

Under the Microscope?

The Palestinian Commission of Inquiry into the Hamas Takeover of Gaza

Amir Kulick

On June 17, 2007, two days after Hamas took over the Gaza Strip, Abu Mazen appointed a commission of inquiry to investigate the failure of the Palestinian Authority (PA). The committee comprised political associates of Abu Mazen: Tayeb Abd al-Rahim, the secretary general of the president's office, appointed to head the committee; the president's media adviser, Nabil Amru; the head of the president's office, Rafiq al-Hassini; the governor of the Ramallah district, Said Abu Ali; and several senior officers from the Palestinian security services. The committee functioned for approximately thirty days, though its report was only published in February 2008.

Clearly a committee dominated by associates of the president is inherently flawed. Moreover, all the committee members took part in one way or another in the events they were appointed to investigate and as such also bear responsibility for the results. Nonetheless, the mere appointment of a commission of inquiry is an unusual occurrence in the PA and the Arab world in general. Accordingly, the commission's report provides a rare glimpse into how PA senior officials perceive the reasons for the failure and the steps that from their perspective are needed to rectify the situation. This article reviews the failure as diagnosed by the Palestinians, and infers the ramifications relevant for Israel.

Ostensibly the Hamas takeover of the Gaza Strip was a purely military matter, easily summarized: Over the years Hamas built up an efficient organizational mechanism.

Upon winning the parliamentary elections, it supplemented its terror networks with a powerful semi-military force. At the same time, due to various tactical reasons, the PA's security apparatuses failed to protect their military strongholds and capitulated to the determination and superior power of the Hamas fighters. Indeed, the fact that the dominant committee members were Abu Mazen's supporters meant it was intended to focus on the military aspect and to refrain from delving into the political echelon's responsibility or other non-military issues. However, beyond the military aspect, the committee in fact did touch on more basic issues, among them the functioning of the political echelon and the state of the Fatah movement. From this perspective, the PA's failure in Gaza as presented in the report is a symptom of its status in general. From the Israeli perspective, repair of these flaws is likely to serve as

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a test of the PA's ability to control the West Bank and its ability to be a serious partner in any future arrangement.

The Political Perspective

In this area, the committee dealt with two main issues: first, the lack of a clear vision of the essence of the PA and consequently, the weakness of the security establishment and the absence of a clear policy for coping with the Islamic challenge; and second, the weakness of the Palestinian leadership.

"A State or a Terror Organization"?

The committee members date the root of the evil back to 1994 and the establishment of the Palestinian Authority. As emerges from the report, the Palestinian leadership under Arafat did not relate to the new entity that was established as the seeds of "the state to come," but as a territory under PLO control. The practical significance of this approach was expressed in two principal ways: one, the absence of a clear strategy for coping with Islamic movements, Hamas foremost among them; and two, the absence of a clear strategy regarding anything to do with building the security establishment and its objectives. After all, if the new entity is not a state but rather an additional incarnation of "a political system in the framework of the PLO," as the report states, there is no need to fight against the Islamic movements challenging the rule of the PA, as they should instead be included within the existing rules of the game, as was the case with other Palestinian organizations such as the Popular Front for the Liberation of Palestine and the Democratic Front during the 1970s and 1980s.

Consequently, the report notes, there was no perceived need to build a "serious military-security establishment with a fight-

ing doctrine and defined objectives." And indeed, instead of a single strong military force, more than ten small security forces were set up with the establishment of the PA. These reflected both the semi-military bodies that existed under the PLO and the internal rivalries among senior PLO officials. Added to this was the relationship of the forces' leaders to the security organizations they headed. These leaders, the committee noted, acted based on a perception that the system is "a feudal-security territory and their private property"; the severe impact on the functioning of the security forces in general and during the crisis with Hamas in particular was reflected in a lack of coordination, organizational and internal weakness, and especially the loss of direction.

The Weakness of the Leadership

The lack of a crystallized national concept regarding the question of what is the Palestinian Authority, the absence of a clear strategy to cope with the Islamic challenge, and a weak security apparatus led to senior PA officials dealing weakly with Hamas. This weakness continued to characterize the Palestinian leadership, even when "all the headquarters in Gaza received indications and signs that Hamas was planning to take over the Palestinian Authority and suppress it" and also when "specific reports regarding this matter were placed on the president's desk." However, instead of initiating a clash to quell Hamas, the leadership chose "out of a mistaken political approach of political partnership" to appease Hamas. In the committee's view, this situation led to two major results: first, the strengthening of Hamas' self-confidence and its belief that it had the ability to overpower the PA. The second result was a blow to the morale of the secu-

rity forces and their willingness to fight the movement, since in any case, after the round of fighting, an agreement would be reached.

