

From Otwin Marenin (ed.) 1996.  
POLICING CHANGE, CHANGING POLICE  
New York: Garland Publishing.

## POLICING CHANGE IN THE GULF STATES: THE EFFECT OF THE GULF CONFLICT<sup>1</sup>

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### INTRODUCTION

The Gulf States are what many comparativists call traditional societies and as such have a number of unique features (Lerner, 1964). Yet these countries experience the forces of modernization, including economic growth, increases in population, a rise in crime and educational attainment, technology, and the presence of foreigners. In fact, according to Norton (1993: 216), "the best opportunity to create a vibrant civil society may come in those states widely viewed as 'traditional' or 'backward.' In cases where the state has not erected elaborate mechanisms for control and intimidation, nor fostered an enormous bureaucracy or a big state elite, political development may follow different paths." The Gulf crisis and war of 1990, hereafter referred to as the Gulf Conflict, left in its wake the potential for major western style democratic reforms, many of which can affect policing.

Although a number of books (e.g., Graz, 1992) and articles (e.g., Khalidi, 1991) have examined, in whole or in part, the general impact of the Conflict, this chapter specifically explores how the municipal police in three dominant Gulf countries--namely, the former Republic of Yemen, Kuwait, and Saudi Arabia<sup>2</sup>--were affected by the Conflict.<sup>3</sup> In particular, it analyzes the change process itself and how the police responded to calls for reform. In order to achieve this objective, the chapter briefly reviews the legal structures, history, organization, challenges, and changes that have been implemented in the municipal police forces of the three countries before, during, and since the Conflict.

The analysis depends on a review of English language, academic and popular, open-source literature. A thorough library search

was conducted. Organizations with a vested interest in the Gulf States, such as Amnesty International, Middle East Research Institute, and Middle East Watch were contacted. The project also benefitted from a series of interviews with individuals and experts currently living in North America who have some information or knowledge concerning the police or political processes in the three countries.<sup>4</sup>

To begin with, the forces for change in these countries did not start with the Gulf Conflict. For example, the movement for democratization can be traced back at least two-and-a-half decades (e.g., Ibrahim, 1993: 292). In general,

there is growing evidence of widening dissatisfaction with the reigning regimes. Governments, strapped by limited resources, massive and unwieldy bureaucracies, and burgeoning demands of fast-growing populations, frequently are failing to meet the needs and demands of their citizens....[This coupled with] repression at the hands of the state....and [vocal] human rights activists,... [has placed these states into] a persistent crisis of legitimacy... The 1991 Persian Gulf War did not create or unleash the discontent and the disdain that widely characterizes observers' and citizens' perspectives on government, but the war certainly accelerated the crisis of legitimacy by highlighting the inefficacy and the weakness of many of the regimes (Norton, 1993: 205-206).

In order to understand this "acceleration," the demands for reform should be placed in context. Consequently, the author will briefly review the legal and policing structures in these countries.

#### LITERATURE REVIEW

To understand the municipal police in the Gulf states, one needs to appreciate the legal systems that support them. In general, most of the legal systems of Arabic countries are built on the platform of Islamic law referred to as the *Shari'a*. *Shari'a* are Koranic edicts developed during the fourteenth century that permit and restrict

particular forms of behavior. Constraints are derived from interpretations of this Islamic code handed down by *ulemas* (i.e., senior religious figures). The *Shari'a* makes a number of practices westerners take for granted as our inherent and fundamental civil and human rights (e.g., consumption of alcohol or the socialization of men and women who are not related by blood or marriage) illegal. Also "[i]n Islamic law no office of public prosecutions is known" (Schacht, 1964: 189). Regardless of the seriousness of the offence (e.g., physical injury or homicide), litigation before a *Shari'a* judge or court requires the initiation of an action by a private claimant (e.g., the victim or relatives of the victim).<sup>5</sup> If Islamic law is not used, depending on the local customs and jurisdictions, citizens may resort to tribal and customary law. In some countries, the legal system is a blend of these two influences, plus the colonial laws that were implemented before independence (e.g., British statutory law), and socialist/communist ones that are/were experimented with (e.g., Southern Yemen).

