or at least diminish, the authority of extended families. Neighborhood committees represent several families, and include the Hamas-designated emir of the main local mosque as well as other respected

members of the community, thereby preventing any single family from wielding veto power or administering its own, separate justice.²⁹⁸ This impact of the conciliation system as revised by Hamas and the MoINS is reinforced by the parallel modification of government administration at the neighborhood level. The replacement of many of the 638 family headmen (*mukhtars*) already registered with the Ministry of Local Government under the previous, Fatah-led administration, and the appointment of 75 new *mukhtars* by the end of 2009, helped Hamas co-opt and contain family representatives even as their authority was overshadowed by the Civil Police and *lijan al-islam*.²⁹⁹

Second, *lijan al-islam* reinforce the role of sharia in social arbitration, by according a central role to the Association of Palestine Ulema, which in turn can act to limit the application of the more arbitrary or extreme forms of customary law and clan adjudication. This may, moreover, allow the Hanieh government to increase the role of sharia in the dispensation of justice without overtly changing the official status of the government-run sharia courts, which would require the amendment of existing PA legislation and, given the lack of a genuinely functioning parliament, provoke legal and political challenges. *Lijan al-islam* clearly exercise authority over areas of civil and criminal justice that greatly exceed the jurisdiction of the sharia courts (except, of course, that the conciliation committees may only consider cases with the approval of all parties, in the absence of which such cases are submitted to the civil system).

There is a risk that the conciliation system will come to reflect in its proceedings an uneasy and possibly conflicting mélange of legal codes and understandings, the supervisory role of the Association of Palestine Ulema notwithstanding. The rules and standards of the conciliation system are relatively systematic and known to the public they are supposed to serve, but their application, while not arbitrary, may allow social relations and inequalities considerable impact, especially where powerful families are involved. In this instance as in others, consequently, the inclination of the Hanieh government to operate in the interstices between the secular system of the PA and the Islamic ideology of Hamas—partly by choice, partly by dint of circumstance—increases the potential for favoritism, party affiliation, and social pressure to influence the judicial process.

Arguably, *lijan al-islam* considerably reduce the workload of the police and the formal justice system while bringing down the transaction costs of enforcement, since societal trust in nonstatutory arbitration ensures compliance.³⁰⁰ Perhaps reflecting this, Fathi Hammad has called for closer cooperation between the police and *lijan al-islam*, confirming that the MoINS “allows full scope to resolve citizens’ problems through clan conciliation before going to the police and law courts.”³⁰¹ At the same time, it may also be the case that the conciliation system resolves cases that properly belong in the civil courts, in the opinion of those courts or according to the norms of Western legal practice.

The preference for an informal approach is certainly evident in the handling of crimes involving women. According to a senior ISA officer, “we respect existing laws, but do so in an Islamic way. For example, in a case involving a woman we are discreet, even if the law would treat her like a man, or we even let her off without punishment (except for a severe crime like murder).”³⁰² Whether this approach is in fact in keeping with Islamic legal practice is debatable, but it would be a mistake to regard this interpretation of Islamic justice as an accurate reflection of the statutory justice system or, for that matter, of the sharia courts.

Following the Hamas takeover in June 2007, the Supreme Judicial Council, which was based in the West Bank, decreed that civil courts judges in Gaza could continue to preside over cases and issue decisions, but could not deal with the police in relation to enforcement. For its part, the Hanieh government was determined to tackle the corruption that, it believed “was rampant to the very roots of the justice and prosecution” systems.³⁰³ It moved swiftly in the wake of the *istinkaf* edict, taking over all prosecution offices and forming a judiciary police section of 120 officers in August—and then establishing its own, rival Higher Justice Council on September 11.³⁰⁴

The Hanieh government completed its control over the justice system a year later, when the police detained the heads of all five governorates in the Gaza Strip following the crackdown on the Fatah-allied Hillis family. This mainly served to remove the last vestiges in the Strip of West Bank

administrative and political authority, since the governors reported directly to Abbas, but it also ended the arbitration role they had assumed in response to the paralysis of the courts during the intifada.³⁰⁵

But although these steps assured the Hanieh government political control, they did little to modify the parlous state of the judiciary. The siege posed one obstacle, making it “almost impossible either to bring in international expertise to conduct courses or to send court officials abroad to enhance their qualifications.”³⁰⁶ The Ministry of Justice responded by establishing a Higher Justice Academy to train new judges, although assessments vary regarding the quality of the training offered. Other problems are equally burdensome: the severely dilapidated infrastructure, including cramped court buildings and holding cells and antiquated information technology systems; along with funding shortfalls that have meant that new judges have had to accept salaries at approximately half their previous level, even as older judges are paid full salaries by the Fayyad government to stay home.³⁰⁷

Despite these difficulties, the Ministry of Justice proudly claimed in its four-year performance report, published in April 2010, that 40,000 court decrees had been implemented since the formation of the first Hanieh government, another 14,000 were in the process of implementation, and the three streams of formal justice—statutory or civil, sharia, and military—had been revived and reorganized.³⁰⁸ The Ministry also claimed to have set up of an electronic fingerprints database and a forensics laboratory, although some anecdotal evidence suggests that neither is fully functional or integrated with MoINS databases. (The West Bank Civil Police has not yet been permitted by Israel to this day to replace the two laboratories that were destroyed during the Israeli reoccupation of spring 2002.) For its part, the Ministry’s Bureau of Legal Counsel and Legislation (*Diwan al-Fatwa wa al-Tashri*) has indexed all seventy issues of the PA’s Official Gazette and posted them online, along with all laws in force since the Ottoman and British mandate eras, and has compiled a legal guide to the PA legal system on CD-ROM.³⁰⁹

Sharia Courts

Sharia courts have not experienced the dramatic expansion in status and powers that might be expected under an Islamist government. Indeed,

Hamas was singularly unsuccessful in persuading the existing Sharia judges to work under the Hanieh government following the June 2007 takeover: Only one agreed, while the remaining nineteen observed the Fayyad government's abstention edict.³¹⁰ This was an added reason for the promotion of the conciliation system by the Hanieh government, although it subsequently hired new Sharia judges. Nearly three years later, in February 2010, the head of the Supreme Council for Sharia Justice, Hasan al-Joujou, complained bitterly that the jurisdiction of the sharia system remained restricted to "some aspects of personal affairs": namely, marriage and divorce, alimony and custody, and inheritance.³¹¹ He also bemoaned the lack of funds and trained personnel, and of a computerized network connecting Sharia courts to the MoINS.

There are severe problems in the statutory sector, as noted above, but apparently they are considerably worse in the Sharia courts. The "poor cousin" status of the latter was also evident in al-Joujou's complaint that "sometimes court employees delivering decisions are met by some people with contempt and refusal to comply"; hence his entreaty that the Judicial Police undertake enforcement of sharia as well as civil court decisions. By the end of the year, the Judicial Police was in fact considering the establishment of a dedicated unit charged with doing just that. According to secular women's activists, this would have the effect of strengthening the position of women plaintiffs by making enforcement of Sharia court rulings a public interest and an obligation of the civil justice system and the Civil Police, reducing the vulnerability of women to the pressures of male relatives or families.³¹²

What is especially remarkable about this prospective development is the possibility that the Sharia courts would be integrated into the civil justice system. The most striking part of the interview with al-Joujou cited above was his strong support for a draft law under consideration by the Palestinian Legislative Council that would bring the Sharia courts together with their civil and military counterparts into a single, integrated judicial system under the authority of the Supreme Judicial Council. This is ironic, as ending the separate jurisdiction of Sharia courts has often been an integral part of modernizing, secular reforms in the justice sector elsewhere in the Middle East.³¹³ The announcement a few months later that the Ministry of Justice was overseeing the compilation of all Sharia

court rulings into a unified database may lend weight to the belief that the Hanieh government intends to standardize and modernize the Sharia courts system.³¹⁴

This is potentially of considerable significance, as it confirms the subjugation of sharia jurisdiction over personal affairs to the overarching authority of the PA's civil Personal Code. This has worked both ways. On the one hand, it has meant that al-Joujou has refused to acknowledge the greater custody rights for divorced women decreed by Chief Islamic Justice Tamimi before June 2007, on the grounds that this represented a change in the pertinent law that had not been sought from, or provided by, the Palestinian Legislative Council. On the other hand, al-Joujou himself submitted a proposal to the Council awarding visitation and custody rights over children in the care of the families of dead husbands to their widows, and the Council approved it.³¹⁵ The Council also implemented an existing revision to the Personal Code that raised the age until which divorced mothers could retain custody over their children under sharia, from seven to nine years for boys and from nine years to eleven for girls.³¹⁶ In these respects regarding sharia, at least, judicial practice in Gaza is actually ahead of that in the West Bank—despite the influence there of Justice Tamimi, who is regarded as a progressive judge.

Military Justice

The Hanieh government moved quickly in the wake of the Hamas takeover in June 2007 to reactivate the military justice system, which had fallen into complete abeyance since 2000, in order to prevent police abuses of the type that had contributed to *al-falatan al-amni* and try those who committed them.³¹⁷ The military judiciary staff was removed from the PASF and attached directly to the MoINS—and then reformed and reorganized in the course of the next year. Military judges could no longer act as prosecutors, and vice versa; steps were taken to ensure that all military judges had the proper legal training; and a review was initiated of the 2005 Security Service Law and of the pensions and civil defense laws. The Permanent Military Court was now reconstituted as two courts: a Central Court, headed by an officer with the rank of lieutenant, to deal with PASF service offenses, and a Special Court, headed by three officers at the rank of major or lieutenant-colonel, all qualified in law, to deal with cases involving

officers of major's rank or above. A Higher Military Court was also created to review cases carrying the death penalty or a life sentence with hard labor.³¹⁸ (The first death sentence handed down by a reconstituted military court was issued in January 2008.³¹⁹)

These changes were based on the new Military Justice Law Number 4 of 2008, which was passed by the Hamas-controlled Palestinian Legislative Council on February 21 of that year and submitted to Mahmoud Abbas for ratification on March 10.³²⁰ The constitutionality of this law is in question, as The Council was inquorate at the time owing to the Fatah parliamentary bloc's boycott and because most Hamas members from the West Bank had been in Israeli custody since June 2006. For its part, the West Bank PASF continues to apply the Palestinian Revolutionary Penal Procedures Law and the Palestinian Revolutionary Penal Code of 1979, originally issued by the PLO and later adopted by the PA in 1994. Nonetheless, the Military Justice Law Number 4 of 2008 as passed by the Hamas parliamentarians has not been seriously challenged, as it brings together two draft laws that were originally submitted by the Fatah-led PA to the Palestinian Legislative Council for consideration in 2005: the Law of Establishment of Military Courts and Prosecution and the Law of Penal Procedures. The Palestinian Revolutionary Penal Code of 1979 also remains in force in Gaza, and was invoked to sentence sixteen people, in 2009 and the first three months of 2010, to death; eight of the sixteen were accused of treason.³²¹

The carrying out of several death sentences in April and May in Gaza drew strong protests from Palestinian and international human rights organizations, which had also protested executions in the West Bank in 2009–10. Indeed, local human rights organizations have argued repeatedly that the Palestinian Revolutionary Penal Procedures Law and the Palestinian Revolutionary Penal Code of 1979 are not part of the PA legislative system, and are therefore unconstitutional.³²² A particular cause for concern is that military courts in Gaza—as also in the West Bank—are used regularly to try civilians accused of serious criminal offenses unrelated to PASF personnel or jurisdiction. This also means that military courts may subject civilians to the death penalty; seven Palestinians were sentenced to death on charges of armed robbery and murder in April–June 2009, for example.³²³

The de facto expansion of the reach of the military justice system is familiar in Arab authoritarian regimes, as it was in the PA, but is no less worrisome for that. The trend developed further in July 2010, when several civilians and PASF members in Gaza were tried on charges of “undermining revolutionary unity” and “disrupting harmony among revolutionary personnel.”³²⁴ In August, the prosecutor-general stated that the penal code would be amended to apply the death sentence to drug dealers, “who wish to ruin society by playing a nonpatriotic, inhuman and immoral role.”³²⁵ To counter criticism, MoINS and other government officials point to online polls such as the one conducted in April, which showed that 94 and 70 percent, respectively (among 516 respondents), of the general public supported the death penalty for collaborators with Israel and for drug dealers.³²⁶

Pious Policing as “Social Technology”

In certain respects, there is nothing specifically Islamic about security sector reform and restructuring under the Hanieh government: A visiting American sheriff or British constable would find much that is familiar. Even the ulema-associated conciliation committees resemble community policing as practiced, for example, in Jordan, where the police work with families, mosques, and schools or other local bodies to resolve offenses that would normally be tried in the criminal justice system and result in imprisonment and criminal records for those convicted. The introduction of police kiosks in Gaza, which took place in 2008 or 2009, is another familiar idea—also to be found in Jordan, which borrowed it from the United Arab Emirates and Japan.

For their part, some senior Hamas officials in the MoINS and PASF regard the Gaza security sector as no different from any other, distinguished at most by the Islamic values that inform its handling of cases involving women. In their words, “we adapt to Palestinian specificities to develop an appropriate security sector, and basically study our own reality and experience and history, the Prophet’s life [*sirah*], and some Arab experiences.”³²⁷

Yet the Islamization of the security sector is more extensive than this suggests. It was Said Siyam who initiated Islamization—among other

things by encouraging MoINS staff and PASF personnel to memorize the Qur'an.³²⁸ Siyam, who was born in al-Shati' (Beach) refugee camp in 1959, earned a BA in Islamic education from al-Qods Open University, and worked as a schoolteacher from 1980 to 2003; was active in the conciliation committees formed by Hamas founder Sheikh Ahmad Yassin in the first intifada; and acted on occasion as a lay mosque preacher and imam.³²⁹ The pace of Islamization seems to have accelerated since Fathi Hammad succeeded Siyam as minister of interior, whether on account of his own personal beliefs or owing to the increasing need to meet the ideological challenge posed by Salafist jihadists.

Hammad had previously headed the al-Aqsa Media Network, which Hamas assigned him to found in 2003.³³⁰ The one-off edition of a newsletter published by the General Administration of Public Relations and Media at the MoINS in July 2009 offered a revealing glimpse into Hammad's personality. An item summarizing his recent decrees started with a circular in which he instructed all personnel not to use the honorific "excellency" when addressing him, but instead to address him as "brother minister of interior and national security." He also reiterated Siyam's injunction against allowing outsiders to use their personal connections in order to secure leniency for PASF personnel guilty of service infractions; "abjured personnel not to deal harshly when detaining people in public or in their homes and not to abuse them without lawful cause"; and insisted that PASF personnel not exceed speed limits when driving.³³¹

The exhortation to respect the public was also highlighted in an open letter in the same publication, addressed by Hammad to the rank and file of the PASF. Interspersed liberally with Islamic references and quotations, this was in effect a personal mission statement articulating Hammad's own worldview. The PASF were shepherds whose flock had grown, he wrote, and exhorted them to "exert your utmost effort and every energy to undertake this trust, so as to dispel the questions that arise from [here or] there, since the whole world lies in wait for us until the day of judgment [*yawm al-'ida'*] and plots and conspires to overthrow us and our [divinely-] guided thought, encircling and ready to exploit every opportunity and to pounce on every misstep in order to impugn our government and our grand enterprise."

Hammad's letter proceeded to enumerate a list of foremost tasks:

[First and second] Every one of our sons [PASF personnel] must take his place and hold fast, and keep his eyes open: to guard the border gaps [*thughour*], protect the people, and repulse the enemy. You are now the guardians of your hurting and wounded people, besieged and imprisoned, who await a tender, transparent, delicate hand.”

Third: You must proceed among the people with even-handedness [*sawiyyah*] and justice, casting out partiality and personal favours [*wastah*]. . . .

Fourth: Adhere completely and utterly to work rules, statutes, and regulations, whether with respect to hours of attendance and nature of work, designated uniforms, or performing work with precision and to desired standards.

Fifth: Let your [work places] be a call to God Almighty, and to [what is] Right, whose banner you raised aloft and for which you have struggled, each in his place and position, whether on the roads, or in workplaces and offices, or in prison rooms. Remember that in your demeanor and behavior and morals you reflect the image of Great Islam.

Sixth: We will not allow failing, or excess from anyone, no matter what his status...we will not hesitate to punish violators and return what is wrongfully taken to its owners.³³²

Islamization has not been confined to the security sector, however. Since Siyam's death in January 2009, if not already during his tenure as minister of interior, the security sector has arguably been used to spearhead a wider Islamization of society as well. It is not clear that this is the direct outcome of government policy: A study published by the Palestinian Center for Policy and Survey Research in March 2010 suggested that, four years after it had been elected to office and nearly three years since it had wrested exclusive control of Gaza, it had been largely unable to utilize the legal instruments available to the government and parliament to Islamize society,

and still relied primarily on its *Da'wa* arm, mosques, and “curricular and extra-curricular” activities.³³³ The study also concluded that differences within Hamas over interpretation of Islamic injunctions had impeded full agreement on an unambiguous and unified social agenda.³³⁴ The growing role of the security sector is more likely a reflection of increasing struggles within Hamas over the nature and extent of its political and social agenda and the desired pace of change, and possibly also of the growing influence of Siyam’s successor, Hammad.

What is clear, in any event, is that the participation of the security sector in Islamization has significant implications. Under Hamas command, it is applying “social technologies” that make policing much more than a technical implementation of law enforcement and crime control. These social technologies integrate organizational forms and institutionalized arrangements with social know-how in order “to create citizens who are reflective and largely self-policing, behaving in ways which are broadly acceptable to a range of authorities.”³³⁵ Hamas parliamentarian Mohammad Abu-Tayr’s style in expressing this goal, conveyed in an interview with the MoINS public relations department posted on its main website, was more florid, not to mention hyperbolic, but his point was equally apt:

It is very beautiful that the Palestinian police and all agencies attached to the Ministry of Interior should coexist with, and be attached to, depth of faith, self-cultivation, and divine monitoring....We possess a divine approach that respects the personality of humans through *self-monitoring* [emphasis added], improvement, and adherence and piety toward God.³³⁶

Institutionalizing Islamic Policing

Hammad is close to the *Da'wa* arm of Hamas, as Siyam had also been. This was reflected in his call for *Da'wa* efforts to “reach all institutions, not just mosques”³³⁷—and this aspiration was echoed by his appointee as director of the Political and Moral Guidance Commission, Anwar al-Bar’awi, who expressed his hope that the Commission’s reach would “extend in a later stage, God willing, to include official institutions in the civilian sector.”³³⁸ Hammad moreover stressed that MoINS staff were trained in “piety toward God and respect for human rights,” adding that “we know that

civilizational progress is tied to Islamic teachings, and see no contradiction between civilization and progress versus Islam.”³³⁹ Steps toward Islamization initiated by Siyam have been consolidated and expanded under Hammad, who has also overseen several new initiatives such as the establishment of the Center for the Holy Qur’an and the Government Guidance Institute for Security Agency Personnel, discussed below.

The Political and Moral Guidance Commission, a pre-existing PASF department that was reactivated by Siyam and brought within the MoINS, spearheads the path toward Islamization. Officially, it is charged with developing “psychological, behavioral, and ethical guidelines for those working in all security and police agencies in Gaza on the basis of the programs and objectives of the government, in order both to [advance]... the value and dignity of citizens and to reinforce relations between security personnel and citizens.”³⁴⁰ Its duties include assisting in the care of wounded personnel and of the families of those killed in the line of duty, encouraging literary or artistic talent among PASF personnel, and organizing cultural and sporting events.

Particularly active is the Commission’s Religious Guidance Department, which set up a Center for the Holy Qur’an in mid-2009, to which a center for memorizing the Qur’an was also attached. These units organize training to assist personnel in memorizing and reciting the Qur’an, run “Islamic competitions” testing knowledge of the Qur’an and of Islamic history, set up prayer rooms in police stations, and issue religious rulings or edicts (fatwas) specific to PASF needs.³⁴¹ The immediate focus was the Civil Police, since it is the largest PASF branch and in closest contact with the populace. The Ministry of Endowments and Religious Affairs helps by offering to pay the costs of pilgrimages to Mecca and by providing cash and other material incentives as prizes to participants in the Islamic competitions.³⁴²

In all, the Political and Moral Guidance Commission logged 634 individual activities in the year starting July 7, 2009, including religious lectures to PASF personnel, visits to PASF branch offices and commands, and nighttime inspection tours of PASF field stations and outposts. Given the Islamist emphasis on moral rehabilitation, the Religious Guidance Department also frequently addresses prisoners and detainees held in

PASF facilities. It cooperates closely with the Center for Holy Qur'an and Islamic Da'wa and the Faculty of Religious Principles (*usoul*) at the Islamic University, which together arrange lectures on Islamic subjects, and in the spring of 2010 helped the Commission to train thirty "police proselytizers" (*du'at shurtah*, from a word meaning someone who "calls" or "invites").³⁴³

The Commission also launched a new Government Guidance Institute for Security Agency Personnel in mid-June 2010, apparently in order to further institutionalize Islamic proselytizing and make it a standard requirement for all personnel. The declared aim of the new institute is to be an "incubator" focusing on "educating" (*tarbiyah*) and "elevating" MoINS and PASF personnel "ideologically, intellectually, behaviorally, ethically, and professionally, in order to present a radiant image of the Islamic enterprise to others."³⁴⁴

Headed by Major Zaki al-Sharif, the Institute is governed by a board comprising seven representatives of the PASF operational and auxiliary branches, all at the rank of major or above. It conducts two courses at a time—one for a class of 40 officers, the other for 40 from noncommissioned ranks—which end with a closed "faith session" attended by the minister of interior and the head of the Political and Moral Guidance Commission. Graduating personnel receive an official certificate from the MoINS.³⁴⁵ The curriculum, which is designed as an intensive forty-hour program, comprises several distinct components:

- a "faith and spiritual" focus, consisting of memorizing and interpreting the Qur'an, the Sunna, and other basic Islamic texts;
- an "ethical behavioral" focus;
- an "intellectual" focus on religious principles and jurisprudence of *Da'wa*, along with lectures on Jerusalem and related topics, and on security;
- an "academic" focus, which involves studying Hamas's intellectual contribution to Islamist thinking and practice; and
- an "extracurricular" focus, involving reading and reciting the Qur'an and classic works, participating in collective prayer, and learning such skills as "the art of dealing with others" and "the art of dealing with mistakes" (both in PowerPoint presentations).³⁴⁶

PASF personnel are expected to spend four hours a week until they complete this curriculum, in a course of three months' duration.³⁴⁷ According to its director, the Institute aims eventually to establish branches in each of Gaza's five governorates, and to train 150 officers and 150 noncommissioned personnel in each at a time.³⁴⁸

How PASF personnel regard the requirement to attend the course is not known, but it appears to be part and parcel of an integrated effort to indoctrinate them, or at least to establish a dominant credo by which they must openly abide. All personnel are now required to submit standardized prayer timesheets issued by the MoINS: Every individual must fill in the name of the mosque he or she attends, in order to enable their participation in morning (*subh*, or *fajr*) and evening (*maghreb*) daily prayer to be verified.³⁴⁹ The timesheet, which bears a saying by the second of the four "rightly guided" caliphs of Islam, Omar bin al-Khattab, "Hold yourselves accountable before you are held to account," requires personnel to enter their name, home address, job title, and work location.

The establishment of the Government Guidance Institute for Security Agency Personnel added a third institutional layer—in addition to the Holy Qur'an Center, attached to the MoINS, and the Sharia Committee of the Civil Police—devoted to conducting religious and proselytizing activities. The Sharia Committee, also known as the Fatwa Committee, was set up in November 2009 and is attached to the office of the commander of the Civil Police.³⁵⁰ Its role is to organize religious lectures and other meetings at police stations, attended by police personnel and detainees alike, and to answer questions concerning Islamic jurisprudence in relation to the conduct of police duties.

Given the Civil Police's close involvement in community policing, the Fatwa Committee was also supposed to assist the MoINS's General Administration for Conciliation and Clan Affairs and the parallel *lijan al-islam* in resolving family disputes.