The National Movement's Ideological Crisis

As part of its analysis of the failure, the committee members point to morale as a crucial factor. Interestingly, this issue is mentioned almost as an incidental remark and relates only to the functioning of the national security apparatus ("the army" of the Palestinian Authority). However, it seems that the authors of the report sought to imply or possibly chose to refrain from directly exposing the real problem in this context – the ideological crisis of the Palestinian national movement in general. In contrast with Hamas and its clear and popular messages of "Islam is the solution" and "armed conflict is the way," the Palestinian Authority and the Fatah movement have in recent years been in a state of ideological confusion. The way in which they chose to realize the Palestinian national goals – political negotiations with Israel – did not bring the hoped for results and is perceived by much of the Palestinian public as a failure. The launching of a renewed armed struggle led by the Palestinian Authority and Fatah in October 2000, followed by a return to political negotiations upon Abu Mazen's rise to power in 2004 similarly failed to bring the Palestinians closer to achieving their national ambitions. On the other hand, Hamas can present the Palestinian street with a series of achievements in the domestic arena and in the struggle against Israel. The movement won a decisive victory in the 2004 and 2005 local elections and a victory in the Legislative Council elections, and it also claimed credit for Israel's decision to withdraw from the Gaza Strip. In this reality

the Islamic message seems far more relevant than the secular national ideology represented by Fatah and the Palestinian Authority. Therefore, the low morale and "the absence of a clear national and political vision" in the national security apparatus typify not only a specific security apparatus, but also the entire nationalist stream.

The Organizational Collapse of Fatah

The ideological crisis, the weakness of the Palestinian leadership, and the weakness of the security establishment are closely connected to the organizational weakness of the Fatah movement. This in turn directly affected the functioning of the Palestinian security forces in the fight against Hamas. Since Fatah members fill most of the command positions in the security forces, rivalries within the movement and impaired functioning of its institutions are reflected directly in the functioning of the security establishment.

As described by the report, Fatah's current situation is quite serious: "The Fatah movement suffers from a complex and deep crisis," resulting from corruption, internal divisions, and the absence of political achievements. The lapse of the movement's leadership, according to the report, stems first and foremost from the failure to outline ways to reorganize the movement, especially in light of the loss of the local and parliamentary elections. The report determines that for some time the movement's leadership bodies – the Revolutionary Council and the Central Committee – have not filled an effective role and are rather making do with "being an observant bystander." This situation was naturally reflected in the course of the clash with Hamas. When the decisive moment approached three rival factions emerged within the Fatah movement in the Gaza Strip, with

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opposing perceptions and agendas. Thus at the height of the clashes, several of the senior Fatah activists in the Gaza Strip (this apparently refers to Abu Maher Halas) maintained “contacts and coordinated directly with Hamas...without consulting with the organizational frameworks....They did so as if it was a personal matter without considering the impact on the movement and its members.” Hamas in turn exploited the internal division within the movement and presented the battle between it and the PA as a battle against one faction in Fatah – the faction headed by Muhammad Dahlan. This tactic, according to the committee, turned out to be particularly successful to the point where senior figures in the movement publicly stated that they would not take part in “Dahlan’s battle.”

Particularly shocking is the committee’s statement to the effect that Fatah itself as a movement chose a passive stand in the clash and did not consider the battle with Hamas a battle between two movements. In this situation, the report notes, “the movement no longer was a movement, rather just scattered groups.” Fatah’s organizational disarray impacted directly on the functioning of the security forces, so instead of Fatah serving as a common denominator that could unify the security forces and spur them into joint action, the Fatah movement became “a burden on the forces” and impaired their functioning. A noticeable example is the identification of the preventative security apparatus in the Gaza Strip with Dahlan. Indeed Dahlan’s activity in recent years transformed the apparatus to a large extent into his private domain. Thus when the clashes erupted and Hamas announced it was a clash against Muhammad Dahlan and his operatives in the Gaza Strip, the security apparatuses opted to stand off

to the side even as one after another of the preventative security headquarters fell.