Although a substantial literature has accumulated on Islamic law, little attention has been devoted to enforcement, and even less to policing in the Gulf States. After a comprehensive bibliographic search of English language sources, this writer uncovered six English language doctoral dissertations, three masters' theses, and two academic articles. With respect to the dissertations, one addressed changes in the Riyadh police department during the 1980s (Rajehi, 1981), another examined the history of the police in Kuwait with special attention to inter- and intra-organizational conflict (Al-Fahed, 1989), two conducted surveys of attitudes towards the police in Kuwait (Salem Ali, 1991; Al-Enezi, 1991), and two reviewed education and training programs in the Kuwait police department (Qatash, 1988; Saud, 1987). All the Masters' theses focus on Saudi Arabia, including the results of a survey of attitudes towards the police in Riyadh (Rajehi, 1977), the effect of Islamic law on police administration (Batal, 1973), and the consequences of modernization on law enforcement education (Al-Shunaber, 1984). With respect to the two academic articles, one details the use of night and shiftwork among police in Kuwait (Attia et al., 1985), and another summarizes the organizational structure of the Saudi Arabian police (Alobied, 1987). Thus, this author depends on research that was somewhat tangential to the police but offered clues to the changes that the police forces are undergoing.



improve the image of the police. For example, they had been given the tasks of responding to medical emergencies and providing other social services" (Krieger et al. 1985a: 212). The most recent statistics available (1976) indicated that "police strength was 13,000, a figure that included not only uniformed police but also non-uniformed civilians in the Ministry of Interior." Police costs accounted for "approximately 16 percent of government expenditures for that year" (Krieger et al. 1985a: 211).

If information about policing in North Yemen is sparse, the situation is worse for the former South Yemen. Part of the reason for this is that until unification the South was Communist controlled, considered by "various human rights reports" to be one of "the worst police states in the Arab world," and "details of organization and operation of the Public Security Force (police) were not publicly available" (Krieger et al. 1985b: 317). What is known, however, is that "after the Marxist takeover of the country, all traces of British influence were purged from this force, and a new Public Security Force was set up in its place....As in other Communist countries, all police agencies are under the firm control of the National Front" (Kurian, 1989: 478). The police "cooperated closely with... the army, and with local tribal forces" (Krieger et al. 1985a: 211) and "were reorganized in the 1970s with East German assistance" and, consequently, reflect the advisors' "operational patterns and philosophy" (Kurian, 1989: 478). "The main police force [was] the paramilitary Public Security Force, with an estimated personnel strength of 15,000.... A separately administered Revolutionary Security Organization,... [was] in charge of intelligence gathering and the suppression of political offenders" (Andrade, 1985: 235).

In 1985, the Ministry of State Security "was one of three divisions of the security force, the other two being the Armed (or Civil) Police and the Rural Police. The total strength of the force was not known but was believed to rival that of the militia or the army." Furthermore, these forces were supplemented by the Popular Defense Committees. Approximately "one-quarter of its population" apparently perform "some kind of security work" (Krieger et al., 1985b: 317).

On May 2, 1990, after protracted negotiations, North and South Yemen finally reunited. The country "inherited two ruling parties that shared power in a delicate, often tense balance during the transitional period, each retaining control of its former military and security apparatuses" (Carapico, 1993a: 3).

### THE EFFECT OF THE GULF CONFLICT

Since unification and the Conflict, a number of challenges arose for the Yemeni municipal police, who responded in different ways. In general, these exigencies can be placed into six categories: the process of unifying the police forces of the formally separate countries, repatriating guest workers, dealing with increasing corruption, protests, internal security threats, and a supposed decrease in the power of the national security police.