The Committee's role in mobilizing PASF personnel to be proselytizing agents is reflected, for example, in the distribution, by traffic police to passing drivers, of cassettes containing religious sermons, as well as in preaching by police officers at local mosques.³⁵¹ Proselytizing activity of this

sort was conducted on an even larger scale during the fifty-day campaign launched by the Civilian Police on November 7, 2010, under the slogan “Dignity for citizens, respect for the police” (*karamat al-muwatin, heybat al-shurtah*). These various departments of the police and the MoINS moreover dovetail closely with the *Da’wa* and Mass Action arms of Hamas to mobilize attendance at Qur’anic summer camps organized by the Ministry of Youth and Sports. They are also complemented in this particular task by the Political and Moral Guidance Commission, which exhorts PASF personnel to send their children to the camps, described in Hamas-affiliated media as “educational and Islamic incubators.”³⁵²

In other instances, Islamization is promoted by appointing ordained preachers or clergy to head institutions either affiliated with the MoINS or closely associated with it, an obvious example being Sheikh Kamal Mohammad Turban, Dean of the Palestine Academy of Security Sciences, a nominally independent research and educational center.³⁵³ But the impact on PASF personnel is presumably most important. Whether out of a genuine desire to promote the agendas of the various Islamic proselytization bodies or to demonstrate their ideological fealty and enhance their career prospects, many of the articles posted by officers on PASF and MoINS websites discuss various aspects of policing, criminal justice, and security from the perspective of sharia, and are peppered with Qur’anic verses and references to the divine will. Complementing and reinforcing this trend, Hammad ordered work to start on compiling a Muslim Policeman’s Manual in mid-2009, though it is not clear if this was in fact accomplished.³⁵⁴

No less significant institutionally is the vanguard role that the ISA appears to play in Islamization, possibly because it is the PASF branch that draws most heavily on Hamas core membership. Opening the “First Faith Battalion for the Internal Security Apparatus” in mid-June—in effect, an extended religious seminar lasting all night—the director of the Government Guidance Institute, Major Zaki al-Sharif, asserted that the ISA is “the infrastructure of Palestinian society, guiding people’s affairs under the slogan ‘Security, Order, and Life,’ all manifest in a complete system reinforced by religion.”³⁵⁵ According to ISA Director-General Salah Abu-Sharkh, the agency has embedded “preachers and clergymen to guide

ISA personnel to avoid committing errors in the conduct of their duties and to elevate their interaction with citizens.”³⁵⁶

Although this cannot be verified independently, knowledgeable local sources assert that the ISA has a network of some 5,000 “eyes” (dubbed colloquially, *zannanah*, “buzzers”) in Gaza’s mosques— Hamas and IQB supporters who provide it with information.³⁵⁷ Security needs dovetail closely with proselytizing in more ways than one. Every mosque emir is expected not only to attract newcomers and participate in local social events but to observe who from the neighborhood attends prayer, and therefore is the first port of call for the ISA when seeking information. The emir may also be a member of the proselytizing *Da’wa* or Mass Action arms of Hamas, his ranking being determined by how many verses of the Qur’an he has memorized.³⁵⁸

Morals Enforcement and Gender

Despite repeated public statements by Fathi Hammad reaffirming strict adherence to the letter of the law, the Hamas-led PASF has implemented extra-legal measures with increasing frequency. These measures relate almost entirely to gender issues, and include imposing a “proper” dress code on women, separating unmarried men and women on the beach, banning women from riding motorcycles, requiring female lawyers to wear the hijab in court, and preventing male hairdressers from working in women’s hair salons—though none of these has any basis in extant laws.³⁵⁹ Some measures that have provoked an outcry have been quietly withdrawn or suspended, but others for which legal grounds can be claimed are enforced, such as prohibition of a widely used but unlicensed painkiller deemed addictive, a public-interest ban on “witchcraft, sorcery and charlatanism,” and cancellation of a hip-hop concert organized without a police permit.³⁶⁰

Some secular activists who remain in Gaza suggest that the official approach is so far more a process of trial and error than it is a systematically enforced policy, but others report private warnings from the ISA to refrain from such things as “mixed activities,” that is, those involving boys and girls together.³⁶¹ For their part, senior MoINS officials insist that they do no more than “advise” or “recommend” with respect to desired modes of behavior or dress. Knowledgeable observers and analysts note that many

people comply in order to avoid trouble, along with the constant attention of Hamas's *Da'wa* arm and mosque emirs.³⁶² Al-Azhar University professor Mkhaimar Abusada describes the process:

[V]olunteer dawa groups...go from door to door asking people to adhere to Islamic laws and hijab conservative dress....The Islamization process is also facilitated by the tendencies of local residents, both male and female, to adjust themselves and conform with Hamas' Islamic values. One of the most visible signs is the increasing number of bearded men, and women wearing hijab and veil in the streets of Gaza. Some of [the men] grow beards for religious reasons, but women simply do not want to be harassed by Hamas "morality police" and dawa groups.³⁶³

There is evidence, however, that it is not only *Da'wa* activists who engage actively in Islamization. The MoINS, for example, does considerably more than "advise" and "recommend." Pressure on the larger secular NGOs has increased since late 2009, after most smaller, community-based ones had been closed or had succumbed to discreet pressures to comply with what the MoINS regards as proper observance of social mores and Islamic codes. According to the director of a secular NGO that has so far maintained extensive programs in Gaza, the director of the ISA privately conceded that the security agency was "going for the big fish," but added that it would not fully close down this NGO because "we are not dumb enough to close you and have to deal with your donors."³⁶⁴ At least one of the same NGO's staff members or volunteers is summoned by the ISA on any given day, and the parents or families of female staff are urged to withdraw them from work or at least to impose the hijab and the loose-robe jilbab on them.

When asked in a press interview about the involvement of government officials in this sort of pressure, Hammad typically denied undue pressure on the part of government agencies or personnel. "I am not responsible for the behavior of some fools who misbehave," he protested; "this is not the government approach, and any excesses that occur are individual. Whoever suffers harassment...should submit a complaint, and we shall investigate and take appropriate action toward the perpetrator."³⁶⁵ A broadly similar stance was

taken by Deputy Foreign Minister Ahmed Yousef, who argued that “[d]iscrimination and abuses occur within Palestinian society and Gaza, but this is not because of Islam or Hamas. It is due to the erroneous application and behavior that does not come from the texts or spirit of Islam.”³⁶⁶ Foreign Minister and Hamas politburo member Mahmoud al-Zahhar was perhaps more forthright, asking rhetorically: “Is it a crime to Islamize the people? I am a Muslim living here according to our tradition. Why should I live under [Western] tradition?”³⁶⁷

Given this mixture of opacity and informality, the trend has mostly been toward *de facto*, rather than *de jure*, Islamization policies. Since May 2010, what Human Rights Watch calls Gaza’s “morality police”—apparently the black-uniformed SPA—have routinely stopped couples walking in the street to check that they are married, and harassed owners and customers of businesses deemed to be in violation of nonexistent rules.³⁶⁸ Driving licenses are not issued to women who do not submit photographs of themselves in hijab.³⁶⁹ In mid-July, the Civil Police launched a ban on women smoking the *narghileh* (water pipe) in public: Not only did this again lack any legal basis, but it was not even officially reported by any MoINS or government media or websites, even though Civil Police spokesperson Major Ayman al-Batniji acknowledged it publicly.

Al-Batniji’s defense of the smoking ban, as reported by the London-based *al-Quds al-Arabi*, is particularly revealing. According to the newspaper, he argued that:

women’s smoking “contradicts customs and embarrasses conservative families.”...Al-Batniji rejected portrayal of the decree as an “assault on public freedoms,” because it affects only women, not men, adding that “women can smoke the *arghileh* in their homes” and observing that smoking bans are applied in public places in foreign countries....Al-Batniji stated that teams of the General Investigation [Department] and police assigned to preserve law and order on the beaches would enforce the ban against smoking by young women, while denying the existence of a “religious police” or “morals police” within the PASF as rumored.³⁷⁰

The same report additionally noted that:

[t]his decision coincided with a campaign launched by the Ministry of Endowments [and Religious Affairs] in Gaza under the slogan “Yes to virtue,” targeting beaches with the aim... of “limiting negative appearances that are alien to the people’s morals.” The Ministry explained that...proselytizers will tour the beaches following the afternoon [prayer, *‘asr*] until after the evening [prayer, *‘isha*] to give vacationers leaflets educating them in the etiquette of leisure on the beach, and to stage “proselytizing evenings” on the beaches.³⁷¹

The smoking ban is an instance of the growing shift by the Civil Police from de facto practices to administrative decrees as a means of imposing moral codes. Al-Batniji offered his official imprimatur in an announcement at the end of July that the police had “decided to set controls for women’s clothing shops,” banning closed spaces (such as changing rooms), closed circuit television (CCT) cameras, and the display of mannequins, “indecent clothes,” or posters displaying lingerie in shop windows “in order to preserve public morality.”³⁷² Civil Police commander Jarrah lent further weight to conservative public opinion when he explained the three-day closure imposed on the Crazy Water beach resort at the height of the summer season: It had organized parties in which the sexes mixed, he stated, in violation of an agreement with the police, and the police had received numerous complaints from outraged families.³⁷³

The broad trend is unambiguous, and is undeniably encouraged by Hamas. Yet government policy has still left gray areas within which secular activists or noncompliant residents actively challenge specific instances when MoINS officials, PASF personnel, or other civil servants, such as government school principals, exceed the strict bounds of the law. They note that contentious ministry directives are often delivered verbally, allowing deniability. By their account also, the dress code deemed compliant with Islam is rarely imposed through coercion. Rather, poor families may accept compliant clothing for their children to wear to school when it is given to them free, and mothers may similarly comply in return for the waiver of university fees for their older children.³⁷⁴ Fearful of an outright ban on Western-style clothing that would leave them with

imported items such as jeans that they cannot sell, traders increasingly stock Islamic clothing instead.³⁷⁵

The same secular activists also underscore the notable conservatism of Gaza society. One narrated, for example, that in 2002 her daughter was the only girl in a school of 1,000 not to wear the hijab, five years *before* the Hamas takeover. Another relates that his daughter was compelled to wear the hijab for a graduation photograph at the Fatah-controlled al-Azhar University.³⁷⁶ Furthermore, much of the focus of outside media attention—and the settings for many local challenges around these issues—is on a handful of schools in Gaza City’s wealthier, middle-class neighborhoods; all others are already compliant with the Islamic dress code. This raises the question why, in a society that is already overwhelmingly compliant and broadly religiously observant, either Hamas or the Hanieh government invests energy in commanding compliance?

The answer lies, in part, in the determination of Hamas and the Hanieh government to pre-empt and deflect doubts cast by more militant Salafists with respect to their Islamic credentials, by being seen to implement the injunction of “commanding Right and forbidding Wrong.” Such behavior is probably also directed at Salafists and conservatives within their own ranks: The *Da’wa* arm is both committed to a strict Islamist ideology and powerful. It may also be the case that some civil servants and officers show extra zeal in order to ingratiate themselves with their seniors and secure promotion.³⁷⁷ At the same time, some veteran Hamas cadres continue to propagate the teachings they received as part of their induction into Muslim Brotherhood cells, where they were instructed in Hasan al-Hudaybi’s *Du’at la Qudat* (Preachers, not Judges), commonly taken as a rebuttal of Sayyid Qutb’s *Ma’alem fi al-Tariq* (Milestones), with its *takfiri* message of anathematizing other Muslims deemed insufficiently pious.³⁷⁸

Clearly, there is evidence of a full range of motivations for the morality-enforcing behavior of government representatives and Hamas members. Civil servants and university administrators may refuse to process official documents for women not wearing the hijab, who may also be denied entry to government buildings by SPA guards. Even when senior officials at the MoINS promise to intervene in transactions that are blocked in the ministry’s branch offices in the governorates or offer to complete those

transactions in person, the investment of time and energy required to submit complaints or to make the journey to Gaza City dissuades those involved and provides a powerful incentive to comply.³⁷⁹

The MoINS and PASF are not uniformly obstructionist, however. When, for example, the Center for Women's Legal Research and Counseling, a locally based, secular-run NGO, sought official approval to establish a women's shelter, Civil Police commander Jarrah personally expedited the process, consulting directly with the heads of all departments concerned, including the directors-general of the Rehabilitation and Reform Centers (the prison service) and the Judicial Police, in order to obtain collective, formal approval.³⁸⁰

“Compliant” Policewomen

The central place of gender in the relationship between policing, the Islamic agenda of Hamas, and what Hamas-affiliated officials identify and promote as social mores is encapsulated by the recruitment and functions of policewomen. A separate section for policewomen was originally established within the PASF in 1994 at a beginning strength of 80, which eventually reached 280 by June 2007. In a familiar pattern, its members' compliance with the abstention policy decreed by the Fayyad government in the West Bank enabled the Gaza-based MoINS to recruit an entirely new, observant force of policewomen.³⁸¹ According to one account, the separate policewomen's unit was re-established on the orders of police commander Tawfiq Jabr.³⁸²

The Gaza policewomen section remains small; it took in 90 new recruits by August 2007 and another 60 by the following January, followed by a third intake of 50 in late 2009.³⁸³ According to its commanders, the initial force consisted entirely of university graduates, more than two-thirds of them having studied civil and criminal law.³⁸⁴ Policewomen deal mainly with cases requiring the presence of a female officer, or in administrative positions.³⁸⁵ They also all belong to a single, separate policewomen's section of the Civil Police that reports directly to Commander Jarrah, rather than to the heads of the departments (such as the Criminal Investigation Department and the anti-drugs squad, as well as police stations and border crossing points) within which they actually work.

The manner in which the Hamas-led security sector has approached the issue of policewomen offers an example of how Islamists navigate around modernizing “social technologies” of policing that are resisted by a conservative society. On the one hand, all policewomen in Gaza now wear a “Sharia uniform” of hijab and jilbab (full-length robe), although it is evident from photographs published in MoINS media that some additionally wear the niqab, an ultraconservative but atypical form of fully veiled face covering favored by Salafists that is becoming more common in Gaza. On the other hand, it is striking that the administrative segregation of policewomen, which applies to their training and religious sessions, does not extend into their workplaces, where they work alongside men.

No less striking is that MoINS and PASF senior officials and media consistently portray the role and performance of policewomen in a positive light, specifically in the context of what they report as the initial opposition and rejection by Palestinian society of women doing police work, their sharia-compliant dress code notwithstanding.³⁸⁶ One article appearing in the “Policewomen” section in *Police Magazine* went so far as to respond to the “closed off [inward-looking, *inghilaq*] nature of our Palestinian society” by reminding readers that Islam in the era of the Prophet Mohammad had accorded women their public rights and assigned them military as well as civilian roles.³⁸⁷

An article written by Deputy Foreign Minister Ahmed Yousef in December 2010 entitled “Hamas Does Not Oppress Women,” clearly addressed to outside audiences, reiterated much the same point. Far from women being made to remain at home, he argued, the percentage of women enrolled at university or taking part in the active labor force had risen. Women were finding expanded employment opportunities under the Hanieh government, he maintained, where they were “teachers, university lecturers, doctors, nurses, pharmacists, engineers, secretaries, journalists, broadcasters, and [in] government.” Even in Hamas itself, he added, women “have roles in its organizational structure and participate in operations, including resistance, charity, education, politics and media.”³⁸⁸

The emphasis on the involvement of women in political and resistance activities is not new for Hamas, even though the “movement remains patriarchal and conservative and defines the role for women in the

movement,” as Milton-Edwards and Farrell discuss.³⁸⁹ The MoINS and the policewomen’s section appear to be equally at pains to respond to those among their public who consider the decision of a “believer government” (*bukumah multazimah*, adherent to Islam) to employ policewomen “socially unacceptable.”³⁹⁰ An article in the July 2009 issue of the MoINS newsletter acknowledging this perception sought to respond by noting the martyrdom of two female members of the PSA and the wounding of four others in the Gaza war, and by citing women’s role in various PASF branches and MoINS departments.

The policewomen’s section has continued since then to promote its role as “an indispensable necessity in our society” and to raise its visibility through public lectures, classes at local mosques on the importance of policewomen, and visits to girls’ schools, family-oriented charitable associations, and homes.³⁹¹ Such activities were intensified and publicized even more widely during the fifty-day campaign launched on November 7, 2010, under the slogan “Dignity for citizens, respect for the police.” Just over three weeks into the campaign, the policewomen’s section declared that it had preached or delivered instructional sermons at six mosques and seven schools, distributed toys at three kindergartens, and visited fifteen government ministries or charitable associations, three clinics, and fifteen private homes—where it welcomed pilgrims returning from the *hajj* to Mecca, consoled the sick, and offered condolences—finishing with a visit to Gaza Central Prison.³⁹²

Surveillance Society

Much of what has been commented on above—from Islamic referencing and ethical guidance in police manuals to the participation, albeit limited, of women in the police force—is far from unusual in Arab Muslim countries. Though policewomen are completely absent from public spaces in the self-declared Islamic Kingdom of Saudi Arabia, which is a conscious model for the more ideologically committed members of Hamas, they are now present in Islamist northern Sudan as well as the South, and were restored to active operations in the (non-Arab) Islamic Republic of Iran in 2003.³⁹³

What sets Gaza apart, however, is that Islamization of society and the police is being pursued within what is essentially a secular legislative and regulatory system that the Hanieh government inherited from the PA. The Hamas-controlled Palestinian Legislative Council has passed five new laws, but has not changed the foundation of law to make it more Islamic: Sharia remains a, rather than the, principal source of legislation, and the introduction of a *zakat* law, imposing the Islamic tithe on all Muslims in Palestine (including non-nationals) and setting up a new Zakat Authority to collect it, merely regularizes an existing system and incorporates it within the civil code.³⁹⁴ There are significant tensions, nonetheless, typically revealed in relation to gender. This has led to a paradoxical response on the part of the Hamas-led security sector: creating more space for public participation for women, while at the same time subjecting them to more controls.

Avoiding the Temptations of the Devil

The tension is brought out most tellingly in the work of the General Administration for University Security, a pre-existing unit of the Civil Police that was revived on the initiative of then police commander Tawfiq Jabr in June 2008 “due to the urgent need to stop and prevent the spread of moral corruption among male and female university students.”³⁹⁵ The shortage of personnel delayed its relaunch until March 25, 2009, when it began activity with only nine members. According to its official mission statement on the MoINS website, it reached formal understandings with the various universities and higher education institutions allowing the deployment of its personnel on their campuses.³⁹⁶

Since then, University Security has intervened on several occasions to halt clashes between Fatah and Hamas supporters. It claims to have reduced violence through educational seminars and leaflets and by posting official regulations, but at the same time has accused Fatah of “budgeting \$250,000 to corrupt students morally.”³⁹⁷ University Security now maintains both uniformed and plainclothes officers on the campuses of thirty-two colleges and universities, and also monitors nearby shopkeepers and taxi drivers who might act as liaisons between students. It has used leaflets to issue “exhortations to university students to abide by morals and ethics and to adhere to wearing hijab; a special leaflet on the dangers of

Bluetooth, which is viewed as a double-edged sword; and a special leaflet during Ramadan discussing the theological arguments for fasting.”³⁹⁸

103

The General Administration’s deputy director, Major Abu Hasan al-Sammari, pinpointed a particular concern with sexual activity outside of marriage. In May 2010 he announced that “a social treatment section is being set up to deal with the thoughts of students who are leaning toward sinful sex [*al-radhilah*] or those who have some prior history, before they become police matters, and to refer necessary cases to psychiatric experts and clergy who will make them aware of the danger of their deviations.” The director of the General Administration for University Security Lieutenant-Colonel ‘Imad Deeb, who was interviewed in the same article, addressed the students through his interviewer, admonishing them to “Keep to your studies, stay away from worldly temptations and the temptations of the devil.”³⁹⁹

In detailing his concerns about student morality, Deeb also remarked on the exchange of pornographic video clips via Bluetooth or similar media. In so doing, he was echoing the growing apprehension expressed by MoINS officials over the more nefarious impacts of modern information and communications technology. Indeed, such views are shared in wider Palestinian society, both in Gaza and the West Bank. A report published by the Geneva Centre for the Democratic Control of Armed Forces in 2010 revealed that, because it allowed for “greater freedom of social connection through [phone] calls, texting, email, and chat rooms, mothers perceived such technology as a threat to the safety of females. This threat stems from the assumption that such media might facilitate immoral acts and place young women and girls in potentially dangerous situations.”⁴⁰⁰

Information Technology: Moral and Security Threats

The belief that Israeli security agencies exploit social networking media such as Facebook to acquire personal information about users that can be used to entrap and recruit informers prompted the MoINS to warn the public of this danger in April 2010. This was followed by the launch on May 10 of a major campaign to persuade informers to turn themselves in, with full amnesty offered to those who did so by July 10.⁴⁰¹ The MoINS meanwhile initiated training in Internet security for senior Ministry

staff, and Fathi Hammad revealed that the Ministry was developing its information technology capability so as to engage in “electronic monitoring and penetration, because the current war is electronic, involving several parties.”⁴⁰² The Political and Moral Guidance Commission and other agencies also post articles on their websites warning PASF personnel of Internet threats such as phishing and key loggers, with advice on how to avoid falling victim to them.⁴⁰³

In this area as well, issues of morality and gender are closely entangled with security concerns, and vice versa. In a discussion posted on the MoINS website, Hisham al-Maghari, deputy dean for academic affairs at the Palestine Academy of Security Sciences, drew a direct link between the “misuse of technology”—an implicit reference to social networking and online chat rooms, e-mail, and Bluetooth devices—and what he alleged was the special vulnerability of women to entrapment by the Israeli Security Agency. Women are exposed to the greatest “moral danger” through communications technology, he explained, because “their downfall occurs not in stages but with frightening speed, as they are unable to withstand blackmail and the onslaught, usually by men.” Once entrapped, al-Maghari went on, women collaborators have access to the most dangerous information on account of their central role within the web of relations extending from the married couple and the family. Concern over Israeli security penetration is genuine, but it additionally reinforces the separate perception that the Internet in general “leads to moral decline.”⁴⁰⁴

The perception that security and social mores are inextricably intertwined explains the announcement by Hammad in May that the MoINS would establish official hours and guidelines for Internet cafés so as to monitor the online activity of their customers. The government’s response, he added, would be to build 1,000 mosques to prevent “any intellectual anarchist” (*munfalit fikri*) from undermining “the security of Palestinian citizens.”⁴⁰⁵ The same concern also appears to be behind reported attempts by the MoINS to close down autonomous, grassroots Internet communities such as Mercy Corps, a popular NGO network that uses the Internet to mobilize youth for community work. It was told to stop organizing meetings, even though its aims were not overtly political, and was targeted by MoINS information technology experts who sought to identify its members.⁴⁰⁶ Similarly, computers and laptops seized from NGOs that have come under

pressure for pursuing secular agendas or conducting “mixed” activities—involving young men and women—are examined for pornographic materials or for evidence that pornographic websites have been visited by their users. More significantly, according to local rights activists, security officers trawl Facebook for signs of dissent to Hamas rule and create fake Facebook profiles in order to entrap dissidents.⁴⁰⁷

As the last example suggests, concerns over morality and security are intertwined with the determination to ward off political challenges. Indeed, one analyst of Hamas suggests that Hamas artificially portrays a connection between what it perceives as “moral decadence” and serving the Israeli occupation: A Palestinian who engages in immoral behavior is by definition someone who is also prone to becoming a collaborator, and hence unpatriotic.⁴⁰⁸ This reasoning, of course, ignores the legacy of non-Islamic PLO factions that engaged in armed resistance to Israel for two and a half decades before Hamas was formed; but Hamas may in fact specifically use the issue of morality, at least in part, to distinguish itself and its own contribution more effectively, and to generate positive group identification among its members.

Chapter 5. Authoritarian Transformation

Heightened concern regarding supposed threats to “the Palestinian social fabric” reflects ongoing debates within Hamas. As this paper has shown, the historical attachment of Hamas to institutions, to due process, and to the rule of law is coming into increasing tension with new realities born of Hamas’s unprecedented access to power and of its being subjected to unrelenting onslaughts—simultaneously political, financial, economic, and military—from a range of actors including Fatah and its allied security agencies, the U.S. and EU, and Israel. There are those within the Hanieh government and within Hamas itself who fear the emergence of a single-party state in Gaza, although Fathi Hammad, for one, periodically reaffirms that “the security agencies operate in accordance with the law as defined in the provisional Palestinian constitution [Basic Law], and also have the mission of safeguarding public freedoms.”⁴⁰⁹

Yet only a handful of newspapers have enjoyed completely free circulation in Gaza since June 2007: *Felesteen* and *al-Resalah*, published by Hamas, and *al-Istiqlal*, published by Palestinian Islamic Jihad. Israel prevented the delivery of West Bank newspapers to Gaza until June 2010, but when the Israeli ban was finally lifted MoINS border personnel blocked their entry to the Strip.⁴¹⁰ Fathi Hammad justified the ban by arguing that “we have journalists who are detained in the West Bank, journalists are not allowed to correspond for Hamas media, and *al-Resalah* and *Felesteen* are not allowed to print in the West Bank. We had no choice but to refuse to receive these [West Bank] newspapers because they spread divisiveness and rumors against Hamas and will deepen the internal rift.”⁴¹¹ An opinion poll published in October 2010 showed that 32 percent of percent of the Palestinian public—in both Gaza and the West Bank—believed that there is no press freedom in the West Bank, while 43 percent believed there is no press freedom in the Gaza Strip. More tellingly still, fully 65-66 percent of the public believed that they cannot criticize the authorities in either region without fear.⁴¹²

The critical factor appears to be the double striving of Hamas to prevent political challenges to its grip on government in Gaza while at the same time maintaining its own internal cohesion as it adapts to a protracted

suspension of the armed conflict with Israel. Its approach is to consolidate a multidimensional political, social, and ethical order, supported by the security and criminal justice sector and, ultimately, the IQB. Hamas believes that this is what most sets it apart from Fatah and the PA, which were so closely bound together that the fate of the one determined the fortunes of the other: They could not survive the systematic disabling of the Fatah-led PASF by the IDF after the start of the intifada, the reoccupation of the West Bank in 2002 and “constructive destruction” of the PA administration there, the dissection of Gaza into isolated pockets of PA autonomy, or the massive economic decline precipitated by Israeli border closures and other measures.⁴¹³

The Hanieh government and Hamas pride themselves on having weathered conditions of equal, if not greater, severity. This is no mean achievement, certainly, and owes much to their joint ability to bring focused political attention and coordinated organizational resources to bear on immediate challenges. The intricate dovetailing between the various arms of the government and of the movement that has been critical for their endurance to date, however, also underpins a striving for political and ideological hegemony. The basis for this pattern of behavior evolved through the years of bitter rivalry with Fatah, but it has been reinforced and extended since the Gaza war to embrace all others—allies and Salafist jihadists alike. Since the start of 2010, this hegemonic striving has been reflected in increasing tension with UNRWA and in the intensifying campaign to combat collaboration with Israel. All this underlines why and how Hamas is changing as an organization.