Furthermore, the polarization in the Fatah leadership institutions and foremost among them the Central Committee led to a situation wherein none of the senior leadership figures were in the area when the events occurred and none functioned in the face of the impending disaster. This reality directly affected the desire and ability of the PA forces to fight Hamas: “The clash took place and ended in the absence of the political leadership in the [military] arena, which created among the commanders in the field a sense that they were waging the struggle without political and moral backing. The Fatah Central Committee did not fulfill its role while the enterprise it had set up was in danger. Several central committee members fumbled and the leadership in Ramallah stood idly by. The armed positions fought while their backs were exposed, the Fatah leadership was not present, and if it was present, did not intervene, as if the matter did not affect it.”

The Military Perspective

A Shortage of Weapons or Resources?

Was Fatah’s military failure due to any kind of shortage of weapons or other resources? This question is particularly relevant given the huge sums injected by Western countries into the Palestinian security forces and the military equipment that was transferred to them since the establishment of the Palestinian Authority. For its part, the committee stated unequivocally that the failure did not stem from a shortage of manpower or equipment. Instead, it questioned, “how is it possible that a force numbering over 50,000 people in a geographic area of slightly more than 300 sq. kilometers, with experience, resources, and legitimacy, collapses before 20,000

militia men?!” The answer the report offers is simple: in practice, no more than 10-15 percent of the armed force at the disposal of the Palestinian security apparatus took part in the confrontation. Beyond the issue of manpower, the shortage of weapons was also not a problem. In many places, the report states, instances were uncovered of improper use of weapons due to a lack of training, and there were also cases of wasted munitions due to panic, lack of confidence, or lack of concentration. The committee concluded that “the weaponry was there, but its use was flawed; most of it was not used, and it was abandoned in military positions and on the streets.” Even though most of the weapons were old and worn and new weapons arrived late to the wrong channels, according to the committee, “they could nonetheless have been produced and used with proper management and a minimal, systematic work plan.” The same is true of other areas relating to the military force, including “training, supply, and use of security information, which did not merit attention.”

The Weakness of the Palestinian Security Apparatuses

If the roots of the military failure do not lie in a shortage of resources and arms, where can they be found? It seems that as described by the committee, the most fundamental reason was the transformation of the apparatuses into “a social welfare organization.” This statement in the report refers specifically to the national security apparatus, which should have borne most of the burden of fighting with Hamas. However, presumably this description to a large extent also reflects the situation of the other apparatuses. Over the years, membership in the security apparatuses was a way for the PA to fund its

supporters. Various attempts to restrict the phenomenon failed or yielded only limited results. So, in the words of the committee, the security forces were turned into “no more than a facade” and “a system that was closer to a welfare organization with no military discipline, with no trained command, and with no positions or assignments.”

In addition, the report cites immediate and direct reasons for the failure, foremost among them the weakness of the command authority. Abu Mazen placed the elderly Fariq Abd al-Razaq al-Majaida at the head of the security establishment in Gaza. Al-Majaida was supposed to have controlled the forces using a shared operations room that was intended to serve as a joint command for all the security forces. However, the force commanders did not accept his authority. As noted by the report, there were some who saw him as “an adviser who can be bypassed. Others felt the operations commander must come from within the forces and not from outside them. Still others saw him as a weak, old man and some saw him as frustrated and despairing man and did not see him as a commander... the result was a command crisis.” In this situation, al-Majaida himself noted in his testimony before the committee, “the operations room remained exclusively within the bounds of the room in which I was present.”

However the crisis of command extended beyond al-Majaida himself and typified the Palestinian Authority’s security unit: “Just as al-Majaida did not control the commanders,” the committee stated, “the commanders had no control over their charges.” The report cites several reasons for this situation, but it seems that the most dominant among them was “the lack of confidence in the establishment, and a preference for the family connection at the expense of the organizational

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commitment and military discipline.” To this, according to the committee, should be added several other factors including: the absence of basic training for all the various levels of command, the lack of operational experience, and no less important, the success of the Izz al-Din al-Qassam fighters in integrating into the Palestinian Authority’s security forces and disrupting their functioning. The depth of the infiltration of the movement’s activists is indicated in part by the fact that several of the bodyguards of the force commanders were in effect Hamas activists.