Authoritarian Dynamics

In Gaza, government delivery of a public good—security and law and order—converges with the political, social, and ethical agenda of the ruling party, Hamas. This is hardly unusual, but what makes it especially problematic is the lack of independent oversight over the security sector. The Fatah boycott of the Hamas-dominated Palestinian Legislative Council, and the subjection of the forty-six Hamas legislators residing in the West Bank and Jerusalem to imprisonment in Israel or to movement restrictions since June 2006, have nullified the parliamentary oversight that might, at least hypothetically, have challenged undemocratic trends.⁴¹⁴ The

end of the Council's term in January 2010 further diminished the validity of any legislation approved by the Hamas parliamentary bloc, twenty-six of whose members continue to convene in Gaza, using powers of attorney (for which there is no legal or procedural basis) given them by the six members still in Israeli prisons and joined by remaining members in the West Bank via teleconference so as to achieve a quorum.⁴¹⁵

The Higher Security Council, which was created by Said Siyam in early 2008 and brought representatives of Hamas and other Palestinian factions together, is no compensation for the lack of pluralist parliamentary oversight: It has no decision-making or operational powers, occupies no place within the organizational map of the MoINS, and does not even perform an *ex officio* advisory role for the minister of interior, to whom it nominally answers. Whatever its original purpose, the Council now does little more than give the appearance of consultation with other Palestinian factions, including those openly aligned with the “resistance” discourse of Hamas.⁴¹⁶ Riot police have repeatedly broken up demonstrations organized by the secular, leftwing Popular Front for the Liberation of Palestine—to protest, for example, a new levy on gasoline and the government's failure to end daily power cuts—prompting the group to complain of the “repressive method that dominates Hamas thinking.”⁴¹⁷

Fatah may no longer pose the most immediate or significant threat to the Hanieh government as compared with the Salafist jihadists, but its rivalry with Hamas continues to drive authoritarian transformation in Gaza. Fatah remains a major player in Palestinian national politics: Opinion polls consistently show that it would get a majority of votes were general elections to be held, and it would necessarily be the other principal party to any national reconciliation. Furthermore, its dominant position within the West Bank security sector ensures that Hamas cannot operate there. This explains the persistent effort by the Hamas-led security sector to disperse and deter political activity or organization on the part of Fatah in Gaza. In April 2010, for example, the Independent Commission for Human Rights expressed grave concern over the kidnapping, shooting, and beating of several activists belonging to Fatah or former security agencies by masked gunmen who “carried out their attacks without deterrence or fear,” and in May it objected to the subjection of the Fatah spokesperson in Gaza to house arrest, for which there is no provision in PA legislation.⁴¹⁸

One consequence of the authoritarian transformation of Gaza has been to impede, if not reverse, the proclaimed separation of jurisdiction and differentiation of functions among PASF branches. The ISA routinely intrudes into the domain of the Civil Police or the Criminal Investigation Department: Auditing and closing Fatah-affiliated NGOs and banning public meetings they deem unlicensed—much as the rival Preventive Security Apparatus and General Intelligence Department do in the West Bank.⁴¹⁹ According to some local sources, the IQB receives the lion's share of foreign training and materiel; and when specialist equipment is smuggled into Gaza for the PASF, it is more likely to consist of eavesdropping devices or signal scanners for the ISA to use in tracking mobile phones than it is to address basic police needs. The Civil Police remains the junior partner within the PASF—along with the National Security Forces, which are decisively overshadowed in their border defense role by the IQB.

The Striving for Hegemony

Much the same dynamics are driving a parallel authoritarian trend in the West Bank, where the security sector is increasingly called on to mediate between the PA government and society. The critical difference is that the relationship between policing and order is held together in Gaza by a moral narrative and a coherent organization—Islam and Hamas—whereas in the West Bank, Fatah remains hobbled by a reputation for corruption and patronage and has long ceased to be a viable political organism capable of strategic thinking or initiatives. Nor is it clear whether fear and intimidation or superior organizational skills and motivation are more effective: This author observed fewer armed, uniformed PASF personnel during four days spent in the Gaza Strip in January than in a twenty-minute taxi ride through Ramallah, the seat of the PA in the West Bank. The emphasis in Ramallah on a highly visible, militarized presence was unmistakable: PASF personnel stood guard along roads used by top government officials or at intersections, in helmets, face masks, and body armor, weapons at the ready.

It is also revealing of the parallel authoritarian trend in the West Bank that the three Fatah-commanded intelligence agencies there have more personnel between them than the Civil Police: 8,000-9,000 intelligence personnel compared with 7,300-8,000 policemen, or a ratio of at least

112:100. The corresponding figures and ratios in the Hamas-commanded PASF in Gaza are: 2,000-2,600 intelligence personnel compared with 8,500-9,200 policemen, or an average ratio of 28:100. The West Bank intelligence agencies moreover deploy their own operational arms, enabling them to go beyond information-gathering and undertake active missions independently of the Civil Police.

In short, it is not merely the overt display of coercive force, nor even the deterrent threat of its application, that explains the effectiveness of the Hamas-led security sector. The real contrast between Gaza and the West Bank is not so much one of general levels of militarization or political partisanship, nor is it a matter of technical training, operational capability, or organizational structure. Rather, the difference lies in the institutional system, ideological motivation, and political leadership that bring all the constituent parts and resources of the security and criminal justice sector in Gaza together. This is where Hamas has excelled: in the construction of an overarching organizational, security, and ethical *manzoumah* (system, matrix), of which the security sector is both the product and the embodiment.

Yet the synergistic relationship between the various arms of Hamas and the security sector it oversees also suggests a totalitarian potential, since it offers a means for the surveillance and regulation of the entirety of society. The potential is currently manifested in what appears to be an intensified attempt by Hamas to attain hegemonic social and ideological control, using the Islamization of society as its instrument to do so. The apparent determination of Hamas to monopolize the representation of political Islam, not just in Gaza but in the whole of Palestine, powerfully reinforces this authoritarian trend.⁴²⁰ The suppression of Hizb al-Tahrir al-Islami discussed previously is all the more telling because the party eschews military activity or capability: It is the one Islamist competitor that can point to both a long heritage and transnational links, and so its ideological challenge is potentially significant.

The striving for ideological hegemony is reflected in the increasingly assertive Islamization of society. When the MoINS endorsed a Hamas guideline in the summer of 2009 for girls in public schools to dress “conservatively,” school principals used their authority to enforce it and

parents complied in order to avoid trouble.⁴²¹ The fact that the MoINS did not need to issue an administrative decree enforcing the guideline may well have reflected the readiness of a conservative society to submit to demands for more “piety,” especially with regard to gender issues. But it is also indicative of the pervasive and intimidating impact of the convergence between the government and Hamas. To draw on a study of policing in Gaza under the Egyptian military administration prior to 1967, “[b]oth people’s awareness of the persistence of surveillance and the collection and circulation of the reports from this activity helped shape life in Gaza,” and reflected “the availability to the police of different means of surveilling social life.”⁴²²

The tendency toward normalizing these forms of policing and public order has intensified since the start of 2010, resulting in forceful action against other potential opponents of Islamization. In May, the police prohibited a sit-in by local NGOs protesting an arson attack on the site of a mixed-gender youth summer camp run by UNRWA, and in early June the ISA closed down several UN partner NGOs involved in youth and women’s programs that constitute a primary focus of Islamization.⁴²³ A second arson attack on an UNRWA youth summer camp followed in July. The summer camps have been a regular flashpoint in relations between the Hanieh government and UNRWA since the summer of 2008: Hamas’s *Da’wa* arm has vehemently denounced UNRWA for running mixed-gender camps—which attract 250,000 children every year—and organizes its own, segregated program through the Ministry of Youth and Sports, attended by an estimated 100,000 children who mainly learn to memorize the Qur’an and take part in other forms of religious education and activities.⁴²⁴

The MoINS condemned the arson attacks, but no suspects were identified publicly or known to have been arrested. The same occurred when masked gunmen burned down the popular Crazy Water resort in mid-September, after accusing the owners of allowing mixed bathing.⁴²⁵ Polling by the Palestinian Center for Policy and Survey Research showed that 30 percent of the public believed that the perpetrators came from Hamas or breakaway groups, while 18 percent blamed Salafist jihadist groups.⁴²⁶ The MoINS had already suspended Crazy Water for three weeks in August, claiming various violations; in the first half of September, it ordered several

restaurants to close for allowing women to smoke the *nargileh*, and halted two cultural events and film screenings it deemed objectionable.⁴²⁷

The struggle over the power to determine what is culturally acceptable was also reflected in a public rift with UNRWA over its decision to introduce human rights as a separate subject in its school curriculum. Hamas education minister Mohammed 'Asqoul stated that the refugee agency did not “have the right to add a new subject that the ministry’s curriculum doesn’t include,” while the head of the refugee department in Hamas argued that the subject “violates and harms Islamic faith by talking thoroughly about personal freedom and encourages people even to select their religion as if they are selecting from a food menu.”⁴²⁸

Combating Collaboration

Hamas’s hegemonic striving is reinforced by the state of conflict with Israel, which is used by the Hanih government to legitimize activities deemed to be part of national “armed resistance” and “self-defense,” rather than the maintenance of public law and order. This applies in particular to action taken against collaborators, whose numbers are commonly believed among Palestinians of all political persuasions to run into the thousands.⁴²⁹ Government spokesperson Taher al-Nunu stated, for example, that “[t]he government differentiates between abuses [of the law] and the actions taken by the resistance to protect itself from collaborators in times of war.” This was in response to an Amnesty International report published in February 2009 that Hamas had launched a “campaign of abductions, deliberate and unlawful killings, torture and death threats against those they accuse of ‘collaborating’ with Israel, as well as opponents and critics,” which left two dozen dead during and after Israel’s Operation Cast Lead.⁴³⁰

The campaign against collaboration has a long history. Between 1969 and 1972, the Gaza branch of the Popular Front for the Liberation of Palestine killed dozens of Palestinians suspected of being informers for the Israeli General Security Service; as IDF counterinsurgency successes mounted, the Front expanded its definition of “collaborators” to include laborers who commuted daily to menial jobs in Israel, whom it accused of assisting the Israeli economy. During the first intifada, Hamas similarly targeted a widening circle that came to include those “supporting peace

with the enemy,' 'doing business with the enemy,' and seeking to 'poison our society with their filth and vices and drug and alcohol taking, lust parties and outings.'"⁴³¹ In 1992, Hamas gunmen killed over 150 suspected collaborators. The movement's founder and leader, Sheikh Ahmad Yassin, subsequently described collaboration as "a contagious disease, like cancer or gangrene. We excise the affected member in order to prevent the disease from spreading to the body's healthy members."⁴³²

Arguably, the experience of the early security committees that Hamas set up at the grassroots level in this period to keep tabs on collaborators, drug dealers, and other social offenders was formative. This structure had to be maintained and adapted to survive under PA security crackdowns in 1994–2000, and no doubt shaped the later security perspectives and practices of Hamas as it met the challenges of neighborhood policing in Gaza in the second intifada, established the Executive Force in 2006, and finally took decisive control of the PASF and reshaped it after June 2007. Since then, the PASF appears to have had fifteen to twenty suspected collaborators in detention at any one time. Seventeen, many of them Fatah members believed to have passed information to Israel through their leaders in the West Bank, were reportedly executed by the IQB in the chaos following the evacuation and destruction of the central prison in Gaza City during the first twenty-four hours of Operation Cast Lead in December 2008.⁴³³ IQB commander al-Ja'bari later acknowledged somewhat apologetically to Hamas Politburo head Khaled Mesh'al that "some of our mujahideen committed idiocies, killing some individuals belonging to the former [security] agencies or their relatives for personal reasons;" but qualified this by reaffirming that "the safety of our movement is a thousand times more important than a death here or there."⁴³⁴

In a talk given to students at the Islamic University in Gaza in early November 2010, ISA officer Abu Adham described collaborators as a "thorn in the throat of Palestinian society," adding that "an end must be put to their activity." Indeed, he continued, the agency he belonged to was specifically set up after June 2007 "in an attempt to purify the people of the phenomenon of collaboration. Its aim is to pursue agents and expel suspects."⁴³⁵ It was at the same time that then Minister of Interior Said Siyam transferred collaboration cases to the jurisdiction of the military courts, allowing the death penalty to be passed.⁴³⁶ According

to ISA director of research Mohammad (Abu 'Abdullah) Lafi, the Hamas takeover of Gaza enabled the agency to work under relatively comfortable circumstances. He also noted that the Israeli Internal Security Agency no longer recruited "the category of illiterates, and now relies entirely on the educated, who can handle technological devices and relay information via electronic devices, mobile phones, and the Internet."⁴³⁷

On May 10, 2010, the MoINS launched a widely advertised campaign to combat collaboration. A two-month grace period was declared, during which informers who turned themselves in voluntarily would benefit from an immediate amnesty. Mohammad Lafi confirmed publicly that collaborators would be dealt with in strict confidentiality and then released within one and a half hours after being debriefed.⁴³⁸ The ISA, he stressed, sought "this time...to deal with the issue of collaborators in a humane way, allowing them the option of atonement in order to rejoin the ranks of our people."⁴³⁹ The agency also posted notices at mosque entrances and in city squares and other public places explaining the policy against collaborators, and swiftly claimed that "tens of agents" had taken advantage of the amnesty offer in the first ten days of the campaign alone.⁴⁴⁰ The Hamas-allied Association of Palestine Ulema added a religious dimension to the pressure by stating that anybody dying while actively involved in collaboration "dies an unbeliever [*kafir*], and [his body] may not be given ablution, shrouded, or prayed over, or buried in Muslim cemeteries."⁴⁴¹

It is not clear whether or not collaborators who surrendered to the ISA received the promised amnesty and were released, but the ISA claimed that information provided to it by "penitents" (*ta'ibeen*) was superior to that extracted from interrogation. It is also impossible to verify how many self-confessed collaborators surrendered. Mohammad Lafi later stated that most of those the ISA had identified or detained had turned themselves in during the grace period, with only a modest number being caught thereafter;⁴⁴² this may have been a deliberate attempt to confuse and deceive the Israeli Internal Security Agency. Israeli sources suggested that only twenty had taken advantage of the amnesty offer.⁴⁴³

The end of the grace period on July 10 was followed by reports of extra-judicial executions of suspected collaborators who had not surrendered themselves. These apparent executions were attributed to the IQB or its

security apparatus, Majd, although the ISA may also have been involved, given its counter-espionage role.⁴⁴⁴ One Israeli source claimed that a modest number of bodies that washed ashore on the Gaza coast in this period were those of mid-level officials at the MoINS or PASF officers who had met this fate. A wave of new arrests that followed in September was believed locally to have netted some prominent personalities, as well as over twenty low-ranking Hamas members or PASF personnel, all of whom were reportedly denied access to legal counsel.⁴⁴⁵

The campaign against collaborators partly reflected the heightened sense of vulnerability experienced by the Hanieh government, Hamas, and the IQB as a result of the Gaza war. The IDF not only demonstrated precise advance knowledge of IQB battle plans and combat preparations but also possessed the means to update its information continually during the conflict, enabling it to assassinate high-value targets such as Said Siyam and Nizar Rayyan well after the war had started. The conclusion drawn, in the words of Mukhaimar Abu-Sada, professor of political science at Gaza's al-Azhar University and an independent political analyst, was that "the government has been completely infiltrated, that Israel knows more about Hamas than what they know of themselves."⁴⁴⁶

The fact that the public campaign against collaborators was not launched until May 2010 may have reflected a failure to uncover the full extent of security penetration and to identify informers working for the Israeli Internal Security Agency. But the long delay, coupled with the decision to mount a high-profile public campaign employing billboards and the transmission of thousands of SMS texts to the mobile telephones of Gaza residents, suggests an additional, if not altogether different, purpose, unrelated to security. The "combating collaboration" campaign allowed the MoINS to run, in effect, a tightly regulated form of top-down mobilization of the population, accompanied by a precise choreography of public appearances and announcements by its official spokesperson and ISA officers. Framing this in terms of the external conflict with Israel offered an especially effective means of controlling public space.

The deliberate design of the anti-collaboration campaign to last two entire months gives weight to this interpretation, since it allowed the authorities full opportunity to maximize the campaign's domestic impact. This was

extended in the course of September, perhaps deliberately, as the MoINS first scheduled, then delayed, and finally held a press conference to announce the outcome of the campaign. The press conference contained few revelations but was heavily publicized by the MoINS, which also posted a podcast of the proceedings on its website.⁴⁴⁷ Pro-government commentators criticized the MoINS for generating undue anxiety among the public through the repeated delays and lack of clear information but also reproached the public for rumor mongering, and warned both sides of the potential damage to the social fabric.⁴⁴⁸

The MoINS pursued this theme, linking “the renewed campaign of rumors” to “attempts by the fifth column to disseminate lies and fear, and to scatter false accusations and calumnies.” It warned “all strata of society against receiving information from hostile, yellow propaganda websites connected to covert security operations.” The Ministry statement impressed on the public the necessity of seeking information instead “from known, official sources.”⁴⁴⁹ High praise was expressed on the main MoINS website for the notable successes notched by the ISA in uncovering “spying networks,” which were presented as belonging to both Israel and “conspiracy networks against legitimate authority”—presumably Fatah, militant Salafists, or anyone who contested the Hanieh government.⁴⁵⁰

At one level, the heightened sensitivity to hearsay was not new. The MoINS has periodically issued statements responding to one rumor or another, reflecting the more general concern of the Hanieh government with its public image in the highly politicized and polarized contest that is Palestinian national politics. In May 2010, for example, the MoINS tackled an accumulation of issues that had become the subject of intense rumor in the preceding few months: re-registration of private cars as taxis, repossession of apartments, raising of the tax on cigarettes, reimposition of taxes on shops and skilled trades and audits of NGO accounts, travel restrictions imposed by the attorney general on persons wanted by the PASF, licensing requirements for public gatherings, and protection of citizens’ rights and due process during questioning by the police.⁴⁵¹

At another level, moreover, the “combating collaboration campaign” was only one in a series of similar exercises in controlled, top-down public mobilization. Less than two months after the campaign formally ended,

the MoINS launched its new, fifty-day outreach campaign under the slogan “Dignity for citizens, respect for the police.”⁴⁵² This was conducted entirely by the Civil Police, replicating on a larger scale previous efforts such as the sweeps to check car and motorcycle registration or the proper use of MoINS civilian vehicles.⁴⁵³ Such continual mobilizations have complemented the succession of “crises” the government has proclaimed itself to be tackling over the past three years: the H1N1 (“swine flu”) epidemic; shortages of gasoline, liquidity, or housing; the stranding of travelers at the Rafah border crossing into Egypt; the looming lack of animal feed; and, of course, the constant siege of Gaza. Such continuing crises possibly encourage challenges to the government, but the Hanieh government has used each crisis to position itself as the central source of succor, solutions, and information.⁴⁵⁴

The Hamas *manzoumah* has clearly been brought into play in these various campaigns, mobilizing and channeling those parts of the public that support the movement while reinforcing itself in the process. The ideological and coercive resources wielded by both Hamas and the government security sector enhance their combined capacity for social disciplining, and underpin the striving for hegemony that is couched in terms of an Islamic framework. Furthermore, although Islamization is being pursued actively—by some within Hamas, and within the Hanieh government, more than others—this is not leading toward clerical rule. Quite the contrary: As in Iran, Saudi Arabia, or Sudan, to take the closest models, in Gaza, too, political actors mobilize Islam to attain or maintain power, not the reverse. Hamas embodies perfectly the argument made by Stathis Kalyvas regarding “the importance of strategic calculation, agency, contingency, and interaction effects in public affairs in general and in religious politics specifically.”⁴⁵⁵

Chapter 6. Conclusion: “This is Hamas’s Era!”⁴⁵⁶

The picture we are left with is of a security sector in Gaza that is the lynchpin of two distinct spheres of thought and action, each with its own evolving dynamic: on the one hand, the institutional logic of government, with its “formal rules, written laws, informal norms, and shared beliefs about the world, as well as the means of enforcement”; on the other, the dynamics of an “adherent” organization of “individuals pursuing a mix of common and individual goals through partly coordinated behavior...[and] self-enforcing agreements among members.”⁴⁵⁷

The security sector is Janus-faced, in effect if not design. With respect to other Palestinian political groups and the outside world, it seeks to portray the “institutional” face of Hamas in government, thinking and acting like a state. In contrast to the era prior to 2006, when Hamas trumpeted “armed resistance” against Israel to a Fatah-dominated PA, fellow “resistance factions” in Gaza are now nominally welcome to combat Israel, but “absolutely not to intervene in internal affairs—we have courts and police and government institutions for that.”⁴⁵⁸ The turnaround is hardly surprising for veterans of both eras, for whom the late PA President Yasser “Arafat never thought in terms of institutions, but rather of ‘street stalls,’ whereas Hamas has an institutional mentality.”⁴⁵⁹

Dovetailing with the *Da’wa* and Mass Action arms of Hamas and the conciliation committees constitutes the other face of the security sector. It is the multifaceted organizational, security, and ethical *manzoumah* of Hamas that enabled the successful reconstruction of an effective security sector and imposition of law and order. The system “encapsulates the lives of members within ideologically linked activities,”⁴⁶⁰ underpinning a world outlook that diverges from the more pragmatic bent of the government, as well as that of other political movements and of much of the general public, which is religiously observant but not Islamist politically.

Belief that success in surviving, adapting, and innovating in the face of Fatah-backed *istinkaf*, Israeli siege, and international boycott has been due almost exclusively to the heritage and efforts of Hamas—owing little, if

anything, to predecessor PA governments and still less to Western donors—further confirms this Islamist *weltanschauung* and deepens the conviction that “God has chosen us.”⁴⁶¹ Whether divinely ordained or not, survival has fed the conviction that past approaches were effective and should be retained—indeed, deepened—and certainly not reversed. It was, after all, the same *manzoumah* that built shadow military and security structures under the noses of both Israel and the Fatah-commanded PASF between 2001 and 2005, successfully “hiding an aircraft carrier in a matchbox.”⁴⁶²

Nonetheless, resorting to past approaches makes a virtue of necessity, and underlines the extent to which the Hanieh government still finds solutions for problems as and when they are met, rather than working in accordance with clearly articulated policies. Where there is a goal-driven program, it belongs to those who regard themselves first and foremost as “sons of the Muslim Brotherhood.” For them, “ Hamas is not nihilist: We have a security, political, and social vision of what we seek and how to attain it.”⁴⁶³ The government is a means to fulfilling this vision, and the security sector a means to the public order that fulfilling that vision requires.

Hamas: Changing from Within

Behind and beyond the obvious convergence of the various components of the *manzoumah*, however, Hamas is undergoing fundamental changes. The institutionalization of power, the retreat and reversal of the formal economy in Gaza under siege conditions and associated emergence of new entrepreneurs affiliated with Hamas, and competition over external funding are transforming the movement’s internal dynamics. These changes are in turn prompting increasingly sharp divergences over such issues as national reconciliation with Fatah, the pace and extent of Islamization, and control over the security sector. Looking back, the decision by the Hamas leadership to compete in the Palestinian general elections of 2006 was a defining moment, and paved the way for subsequent transformations.

The diversity of opinion, search for consensus, and pragmatism that previously marked internal debates in Hamas are giving way to an unprecedentedly sharp demarcation. On the one side are moderate conservatives, mostly older-generation cadres who fear that Hamas is losing its ethical and religious principles in the struggle to retain and

consolidate power. On the other side are generally younger activists who are reinterpreting longstanding ideological tenets as they focus on the tasks of constructing and maintaining power, and who no longer seek consensus or engage in internal debate before moving into action. The latter appear to have been strengthened by the takeover of Gaza in June 2007, much as moderate elements in the Hamas leadership were weakened by the backfiring of the strategy they had espoused, of full-scale entrance into PA politics via the 2006 elections.⁴⁶⁴ Those engaged in the internal debate as broadly outlined here do not fall neatly on either side, but what is significant is the unprecedented emergence of the security sector as a key, autonomous player.

Between Erdogan's Turkey and the Taliban's Afghanistan?

Writing in November 2010, Hani al-Masri, an independent Palestinian political commentator and member of the short-lived Palestinian national reconciliation committee established the preceding June, argued that:

Hamas is in the midst of an internal conflict, not only regarding its standing as a Palestinian movement and as an extension of the Muslim Brotherhood movement, but also over whether as a movement it is closer to moderation and secularism or an extremist Salafi movement that believes itself and its government to be divine, that does not recognise pluralism or the transfer of power, and for which democracy was a marriage for one time only, the time that allowed it to come to power by election. Hamas is wavering between Erdogan's Turkey and the Taliban's Afghanistan.⁴⁶⁵

On one side are those who promote a "centrist," middle-of-the-road Islamism that is indeed consciously modeled, as al-Masri suggests, on Turkey's Justice and Development Party (AKP). A representative sample of their thinking is offered by the former editor in chief of the weekly *al-Resalah*, Ghazi Ahmad Hamad:

Although...Hamas perceives Islam as the best way of tackling the problems of the Palestinian nation, it also strongly believes in a gradual, reformatory and 'locally-owned' [process]. Hamas

propagates and implements Islam through education, socio-political institution-building and academic work; jihad against the Israeli occupation is another important pillar of Islamic practice.

Hamas derives its ideology from the *ikhwan*—the ‘Muslim Brotherhood’....Having based its policies and activities on the principles of participation and inclusion, the Brotherhood has become part of the formal political system in most countries of the region. The Brotherhood’s success as a political movement is based on its emphasis of grass-roots and community work and its strong involvement in social reform processes. Thereby the *ikhwan* managed to mobilise large segments of the public; in fact, this is also how Hamas began its activity in the 1970s and 1980s.⁴⁶⁶

For adherents to this view, which is not without support among professional PASF officers who were trained prior to June 2007, “Islam is the broad framework...but institutions and systems must accommodate everyone, and adhere to unified laws and regulations [of the PA].”⁴⁶⁷

On the other side are those who seek a stricter interpretation and implementation of sharia rule, or even an Islamic emirate. Among them are some members of the Political Committee—Hamis intellectuals and academics who were invited in the early 2000s to help the leadership assess strategic options at key moments—who advocated declaring an Islamic emirate in the wake of the June 2007 takeover of Gaza.⁴⁶⁸ A significant core who attended Saudi universities in the 1980s or more recently—especially the Islamic University in Al Madinah Al Munawwarah—have adopted the Wahhabi version of Salafist Islamism.⁴⁶⁹

The Salafists, too, have support within the security sector, which appears to have its own share of millenarian thinking. The director of the Political and Moral Guidance Commission, Anwar al-Bar’awi, declared in June 2010, for example, that the “strategic aim of the Palestinian government is to establish the state of the Islamic caliphate in the whole world and not just the Palestinian state.”⁴⁷⁰

Underlying such thinking is the belief, as expressed by MoINS inspector-general Hasan Saifi, that “Gaza is the fulcrum of the coming universal [*kawmi*] change, our religious understanding confirms it, and we see evidence of it.”⁴⁷¹ (Hammad is believed to share this outlook, although that cannot be corroborated independently.) This should not be taken, however, to indicate the alignment of this philosophy with either transnational or *takfiri* Islamism—that is, with al-Qaeda or the ideological variant that excommunicates all others as anathema. Al-Bar’awi’s vision statement, for example, articulates mainstream Islamist goals for the Commission: “forging the modern and distinctive Palestinian Arab Muslim,” “people first,” and “forming police officers who can represent the civilized face of the Palestinian national project.”⁴⁷² These are the themes constantly reiterated by Hammad, who has explicitly added for good measure that “we don’t want to deal with al-Qaeda.”⁴⁷³

More to the point, Hammad and the “hard men” of the security sector, who appear to be playing a vanguard role in the ideologically driven transformations of Hamas, appear equally driven by the determination to preserve Hamas’s grip on power.⁴⁷⁴ There is no reason to doubt their belief in the Salafist Islamic values they promote, but the consolidation of a political entity that is fully under the Islamist control of Hamas is clearly their utmost and overriding priority. Whether consciously or not, they draw on the theorizing by Sayyid Qutb, the leading intellectual of the Muslim Brotherhood in Egypt in the 1950s and 1960s, about the “Islamic state,” which the revolutionary vanguard should first establish and then use to impose Islamization on society from above.

The determination to consolidate and utilize state power is what most distinguishes Fathi Hammad and security sector commanders from the Salafist jihadists. It also explains the willingness of the former group to regard “armed resistance” against Israel as a means of confrontation and pursuit of Palestinian national aims, not as an end in and of itself. This downgrading of what had been a central doctrine of Hamas since its inception has been followed up with the use of aggressive tactics to enforce the ceasefire with Israel. The National Security Force is reported to maintain a discreet cordon within 700 meters of the border fence in order to prevent Salafist jihadist factions from launching rocket or other attacks on Israeli territory from within Gaza.⁴⁷⁵

A relatively younger generation of new leaders is emerging in Gaza, centered in the security sector and growing more distinctive and assertive as time passes. They draw for ideological legitimacy and material resources on the older civilians of the political bureau and *majlis al-shura* (consultative council) based in Damascus, the Gaza regional Shura Council, and other bodies such as the *Da'wa* arm of Hamas, but appear increasingly to overshadow them.⁴⁷⁶ It is predictable that this will shift power balances within Hamas, the government, and Gaza. That it may already be prompting new political ambitions is suggested by the noticeable frequency with which Hammad addresses town hall meetings and the media, tours unlikely destinations such as schools, and launches high-profile public campaigns. Indeed, insider knowledge has it that other ministers are so intimidated by the growing power of Hammad that none dared openly oppose the September 2010 arson attack on the Crazy Water resort during cabinet meetings, even though the MoINS had officially condemned it and promised to bring the perpetrators to justice.⁴⁷⁷

The internal debate reveals that the Gaza security sector and the IQB have come to represent more than critical assets for Hamas; rather, they are emerging as confirmed players in their own right within the movement. Arguably, this merely confirms the role acquired by the IQB over the past decade; but the introduction of the government-run security sector as a distinct actor derives entirely from the decision to participate in the PA political process and the resulting assumption of power in 2006. It is safe to assume that all of the key security and IQB cadres are “graduates” of Israeli prisons, but it is not this that most sets them apart from other key figures within Hamas, many or all of whom have also served prison sentences in Israel. Rather, it is membership in the security sector or the IQB that distinguishes them, and has empowered them in a way that is novel for Hamas—and that indeed has no real precedent among the major PLO factions, either.

Whither the IQB?

Like all transitions, that of Hamas, from an armed resistance movement to a quasi-state, has its strains. Probably the most significant of these as of this writing relate to the IQB. By 2008, Milton-Edwards and Farrell state, “most of the senior leadership of the Qassam Brigades had embarked on a

much more radical and *salafi* Islamic fundamentalist orientation.”⁴⁷⁸ This is also confirmed by Mahmoud Taleb, a former IQB member, local leader of Ansar al-Sunnah, and self-declared commander of a Jaljalat network, who was interviewed by the Palestinian newspaper *al-Ayyam* in July 2009.⁴⁷⁹ In his account, a majority within the IQB *safwat al-safwah* (“elite of the elite”) had protested the decision of the Hamas leadership to participate in the 2006 elections. *Al-safwah* was more than an elite, however: The term referred to the clandestine subgroup within the IQB—reminiscent of the Muslim Brotherhood’s “Secret Apparatus” of the 1950s and 1960s—whose members had worked with the renowned Hamas military commanders Salah Shehadeh and Ibrahim al-Maqadmeh until their assassination by Israel in 2002 and 2003, respectively, and which was responsible for the launch of suicide bombings against Israel in the 1990s and onwards.⁴⁸⁰

In the same interview, Taleb claimed that “senior commanders of the Qassam Brigades” had joined Jaljalat, along with “political leaders, holders of academic qualifications, university professors, and heads of [organizational] regions.” His additional claim that Jaljalat had 7,000 followers was a considerable exaggeration, but he was much closer to the truth in noting that their expansion was largely at the expense of the IQB, from whose ranks they had come, thereby generating severe tension with Hamas.⁴⁸¹ The IQB command may have sought to stem the flow by adopting a more overtly Salafist jihadist discourse themselves, but in any case they were also chafing under the de facto ceasefire imposed on them by the Hamas political leadership. In an internal letter purportedly directed to Hamas Politburo head Khaled Mesh’al in early March, al-Ja’bari complained that the IQB had been reduced to mere “janitors at the borders.”⁴⁸²

In the same letter, al-Ja’bari also took issue with what he deemed to be a faction within Hamas “that has taken a liking to governing and tasted its pleasures.” This faction, he claimed, sought to marginalize the IQB “while it amasses booty.” This was perhaps not unrelated to reports that the MoINS had set up a “tourist village” at a cost of \$1.5 million for which an entry fee is charged, comprising gardens, playgrounds, football fields, a petting zoo, restaurants, and a wedding hall, as well as an Olympic-sized swimming pool that is under construction. The MoINS also owns an adjacent cattle and chicken farm and food processing facilities.⁴⁸³ Prime

Minister Hanieh was described as well-meaning but powerless to confront the faction, which allegedly comprised Hamas’s Islamic proselytizing arm *Da’wa* and certain ministers. Clearly, claims by Hamas and the Hanieh government of having passed the acid test of *muzawajah*—“marrying” the conduct of normal governance with armed resistance against Israel—were not persuasive.

Internal criticism over the distinctly unimpressive performance of the IQB during Israel’s Operation Cast Lead may have heightened al-Ja’bari’s sensitivity to perceived slights. In any case, Fathi Hammad provided a lightning rod provoking al-Ja’bari’s response. Al-Ja’bari’s letter accused Hammad of treating the MoINS “as an independent *manzoumah* not subject to the government”; of failing to stem a resurgence of *al-falatan al-amni* (security anarchy), which in many cases targeted IQB members; and of seeking to co-opt IQB members in northern Gaza into his own personal version of the Executive Force. The internal faction to which Hammad purportedly belonged, which also comprised the *Da’wa* arm of Hamas according to al-Ja’bari, had shaken the unity of the IQB by “implanting a despicable geographical regionalist loyalty” among its members, and by seeking similar influence within the government’s security sector by awarding ranks and promotions on the basis of personal loyalty.⁴⁸⁴

Despite their seriousness, these tensions may ultimately prove transitional. As Hamas and the Hanieh government settle further in for the long haul, they will be compelled to revise both the status and functions of the IQB and its relationship to the security sector. It is too soon to speculate whether the IQB might be formally attached to, or folded into, the system overseen by the MoINS and Hammad, but neither should this possibility be dismissed out of hand. Knowledgeable sources within Gaza suggest that Hammad has already acquired dominance over the IQB in the northern and central governorates of Gaza, leaving al-Ja’bari in control of the southern contingents only.⁴⁸⁵

If true, this suggests that both institutional sectors—the IQB and the MoINS—are now receiving direct support from Hamas politburo head Mesh’al, which would explain the shift in their relative strength while suggesting the possibility of balancing both against each other. Furthermore, the IQB has been conducting a thorough internal review

since late 2009 or the start of 2010 that may be related to a parallel move within Hamas to reassess its organizational cadre and general membership. Significantly, this review is reported not to be related to IQB performance during Operation Cast Lead nor to matters of practical competence generally—the indication being that ideological commitment or deviance is the more important standard.⁴⁸⁶

Financial considerations may be an added factor: IQB income from the tunnels to Egypt would likely be eroded if the Hanieh government succeeds in regularizing the informal economy or if the Israeli siege is eased. Estimates of IQB strength vary widely—as much as 22,000–25,000, divided into six *alwiya* (brigades), according to some Fatah and Israeli intelligence sources⁴⁸⁷—but the IQB might remain able to cover the costs of its highly trained, full-time core of probably 2,500. The much larger number of reservists and militiamen who are available for quick call-up or full mobilization would present a bigger problem. Most are presumably Hamas members and supporters, some of whom may also double as PASF personnel, and so their dependence on the government might increase. The incentive for the IQB to assert its complete separation from the security sector, along with the scope of any such separation, may diminish with time, since the security sector is assured of pride of place in public spending so long as the government has sufficient revenue.

Financial considerations, as well as economic conditions generally, may also accentuate domestic threats and bring the security sector more sharply to the fore, overshadowing the conflict with Israel and sidelining the IQB. Clan dynamics are already said to be reviving as extended families are alleged to be aligning themselves with one or another faction within Hamas—though MoINS officials interviewed by the author in January 2010 strenuously denied the revival of clan dynamics as a factor in the internal politics of Hamas. Civil Police commander Jarrah had acknowledged the renewal of family violence only a few months earlier, however, albeit attributing it to the psychological and economic stresses caused by the Israeli siege.⁴⁸⁸

By August 2010, the recrudescence of armed altercations between feuding families was severe enough for Civil Police deputy commander Tayseer Mustafa al-Batsh to warn of an impending campaign to

confiscate unlicensed weapons and prevent their misuse by clans.⁴⁸⁹ The resort to violence by clans is likely to persist, however, so long as the Hanieh government is unable to fully carry out clan-based social welfare and economic survival functions in the context of the severe levels of unemployment, poverty, and food dependency among up to 80 percent of Gaza's population.

The main challenge to Hamas's internal cohesion and unity lies elsewhere, however. The movement acquired thousands of supporters and members in the years following the outbreak of the second intifada in late 2000—if not even earlier, as its opposition to the Oslo Accords and its boycott of the 1996 general elections attracted new recruits to its ranks. Much the same is believed to have happened again since June 2007, as severe economic conditions alongside the enhancement of the Hanieh government's services and power have combined to push and pull Gaza residents into the arms of the ruling party. Absorbing these large numbers at a time when the veteran Hamas cadre had to be spread thinly throughout the various government departments—in order to ensure public service delivery and consolidate power—has meant abandoning the long, slow process of socialization and indoctrination before one acquired full membership status in the old-style Muslim Brotherhood.

Hamas appears to be responding by “sifting” its membership, in order to reverse any potential decline in its quality. Whether this means a return to the past emphasis on middle-of-the-road Islamism or an accentuation of “true Salafist doctrine” (*al-‘aqidah al-sadeqah al-salafiyah*) is unclear, but the nature of the response bears directly on the future nature of Hamas—and on the willingness, and ability, of the Hanieh government to pursue national reconciliation with Fatah, reintegration of the Gaza and West Bank governments, and a pragmatic approach to the conflict with Israel, including the conclusion of a peace agreement. The *Da'wa* arm of Hamas will doubtless exert an important influence, as will the Islamic University, which is regarded as yet another “incubator” of Islamists. Increasingly prominent, also, are the growing number of graduates of Saudi Arabia's Islamic University in Al Madinah Al Munawwarah, who lean toward *takfiri* ideology and reflect the trend within Hamas toward Wahhabi Salafism.

Implications for the Future

These tensions and strains may still represent nuances rather than fissures, but they are the paradoxical result of Hamas's success: in acquiring "legitimacy capital"; in asserting its "central role in the Palestinian polity"; in governing broadly effectively; and in maintaining itself in power. As Khaled Hroub has argued, Hamas is now engaged in a "liberation/social change trade-off," in which it is utilizing the "political capital" it accumulated through armed resistance "to achieve aspects of [its] agenda for social and religious change."⁴⁹⁰ Yet, if progress were made toward a peaceful solution to the conflict with Israel, then, in his view, the willingness of the Palestinian public to continue to tolerate top-down Islamization of the sort currently pursued in Gaza would likely recede.⁴⁹¹

For all these tensions, strains, and prospective challenges, it is difficult to overestimate the significance of the fact that "[f]or the first time in a century, the area is ruled by men who belong to Gaza and need no local intermediary. Unlike those belonging to its predecessors, the Hamas rank-and-file are disciplined, for the most part able to ensure that loyalty to the movement outweighs any other allegiance, including blood."⁴⁹² The continuing cohesion of this close-knit movement and the government it heads is underpinned by a particular notion of order that is based on an Islamist worldview of social peace and civic functioning—one that is conceived in a way that gives rise to a stark Hobbesian choice: Law and order must be imposed and obedience demanded, rather than risk chaos and civil war. The choice is made on behalf of society rather than by it, even if many members of the society willingly comply.

This Hobbesian choice is neither neutral nor impartial, nor is it made purely for the public good. Besides implicating conservative social mores and Islamic religious values, it underpins the political dominance of Hamas. This is not the inevitable product of an innate or predetermined authoritarian tendency, however. It is also heavily shaped by the scarcity of economic and financial resources that are used in liberal democracies to acquire social control and secure willing compliance; the lack of sovereign power over the outer "envelope" of external borders and security; and the intense competition waged under these conditions with far more favorably

endowed actors—above all Fatah and the Fayyad government—for foreign recognition and domestic legitimacy.

The long isolation of Gaza has eroded the autonomy of social and political actors who might have challenged Hamas—and so the convergence of its organizational and security *manzoumah* with the government-run security sector is one of the principal means employed to deter all challengers and ensure its continued resilience. The continuing impasse in the Palestinian-Israeli peace process and the uncertain prospects for a successful two-state solution encourage Hamas to bide its time until the balance of power shifts—vis-à-vis Israel but also, and no less importantly, within Palestinian national politics. In the meantime, it is prepared for a truce with Israel of ten or twenty years, during which it can consolidate its Islamist quasi-state in Gaza and deliver on its promise of combining governance with adherence to its core principles.⁴⁹³ With every month that passes, the security sector becomes ever more central to achieving this goal.

Acknowledgments: The author wishes to thank the World Bank for facilitating his entry to Gaza in January 2010. He gratefully acknowledges the constructive feedback on various drafts of this paper by (in the order in which their comments were received) Shai Feldman, Lori Allen, Naghmeh Sohrabi, Beverley Milton-Edwards, Khaled Hroub, Fakhr Abu-Awwad, Geoffrey Aronson, Sara Roy, Jim Zanotti, Jean-François Legrain, and my good friend and colleague in Gaza who must remain anonymous. The author is also grateful to Ibrahim Barzaq, Hani Albasoos, and Eyad al-Sarraj for making recommendations and introductions and arranging key interviews in Gaza in January 2010, to Ibrahim Habib for sharing his written analyses on the Gaza security sector, and to Khalil Shikaki and Aziz Kayed of the Palestinian Center for Policy and Survey Research. Last but not least, the author acknowledges his special debt to the anonymous peer reviewers for their detailed critiques and suggestions, to Robert Cohen for his sharp eye and editorial skills, and to all my colleagues and friends at the Crown Center for Middle East Studies who made my stay as a visiting Senior Fellow in 2009-2010 so personally enjoyable and intellectually rewarding.

- 1 [Dennis Ross, "Time to Turn Fatah into Model of Success in Mideast," *USA Today*, June 21, 2007.](#)*
- 2 Beverley Milton-Edwards, "Order without Law? An Anatomy of Hamas Security: The Executive Force (*Tanfithya*)," *International Peacekeeping* 15, no. 5 (2008), p. 670.
- 3 Ross, "Time to Turn Fatah into Model of Success in Mideast."
- 4 Casualty statistics from [B'Tselem \(The Israeli Information Center for Human Rights in the Occupied Territories\), "27 December 2009: One Year Since Operation Cast Lead, Still No Accountability."](#)* The noncombatant dead included 318 minors (under the age of 18). Hamas Minister of Interior Fathi Hammad appears to have corroborated these figures in an interview he gave in late 2010, in which he estimated total losses among the police and various armed factions as between six and seven hundred. In [Jihan al-Husseini, "Fathi Hammad Speaks to *al-Hayat*: al-Qa'edah Has No Presence in Gaza," *al-Hayat*, November 1, 2010.](#)* The figure for damaged or destroyed homes is from [UNRWA \(United Nations Relief and Works Agency for Palestine Refugees in the Near East\) website, "Gaza," accessed November 16, 2010.](#)* A press statement issued by the Government Media Office in Gaza in August 2010 highlighted the achievements of the Hanieh government since 2006 despite "civil insurrection, administrative paralysis in the ministries, security anarchy, a political, financial, and economic siege, an unprecedented military assault, a complex intelligence war, and a continuous media onslaught." Reproduced in the government weekly newspaper *al-Ray*, no. 66, August 8, 2010, p. 8.

- 5 The most recent estimate is that 80 percent of Gaza's population is dependent upon international aid. See *Dashed Hopes: Continuation of the Gaza Blockade* (published by a consortium of international aid agencies), p. 4, http://www.amnesty.org.uk/uploads/documents/doc_21083.pdf.
- 6 [International Monetary Fund, "Macroeconomic and Fiscal Framework for the West Bank and Gaza: Sixth Review of Progress" \(Staff Report for the Meeting of the Ad Hoc Liaison Committee\), September 21, 2010.*](#)
- 7 Cash liquidity problems noted, for example, in International Monetary Fund, "Macroeconomic and Fiscal Framework for the West Bank and Gaza: Fifth Review of Progress" (Staff Report for the Meeting of the Ad Hoc Liaison Committee), April 13, 2010, p. 7.
- 8 For a summary analysis of the impact of the tunnel economy, see [Yezid Sayigh, " Hamas Rule in Gaza: Three Years On" Middle East Brief No. 41 \(Crown Center for Middle East Studies, March 2010\)](#), p. 6.* World Bank officials cited by [Nicolas Pelham in "Diary," London Review of Books 31, no. 20, October 22, 2009](#).* On numbers involved in tunnel economy, [Harriet Sherwood, "Palestinian Tunnel Tycoons Feeding Demand for Banned Goods," The Guardian, December 15, 2009](#).*
- 9 Figures on unemployment (for 2009), poverty (as of May 2008), and food insecurity (as of December 2009) from International Monetary Fund, "Macroeconomic and Fiscal Framework for the West Bank and Gaza: Fifth Review of Progress," p. 6; and [Save The Children, "Child Rights in the Occupied Palestinian Territory: 2009 Review," July 20, 2010, p. 1](#).*
- 10 The Hanieh government denied any responsibility for the fraud, but arrested some two hundred persons involved in the scam and offered some compensation to the victims. Sources cited in Are Hovdenak, ed., *The Public Services under Hamas in Gaza: Islamic Revolution or Crisis Management?* (PRIO Report, 3-2010) (Oslo, Peace Research Institute, November 2010), p. 25.
- 11 Author's discussions with local bankers in Gaza, January 9, 2010; and Hovdenak, *The Public Services under Hamas in Gaza*, p. 27.
- 12 Contribution to domestic revenue according to the Hamas Ministry of National Economy, cited in Hovdenak, *The Public Services under Hamas in Gaza*, p. 26.
- 13 The term "Salafist jihadist" is used here to refer to those individuals or groups who adhere to a revivalist Islamist ideology (Salafism) but have become radicalized as well, and call for armed jihad against either the "near enemy" — their own governments — or the "far enemy:" namely, Israel, the United States, and the West in general.

- 14 The PA previously had two separate ministers for National Security and Interior, but these two government departments were merged into the single Ministry of Interior and National Security (MoINS) in 2005, in accordance with the requirements of the Quartet's "Road Map."
- 15 For a comparative survey of United States and European Union programs in these three countries, see [Yezid Sayigh, "Fixing Broken Windows': Security Sector Reform in Palestine, Lebanon, and Yemen" \(Carnegie Paper No. 17, October 2009\).](#)*
- 16 Ownership means that "Palestinians, rather than donors, should design, implement and review security sector policies and programmes." "Building Ownership in Palestinian Security Sector Reform" (DCAF Spotlight No. 6, February 2010), p. 2.
- 17 Nigel Parsons refers to this Swiss cheese model as a "carceral archipelago." In "Israeli Biopolitics, Palestinian Policing: Order and Resistance in the Occupied Palestinian Territories," in *Policing and Prisons in the Middle East: Formations of Coercion*, ed. Laleh Khalili and Jillian Schwedler (New York: Columbia University Press, 2010), p. 63.
- 18 [UNRWA website, "Gaza," accessed November 16, 2010.](#)*
- 19 The higher-range figure for civil servants relates to 2008 and is taken from a report by the Palestinian Economic Council for Development and Reconstruction, cited in [Muhsen Saleh, *The Salam Fayyad Government* \(al-Zaytouna Centre for Studies and Consultations, posted online November 20, 2010\).](#)* The same source states (citing the al-Mezan Center) that pay was suspended for 3,615 civilian employees, including 1,549 health workers and 693 education workers for apparent political reasons in April 2008. The lower figure of 19,500 civilian employees abstaining from work is given in "Financial Losses Resulting from Abstention of Employees in Government Sector" (General Personnel Council, June 2009), p. 7. Figure for PASF personnel is based on author's calculation and confirmed by official sources (author's correspondence, names withheld on request, various dates in January 2011). Saleh (in the source cited above) gives a lower figure of 31,350 PASF personnel in Gaza on the Fayyad government payroll in 2008, while an MoI official is cited as giving the higher figure of 36,500 in [International Crisis Group, "Squaring the Circle: Palestinian Security Reform under Occupation" \(Middle East Report No. 98, September 7, 2010\), p. 15.](#)*
- 20 The loss in direct taxes was estimated at \$33.22 million per annum as of the end of 2008. "Financial Losses Resulting from Abstention of Employees in Government Sector," p. 15.
- 21 Figure given by Prime Minister Ismail Hanieh, cited in ["Funding Government Proving Tough: Hamas," *Asharq Alawsat*, December 24, 2010.](#)* It includes over 15,000 employees in the Ministry of Interior and National Security (MoINS), including PASF personnel, according to "Minister of Interior Fathi Hammad: The

Ministry of Interior Serves the People; We Strive to Develop the Ministry and Have Plans for That," *Filastin al-Muslimina* 27, no. 6 (June 2009), p. 33. That figure probably includes temporary employees on short-term contracts; so the lower figure of 28,327 employees (instead of 34,000) working in different ministries in the Gaza Strip may reflect the number on permanent contract, as given by Mu'men Khalaf Abdul-Wahed in "Obstacles to the Success of the Training Process in Government Ministries in Gaza" (paper, General Personnel Council conference, March 2010), English abstract, p. 5.

- 22 The figure of 43 percent is from World Bank, "The Underpinnings of the Future Palestinian State: Sustainable Growth and Institutions" (Economic Monitoring Report to the Ad Hoc Liaison Committee, September 21, 2010), Table 2: "Palestinian Authority 2009 expenditures, percentage share."
- 23 ["Palestinian Authority: U.S. Assistance Is Training and Equipping Security Forces, but the Program Needs to Measure Progress and Faces Logistical Constraints," Report to the Committee on Foreign Affairs and Its Subcommittee on the Middle East and South Asia, House of Representatives \(United States Government Accountability Office, GAO-10-505, May 2010\), p. 38.*](#)
- 24 The overlapping was attested to by then prime minister Ahmad Qurei' and General Intelligence Director Amin Hindi in "Testimony to the Parliamentary Special Committee to Study the Political and Field Situation" Appendix, Summary of the Special Committee Hearings, from Amin Hindi (July 15, 2004, pp. 6 and 9) and Ahmad Qurei' (July 17, 2004, p. 13). For additional analysis of the clan phenomenon in Gaza, see Dag Tuastad, "The Role of International Clientelism in the National Factionalism of Palestine," *Third World Quarterly* 31, no. 5 (2010), pp. 791-802.
- 25 [Yezid Sayigh, "Policing the People, Building the State: Authoritarian Transformation in the West Bank and Gaza," *The Carnegie Papers* \(Carnegie Endowment for International Peace, February 2011\).*](#)
- 26 [Palestinian Centre for Human Rights, "Two Persons Wounded in Armed Clashes between Al-Quds Brigades and National Resistance Brigades East of Khan Yunis," August 19, 2010,* and "Mutual Kidnappings between al-Quds Brigades and al-Nasser Saladin Brigades in Khan Yunis," August 23, 2010.*](#)
- 27 [Palestinian Ministry of Interior, "Interior Arrests 4 Islamic Jihad Members Who Abducted a Citizen," *MoINS website*, August 25, 2010.*](#)
- 28 [Jared Malsin, "Islamic Jihad Joining Hamas Ceasefire with Israel?" *Ma'an News Agency*, October 21, 2010 \(updated 29 October 2010\).*](#)
- 29 Mesh'al interviewed by [Babak Dehghanpisheh and Ranya Kadri in " Hamas Sticks to the Hard Line," *Newsweek*, October 14, 2010.*](#) Possibly the most up-to-date and accurate assessment of the views and debates within Hamas with regard to the

Palestinian-Israeli peace process is Mahmoud Jarab'ah, *Hamas: Hesitant March Towards Peace* (Palestinian Center for Policy and Survey Research, March 2010).