Another expression of the security establishment’s weakness and the lack of a central authority was Dahlan’s attempt to manage the fighting from a distance. Although he was abroad, Dahlan apparently continued to attempt to shape the combat, down to particular tactical moves. The combination of factors eventually led to “collective neglect on the part of the command level.” All of this is clearly reflected in the description of the fighting waged by the Presidential Guard. This apparatus was to spearhead the fight against Hamas, and consequently in the months preceding the conflict it acquired substantial sums and equipment. Members of the force itself were assigned to protect Abu Mazen and were also supposed to protect the presidential compound. However, as the deputy commander of the force testified before the committee, “the Presidential Guard did not take part in the confrontation.” Even at the height of the fighting with Hamas, “the atmosphere in the Mindata [the presidential compound in Gaza] was not a fighting atmosphere. No state of emergency was declared, people were not summoned, and there was no special operations room for the Guard....The war was waged nearby as if it was totally unconnected to it. When

the situation got worse, the fighters including the bodyguards of the president’s house abandoned their posts and their weapons in the vicinity of the Mindata. The commander of the force itself was in a state of collapse and knew nothing about his force or about the course of the fighting. Most of the time he did not leave his office or his bedroom. He took off his uniform and went to the residential complex of the Egyptian delegation in civilian clothes, abandoning his post even before the assault.”

Integration of Terrorist Activists in the Palestinian Security Forces

This issue is primarily a political one but the ramifications for the functioning of the Palestinian security forces were severe. The committee cited the actions of semi-military organizations as one of the most important factors in the PA’s failure in its fight against Hamas. As the committee notes, the militia organizations sprouted up as part of the conflict with Israel and received the blessing of the Palestinian Authority and internal legitimization. However, “the power of these organizations gradually increased until it spiraled out of control.” The result were quite serious, as the militias “put an end to the Palestinian Authority’s monopoly on the use of force, undermined the rule of law, and enabled the formation of gangs that impaired security and order, created anarchy, and led to the loss of control.” These organizations posed “a veritable challenge” for the Palestinian Authority, but it was incapable of coping with this phenomenon by absorbing the members of these organizations into its military forces. In an attempt “to deal with this reality and resolve the problem peacefully, numerous attempts were made to absorb these organizations.” Since 2005 the Palestin-

ian government approved the absorption of over 12,000 militia members into the Palestinian Authority's security forces. Among those absorbed were terrorist activists who were connected to Fatah but were also members of organizations that left Fatah, such as the Abu al-Rish Brigades and the Saladdin Battalions, as well as Islamic Jihad and Hamas activists. The impact of this step was destructive. Many of the activists continued to see the heads of their home militias, some associated with external elements in Syria, Lebanon, or Iran, as their main source of authority. In effect, this opened the door to the weakening of the forces by absorbing undisciplined elements and those who did not consider the PA or the military establishment as wielding any kind of authority over them.

Another aspect of this phenomenon was the Palestinian Authority's attempt to resolve the political problem with Hamas by absorbing the movement's members into its forces out of flawed political considerations. According to this same perception, once Hamas set up its own semi-military force – "the operational force" – the Palestinian Authority granted it legitimacy, claiming that it was necessary to build these forces on the basis of national cooperation and to enable all factions to take part in them. This policy provided approval for the unacceptable, that is, it justified the absorption of Hamas and other terrorist organization members in all the forces and cooperation with them. The result during the conflict with Hamas was particularly destructive. The report notes that in certain cases when these activists dominated in particular military frameworks they abandoned their posts, for example, with the national security battalion in the center of the Gaza Strip, or worse, joined the fighting against the Palestinian Authority.

Conclusion

A reading of the report yields a complex situation assessment and one that in rare candor comments on the failure of the Palestinian Authority in the fight against Hamas and on the status of its institutions in general. From Israel's perspective, the understandings arising from the report are not encouraging. In order for the Palestinian Authority to be a partner in a permanent arrangement and not just a partner in a "shelf" arrangement, it must implement a series of substantial reforms in the government and the military. In addition, it must successfully overcome the ideological crisis afflicting it and see fit to renew the face of the Fatah movement, or alternatively, create other organizational pipelines for mobilizing popular support and cultivating a new leadership. It is too early to say whether the Palestinian Authority is indeed heading in this direction, but the indications at this stage are not promising.

However, the Palestinian Authority's mere willingness to set up a commission of inquiry, assess the problems, and make the recommendations that are included in the second part of the report does signify an important step forward. At the same time, the leadership that failed in handling the conflict with Hamas is still in place, the institutional system that is no less responsible for this failure has not been changed, and there are no signs on the horizon of this happening any time soon. In this respect, it seems that without a substantial, internal change within the Palestinian Authority and without "a different" national leadership, any arrangement reached between Israel and the Palestinian Authority in the foreseeable future is likely to remain an arrangement on paper only.

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