- 30 [Shaul Mishal, " Hamas: The Agony of Victory," *Strategic Assessment*, 9, no.1 \(MacMillan Center for International and Area Studies at Yale, April 2006\)](#), p. 8.*
The same author has repeatedly stressed the pragmatic nature of Hamas politics and decision-making in other publications: for example, Shaul Mishal, "The Pragmatic Dimension of the Palestinian Hamas: A Network Perspective," *Armed Forces & Society* 29, no. 4 (2003), pp. 569–89.
- 31 "Prime Minister: No al-Qa'edah Presence in Gaza Strip, and the Occupation Is the Source of Threats in the Region," *al-Ray*, no. 81, December 5, 2010, pp. 10–11.
- 32 Quotation from Ismail Hanieh in "Prime Minister: We Seek to Implement Successful Diplomacy to Open Up to the World," *al-Ray*, no. 42, February 28, 2010, p. 2.
- 33 Khaled Hroub, "Salafi Formations in Palestine: The Limits of a de-Palestinised Milieu," in *Global Salafism: Islam's New Religious Movement*, ed. Roel Meijer (New York: Columbia University Press), 2009, p. 236. Fatah, too, claimed that action against Salafi groups has been motivated by Hamas efforts to control all mosques in Gaza, [Fatah Directorate of Information and Culture, website posting, February 13, 2010](#).*
- 34 Term used in "The Mujahid Martyr Ahmad Salah Jarghoun: Proceeding into Jihad and Martyrdom," *Police Magazine*, no. 6 (October 2009), p. 15.
- 35 Accusations made by Ministry of Interior spokesperson Ihab al-Ghusein, cited in [Filastin al-An, February 14, 2010](#)* and in [Felesteen Online, February 14, 2010](#).*
A senior former Fatah security officer confirmed that arms had been covertly transferred by some local Fatah members to Salafi groups. Author's interview, Gaza, January 9, 2010.
- 36 ["The Real Thing: An Extreme Movement That Makes Hamas Look Mild by Comparison," *The Economist*, 13 May 2010](#).
- 37 That Hizb al-Tahrir al-Islami has not engaged in armed activity and in fact does not have a military wing is confirmed by Israeli sources: for example, the posting on the website of the [Intelligence and Terrorism Information Center at the Israel Intelligence Heritage & Commemoration Center \(IICC\), August 26, 2007](#).*
- 38 On the dispersal of the Hizb al-Tahrir gathering, see [Mel Frykberg, " Hamas 'Morality' Campaign Restricts Civil Liberties in Gaza," *Electronic Intifada*, August 4, 2010](#).*

- 39 For a discussion, see [Asaf Maliach, "The Islamic Liberation Party and Its Relations with the Hamas-led Palestinian Authority" \(International Institute for Counter-Terrorism \[ICT\], February 6, 2006\).](#)*
- 40 ["Islamic Jihad Leader Demands Disbandment of Hamas Government and Authority," *al-Quds al-Arabi* \(London\), May 18, 2010.](#)*
- 41 Insight from author's interviews with active and former Fatah intelligence officers and a former senior Hamas cadre, conducted in Gaza and Ramallah in January 2010; interview with Khaled Hroub, an independent expert on Hamas, Cambridge (UK), November 1, 2010; and e-mail correspondence with Ibrahim Barzaq, veteran AP correspondent in Gaza, and Jared Malsin, chief English editor at Ma'an News Agency (Bethlehem), November 8, 2010.
- 42 An additional list is in Yoram Cohen and Matthew Levitt, with Becca Wasser, "Deterred but Determined: Salafi-Jihadi Groups in the Palestinian Arena" (Policy Focus # 99) (Washington Institute for Near East Policy, January 2010), p. 2.
- 43 One author considers that al-Qaeda has in fact publicly indicated its representative in Palestine to be Fatah al-Islam, a Salafist jihadist group that first appeared in the Palestinian refugee camp of Nahr el-Bared in northern Lebanon in 2007. Are Hovdenak, "Al-Qaida: A challenge for Hamas?" (Norwegian Defense Research Establishment, FFI-report 2009/00092, January 2009), p. 31.
- 44 The figure of 7,000 claimed by Mahmoud Mohammad Taleb (Abu al-Mu'tasim), a member of Anar al-Sunnah and self-declared commander of a Jaljalat network, as interviewed in [Hasan Jabr, "Jaljalat' Awaits Conducting a Large Operation of Allegiance to al-Qaeda," *al-Ayyam*, July, 11 2009.](#)* The figure of 11,000 is offered by Abu al-Hareth, the self-proclaimed new leader of Jund Ansar Allah, in an interview by [Ibrahim Qannan in "Exclusive: New Gaza Salafist Faction Numbers 11,000," April 18, 2010 \(updated 19 April 2010\).](#)* The figures ranging from 2,500 to 4,000 are taken from active and former intelligence officers and former senior Hamas cadre, interviewed by the author in Gaza and Ramallah in January 2010; and from Ibrahim Barzaq, e-mail correspondence with the author, November 8, 2010. A much lower figure of "a few hundreds" is given in ["The Real Thing: An Extreme Movement That Makes Hamas Look Mild by Comparison," *The Economist*, May 13, 2010.](#)*
- 45 For a highly informative analysis, see [Reuven Paz, "Salafi-Jihadi Responses to Hamas' Electoral Victory," *Current Trends in Islamist Ideology* 4 \(November 1, 2006\).](#)*
- 46 [Quotation from interview with Rayyan by Jeffrey Goldberg, in "Why Israel Can't Make Peace with Hamas," *New York Times*, January 13, 2009.](#)*
- 47 [Quotation from "Obituary: Nizar Rayyan," *BBC Mobile News*, January 1, 2009.](#)*

- 48 See the detailed discussion in Azzam Tamimi, "The Political Implications of the Hamas Electoral Victory from the Islamist Perspective" (Conflicts Forum Monograph, November 2007), pp. 10, 12, and 22.
- 49 The debate is cogently summarized by Wisam Afifeh in "Has Hamas Succeeded in Combining Government with Resistance?" *Filasteen Al-Muslima* 28, no. 1 (January 2010), pp. 48-49.
- 50 Bilal al-Shobaki, "On 21st Anniversary: Hamas and the Dialectic of Resistance and Government," 27, no. 1 (January 2009), pp. 42-43.
- 51 Interviewed by Jihan al-Husseini in "Fathi Hamad Speaks to *al-Hayat*: al-Qa'edah Has No Presence in Gaza."
- 52 Quotation from Abu Musaab, a leader of Ansar al-Sunnah, which is believed to include many former IQB and Hamas members; interviewed in " [Hamas Must Apologize: An Interview with Abu Musaab](#)," [bitterlemons-international.org](#), vol. 8, edition 21, November 4, 2010.*
- 53 The attempted assassinations were claimed by self-proclaimed leading Jaljalat member Mahmoud Mohammad Taleb (Abu al-Mu'tasim), as interviewed in *Jabr*, "'Jaljalat' Awaits Conducting a Large Operation of Allegiance to al-Qaeda."
- 54 "Hamas Arrests the Most Prominent Leader of Salafi Groups in Gaza," *al-Quds al-Arabi* (London), February 11, 2010.
- 55 The warning came in a private letter that was leaked and appears to be genuine. (On file with the author.)
- 56 Jared Malsin, "Islamic Jihad Joining Hamas Ceasefire with Israel?"
- 57 The only study of this new phenomenon is Jean-François Legrain, "The Shi'a Threat in Palestine: Between Phobias and Propaganda" (Brussels: International Conference on Sunni-Shia Contemporary Relations (Centre interdisciplinaire d'études de l'Islam dans le monde contemporain [CISMOC], Catholic University of Louvain, and Middle East and North-Africa Research Group [MENARG], Universiteit Gent, September 30, 2009-October 2, 2009).
- 58 According to unnamed sources cited in Lu'ayy 'Ammar, "Tens of Detainees Released While Lectures Are Organized to Raise Awareness of Others: Mousa's Emirate Is Finished, and the Source of Distortions Is Palestinian and Zionist Security Agencies," *Filastin al-Muslima* 27, no. 10 (October 2009), pp. 48-49.
- 59 *Ibid.*, p. 49.

- 60 [“Palestinian Political Webs: Separate Spheres? Fatah-related and Hamas-related Networks Compared,”](#) (and http://govcom.org/gco_projects/pisp/GC0_Maps_set_ps_8.pdf).*
- 61 This paper has sidestepped the issue of proper ownership of the “PA” label by referring to the two governments by the names of their respective prime ministers.
- 62 In an early instance, [al-Ta’imim](#), the Fatah Weekly Newsletter (no. 9, October 1, 2007) likened the internal Palestinian situation to “what is being done in Iraq by sectarian militias,” arguing that “the Executive Force has been transformed into an armed Hamas militia.”* Three years later, the Fatah representative to reconciliation talks with Hamas, Azzam el-Ahmed, described Gaza security services as “nothing more than “armed militias.”” [Associated Press and Ha’aretz](#), “Fatah: Hamas Security Services Are Nothing More Than ‘Militias,’” (November 9, 2010).*
- 63 For the sake of convenience, this paper uses the term “Palestinian Authority Security Forces” (or PASF) to denote both security sectors, even though both governments claim to be the legitimate PA and hotly dispute the other’s legitimacy. Dayton ended a five-year term as United States Security Coordinator in October 2010, and was succeeded.
- 64 [Husam Kanafani](#), “Hamas Security Formations Precede Meeting with Fatah!” [al-Akhbar](#), November 3, 2010.* This report could not be confirmed independently, however. The MoINS announced a major reshuffle in “[Gaza Interior Finishes Largest Rotation of Department Heads](#),” [Safa Palestinian News Agency](#), October 21, 2010.*
- 65 al-Husseini, “Fathi Hammad Speaks to *al-Hayat*: al-Qa’edah Has No Presence in Gaza.”
- 66 As noted in note 4, the figures given by Hammad are congruent with those published by B’Tselem, “27 December 2009: One Year Since Operation Cast Lead, still no accountability.”
- 67 The IQB claimed to have lost a total of 1,780 members between the launch of Hamas in 1988 and the beginning of 2010. The detailed monthly casualty lists on the IQB website, however, yield a seemingly discrepant total of 1,611 dead from 1988 to the end of November 2010. The first total is from an announcement cited in *Filasteen al-Muslima* 28, no. 1 (January 2010), p. 13; the second is calculated from postings at <http://www.alqassam.ps/arabic/statistics.php>.
- 68 A full list of the names and ranks of all 232 civil policemen killed in the Gaza war is posted at <http://www.police.ps/ar/news-action-show-id-3127.htm>. Names and biographies of IQB dead are posted at <http://www.alqassam.ps/arabic/sohdaa.php>.

- 69 [Original notice in "Ministry of Interior Announces Door Open for Recruitment to Palestinian Security Forces," Ministry of Interior website, January 26, 2010.](#)* Figures from MoINS spokesperson Ihab al-Ghussein cited in [Associated Press, "Who Are the New Hamas Recruits in Gaza?" February 16, 2010.](#)* This article reported 15,000 applicants and suggested that most of them were not interested in being policemen—or in Hamas ideology, for that matter—but simply needed work. Also cited by [Adel Zaanoun in "Hard Times in Gaza Swell the Ranks of Hamas Police," Agence France Press, February 10, 2010.](#)* This article reports that 14,000 applied for 1,500 (as opposed to 1,000) openings, and notes that even Fatah members applied.
- 70 The PLO practice is discussed in Yezid Sayigh, *Armed Struggle and the Search for State: The Palestinian National Movement, 1949–1993* (New York: Oxford University Press, 1997). It is attested to in the case of the Gaza PASF by various sources: for example, [Shay Fogelman, "Shock and Awe," Ha'aretz, December 31, 2010.](#)*
- 71 Ya'qub al-Ghandour, Director-General of the Bureau of Legislation at the Ministry of Justice, cites cabinet decision 7/96/11/m.w/a.h of 2009 in "Rights of families of deceased public employees," *al-Ray*, no. 90, February 2, 2011, p. 19.
- 72 Cabinet decision 3/43/11/m.w/a.h of 2007, cited in *ibid.*
- 73 *Ibid.*
- 74 Al-Ghandour gives the following details, which were presumably correct as of February 2011: Basic pay for an 18-year old—\$250; supplements—\$30 for married personnel (regardless of sex), \$10 per child (male or female), and \$50 for surviving parents. In *ibid.*
- 75 A biography of the killed police officer is in "The Mujahid Martyr Ahmad Salah Jarghoun: Proceeding into Jihad and Martyrdom," p. 15. An IQB commander who attempted to mediate was shot dead by Salafi gunmen, triggering the police combat engagement; see "Director of Rafah Police Reveals the Details of Events in the Governorate and Warns against the Attempt to Revive Chaos," *Police Magazine*, no. 5 (September 2009), p. 2.
- 76 The name of the Palestine Liberation Army, which was established in 1964, was changed to the Palestine National Liberation Army in the mid-1980s. For further details, see Yezid Sayigh, *Armed Struggle and the Search for State: The Palestinian National Movement, 1949–1993* (New York: Oxford University Press, 1997).
- 77 Text of the ministerial statement from [Dunya al-Watan \(magazine\), March 27, 2006.](#)*
- 78 This observation draws on author interviews in Gaza with Ahmed Yousef, deputy foreign minister, and Ghazi Hamad, head of border crossings in the Gaza Strip, on January 9, 2010; and with a former Hamas cadre, name withheld, on January 8,

2010; and, in Cambridge(UK), with Khaled Hroub, following his visit to Gaza in September 2010.

- 139
- 79 Interviewed by Jihan al-Husseini in "Fathi Hamad Speaks to *al-Hayat*: al-Qa'edah Has No Presence in Gaza."
- 80 Vivid accounts of brutality appear, for example, in International Crisis Group, "Ruling Palestine I: Gaza under Hamas" (Middle East Report No. 73, March 13, 2008), pp. 10-11.
- 81 Author's interview with MoI spokesperson Ihab al-Ghusein, Gaza, January 10, 2010.
- 82 Milton-Edwards, "Order without Law?" p. 672.
- 83 [Palestinian Centre for Human Rights, "Subject: Concern over Some Violations By Members of the Executive Force and Izzedeen El-Qassam Battalions," September 13, 2007.*](#)
- 84 Author's interviews with MoI inspector-general Hasan Saifi and MoI spokesperson Ihab al-Ghusein, Gaza, 9 and 10 January 2010; and see "Hammad Decrees Activation of Human Rights Unit in the Ministry of Interior," *Filasteen Online*, November 12, 2009.
- 85 Police spokesperson Ayman al-Batniji in a press conference, cited in "[Palestinian Police Announce Setting Up of a Complaints Office," Ministry of Interior website, April 8, 2010.*](#)
- 86 On prison inspections, see "Ministry of Justice Follows Up Legal Procedures for Detention and Concludes a Series of Specialized Training Courses," *al-Ray*, no. 48, April 11, 2010, p. 19.
- 87 "[Minister of Interior: Salafism Not a Danger to Gaza," Cabinet Secretariat website, March 4, 2010.*](#)
- 88 "[Minister Hammad Discusses Latest Developments," *Filastin al-An*, July 12, 2010.*](#)
- 89 Milton-Edwards, "Order without Law?" p. 672.
- 90 "[During a Visit: Dameer Institute Commends Role of Ministry of Interior in Human Rights Area," Ministry of Interior website, February 21, 2010.*](#)
- 91 Most recent training reported in MoI weekly report, *al-Ray*, no. 60, June 27, 2010, p. 9.

- 92 "Results of Investigation into Events of Arafat Rally: Hanieh Lays Responsibility on The Police and Fatah," *Filastin al-Muslima* 26, no. 7 (July 2008), p. 15.
- 93 Author's discussion with 'Isam Yunis, director of al-Mezan Center for Human Rights, Helsinki, December 7, 2010.
- 94 Author's interview with Major Ibrahim Habib, deputy dean of Palestine Police College, Gaza, January 8, 2010; and with Ghazi Hamad, Gaza, January 9, 2010.
- 95 "The Motivations and Reasons for the Use of Physical Torture and Violence by Interrogators to Extract Confessions," *Police Magazine*, no. 13 (July 2010), p. 9.
- 96 Author's discussion with 'Isam Yunis, Helsinki, December 7, 2010.
- 97 Author's discussion with Raji Sourani, director of the Palestinian Centre for Human Rights, Gaza, January 10, 2010.
- 98 " [Hamas Militia Invents Terrifying Methods to Torture Fatah Detainees,](#)" *Palestine News and Information Agency-WAFA*, [June 27, 2010](#).* A description of the "chair" is posted in "Torture in Israeli Prisons," Prisoners' Support and Human Rights Association-Addameer, <http://www.addameer.org/detention/torture.html>.
- 99 "[Fatah: 1,500 members Abducted by Hamas Militia,](#)" *Voice of Palestine website*, [June 22, 2010](#).*
- 100 "Gaza Centers Free of Beating and Torture," *Police Magazine*, no. 2 (June 2009), p. 1.
- 101 Author's discussion with Raji Sourani, Gaza, January 10, 2010.
- 102 See, for example, Hammad's statement as cited in "[Minister of Interior Opens Northern Gaza Police Station,](#)" *Ministry of Interior website*, [July 21, 2010](#)*; and al-Husseini, "Fathi Hamad Speaks to *al-Hayat*: al-Qa'edah Has No Presence in Gaza."
- 103 [Hammad: We Have Punished 1,200 Mol Personnel,](#)" *Filasteen Online*, [26 July 2010](#).*
- 104 al-Husseini, "Fathi Hamad Speaks to *al-Hayat*: al-Qa'edah Has No Presence in Gaza."
- 105 Abu-Sharkh's assertion was made in response to a question from the audience at a town hall meeting attended by Hammad and other senior security officials. He denied allegations about "how ISA personnel treat people" as "mere rumors planted to sow fear of the ISA in citizens' hearts." "[Minister of Interior and Commanders of Security Agencies in Direct Encounter with Citizens,](#)" *Ministry of Interior website*, [July 26, 2010](#).*

- 106 Independent Commission for Human Rights, “Monthly Report on Violations of Human Rights and Public Freedoms in the Palestinian-controlled Territory, May 2010,” p. 5; and “Monthly Report on Violations of Human Rights and Freedoms in the PNA-Controlled Territories, June 2010,” p. 7.
- 107 [“In an Interview with Filasteen Newspaper, the Minister of Interior Reaffirms the Continuation of Executions of Collaborators and Criminals,” Ministry of Interior website, May 24, 2010.*](#)
- 108 “al-Ghoul: The Government Is Concerned over Some Positions Taken by Human Rights Organizations and Their Discrimination between the West Bank and Gaza Strip,” *al-Ray*, no. 56, June 7, 2010, p. 5.
- 109 *Interior* (newsletter), July 2009, p. 8.
- 110 [“ICHR Denounces the Banning of Its Workshop in Gaza City,” Statement 10/2010, May 24, 2010*](#); and [“ICHR Condemns the Obstruction of Its Staff While On Duty,” Independent Commission for Human Rights, Statement 11/2010, May 30, 2010.*](#)
- 111 See, for example, [“Independent Commission Holds Open Seminar on Rights of Inmates at Detention Facilities,” Independent Commission for Human Rights, no date \(August 2010\).*](#)
- 112 [“Statement: Change and Reform Bloc in Gaza Approves ICHR Law in Second Reading,” Independent Commission for Human Rights, Statement 18/2010, no date.*](#) On the legal basis for the establishment of the ICHR, see [“About Us” on its main website.*](#)
- 113 The argument against a reading of human rights according to which the collective is necessarily the enemy of the individual is made by Wendy Brown in “‘The Most We Can Hope For...’: Human Rights and the Politics of Fatalism,” *South Atlantic Quarterly* 103, no. 2/3 (Spring/Summer 2004), p. 461.
- 114 [Human Rights Watch, “West Bank: Reports of Torture in Palestinian Detention – Two New Cases among More Than 100 in 2010 Alleged against Security Services,” October 20, 2010.*](#)
- 115 Quotation from author’s interview with Hasan Saifi, Gaza, January 9, 2010.
- 116 Author’s interview with Ihab al-Ghoussein, Gaza, January 10, 2010.
- 117 Statement reproduced in *al-Ray*, no. 66, August 8, 2010, p. 8.
- 118 Riyadh al-Ashqar, “Lanan and Human Rights,” *al-Ray*, no. 84, December 26, 2010, p. 13-16.

- 119 Milton-Edwards, "Order without Law?" p. 674.
- 120 [Yousef, " Hamas Does Not Oppress Women," *Palestine Chronicle*, December 13, 2010.*](#)
- 121 This understanding is borrowed from Lori Allen's study of human rights training in the West Bank, *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine* (forthcoming), ch. 4.
- 122 ["Human rights and the return of chaos," *Filastin al-An*, n.d. \[February 2010\].*](#)
- 123 "Police Deputy Commander: We Will Focus in the Coming Period on Our Relations with Citizens," *Police Magazine*, no. 12 (June 2010), p. 3.
- 124 Cited in "al-Ghoul: Government Has Concerns over Some Positions Taken by Human Rights Organizations and Their Discrimination between the West Bank and Gaza Strip," *al-Ray*, no. 56, June 7, 2010, p. 5.
- 125 An example of Fatah commentary is [" Hamas Militia Bans Nighttime Wedding Celebrations in Gaza Strip," *Voice of Palestine-Fatah Movement*, February 26, 2010.*](#)
- 126 "Political Guidance Commission Celebrates Graduation of 'Positive Interaction to Influence Public Opinion' Course for Security Agency Officers," Ministry of Interior website, July 25, 2010. The similarity of the thinking in the West Bank is confirmed by the public relations officer of the Supreme Judicial Council, interviewed by Lori Allen in her *The Rise and Fall of Human Rights: Cynicism and Politics in Occupied Palestine* (forthcoming), chapter five.
- 127 Cited in "al-Ghoul: Government Has Concerns over Some Positions Taken by Human Rights Organizations and Their Discrimination between the West Bank and Gaza Strip."
- 128 Abu-Sharkh testimony cited in Fayez Abu-'Awn, "Gaza: Internal Security Apparatus in Dismissed Government Confirms Adherence to Legal Procedures," *al-Ayyam* (Ramallah), June 16, 2009. Hammad statement quoted in an interview with [al-Aqsa satellite television, "Interior Will Launch a Fierce War against Collaborators When the Opportunity for Atonement Ends," Ministry of Interior website, May 22, 2010.*](#)
- 129 Fatah detainees have reported being told this by their interrogators. See "Fatah: 1,500 Members Abducted by Hamas Militia," *Voice of Palestine* website, June 22, 2010.
- 130 Interview with senior Internal Security Apparatus officer [Abu Abdullah, in "Internal Security: A Ramallah Personality Supplied the Occupation with Information," *al-Resalah* website, April 26, 2010.*](#) This claim is also made by

MoI Inspector-General Hasan Saifi, as cited in “al-Ghoul: Government Has Concerns over Some Positions Taken by Human Rights Organizations and Their Discrimination between the West Bank and Gaza Strip.”

- 143
- 131 Author’s interview, Gaza, January 8, 2010.
 - 132 Author’s interview with former cabinet secretary Aziz Kayed, Ramallah, January 5, 2010.
 - 133 Author’s interviews with Abu Abdullah Lafi, head of research for the ISA, Gaza, January 9, 2010, and with Hasan Saifi, Gaza, January 9, 2010. Much the same importance is attributed to the ideological roots derived from the “mother movement” by a leading figure in the moderate, or “pragmatic,” wing of Hamas, Ghazi Ahmad Hamad, in *The Challenge for Hamas: Establishing Transparency and Accountability* (Geneva Centre for the Democratic Control of Armed Forces, 2006), p. 4.
 - 134 Author’s interviews with Hasan Saifi and Ahmed Yousef, Gaza, January 9, 2010.
 - 135 Details on the founding of Majd from Muhammad Bin Yusif, *Hamas: A Passing Event or a Permanent Alternative?* cited in Jean-François Legrain (with Pierre Chenard), *Les Voix du soulèvement palestinien* (CEDEJ, 1991), p. 16. According to Matthew Levitt, Majd was created as the strike force of the Security Apparatus that Hamas had established in 1987, and in 1991 was combined with Hamas’s military arm, *al-Mujahidun al-Filastiniyyun*, to form the IQB. *Hamas: Politics, Charity, and Terrorism in the Service of Jihad* (New Haven, CT: Yale University Press, 2006), p. 11.
 - 136 Author’s interview with Abu Abdullah Lafi, Gaza, January 9, 2010.
 - 137 Author’s interview with Ghazi Hamad, Gaza, January 9, 2010. The term *murabitoun* refers to the Muslim warrior monks of eleventh-century Morocco who defended Islam’s westernmost redoubt and subsequently conquered Andalusia.
 - 138 [“Martyr Colonel Isma’il Ibrahim al-Ja’bari,” Security and Protection Apparatus website, August 6, 2008.](#)
 - 139 According to Ihab al-Ashqar, a former Fatah security officer and colleague of Saifi. Author’s interview, Ramallah, January 12, 2010.
 - 140 Author’s interview with Fatah security officer Ahmad Issa, Ramallah, January 13, 2010.
 - 141 Hovdenak, *The Public Services under Hamas in Gaza*, p. 16.
 - 142 Views have since diverged over whether or not Hamas anticipated victory at all, let alone on this scale, but most likely it did not. This is confirmed by the then editor

- in chief of the Hamas weekly *al-Resalah*, Ghazi Ahmad Hamad, in *The Challenge for Hamas: Establishing Transparency and Accountability*, p. 3.
- 143 Milton-Edwards, "Order without Law?," p. 667.
- 144 This argument is made in *Ibid.*, pp. 667 and 668.
- 145 Author's interview with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010.
- 146 Author's interview with former CP officer and independent analyst Hani Albasoos, who conducted the analysis, Gaza, January 8, 2010.
- 147 Author's interview with Abu Abdullah Lafi, Gaza, January 9, 2010.
- 148 Author discussions with EU field officials in Jerusalem in November 2005. The EU had also previously supported the inclusion of Hamas in the political process. Also confirmed by Are Hovdenak in "Hamas in Transition: The Failure of Sanctions," *Democratization* 16, no. 1 (February 2009), p. 60.
- 149 Ibrahim Habib, "The Problématique of Palestinian Security Sector Reform and the Difficult Questions," draft paper for Geneva Centre for the Democratic Control of Armed Forces, n.d. (received May 2010), p. 4. A similar assessment was offered by a high-ranking officer of the National Security Forces in a lecture on August 11, 2009 to PASF officers undergoing human rights training in Ramallah. Cited in Allen, *The Rise and Fall of Human Rights*, chapter five.
- 150 Figures for increases in 2005 based on official documents cited on *Mideastwire*, June 6, 2006. Total strength of 73,000 given by the UN Office for the Coordination of Humanitarian Affairs, cited in *Ha'aretz*, February 28, 2006; but the Ministry of Finance is cited, in Zaynab al-Ghunaimi, "Effects of the Split on the Government Apparatus" (in *Towards a Sustainable Reconciliation*, working papers on addressing the consequences of division [Gaza, Palthink symposium, September 2008], p. 42, no. 1), as publishing a figure of 67,000. The 86,800 figure is given in "Building An Effective and Accountable Security Sector for Palestine: Reform and Transformation" (Technical Team for Reform, February 2007) (draft presentation viewed by the author). The discrepancies in these figures may be due to the practice of employing some recruits on a "contract" basis. The Fatah/PA commission of inquiry into the Hamas takeover of Gaza stated that some 10,000 Fatah members and 1,215 members of other Palestinian factions and militias were placed on the payroll at the end of 2005 alone. "Report of the Committee Appointed by President Mr. Mahmoud Abbas to Investigate the Dereliction of Duty to Confront the Putsch by the Outlaw Militias in Gaza," p. 44. The report also claimed that a tenth of this number were Hamas infiltrators.
- 151 [Interview posted by the Palestine Information Center, May 24, 2006.*](#)

- 152 Author's interview with Aziz Kayed, Ramallah, January 5, 2010.
- 153 According to EF commander [Jarrah, interviewed in "This is How the Executive Force Was Established and These Are Its Tasks," *Palestinian Information Center*, October 18, 2006.](#)*
- 154 [Said Siyam, in an exclusive interview with the Palestinian Information Center, undated but shortly after May 17, 2006.](#)*
- 155 Jarrah was the nom de guerre of Jamal Isma'il Daoud 'Abdullah, born in the Jabalia refugee camp in Gaza in April 1965. "This is How the Executive Force was Established and These Are Its Tasks."
- 156 Table reproduced from "[Highlights of the Executive Force of the Palestinian Ministry of Interior,](#)" *Palestinian Information Center*, January 9, 2007.*
- 157 *The Security File of the Palestinian Authority (2): Conflict of Wills between Fatah and Hamas and other Relevant Parties, 2006–2007*, al-Zaytounah, pp. 181–82.
- 158 EF commander Jarrah, interviewed in "This is How the Executive Force Was Established and These Are Its Tasks"; Ministry of Interior spokesperson Khaled Abu-Hilal and EF spokesperson Islam Shahwan, cited in "[Abbas: The Executive Force is Outlawed Unless It Merges with the Security Agencies,](#)" *al-Sharq al-Awsat*, January 7, 2007.* Figure of 6,500 given in "Report of the Committee Appointed by President Mr. Mahmoud Abbas to Investigate the Dereliction of Duty to Confront the Putsch by the Outlaw Militias in Gaza," p. 45.
- 159 Milton-Edwards, "Order without Law?," pp. 665 and 666.
- 160 *Ibid.*, pp. 671, 672.
- 161 "[Jungle of Guns & Law of the Jungle: Report on Infringements upon the Law and the State of Insecurity in the Gaza Strip](#)" (*Al Mezan Center for Human Rights, Field Work Unit, January 2007*).*
- 162 "Testimony to the Parliamentary Special Committee to Study the Political and Field Situation," Appendix: Summary of the Special Committee Hearings, by Amin Hindi (July 15, 2004, pp. 6 and 9) and Ahmad Qurei' (July 17, 2004, p. 13) (in Arabic).
- 163 "Summary Report: Moving Backward or Forward: Good Palestinian Security Sector Governance or Accelerated Tribalisation," Geneva Centre for the Democratic Control of Armed Forces and the Palestinian Council on Foreign Relations, May 3, 2007, pp. 3–4 .

- 164 A good description of the security anarchy and of Hamas's perceptions of it is in Jean-François Legrain, "La dynamique de la 'guerre civile' en Palestine ou comment refuser à Hamas d'exercer son mandat," *Critique internationale*, no. 36 (July–September 2007), 147–65. An extended and updated version is available at: http://www.gremmo.mom.fr/legrain/guerre_civile.pdf.
- 165 International Crisis Group, "Inside Gaza: The Challenge of Clans and Families" (Middle East Report No. 71, December 2007), p. i.
- 166 Author's interview with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010.
- 167 On the regime change strategy, see Yezid Sayigh, "Inducing a Failed State in Palestine," *Survival* 49, no. 3 (Autumn 2007).
- 168 The mission assigned to the United States Security Coordinator, as reported in May 2010, was to: "(1) facilitate PA-Israeli cooperation and allay Israeli fears about the nature and capabilities of the PASF; (2) lead and coordinate international assistance for the PASF provided by the United States and other international donors to eliminate duplication of effort; and (3) help the PA rightsize, reform, and professionalize its security sector by advising the PA and by training and equipping the PASF to meet the Palestinians' obligations outlined in the Roadmap." "Palestinian Authority: U.S. Assistance Is Training and Equipping Security Forces, but the Program Needs to Measure Progress and Faces Logistical Constraints," p. 11.
- 169 Author's interviews with two members of the Palestinian Technical Team for Reform, Ramallah, March 3, 2007 and June 17, 2008.
- 170 [Qawasmî interviewed in "Minister of Interior: We Reject Politicization of the Security Agencies and Will Work to Structure Them on a Professional Basis," *al-Hayat al-Jadidah*, April 17, 2007.](#)* For the broad detail of the reform plan, and references to Abu-Shbak in Qawasmî's letter of resignation, see Itani, *The Security File of the Palestinian Authority* (2), pp. 71–72 and 74.
- 171 For a good and detailed description of events culminating in the Hamas takeover, see [Jean-François Legrain, "L'impasse politique et institutionnelle palestinienne," *Critique internationale* 36 \(July–September 2007\).](#)* Hamas indeed argued that it had pre-empted a coup d'état being planned by Fatah and associated security agencies. Supporting evidence may be found in [David Rose, "The Gaza Bombshell," *Vanity Fair* \(April 2008\).](#)*
- 172 "Report of the Committee Appointed by President Mr. Mahmoud Abbas to Investigate the Dereliction of Duty to Confront the Putsch by the Outlaw Militias in Gaza," pp. 22–23 and 40.

- 173 International Crisis Group, *Inside Gaza*, pp. 15-16.
- 174 Jarrah, interviewed in "This is How the Executive Force Was Established and These Are Its Tasks,"
- 175 ["Hanieh Promises Material and Logistical Support to the Executive Force", *al-Hayat al-Jadidah*, August 6, 2007.](#)
- 176 [Palestinian Centre for Human Rights,"Subject: Concern over Some Violations by Members of the Executive Force and Izzedeem El-Qassam \(letter to His Excellency Ismail Haniya, Prime Minister, Dismissed Palestinian Government\)," September 13, 2007.*](#)
- 177 International Crisis Group, "After Gaza" (Middle East Repor, no. 68, 2007), p. 18.
- 178 Author's interview with Hani Albasoos, Gaza, January 8, 2010; and Director-General of the Financial Administration in the Civil Police, Major Mahdi al-Shobaki, interviewed in "Police Magazine Focuses the Spotlight on the Financial Administration," *Police Magazine*, no. 7 (November 2009), p. 10.
- 179 Author's interview with Hani Albasoos, Gaza, January 8, 2010.
- 180 Jabr was demoted to the rank of private and discharged from the PASF by the West Bank command, but was subsequently promoted to major-general by the Hanieh government. [A biographical summary is posted on the Civil Police in Gaza website.*](#)
- 181 Fadi al-Husni, "Gaza Police Commander Maj.-Gen. Tawfiq Jabr: He Moved from Fatah to Hamas for Land and Resistance; He Rebuilt the Police Force to Serve Citizens," *Filastin al-Muslima* 27, no. 3 (March 2009), p. 33.
- 182 Outsiders continue to debate whether the PASF and IQB have in fact been fully separated, prompting Minister of Interior Fathi Hammad to repeatedly insist that his ministry "has nothing to do with resistance arms." al-Husseini, "Fathi Hammad Speaks to *al-Hayat*: al-Qa'edah Has No Presence in Gaza."
- 183 "Mosque youth" are Hamas sympathizers who assist their neighborhood imams with basic chores, and who often act as informants for the ISA. Author's interview with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010.
- 184 According to the then commander of the Arafat Police Academy. Author's interview with Ibrahim Habib, Gaza, January 8, 2010.
- 185 On training prior to June 2007, see Milton-Edwards, "Order without Law?" p. 23.

- 186 According to Ministry of Interior spokesperson Ihab al-Ghussein. Author's interview, Gaza, January 10, 2010.
- 187 The English version of the Internal Security Apparatus website translates its name as "Homeland Security." The Security and Protection Apparatus was originally a department within the Civil Police, but was upgraded to a separate PASF branch after June 2007. Its first commander, Colonel Isma'il al-Ja'bari, disliked being burdened with protecting government and nongovernment facilities, preferring to focus on protecting government officials. Under instructions from Siyam, he set up a dedicated unit within the Security and Protection Apparatus to protect foreigners, liaised with foreign and UNRWA representatives in Gaza, and provided security at border crossings. Lieutenant Mohammad Abu-'Abseh (former head of his office), cited in "[Martyr Colonel Isma'il Ibrahim al-Ja'bari," Security and Protection Apparatus website, August 6, 2008.](#)
- 188 Figures from author's interviews in Gaza with several security officers and Ministry of Interior officials and a former Fatah security officer, and in Ramallah with former cabinet secretary Aziz Kayed, January 5 and 9, 2010; and from interviews conducted by the Palestinian Center for Policy Surveys and Research (PCPSR, Ramallah) with Majdi Abu-'Amsheh, Director-General of cabinet affairs, and Mundher as-Saqqa, head of office of the deputy minister of finance, May 17, 2009, viewed with the kind permission of the PCPSR and on file with the author. According to Civil Police commander Jamal (Abu 'Ubeidah) al-Jarrah, his branch has 9,000 men. "[Abu 'Ubeidah: Conference recommendations will be acted upon immediately", Civil Police website, August 9, 2010.](#)* A fortnight later, Jarrah referred in an interview to a lower strength of 8,500. "[In expanded dialogue about security issues: Police say certain parties seek to instigate crimes in Gaza', Filasteen Online, August 23, 2010.](#)*
- 189 Figure of 3,000 given by Lieutenant-Colonel Mohammad Khalaf, commander of the Security and Protection Apparatus. Cited in "[The Security Agencies in Gaza: Four Years under the Challenge of the Siege," al-Resalah website, April 26, 2010.](#)* The Mol recruited a total of 13,600 police to deal with the gap left by the *istinkaf* policy, according to Zaynab al-Ghunaimi in "Effects of the Split on the Government Apparatus," in *Towards a Sustainable Reconciliation*, no. 1, p. 49.
- 190 Some blurring of operational jurisdiction remains, most notably between the ISA and the Criminal Investigation Department, according to Ibrahim Habib in "The Problématique of Palestinian Security Sector Reform and the Difficult Questions."
- 191 "Advisor to the Minister of Interior for Security Affairs: Serving Our People Is a Sacred Duty, and Our Offices Are Open to All," *Interior* (newsletter), July 2009, p. 2.
- 192 Figures based on sources cited in notes 42 and 43, above, and on Amira Hass, "Illusions in Gaza," *Ha'aretz online*, December 11, 2008; Mohammed Najib, " Hamas Creates External Intelligence Arm," *Jane's Islamic Affairs Analyst*, January 29, 2010,

cited in Jim Zanotti, " Hamas: Background and U.S. Relations " (U.S. Congressional Research Service Report, R41514, 2 December 2010), no. 25, p. 8, and Table 1; and Major-General Dr. 'Abdul-Qader al-'Arabeed, cited in "Director of Medical Services Announces Inauguration of Training Institute for Paramedics and Establishment of Workshop for Production of Artificial Teeth," *Police Magazine*, no. 4 (August 2009), p. 10. He adds that the service had 1,450 personnel prior to June 2007.

- 193 ["Palestinian Ministry of Interior a Year On Eliminates Anarchy and Imposes Security and Safety Despite Siege," *Palestine Police* website, July 17, 2008.](#)* A report by the General Planning Department of the Civil Police issued somewhat different statistics for the whole of 2008, showing that murder rates had dropped from 152 in 2006 to 43, and that 56 percent of robberies had been solved, compared with 36 percent in 2006. "Notable Decline in Crime and Rise in Level of Solution of Robberies: General Planning Department Issues Statistical Yearbook for 2008," *Police Magazine*, no. 3 (July 2009), p. 6.
- 194 [According to Minister of Interior Hammad. Cited in 'Abu 'Ubeidah: Conference Recommendations Will Be Acted Upon Immediately," *Civil Police* website, August 9, 2010.](#)*
- 195 Figure from Ibrahim Habib, "The Problématique of Palestinian Security Sector Reform and the Difficult Questions."
- 196 Author's interview with Hani Albasoos, Gaza, January 8, 2010.
- 197 "The Government Four Years On: Ministry of Interior Continues to Impose Order and Attain Stability and Social Peace," *al-Ray*, no. 47, April 4, 2010, p. 6. Organizations such as the Independent Commission for Human Rights take note of all deaths in violent circumstances, including those resulting from family disputes or clan feuds.
- 198 On Intervention and Public Order Force, see Ibrahim Habib, "The Problématique of Palestinian Security Sector Reform and the Difficult Questions," p. 8. The European Union police mission confirms that the Civil Police already had a Public Order Police section, which in early 2006 (prior to the breakdown of the PA constitutional order in June 2007) accounted for 3,000 (25 percent) of the 12,100 policemen in Gaza and 1,000 (16 percent) of the 6,000 policemen in the West Bank. [European Union Coordinating Office for Palestinian Police Support \(EU COPPS\) and Palestinian Civil Police Development Programme, 2005-2008, "Factsheet" \(handout\), February 2006.](#)*
- 199 The Police Discipline and Headquarters Security Force, which is sometimes referred to as the Military Police, was set up in 2006 as part of the EF to ensure discipline among personnel and to perform routine functions such as attendance checks and weapons inspections. Captain Shadi Siyam (its commander), "A

- Glimpse into the Police Discipline and Headquarters Security Force," *Police Magazine*, no. 7 (November 2009), p. 7.
- 200 The higher figure is given in "Martyr Major 'Imad Abul-Hajj: The Commander Who Does Not Fear the Blame of God," *Police Magazine*, no. 2 (June 2009), p. 11.
- 201 Figures on casualties and destruction are from "The Government Four Years On: Ministry of Interior Continues to Impose Order and Attain Stability and Social Peace," *al-Ray*, no. 47, April 4, 2010, p. 6; "Live Testimonies: Major Ali al-Nadi," *Police Magazine*, Special Issue on the Anniversary of the War, Information Office, n.d. [January 2010], p. 10; "[A year after the Furqan War: Ministry of Interior Full of Offer and Achievements; It Lives a Phase of Development, and Lays the Foundations for an Electronic Registry](#)," *al-Ray online* (Ministry of Information website), December 27, 2009;* press conference by [Minister of Interior Fathi Hammad](#), "[Hammad: We Will Not Permit Damage to the Security of the Palestinian people](#)," *Palestinian Information Center website*, April 19, 2010*; and "[Minister of Interior Confirms Continuation of Execution of Collaborators and Criminals](#)," *Ministry of Interior website*, May 24, 2010*; "Total Civil Police Losses according to the First Deputy-Speaker of the Palestinian Legislative Council Ahmad al-Bahar," cited in "[Abu 'Ubeidah: Conference Recommendations Will Be Acted Upon Immediately](#)," August 9, 2010.* The same article cited Hammad as saying that the MoI had lost roughly 770 dead since Hamas came to power, including war losses. The Hanieh government approved recruitment to fill 250 vacancies at the MoI and thereby replace the "martyrs of the Furqan Battle [Gaza War]"; see [Council of Ministers decision EH/MO/125/11, September 8, 2009](#).*
- 202 Losses announced in statements published in www.paltoday.com/arabic/Tools.php?act=PrintPage&id=34535 and www.moqawmh.com/ara/index.php?act=News&id=2584. Knowledgeable experts in Gaza confirm these losses, adding that Hamas inflated its list of "martyrs" to 119 by including non-IQB PASF personnel under pressure from their families. Raji Sourani in discussion with the author, Gaza, January 10, 2010. The IQB website subsequently listed a total of 340 dead that it claims to have lost during the war. (See note 42.)
- 203 On pre-war planning and its subsequent revision, see interview with senior Internal Security Apparatus officer Abu Abdullah, in "Internal Security: A Ramallah Personality Supplied the Occupation with Information."
- 204 "Merger of the Security Agencies and an Emergency Field Committee," *Police Magazine*, Special Issue on the Anniversary of the War, p. 4.
- 205 "Our Cadre Is Specialized and Competent to Work in Prisons, and We Do Not Have Secret Prisons," *Interior* (newsletter), July 2009, p. 8. The Director-General of Rehabilitation and Reform Centers, Colonel Sami Nawfal, is not to be confused with the Minister of Interior and National Security's security advisor of the same name.

- 206 "Major Srour Narrates for the First Time the Details of What Happened in Gaza Central Prison During the Recent War," *Police Magazine*, Special Issue on the Anniversary of the War, p. 14.
- 207 "[Minister of Interior: We Shall Open Door for Recruitment to Security Agencies](#)," *Filasteen al-An*, November 2, 2009.*
- 208 "The Government Four Years On: Ministry of Interior Continues to Impose Order and Attain Stability and Social Peace," *al-Ray*, p. 6. On new prisons, see Lieutenant-Colonel Nasser Deeb Suleiman (Director-General of Reform and Rehabilitation [prisons]), "[Director-General of Reform and Rehabilitation: Few Women's Crimes in Gaza](#)," [Ministry of Interior website](#), June 9, 2010.* A different government press release reported the capacity of the Khan Yunis prison as *eight* hundred, adding that it is equipped with sewing machines and provides training in welding and ironmongery for prisoner rehabilitation. "Ministry of Interior Inaugurates New Central Prison in Khan Yunis With Capacity of 800," *al-Ray*, no. 61, July 4, 2010, p. 16.
- 209 Information on vehicle losses according to Director of Technical Affairs (NSF) Lieutenant-Colonel Eng. Mohammad Amin an-Nakhkhaleh, "[Interview with Director of Technical Affairs in National Security Forces](#)," [National Security Forces website](#), undated [posted May 27, 2010].*
- 210 "A year after the Furqan War: Ministry of Interior Full of Offer and Achievements."
- 211 "Minister of Interior Fathi Hammad: The Ministry of Interior Serves the People," p. 33.
- 212 "[Hanieh Honors Police Command: We Have Moved from the Attrition Phase to the Phase of Security Development in Gaza](#)," [Ministry of Interior website](#), February 4, 2010.*
- 213 Author's discussion with Zainab al-Ghonaimy, director of the Center for Women's Legal Research and Counseling, and 'Isam Yunis, Helsinki, December 7, 2010.
- 214 "[Assistant Under-Secretary: The Ministry of Interior Undertakes Training and Conducts over 120 Specialized Courses in All Areas](#)," [Ministry of Interior website](#), July 22, 2010.*
- 215 "[Since the Start of the Year: Interior Organizes 18 Training Courses for 333 Male and Female Employees](#)," [MoINS website](#), October 19, 2010*; and "[General Personnel Council Launches Strategic Planning Course for Directors General at Ministry of Interior](#)," [MoINS website](#), November 3, 2010.*
- 216 "Ministries of Interior and Foreign Affairs sign memorandum of understanding."

- 217 [Events listed on the Geneva Centre for the Democratic Control of Armed Forces \(DCAF\).](#)*
- 218 A description of the conference is in [“Dr. Lubbad: The Police Conference Will Discuss the Reality and Future of the Palestinian Police in a Scientific and Objective Manner,” Ministry of Interior website, June 24, 2010.](#)* A full list of working papers submitted to the conference is provided in Sharif Sammour, “al-Jarrah: The Conference Aims to Focus on the Capabilities and Achievements of the Police and on the Impediments and Challenges,” *al-Ray*, no. 63, July 18, 2010, p. 18.
- 219 [“Minister of Interior and Police Command: Graduation of Course of Training Instructors for Special Police,” Ministry of Interior website, June 24, 2010.](#)*
- 220 “The Security Agencies in Gaza: Four Years under the Challenge of the Siege.”
- 221 According to “Military Medical Services Present Their Health Services to over Half a Million Citizens,” *al-Ray*, no. 44, March 14, 2010, p. 6; and [“Colonel Zahhar: We Recently Graduated 4,000 Civil Defense Cadres Who Are Ready for Any Emergency,” Palestinian Ministry of Interior website, March 8, 2010*](#); and [“2920 Trainees Benefit from Civil Defense Courses in the Past Half a Year,” Ministry of Interior website, July 6, 2010.](#)*
- 222 According, for example, to a former senior Hamas cadre, name withheld on request, e-mail correspondence with author, July 3, 2010.
- 223 Authors’ e-mail correspondence with Rob Blecher, director, Arab-Israeli project, International Crisis Group, October 31, 2010.
- 224 [Council of Ministers decision EH/MO/120/11, September 8, 2009.](#)* PASF personnel could acquire a maximum of two years’ seniority for memorizing the entire Qur’an, one year for memorizing fifteen parts, and six months for memorizing ten parts. Their attainment level was to be certified by the Ministry of Endowments and Religious Affairs and by Dar al-Qur’an al-Karim wal-Sunnah (House of the Holy Qur’an and Tradition).
- 225 Husam Kanafani, “ Hamas Security Formations Precede Meeting with Fatah!”
- 226 Ibid.
- 227 ““The Problématique of Palestinian Security Sector Reform and the Difficult Questions,”” draft paper for DCAF, n.d. (received May 2010), pp. 12 and 16.
- 228 Interview with Brigadier Tayseer Mustafa al-Batsh in “Police Deputy Commander: We Will Focus in the Coming Period on Our Relations with Citizens.”

- 229 Siyam may have set up training channels during visits to Syria and Iran prior to June 2007. [“Sa’id Siyam in the Circle of Defiance, Living and Martyred,” *al-Jazeera.net* website, January 16, 2009.](#)* The number sent abroad is estimated to be in the “tens,” according to a former senior Hamas cadre, name withheld on request, and to a former Fatah security officer in Gaza. Author’s interviews, Gaza, January 8 and 9, 2010. Contrary to the extensive, even overwhelming role of the U.S. and EU security and police missions in designing training and force-building programs and setting priorities for the West Bank PASF, this author has not found any evidence or suggestion of micromanaging by Iran, Syria, or Sudan in the Gaza PASF. Minister of Interior Hammad claims that in contrast to Hamas, the Hanieh government, implicitly including the security sector, receives no money from Iran. Interviewed in al-Husseini, “Fathi Hammad Speaks to *al-Hayat*: al-Qa’edah Has No Presence in Gaza.”
- 230 On training in 2007, see Milton-Edwards, “Order without Law?” p. 23.
- 231 PASF practice in 1994–2005 replicated the perverse legacy in this regard of the PLO, which similarly sent thousands of its military and security personnel and civilian cadres to receive training in dozens of foreign countries between 1965 and 1993. For more detail, see Sayigh, *Armed Struggle and the Search for State*.
- 232 Author’s interview with Ibrahim Habib, Gaza, January 8, 2010.
- 233 Cited in “Secretary-General of the Council of Ministers: Continuing in Office for Four Years Despite Challenges and Conspiracies Is a Big Success,” *al-Ray*, no. 42, February 28, 2010, p. 3.
- 234 The Faculty is often called the “Academy for Police and Security Sciences” in the Arabic sources consulted for this paper. [For a description and for details on its curriculum, see the Faculty’s website.](#)*
- 235 For details of the Law section, see: <http://www.uou.edu.ps/inside-sd-11-rd-409.html>. For details of the Police Sciences section, see: <http://www.uou.edu.ps/inside-sd-11-rd-408.html>.
- 236 [Cabinet resolution HE/WM/120/11, 2009, September 8, 2009.](#)*
- 237 [Cabinet resolution HE/WM/129/11, 2009, October 13, 2009.](#)*
- 238 Author’s interview with Ibrahim Habib, Gaza, January 8, 2010.
- 239 Lieutenant-Colonel Amin Nawfal (legal advisor to the College), “When the Palestinian Police College Turns from an Idea into a Brilliant Reality,” *Police Magazine*, no. 11 (February 2010), p. 6.
- 240 Amin Nawfal and Dr. ‘Isam Salem (deputy head for academic affairs), cited in *Ibid*.

- 241 Author's interview with Ibrahim Habib, Gaza, January 8, 2010. The successful applicants included one hundred PASF personnel and sixty civilians. "Habib: Palestinian Police College Will Match Colleges in Arab World," *Police Magazine*, no. 6 (October 2009), p. 4.
- 242 ["The Police College in Gaza: A Response to a Pressing Need, and Defiance to the Siege with a Clear Vision and Big Goals," Civilian Police website, October 31, 2010.*](#)
- 243 Interview with Major Ibrahim Habib, in ["The First of its Kind in Gaza: The Police College Defies the Siege and Removes the Need for Arab Colleges," Civil Police Chat Forum, November 20, 2009.*](#)
- 244 "Minister of Interior Fathi Hammad: The Ministry of Interior Serves the People," p. 33.
- 245 "Minister of Interior: We Shall Open Door for Recruitment to Security Agencies."
- 246 ["Police College Announces It Is Now Open for Applications to Its Programs," Ministry of Interior website, August 17, 2010.*](#)
- 247 On appointing or promoting officers on the basis of their "struggle legacy," see General Personnel Council head Mohammad al-Madhoun, cited in "Dr. al-Madhoun Criticizes Dominance of Clientilism over Hiring in the West Bank and Confirms Disbursement of Prisoners' Salaries," *al-Ray*, no. 50, April 25, 2010, p. 20; and Ibrahim Habib, "The Problématique of Palestinian Security Sector Reform and the Difficult Questions." On the delay regarding a new intake of cadets, see Lieutenant-Colonel Amin Nawfal, cited in "When the idea for a Palestinian Police College is transformed into a brilliant reality," *Police Magazine*, no. 11 (February 2010), p. 6. On the balance of officers vis-à-vis privates, see "Minister of Interior Confirms Continuation of Execution of Collaborators and Criminals."
- 248 "Minister of Interior Confirms Continuation of Execution of Collaborators and Criminals."
- 249 "Minister of Interior: We Shall Open Door for Recruitment to Security Agencies."
- 250 ["In Photos: The Palestinian Police Celebrate Passing Out of Their 20th Officers' Qualifying Course," Civil Police website, July 1, 2010.*](#) On Directorate of Training centers, Hammad cited in "Minister of Interior: We Have Formed Specialized Security Units for Social, Political, and Economic Security," *al-Ray*, no. 67, August 15, 2010, p. 4.
- 251 ["Minister of Interior: We Seek to Create a Comprehensive Military College," Ministry of Interior website, July 8, 2010.*](#)

- 252 ["During the Inauguration of the General Administration for Training: The Minister of Interior Confirms That the Ministry Is on the Verge of Opening the Door to Voluntary Conscription," Ministry of Interior website, July 27, 2010.*](#)
- 253 ["Poll: 49.8% Support Conscription," *al-Resalah*, August 15, 2010.*](#)
- 254 An anonymous security official in Gaza suggested that conscription would "give Hamas direct access to a wider segment of the population." Cited in ["*Hamas official Says Group Considering Military Draft in Gaza*," July 27, 2010.*](#)
- 255 Details in this paragraph from Colonel Talal al-Najjar, Director-General of the General Military Finance Administration, MoI, cited in ["*Director-General of the Military Finance Administration: The MoI has Set Up a Social Mutual Fund for Security Agencies Personnel*," Ministry of Interior website, March 29, 2010.*](#)
- 256 Personnel up to the rank of adjutant contribute NIS15 (\$4.15) a month to the fund; officers of the rank of lieutenant to general contribute NIS30 (\$8.30). (Exchange rate as of late February 2011.)
- 257 See, for example, the biography of Lieutenant-Colonel Zuheir Mahmoud al-Sharbasi, who was reported to have completed a university degree in social development before joining the PASF Special Police in 2001 at the age of 23. He was assigned to the bodyguard detail for Prime Minister Hanieh and then became director of administrative affairs for the Security and Protection Apparatus. [The online eulogy said that "his mother breastfed him her milk that contained within it pride and dignity, and he drank the milk of love for Palestine, all of Palestine, the love of its soil, and death defending it and retaking it from the hands of the occupying Zionist aggressors." Security and Protection Apparatus website, August 11, 2009.*](#)
- 258 ["Palestinian Police Commences Implementation of Its Decision to Prevent Employees from Working as Taxi Drivers," Palestine Police website, June 1, 2010.*](#)
- 259 [According to the head of the General Personnel Council, Mohammad Ibrahim al-Madhoun, "Administrative Reform in Palestine," Government Media Office website, May 23, 2010.*](#)
- 260 [Statement by Assistant Under-Secretary \(*wakil musa'ed*\) Kamel Abu-Madi, "Assistant Under-Secretary: Ministry of Interior Enters Phase of Overall Quality," Ministry of Interior website, June 30, 2010.](#)
- 261 "Ministry of Interior: Accomplishment of a Million Transactions in 4 Years, and Gaza Population Approaches 2 Million," *al-Ray*, no. 50, April 25, 2010, p. 24.
- 262 Interview with 'Ahed Hamadeh, Director-General of the MoI in the Gaza governorate, ["Hamadeh: Gaza Interior Cares for Half the Inhabitants of the](#)

- [Gaza Strip and Provides Them Services with Utmost Ease," Government Media Office, August 15, 2010.](#)* Hamadeh claimed that administrative requests that had previously taken six months to fulfill now took fifteen days.
- 263 ["Four Years On: Ministry of Interior Continues to Impose Order and Attain Stability and Social Peace," Ministry of Interior website, April 4, 2010.](#)*
- 264 On the cancellation of security clearance requirements, see General Personnel Council head Mohammad al-Madhoun, quoted in "Dr. al-Madhoun Criticizes the Dominance of Clientilism over Employment in the West Bank, and Confirms Disbursement of the Salaries of Prisoners," *al-Ray*, no. 50, April 25, 2010. All other figures in this paragraph are from "Four Years On: Ministry of Interior Continues to Impose Order and Attain Stability and Social Peace."
- 265 "The Palestinian Police Launches a New Radio Program Called 'Police and People,'" *Police Magazine*, no. 12 (June 2010), p. 12.
- 266 Texts posted at <http://www.moi.gov.ps/?page=634031353008750000>. Official Gazette posted at http://www.dft.gov.ps/index.php?option=com_dataentry&pid=6&Itemid=27.
- 267 ["Ministry of Interior Bans Night Celebrations after Midnight," Ministry of Interior website, February 24, 2010*](#); ["Rafah Police Ban Motorcycle Riding after Midnight," Government media office website, March 25, 2010*](#); ["Head of Traffic Police: Special New Measures Affecting Motorcycles," Palestine Police website, May 10, 2010*](#); "Transport and Communications Ministry: Excessive Speed Kills More Motorcycle Riders," *al-Ray*, no. 56, June 7, 2010, p. 4.
- 268 "Interior Will Launch a Fierce War against Collaborators When the Opportunity for Atonement Ends."
- 269 The Gaza MoI complained about the loss of access and the resulting risk of fraud in the local population registry in "Ministry of Interior: Accomplishment of a Million Transactions in 4 Years, and Gaza Population Approaches 2 Million."
- 270 The blank passports were ordinarily completed and issued by the Gaza MoINS in accordance with standard criteria and procedures. The MoINS made the issue public in mid-2009. See "Palestinian Ministry of Interior Issues Appeal to All Human Rights Organizations and the Red Cross," *Interior* (newsletter), July 2009, p. 11. Number of passports transferred according to Wisam al-Ramlawi, Director-General of the Passports Section at the MoINS. Cited in "Interior: The Arab Countries Adopt the Green Passport," *al-Ray*, no. 76, October 24, 2010, p. 4. A useful summary of the passports issue and how it has been dealt with in Gaza is in Hovdenak, *The Public Services under Hamas in Gaza*, pp. 20–21.

- 271 The term “passports blockade” was used, for example, in “Ministry of Interior Demands the Fatah “Authority” in Ramallah Resolve the Passports Crisis,” *al-Ray*, no. 56, June 7, 2010, p. 5. The Gaza-based MoI official spokesperson Ihab al-Ghussein claimed in July 2010 that only 18,000 passports had been issued to Gazans over the preceding two years, while ‘Ahed Hamadeh, Director-General of the MoI in the Gaza governorate, stated that only 10,000 passports had been received since June 2007, and that Gaza needed 15,000 a month. The West Bank-based MoI has not confirmed any specific figures. “Hamadeh: Gaza Interior Cares for Half the Inhabitants of the Gaza Strip and Provides Them Services with Utmost,” and [Amira Hass, “Passports Are the Latest Weapon in the Struggle between Fatah and Hamas,” *Ha’aretz*, July 25, 2010.](#)* The last source also cited a researcher at the Palestinian Independent Commission for Human Rights who claimed that 100,000 new passports had arrived in Gaza since 2007; but a seminar run by the Commission appeared to confirm that passports had been withheld from Gaza since November 2008; see <http://www.ichr.ps/atemplate.php?id=532>.
- 272 “Police Deputy Commander: We Will Focus in the Coming Period on Our Relations with Citizens.”
- 273 Available at <http://www.moi.gov.ps/Page.aspx?page=content&id=2>.
- 274 Hasan al-Saifi, “Inspector-General’s Letter to Police Personnel,” *Police Magazine*, no. 7 (November 2009), p. 16.
- 275 “Brigadier al-Jarrah: The Police Are Witnessing a Qualitative Jump in Their Performance, and the Executive Force Had a Positive Impact on My Police Career,” *Police Magazine*, no. 6 (October 2009), p. 2.
- 276 Quotation from Milton-Edwards, “Order without Law?,” p. 665.
- 277 [“Press Statement Issued by the Ministry of Justice Regarding the Carrying Out of Death Sentences on Convicted Persons,” Government Media Office website, April 19, 2010.](#)*
- 278 [“Execution of Criminal Offenders according to God’s Law, Then the Legislature’s Laws,” *Filasteen al-An* website, May 20, 2010.](#)*
- 279 The relationship between public opinion and Hamas behavior is noted by Jeroen Gunning in *Hamas in Politics: Democracy, Religion, Violence* (New York : Columbia University Press, 2008), p. 189.
- 280 “Palestinian Authority: U.S. Assistance Is Training and Equipping Security Forces, but the Program Needs to Measure Progress and Faces Logistical Constraints,” p. 39.

- 281 For an extensive discussion of informal justice, see Lynn Welchman, "The Bedouin Judge, the Mufti, and the Chief Islamic Justice: Competing Legal Regimes in the Occupied Palestinian Territories", *Journal of Palestine Studies* 38, no. 2 (2008), pp. 6–23, and Hillel Frisch, "Modern Absolutist or Neopatriarchal State Building? Customary Law, Extended Families, and the Palestinian Authority," *International Journal of Middle East Studies* 29, no. 3 (1997), pp. 341–58.
- 282 International Crisis Group, *Inside Gaza*, p. 11.
- 283 Welchman, "The Bedouin Judge, the Mufti, and the Chief Islamic Justice," p. 11.
- 284 Hani Albasoos, "Case Study I: The Judicial Sector," in Hovdenak, *The Public Services under Hamas in Gaza*, p. 59.
- 285 Much of the insight in this section comes from the author's interview with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010, and e-mail correspondence, June 14, 2010.
- 286 Albasoos, "Case Study I: The Judicial Sector," p. 58.
- 287 Ibid.
- 288 A full description of the structure and responsibilities of this department can be found on the Ministry of Interior website at: <http://www.moi.gov.ps/?page=633327940794531250>.
- 289 Author's interview with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010.
- 290 International Crisis Group, *Inside Gaza*, p. 2.
- 291 Also in attendance were Dr. Nasim Yasin, head of the Conciliation Department in the Association; Abu Nasser al-Kijik, head of the General Administration for Clan Affairs and Societal Conciliation, and the head and deputy head of the Beach Reconciliation Committee. "[Association of Palestine 'Ulema Concludes Conciliation between Several Families](#)," *al-Resalah* website, March 20, 2010.*
- 292 "The Government Sponsors a Clan Conciliation between Three Gazan Families according to Islamic Sharia," *al-Ray*, no. 61, July 4, 2010, p. 6.
- 293 "[Palestine 'Ulema Resolve 10,140 Disputes in 2009](#)," *Filasteen* online, March 4, 2010.*
- 294 Quotation from "Informal Justice: Rule of Law and Dispute Resolution in Palestine" (Institute of Law, Birzeit University, 2006), p. 140, as cited in International Crisis Group, *Inside Gaza*, p. 3.

- 295 Lynn Welchman, "The Bedouin Judge, the Mufti, and the Chief Islamic Justice," p. 20.
- 296 Albasoos, "Case Study I: The Judicial Sector," p. 59.
- 297 Milton-Edwards, "Order without Law?," p. 664.
- 298 Hamas expressed a wish to "prevent the citizens from taking the law into their own hand or seeking judiciary support from traditional mechanisms of adjudication." See Hamad, *The Challenge for Hamas: Establishing Transparency and Accountability*, pp. 9-10.
- 299 Hovdenak, *The Public Services under Hamas in Gaza*, p. 15.
- 300 That reduced burden is noted by Isma'il Jaber, the attorney general appointed by the Hanieh government in August 2007, as interviewed by Hani Albasoos in "Case Study I: The Judicial Sector," p. 38.
- 301 ["Minister of Interior Opens Police Station in Northern Gaza," Ministry of Interior website, July 21, 2010.*](#)
- 302 Author's interview with Abu Abdullah Lafi, Gaza, January 9, 2010.
- 303 [Quotation from Minister of Justice Mohammad Faraj al-Ghoul, "Palestinian Minister of Justice: Security Anarchy and Corruption in Justice Agencies Are Gone and Shall Not Return; We Are Developing the Judicial System," Ministry of Justice website, December 21, 2009.*](#)
- 304 Islah Hasaniyyeh, "Addressing the Effects of the Division on the Judicial Apparatus," in *Towards a Sustainable Reconciliation* (working papers on addressing the consequences of division, Palthink symposium, Gaza, September 2008), pp. 11 and 14.
- 305 On the detention of the governors, see [briefing to the Security Council by Lynn Pascoe, under-secretary-general for political affairs \(S/PV.5963, Sixty-third year, 5963rd meeting, August 20, 2008, 10:00 a.m., New York\)*](#).
- 306 Albasoos, "Case Study I: The Judicial Sector," p. 34.
- 307 Hani Albasoos states that judges' salaries are in the range of NIS 4,500–NIS 5,000 (\$1,240–\$1,380) a month, compared with the previous level of some NIS 10,000 (\$2,760) a month. See "Case Study I: The Judicial Sector," p. 36.
- 308 "Palestinian Minister of Justice: Security Anarchy and Corruption in Justice Agencies Are Gone and Shall Not Return."

- 309 "Reforming the Justice System, Restoring Respect and Rule Of Law, and Forming the Judicial Institute," *al-Ray*, no. 49, April 18, 2010, pp. 6–7.
- 310 According to Chief Islamic Justice Taysir al-Tamimi, cited in Albasoos, "Case Study I: The Judicial Sector," p. 31.
- 311 From an interview by [Amal Habib in "Head of Supreme Council of Sharia Justice al-Joujou: We Seek to Form a Unified Justice Authority," *al-Resalah Net*, March 22, 2010.](#)*
- 312 Author's discussion with Zainab al-Ghonaimy, Helsinki, December 8, 2010.
- 313 Libya was the first country to implement this change (in 1973), according to Ann Elizabeth Mayer, "In Search of Sacred Law: The Meandering Course of Qadhafi's Legal Policy," in *Qadhafi's Libya, 1969–1994*, ed. Dirk Vandewalle (New York: St Martin's Press, 1995), p. 114.
- 314 This was one of a list of tasks referred to by al-Joujou in the interview cited above: Habib, "Head of Supreme Council of Sharia Justice al-Joujou: We Seek to Form a Unified Justice Authority."
- 315 Author's discussion with Zainab al-Ghonaimy, Helsinki, December 8, 2010.
- 316 [Jihad Harb and Saleh Sroor, *The Performance of the Palestinian Legislative Council 2009* \(Miftah – The Palestinian Initiative for the Promotion of Global Dialogue & Democracy, December 2009\), p. 39.](#)*
- 317 On the military justice system since 2000, see Geneva Centre for the Democratic Control of Armed Forces and Musawa (Palestinian Center for the Independence of the Judiciary and the Legal Profession), "Best Practice in Military Justice: Concepts and Frameworks," June 19, 2008, p. 3 (observations of attorney Ali al-Naoq). On reactivation since 2007, see ["Head of Military Justice: Coming Days Will See Lawsuits Brought against the Occupation for Its Crimes against Gaza Security Agencies," Palestine Police website, March 26, 2009,](#) (interview with Colonel Ahmad Atallah).*
- 318 Details on reform and reorganization in ["Military Courts Activities," Military Judiciary Staff website, last updated May 26, 2010.](#)*
- 319 "Ruling Palestine I: Gaza under Hamas," p. 13.
- 320 Text posted on Military Judiciary Staff website, at: http://www.tmj.gov.ps/index.php?option=com_content&view=article&id=6&Itemid=4.
- 321 On the application of the death sentence since 2009, see [Human Rights Watch, "Gaza: Do Not Resume Executions," April 6, 2010.](#)*

- 322 See, for example, [Independent Commission for Human Rights, "In Violation of Proper Legal Procedures, the Deposed Government in the Gaza Strip Executes Death Sentences of Convicted Persons," April 15, 2010.](#) .
- 323 "In Three Months...the Military Court Concludes Several Cases, Most Importantly Sentencing the Killers of Journalists Muhammad 'Abdo and Muhammad al-'Ishshi," *Interior* (newsletter), July 2009, p. 11.
- 324 "[The Military Court Passes Prison Sentences on a Number of Accused,](#)" [Ministry of Interior website, July 20, 2010.](#)*
- 325 "[Gaza: Drug Users Could Face Execution,](#)" [Ma'an News Agency, August 10, 2010.](#)*
- 326 "[Opinion Poll: 94% Support Implementing Death Sentence against Collaborators,](#)" [Ministry of Information website, April 8, 2010.](#)*
- 327 Author's interview with Abu Abdullah Lafi, Gaza, January 9, 2010.
- 328 According to Palestinian Legislative Council member 'Abdul-Rahman al-Jamal, cited in "[Graduation of a Course in Qualifying Judgments for a Number of Policemen,](#)" [Ministry of Interior website, July 22, 2010.](#)*
- 329 Siyam's résumé is posted on the MoINS website at: <http://moi.gov.ps/Page.aspx?page=details&nid=21914>.
- 330 Hammad's résumé is posted on the MoINS website at: <http://www.moi.gov.ps/?page=633772958642812500>.
- 331 "Minister of Interior and National Security Issues a Number of Decrees and Circulars to the Commanders and Cadres of the Security Agencies," *Interior* (newsletter), July 2009, p. 8.
- 332 "The Letter of the Minister of Interior to the Cadres, Officers, and Soldiers of the Palestinian Security Agencies," *Interior* (newsletter), July 2009, p. 3.
- 333 'Alaa' Lahlouh, "The Social Agenda of Hamas: Hamas Positions towards the Issues of Women, Minorities, and Civil Rights" (Palestinian Center for Policy and Survey Research, March 2010), p. 7.
- 334 Ibid.
- 335 This definition draws on Andries Du Toit, "Globalizing Ethics: Social Technologies of Private Regulation and the South African Wine Industry," *Journal of Agrarian Change* 2, no. 3 (July 2002), p. 366. Quotation from Kevin Stenson, "Community Policing as a Governmental Technology," *Economy and Society* 22, no. 3 (August 1993), p. 375.

- 336 ["Member of Parliament Abu-Tayr: Gaza Police Is Different from Any Other on Earth," MoINS website, December 19, 2010.*](#)
- 337 ["Minister of Interior: Security Agencies Operate according to the Law as Defined by the Constitution," February 7, 2010.*](#)
- 338 ["A Word from Commission Head Dr. Anwar al-Bar'awi," Political and Moral Guidance Commission website, January 12, 2010.*](#)
- 339 ["Minister of Interior: Salafism not a Danger to Gaza," Cabinet Secretariat website, March 4, 2010.*](#)
- 340 [Anwar al-Bar'awi, in welcoming editorial on the Commission website, January 12, 2010, last updated March 3, 2010.*](#)
- 341 A summary description can be found at: http://www.gca.gov.ps/ar/index.php?option=com_content&view=article&id=177&Itemid=32. On additional centers, see "First of its Kind: Political Guidance Commission Establishes a Holy Qur'an Center for the Security Agencies," *Police Magazine*, no. 4 (August 2009), p. 13 (citing Anwar al-Bar'awi).
- 342 According to Anwar al-Bar'awi, cited in "First of its Kind: Political Guidance Commission Establishes a Holy Qur'an Center for the Security Agencies."
- 343 ["Political and Moral Guidance Commission Launches a Qualification Course for Police Proselytizers," Political and Moral Guidance Commission website, February 7, 2010*](#), and ["Police Public Relations Department Takes Part in Graduation Ceremony for Police Proselytizers," Civil Police website, April 24, 2010.*](#)
- 344 "Introductory Bulletin" (leaflet downloaded in pdf file), p. 2, http://www.gca.gov.ps/ar/index.php?option=com_content&view=article&id=1594.
- 345 Information in this paragraph is from the webpage of the Government Guidance Institute, at: http://www.gca.gov.ps/ar/index.php?option=com_content&view=article&id=1706.
- 346 "Introductory Bulletin," pp. 4 and 6.
- 347 ["In the presence of the Minister of Interior...Political Guidance Commission Launches Government Guidance Institute for Security Agency Personnel," Political and Moral Guidance Commission website, June 10, 2010 \(citing Institute director Major Zaki al-Sharif\).*](#) On duration of courses, ["Political Guidance Commission Oversees Graduation of 400 Officers and Personnel from Guidance Institute," MoINS website, February 24, 2011.*](#)
- 348 Ibid.; and "Introductory Bulletin," p. 6.

349 Copy of timesheet on file with author.

350 "The Police Establishes a Permanent Committee for Religious Rulings," *Police Magazine*, no. 7 (November 2009), p. 12.

351 ["In a New and Novel Step to Break the Barrier of Awe between Policemen and Drivers, the Traffic Police Organizes a 'Police Proselytization' Campaign," Civil Police website, June 7, 2010*](#); and ["In Photographs...Rafah Police Visit Citizens' Homes and Deliver Proselytizing Lessons," MoINS website, November 9, 2010*](#).

352 On exhortation, see ["Political Guidance Commission in Rafah Organizes Radio Campaign to Utilize Summer Time," Political and Moral Guidance Commission website, June 16, 2010.*](#) The term "incubators" is from Aminah Ziyarah, "Summer Camps in the Gaza Strip: Programs to Train Society and Develop Human Skills," *Filastin al-Muslima* 27, no. 11 (November 2009), pp. 22–24.

353 ["Political Guidance Commission in the Central Region Organizes a Visit to the Dean of the Palestine Academy of Security Sciences, Kamal Turban," Political and Moral Guidance Commission website, June 14, 2010.*](#)

354 Untitled news item, *Interior* (special newsletter), Public Relations and Media Department, MoINS, July 2009, p. 3.

355 ["In Presence of Hamas Leaders, Political and Moral Guidance Commission Organizes First Faith Battalion for the Internal Security Apparatus in Central Region," Political and Moral Guidance Commission website, June 16, 2010.*](#)

356 ["Minister of Interior and Commanders of Security Agencies in Face-to-Face Meeting with Citizens," Ministry of Interior website, July 26, 2010.*](#)

357 Author's interview with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010. On the "zannanah" label, see [Amira Hass, "Otherwise Occupied: The Humming of the Zanana," Ha'aretz, August 2, 2010.*](#)

358 Author's interview with former Fatah security officer, name withheld on request, Gaza, January 9, 2010.

359 ["Gaza Police to Start Enforcing Ban on Male Salon Workers," Ma'an News Agency, March 5, 2010*](#); ["Interior Ministry Decides to Stop 'Sorcery and Magic' Activities," Filastin al-An, January 27, 2010*](#); [Rory McCarthy, "Hamas Patrols Beaches in Gaza to Enforce Conservative Dress Code," Guardian, October 18, 2009.*](#) The attempt to impose hijab on female lawyers was first introduced by the head of the newly established Higher Judicial Council in July 2007, according to 'Alaa' Lahlouh in "The Social Agenda of Hamas," p. 30.

- 360 [“Ministry of Health in Cooperation with General Prosecution Destroy Nearly Two Million Tramal Pills,” Ministry of Interior website, April 20, 2010*](#); [“ Hamas Security Forces Break Up Gaza Strip’s First Major Hip-Hop Concert,” Ha’aretz, April 25, 2010.*](#)
- 361 “Trial and error” characterization by Naila Ayesah, interviewed in [Edmund Sanders, “Palestinian Says Women’s Rights Forgotten in Gaza,” Los Angeles Times, June 27, 2010.*](#) On ISA warnings, author’s interview with the head of a major NGO with a branch in Gaza, Ramallah, January 13, 2010.
- 362 Author’s interview with Hasan Saifi, Gaza, January 9, 2010. Observations on compliance from author’s interview with leading Palestinian pollster Khalil Shikaki, Ramallah, January 5 and 12, 2010. On the sense of intimidation among women, see [Stephanie Chaban, Reema Daraghmeah, and Garance Stettler, “Palestinian Women and Security: Why Palestinian Women and Girls Do Not Feel Secure” \(Geneva Centre for the Democratic Control of Armed Forces \(DCAF\), 2010\), pp. 21–22.*](#)
- 363 [Mkhaimar Abusada, “ Hamas and the Social Islamization of Gaza,” bitterlemons-international.org, edition 21, November 4, 2010.*](#)
- 364 E-mail correspondence with the author, name withheld, October 16, 2010.
- 365 As interviewed by Jihan al-Husseini in “Fathi Hamad Speaks to *al-Hayat*: al-Qa’edah Has No Presence in Gaza.”
- 366 Yousef, “ Hamas Does Not Oppress Women.” Yousef was in turn quoting Hamas Politburo head Khaled Mesh’al.
- 367 Quoted in Abusada, “ Hamas and the Social Islamization of Gaza.”
- 368 [Bill Van Esveld, “The Danger of an Islamized Gaza,” Los Angeles Times, June 28, 2010. Posted on the Human Rights Watch website.*](#)
- 369 Author’s interview with Sara Roy, Harvard University, who has researched and written extensively on the Gaza Strip, Cambridge, MA, May 24, 2010.
- 370 [Ashraf al-Hawr, “By Government Decree: Gaza Women Banned from Smoking Nargileh in Beach Restaurants and Resorts,” al-Quds al-Arabi \(London\), July 19, 2010.*](#)
- 371 Ibid.
- 372 [“Al- Batneji: Palestinian Police Issues Regulations for Women’s Clothing Stores,” Civil Police website, July 28, 2010.*](#)

- 373 ["In Expanded Dialogue about Security Issues: Police Say Certain Parties Seek to Instigate Crimes in Gaza," *Filasteen Online*, August 23, 2010.*](#)
- 374 Author's discussion with Zainab al-Ghonaimy, Helsinki, December 7, 2010.
- 375 Author's discussion with 'Isam Yunis, Helsinki, December 7, 2010.
- 376 Author's discussion with Zainab al-Ghonaimy, Helsinki, December 7, 2010.
- 377 This is the assessment of independent analyst Mouin Rabbani, in e-mail correspondence with the author in February 2010.
- 378 Author's discussion with 'Isam Yunis and Khaled Hroub, Helsinki, December 8, 2010.
- 379 Author's discussion with Zainab al-Ghonaimy, Helsinki, December 7, 2010.
- 380 Ibid.
- 381 Interview with Lieutenant I'timad al-Fram, director of policewomen, "We Shall Absorb New Policewomen in Coming Period," in *Police Magazine*, no. 1 (May 2009), p. 5.
- 382 Fadi al-Husni, "Gaza Police Commander Major-General Tawfiq Jabr: He Moved from Fatah to Hamas for Land and Resistance; He Rebuilt the Police Force to Serve Citizens," *Filasteen Al-Muslima* 27, no. 3 (March 2009), p. 33.
- 383 The initial intake was reported in *al-Resalah*, September 9, 2007, cited in Lahlouh, "The Social Agenda of Hamas," no. 45; the second in [Taghreed El-Khodary, "Gaza City Journal: Hamas Police Force Recruits Women In Gaza," *New York Times*, January 18, 2008*](#); and the third in "Member of Parliament Huda Na'im Visits New Policewomen Training Course in Arafat Police City," *Police Magazine*, no. 8 (December 2009), p. 4.
- 384 Interview with I'timad al-Fram, "We Shall Absorb New Policewomen in Coming Period."
- 385 Interview with Captain Narimeen 'Udwan, director of policewomen, "Udwan: Women Police Work an Indispensable Necessity in Our Society," *Police Magazine*, no. 11 (February 2010), p. 3.
- 386 Lieutenant I'timad al-Fram, then director of policewomen, cited in "Head of Policewomen in Interview with *Police Magazine*: We Will Absorb New Policewomen in the Coming Period," *Police Magazine*, no. 1 (May 2009), p. 5; interview with Director of Policewomen Narimeen 'Udwan, in "Udwan: The Work of Policewomen Is an Indispensable Necessity in our Society," *Police Magazine*, no. 12

- (June 2010), p. 5; and speech by Lieutenant Rima Nawfal, director of policewomen in the Central Region, in [“Policewomen Deliver Lecture Titled ‘Policewomen and Their Role in Society’ in Central Governorate,” Ministry of Interior website, July 26, 2010.*](#)
- 387 “Relationship between Policewomen and Society,” *Police Magazine*, no. 2 (June 2009), p. 5. The term used in Arabic for “public” rights—‘ammah—is also used to mean “general” rights, but the former translation seemed more apt in this context.
- 388 Yousef, “ Hamas Does Not Oppress Women.” Yousef was in turn quoting Hamas Politburo head Khaled Mesh’al.
- 389 Milton-Edwards and Farrell, *Hamas: Islamic Resistance Movement*, p. 182. For an example of Hamas discussions of the political and resistance role of women, see Usama ‘Amer, “Commemorating the Women’s March in Beit Hanoun: The Female Fedayeen of the Siege Are an Extension of the Role of Women in Islam,” *Filasteen Al-Muslima* 26, no. 12 (December 2008), pp. 16–18.
- 390 “Policewomen: Challenged Despite the Enormity of the Crisis,” *Interior* (special newsletter issued by PR & Media Department of MoI), p. 4.
- 391 [“Gaza Policewomen Continue 50-Day Campaign,” Ministry of Interior website, November 28, 2010.*](#)
- 392 [“On the 24th Day of the Campaign, Policewomen Continue Field Visits,” MoINS website, November 30, 2010.*](#)
- 393 On Sudan, see [Policewomen in Sudan: Making a Difference \(UNMIS Police in Action, Electronic Newsletter, Monthly Issue, Special Edition for Women, March 2009.*](#) On Iran, see [“Iran: Police to Deploy Women Officers for First Time since Islamic Revolution,” January 4, 2003.*](#)
- 394 Harb and Sroor, *The Performance of the Palestinian Legislative Council 2009*, p. 39.
- 395 Lieutenant-Colonel ‘Imad Deeb (director of the General Administration of University Security), interviewed in “The General Administration of University Security in the Police: Fatah Budgets \$250,000 to Disseminate Corruption among Students,” *al-Ray*, no. 51, May 2, 2010, p. 6.
- 396 Available at: <http://www.police.ps/ar/page.php?do=show&action=dep24>. According to Lieutenant-Colonel ‘Imad Deeb, the unit was unable to operate in al-Azhar University, whose administration takes instructions from Fatah in the West Bank. “Police Magazine Focuses Spotlight on University Security Administration,” *Police Magazine*, no. 6 (October 2009), p. 10.

- 397 'Imad Deeb, interviewed in "The General Administration of University Security in the Police."
- 398 "Imad Deeb, interviewed in "Police Magazine focuses spotlight on University Security Administration."
- 399 'Imad Deeb, interviewed in "The General Administration of University Security in the Police."
- 400 Chaban, Daraghmeh, and Stettler, "Palestinian Women and Security: Why Palestinian Women and Girls Do Not Feel Secure," p. 27.
- 401 MoINS spokesperson Ihab Ghusein was quoted regarding concerns about social networking in "[Interior Warns against Misuse of Some Websites,](#)" [Ministry of Interior website, April 12, 2010*](#), and in [Jon Donnison, "Israel Using Facebook to Recruit Gaza Collaborators," April 5, 2010.*](#)
- 402 On training, see news item on Ministry of Interior website, April 20, 2010, <http://www.moi.gov.ps/?page=633167343250594025&nid=15832>; for quotation from Fathi Hammad, see interview in "Minister of Interior Confirms Continuation of Execution of Collaborators and Criminals." Concern about the security implications of advanced communications technology was also reflected in a MoINS alert in October that warned the general public – and especially members of the resistance – of the risk that cars imported from Israel might contain electronic eavesdropping and surveillance devices or be rigged with explosives. See *al-Ray*, no. 77, October 31, 2010, p. 4.
- 403 See, for example, the item on phishing at: http://www.gca.gov.ps/new/index.php?option=com_content&view=article&id=2302:--phishing&catid=19:2010-03-18-07-11-07&Itemid=48.
- 404 Reported in "[Female Collaborators...and the Moral Fall,](#)" [Ministry of Interior website, June 12, 2010*](#), and "[Security Services Detain a Women Who Was a Collaborator for Five Years,](#)" [Ministry of Interior website, June 27, 2010.*](#)
- 405 "Interior Will Launch a Fierce War against Collaborators When the Opportunity for Atonement Ends."
- 406 [David Tafuri, "Wireless in Gaza: If Young Palestinians Have Access to Better Information Today, They May Make Better Decisions Tomorrow," August 25, 2010.*](#)
- 407 "[Palestinian Jailed for Logging on to Facebook as 'God' to Criticize Islam,](#)" [Ha'aretz, November 12, 2010.*](#)
- 408 Author's e-mail correspondence with Khaled Hroub, September 9, 2010.

- 409 Such fear is expressed by Ghazi Hamad in author's interview, Gaza, January 9, 2010.
- 410 Mel Frykberg, " Hamas 'Morality' Campaign Restricts Civil Liberties in Gaza."
- 411 ["Minister Hammad Discusses Latest Developments," *Filastin al-An*, July 12, 2010.*](#)
- 412 [Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 37, September 30, 2010–October 2, 2010.**](#)
- 413 "Constructive destruction" – laying waste to the Palestinian Authority, reinstating full Israeli control of the kind that existed before the first intifada, and reaching an imposed settlement with obedient canton administrators – was an option considered by senior Israel Defense Force officers to combat the intifada ([Akiva Eldar, "The Constructive Destruction Option," *Ha'aretz*, October 25, 2002.*](#) Although Eldar states that this option was abandoned, the first two outcomes occurred nonetheless, on account of the alternative policies adopted.
- 414 According to Mohammad Faraj al-Ghoul, minister for prisoners and liberated prisoners (and minister of justice), fifty-eight Palestinian legislators, including a number belonging to Fatah and other factions, were held in Israeli prisons at one point; the number had dropped to eleven by June 2010. "Minister for Prisoners: The Occupation Still Holds 11 Legislators Illegally in Prisons," *al-Ray*, no. 60, June 27, 2010, p. 14.
- 415 For a critical assessment of the performance of both the Hamas and Fatah parliamentary blocs, see Harb and Sroor, *The Performance of the Palestinian Legislative Council 2009*. The twenty-six members of the Hamas parliamentary bloc in Gaza are joined by one independent lawmaker. Six members were in Israeli prisons as of the beginning of December 2010.
- 416 The pro-Hamas *Filasteen al-Muslima* reported that there were thirteen "armed wings" of Palestinian factions operating in Gaza. "Thirteen Military Wings in Gaza Announce Formation of a Joint Operations Room," *Filasteen al-Muslima* 28, no. 10, October 2010, p. 11.
- 417 Quotation from the Popular Front's head in Gaza, Politburo member Rabah Mhanna, in ["Mhanna: Hamas Practices Repression and Intimidation, but We Refuse to Be Drawn into Internecine Fighting," Popular Front for the Liberation of Palestine website, February 1, 2010.*](#)
- 418 ["ICHR Calls Upon the Deposed Government to Disclose the Identity of the Perpetrators of Lawlessness," Statement 6/2010, Independent Commission for Human Rights, May 18, 2010*;](#) and ["Fatah's Spokesperson, Fayez Abu Aita, under House Arrest in the Gaza Strip," Statement 8/2010, Independent Commission for Human Rights, May 23, 2010.*](#)

- 419 The confusion of roles is noted by Ibrahim Habib in “The Problématique of Palestinian Security Sector Reform and the Difficult Questions,” p. 8. MoINS officials insist that NGOs have been closed or penalized only when they have been found to be in violation of laws and regulations. The director of the MoINS branch in Khan Yunis, for example, claimed that corruption had been discovered in the case of two important Western donor-funded NGOs in mid-2009, and that 185 fictional NGOs had been exposed (“Continuous Action...Interior in Khan Yunis Seizes Corruption Files and Threatens Remaining Violators,” *Interior* (newsletter), July 2009, p. 3). The head of the MoINS General Administration for Public Affairs (presumably the Public Relations and Media Department) meanwhile reported that 157 NGOs had been closed in 2008 for violations after receiving three months’ statutory notice, and that the dissolution decrees were later repealed in twenty-three cases (“General Affairs at the Ministry of Interior Guides Local Society with Regard to Its Need for Charitable and Civil Associations through Computerized Statistical Data,” *Interior* (newsletter), July 2009, p. 5).
- 420 Author’s interview with Sara Roy, Harvard University, Cambridge, MA, May 24, 2010.
- 421 Ibid. Milton-Edwards and Farrell make the same point in *Hamas: Islamic Resistance Movement*, p. 195.
- 422 Ilana Feldman, “Observing the Everyday: Policing and the Conditions of Possibility in Gaza (1948-1967),” *Interventions* 9, no. 3, pp. 415 and 427.
- 423 [“Gaza Government Prohibits a Sit-in in Solidarity with UNRWA and a Workshop by ICHR – Al Mezan Condemns these Decisions and Calls for Respecting the Law,” Al Mezan Center for Human Rights, May 24, 2010*](#); [Khaled Abu Toameh; “ Hamas Raids, Closes NGO Offices,” Jerusalem Post, June 4, 2010.*](#) A second UNRWA summer campsite was burned down a month later by twenty-five masked gunmen, but the perpetrators were, typically, not identified or apprehended.
- 424 Extensive details regarding the purpose, organization, and curricula of the Hamas camps are posted on the website of the Ministry of Youth and Sports at: http://www.mys.gov.ps/index.php?option=com_content&task=category§ionid=10&id=32&Itemid=92.
- 425 The MoINS again condemned the attack on Crazy Water in a statement posted at: <http://www.moi.gov.ps/Page.aspx?page=details&nid=19053>.
- 426 [“Palestinian Public Opinion Poll No. 37: Full Analysis,” Palestinian Center for Policy and Survey Research, October 24, 2010.*](#)
- 427 [“The Independent Commission for Human Rights ‘Ombudsman’ Views with Serious Concern the Closure or Impeding by the Gaza Security Agencies of a](#)

- [Number of Hotels and Tourist Facilities in Gaza City during September,” Statement No. 20/2010, Independent Commission for Human Rights, September 15, 2010.*](#)
- 428 [Fares Akram and Osama Radi, “News Analysis: Hamas, UNRWA in Rift over Human Rights Teaching,” English.news.cn, September 19, 2010.*](#)
- 429 Palestinian security sources estimated that Israel had recruited 20,000 collaborators during the first three decades of the occupation. See Zaki Chehab, *Inside Hamas: The Untold Story of Militants, Martyrs and Spies* (London: I.B. Tauris, 2007), p. 69.
- 430 Amnesty International, “Palestinian Authority: Hamas’ Deadly Campaign in the Shadow of the War in Gaza,” Media Briefing, AI Index: MDE 21/001/2009, February 10, 2009. In an internal letter purportedly written by IQB commander al-Ja’bari to Hamas Politburo head Khaled Mesh’al in early March 2010, al-Ja’bari acknowledged that “some of our mujahideen committed idiocies, killing some individuals belonging to the former [security] agencies or their relatives for personal reasons, but the safety of our movement is a thousand times more important than a death here or there.” Letter on file with the author.
- 431 Quotation from Milton-Edwards and Farrell, *Hamas: Islamic Resistance Movement*, p. 119.
- 432 Ibid.
- 433 On the number of detained collaborators in PASF prisons, Colonel Sami Nawfal director-general of Rehabilitation and Reform Centers, interviewed in “We Have Specialized and Qualified Personnel to Work in the Prisons, and We Have No Secret Prisons,” *Interior* (special newsletter), Public Relations and Media Department, MoINS, July 2009, p. 8. On the execution of detainees during the Gaza War, [Associated Press, “Hamas Action to Catch Spies Spreads Panic in Gaza,” September 22, 2010.*](#) There is an admission to killing Fatah members in an internal letter purportedly written by IQB commander al-Ja’bari to Hamas Politburo head Khaled Mesh’al in early March 2010, Letter on file with the author.
- 434 In an internal letter purportedly written by al-Ja’bari to Mesh’al in early March 2010. Letter on file with the author.
- 435 “Weekly Activity Report of Ministry of Interior: The Police Arrest a Professional Motorcycle Thief and the Paramedics Training Institute Starts New Course,” *al-Ray*, no. 78, November 7, 2010, p. 9.
- 436 Siyam’s decision was contained in decree M91/2008, based on article 63/5 of the 2008 Military Justice Law. [Sami Na’im al-Ashram, “Statutory Justice and Military Justice: Similarities and Differences,” Military Judiciary Staff website, June 10, 2010.*](#)

- 437 ["Internal Security: We Have Hit the Shabak's Instruments and Promise More," MoINS website, October 4, 2010.*](#)
- 438 "In a unified media campaign in the Gaza Strip to combat the phenomenon of collaboration...a director in Internal Security asserted that collaborators who turn themselves in will be dealt with in strict confidentiality and then released within one and a half hours of turning themselves in." (May 20, 2010, <http://www.moi.gov.ps/Page.aspx?page=details&nid=16812>.)
- 439 [Interviewed in Sayyed Isma'il, "Pursuing Agents: An Implied Message and a Last Chance for Repentance," *Filasteen Online*, May 23, 2010.*](#)
- 440 ["Three Reasons Why Tens of Agents in Gaza Have Surrendered to Internal Security," MoINS website, May 20, 2010.*](#)
- 441 ["Association of Palestine Ulema: Agents May Not Be Shrouded or Prayed Over," MoINS website, May 27, 2010.*](#)
- 442 "Internal Security: We Have Hit the Shabak's Instruments and Promise More."
- 443 [Alex Fishman, " Hamas on Killing Spree in Gaza," *Ynetnews*, August 10, 2010.*](#)
- 444 The counter-espionage unit attached to the IQB is reported by Israeli sources to have received professional training in coded communication systems in Syria, Iran, and Gaza. Alex Fishman, " Hamas on killing spree in Gaza."
- 445 [Associated Press, " Hamas Action to Catch Spies Spreads Panic in Gaza," September 22, 2010.*](#)
- 446 Ibid.
- 447 Posted at: <http://moi.gov.ps/page.aspx?page=advdetails&id=37>. The same page also contains a podcast of the confessions of a collaborator.
- 448 [Mohammad Sawwaf, "Don't Leave People Prey to Rumors," *Filasteen Online*, September 18, 2010*](#), and [Asma' Sarsour, "Rumors of 'Collaboration': Honor Impugned by 'Ignoramuses,'" *Filasteen Online*, September 20, 2010.*](#)
- 449 ["Interior Warns against Spreading Rumors and Affirms the Necessity of Obtaining Information from Official Sources," MoINS website, September 21, 2010.*](#)
- 450 On the MoINS main page, at: <http://www.moi.gov.ps/Page.aspx?page=content&id=2>.
- 451 According to the MoINS statement, the re-registration of private cars as taxis was being eased in response to the number of "abstaining" PA employees on the West

Bank payroll who drove their personal cars for hire, thus reducing the earnings of licensed taxi drivers. Additionally, new taxi drivers could register their taxis at a reduced fee, were granted a three-month grace period within which to repaint their cars in the prescribed yellow, and were offered reduced fees for training courses. The police were repossessing apartments that had been illegally appropriated by Fatah members or bought fraudulently with public funds under previous governments, in order to restore them to their rightful owners or reclaim through the courts money owed the government, and were also pursuing associations that were not paying installments or arrears due on government land they had purchased or leased in order to construct private housing. Taxes now being levied on shops and skilled trades and audits of NGO accounts were not new; they were simply being applied after a long abeyance. Travel restrictions were imposed by the attorney general only on persons wanted by the PASF for financial, judicial, or legal violations, not for political reasons. Public gatherings were legal, so long as the police were notified in advance. Citizens summoned for questioning were assured legal protection and due process by a wide array of bodies that monitored and corrected the behavior of PASF branches. "Ministry of Interior Clarifies the Facts and Refutes the Rumors and Misrepresentations Issued by Some Quarters to Tarnish the Image of the Palestinian Government," *al-Ray*, no. 51, May 2, 2010, p. 17.

- 452 The campaign is described in *al-Ray*, no. 79, November 14, 2010, Special Supplement, p. 4.
- 453 See, for example, "[Will Continue to Check All Vehicles: In Photographs, Ministry of Interior Launches Campaign to Control Government Vehicles amidst Broad Welcome](#)," MoINS website, November 1, 2010.*
- 454 Observation made by former senior Hamas cadre interviewed by the author, name withheld on request, Gaza, January 8, 2010.
- 455 As paraphrased in Eva Bellin, "Faith in Politics: New Trends in the Study of Religion and Politics," *World Politics* 60, no. 2 (January 2008), p. 322.
- 456 The quotation is from a reader's letter to the pro-Hamas *Filasteen Al-Muslima*. [Letters from the Homeland, *Filasteen Al-Muslima*, 28, no. 1 \(January 2010\).](#)*
- 457 Douglass C. North, John Joseph Wallis, and Barry R. Weingast, "Violence and the Rise of Open-Access Orders," *Journal of Democracy* 20, no. 1 (January 2009), p. 58.
- 458 Author's interview with Hasan Saifi, Gaza, January 9, 2010.
- 459 Author's interview with former Fatah security officer, name withheld on request, Gaza, January 9, 2010.

- 460 Quotation from Seymour Martin Lipset, cited in Carrie Rosefsky Wickham, "The Path to Moderation: Strategy and Learning in the Formation of Egypt's Wasat Party," *Comparative Politics* 36, no. 2 (January 2004), p. 217.
- 461 Use of the term "*weltanschauung*" by prominent Hamas leaders was attested to in author's interviews with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010, and others.
- 462 Author's interview with Fatah security officer Ahmad 'Isa, Ramallah, January 13, 2010.
- 463 Author's interview with Hasan Saifi, Gaza, January 9, 2010.
- 464 This argument is also made in Are Hovdenak, "Hamas in Transition: The Failure of Sanctions," *Democratization* 16, no. 1 (February 2009), pp. 59-80. The moderate wing was previously seen to have gained the ascendancy when its gamble on the rewards of participating in PA politics appeared to have paid off handsomely; see, for example, Khaled Hroub, "Palestinian Islamism: Conflating National Liberation and Socio-political Change," *International Spectator* 43, no. 4 (December 2008), pp. 59-72, and Khaled Hroub, "A 'New Hamas' through Its New Documents," *Journal of Palestine Studies* 35, no. 4 (Summer 2006), pp. 6-27. A similar but more up-to-date argument is made in Jarab'ah, *Hamas: Hesitant March towards Peace*.
- 465 Hani al-Masri, *Palestinian Reconciliation Is Delayed and Tied to the Fate of Negotiations*, Arab Reform Brief No. 8 (Arab Reform Initiative, November 2010), p. 4.
- 466 Hamad, *The Challenge for Hamas: Establishing Transparency and Accountability*, p. 4.
- 467 Author's interview with Ibrahim Habib, Gaza, January 8, 2010.
- 468 Author's interview with former senior Hamas cadre, name withheld on request, Gaza, January 8, 2010.
- 469 The university, which was established in 1961, has five faculties (besides another five attached centers or programs): Sharia (Islamic Law), *al-Da'wah wa Usul Al-Din* (Preaching and Principles of Religion), Holy Qur'an and Islamic Studies, Arabic Language, and Hadith (Islamic Traditions). Main website at: <http://iu.edu.sa/web/default.aspx>.
- 470 "In Presence of Minister of Interior, Political Guidance Commission Launches Government Guidance Institute for Security Agency Personnel."
- 471 Author's interview with Hasan Saifi, Gaza, January 9, 2010. See "Minister of Interior Congratulates MoI Inspector-General on Award of Doctorate."
- 472 Anwar al-Bar'awi, "The Aims of the Political and Moral Guidance Commission."

- 473 al-Husseini, "Fathi Hamad Speaks to al-Hayat: al-Qa'edah Has No Presence in Gaza."
- 474 Author's observations, and "[How Israel Plays into Hamas's Hands,](#)" *The Economist*, [June 3, 2010](#).*
- 475 [Donald Macintyre, "The Enemy Within: Life under Hamas,"](#) *The Independent*, [November 28, 2010](#).*
- 476 *Majlis al-Shura* is an elected assembly and the movement's highest decision-making body, while the political bureau exercises executive powers. Are Hovdenak, " Hamas in Transition: The Failure of Sanctions," pp. 64–65. For the internal structure of Hamas, see also Shaul Mishal and Avraham Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, revised 2nd edition (New York: Columbia University Press, 2006), Appendix One, p. 173.
- 477 Author's discussion with independent researcher, name withheld, September 2010.
- 478 Milton-Edwards and Farrell, *Hamas: Islamic Resistance Movement*, p. 129.
- 479 Jabr, "'Jaljalat' Awaits Conducting a Large Operation of Allegiance to al-Qaeda."
- 480 Regarding *Al-safwah*, see Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, p. 76.
- 481 Taleb also claimed that, although most Jaljalat members were "in Palestine," its squads were distributed in Gaza, the West Bank, Israel, and the Sinai Peninsula. Interviewed in Jabr, "'Jaljalat' Awaits Conducting a Large Operation of Allegiance to al-Qaeda."
- 482 Letter on file with the author, p. 2.
- 483 Mai Yaghi, " Hamas Thrives in Gaza's Besieged Economy," July 25, 2010, http://news.yahoo.com/s/afp/20100725/wl_mideast_afp/mideastconflictgazahamaseconomy_20100725050458.
- 484 Letter on file with the author.
- 485 Author's discussion with independent researcher, name withheld, September 2010.
- 486 Author's e-mail correspondence with Nathan Thrall, independent writer, December 8, 2010.
- 487 Authors' e-mail correspondence with Rob Blecher, based on information from General Intelligence officer, West Bank, October 31, 2010; and Milton-Edwards and Farrell, *Hamas: Islamic Resistance Movement*, p. 127.

- 488 "Brigadier al-Jarrah: The Police Are Witnessing a Qualitative Jump in Their Performance, and the Executive Force Had a Positive Impact On My Police Career," p. 2.
- 489 "Palestinian Police Prepare to Launch Campaign to Confiscate Unlicensed Weapons," MoINS, August 21, 2010*, and "[Gaza Governmentt to Seize All Unlicensed Weapons](#)," *Ma'an News Agency*, August 21, 2010.*
- 490 Ibid, pp. 66-67.
- 491 Ibid, p. 67.
- 492 International Crisis Group, *Inside Gaza: The Challenge of Clans and Families* (Middle East Report No. 71, December 2007), p. 17.
- 493 This perspective is argued in [Haidar Eid, "Tough Questions for Hamas," al-Zaytouna website \(reproduced from Ma'an News Agency\), November 8, 2010](#).*

*Weblinks are available in the PDF version at www.brandeis.edu/crown

About the Author

Yezid Sayigh is Professor of Middle East Studies in the Department of War Studies at King's College, London. In 2009-2010, he was a Senior Fellow at the Crown Center for Middle East Studies, Brandeis University, and a Visiting Scholar at the Center for Middle East Studies, Harvard University. From 1994 to 2003, he was Assistant Director of Studies at the Centre of International Studies, University of Cambridge, and additionally directed the Middle East programme at the International Institute for Strategic Studies (IISS) in London (1998-2003). In 1990-1994, he was an advisor and negotiator in the Palestinian delegation to the peace talks with Israel, and headed the Palestinian delegation to the Multilateral Working Group on Regional Security and Arms Control. Since 1999, he has provided policy and technical consultancy on the permanent status peace talks and on Palestinian reform. Previously he was a Research Fellow at St. Antony's College Oxford (1990-1994), and has been a visiting professor or scholar at the American University of Beirut, Brown University (Providence, RI), Centre d'Etudes et de Recherches Internationales (Paris), National Defense Academy (Yokosuka, Japan), and School of Oriental and African Studies.

Crown Center for Middle East Studies

The Crown Center for Middle East Studies at Brandeis University is committed to producing balanced and dispassionate research regarding all aspects of the contemporary Middle East.

The Center's research staff reflects its broad geopolitical focus, employing experienced researchers with high-level expertise about Egypt, Israel, Palestine, Turkey, Iraq, Iran and Saudi Arabia. The Center's activities include conducting conferences, seminars, and workshops. In addition to publishing basic research in the form of books and monographs, the Center has created tools for "real-time" distribution of analyses regarding current developments and events in the Middle East with the Middle East Brief. In addition to their research activities, the Center's staff teaches undergraduate- and graduate-level courses at Brandeis University. With a commitment to objective research and such a wide array of activities, the Crown Center is taking its place as a leading university research center for the study of the Middle East.

For more information and to view all Crown Center publications,
please visit www.brandeis.edu/crown