To begin with, government organizations, such as the municipal police, had to be integrated. In general, most bureaucracies did not accomplish this task very well (Halliday, 1992: 26). The Ministry of Internal Security, which oversaw policing functions throughout the country, was overstaffed and there was duplication of efforts by employees. In addition, there were considerable differences in the philosophy and education of police officers and bureaucrats and in the enforcement of laws. The northern and southern police had different organizational cultures, stemming from their respective previously held ideological positions, which needed to be accommodated. Units maintained their old uniforms for a considerable length of time. Southern police officers, for example, vigorously enforced traffic laws, while the northerners seemed more relaxed. The Minister of Internal Security was a northerner and his subordinates at different levels were from the north and south. Moreover, there was great distrust of senior level-people in the bureaucracy who were former communists from the south.<sup>9</sup>

Two months after unification, Yemen successfully angered Saudi Arabia "by sympathizing with Iraq during" the Gulf Conflict (Hundley, 1992: F8). In October 1990, the Saudis expelled hundreds of thousands of Yemenis (*The New York Times*, October 30, 1990, p. A1). Additionally, "some 2,000 Yemenis were forced to leave Qatar, Bahrain, and the United Arab Emirates" (Stevenson, 1993: 15).<sup>10</sup> This situation worsened the already fragile Republic. For example, within a couple of months, there was a substantial growth in the resident population, thereby increasing the citizen-to-police ratio. This situation meant greater demands on the already limited police resources.

The repatriation of the guest workers also increased inflation "to record levels" as many "brought with them their savings or money received as a result of hurriedly selling their businesses in Saudi

Arabia" (Sultan, 1993: 390). Although many of them returned to the villages where they came from with considerable cash, others came back with vehicles which they quickly converted into taxicabs and became taxi drivers, particularly in San'a. This increased the already congested traffic problems for police. Inflation also led to an increase in corruption amongst poorly paid civil servants, including the police.

Moreover, primarily generated by economic problems such as inflation, unemployment, and increasing poverty,<sup>11</sup> demonstrations erupted throughout the country. Starting in October 1991, middle-class individuals protested in San'a. In mid-December 1992, thousands reportedly looted and burnt buildings in Ta'izz. The riots spread to San'a, where they lasted four days. In the latter episode, "[m]ore than 60 people were killed, hundreds injured, and thousands arrested. The government reportedly brought 8,000 armed tribesmen into the capital to maintain power" (Stevenson, 1993: 18). Later, from November 15 to January 1993, there were a series of protests and riots by public sector workers, soldiers, and noncommissioned officers. As before, many of the protesters were injured, and some were killed. In one riot, which took place December 10 in San'a, "the police fired on the crowd," and "four casualties were reported." In another, on the following day, "the police arrested 250 protesters on charges of fomenting riots" (*Middle East Journal*, Vol. X: 334). This last police use of force situation, it is argued, was prompted by lack of sufficient manpower.

Occasionally, bombs exploded throughout the country. It is speculated that people close to the leadership were responsible for or at least complicitous in those actions (Halliday, 1992: 26). Additionally, "[m]ounting incidents of violence, especially against leading figures of the Yemeni Socialist Party, one of the partners in the ruling alliance," occurred (Ibrahim, 1993: 297). Moreover, Yemen has an overabundance of arms, "many coming in on boats on the short sea journey from Somalia, Ethiopia, and Eritrea," leading to an increase in violence, lawlessness, fear, and perceptions of instability amongst the population and police. Consequently, there is an increase of armed guards surrounding politicians, protecting government offices, and present on the streets (Halliday, 1992: 26). In sum, many Yemenis believe that the police are incapable of deterring or controlling crimes.

Furthermore, "the grip of the *mukhabarat* [security police] has loosened." Intellectuals in San'a, of most ideological persuasions,

reported an end to internal spying and harassment. The country improved its poor "human rights performance, freed scores of political prisoners and shrunk [its] once-pervasive state security apparatus" (Hundley, 1992: F8). Nevertheless, there was a feeling that the country needed "a governmental body to monitor human rights conditions" (Hudson, 1991: 421). The decrease in *mukhabarat* activities created a gap that needed to be filled by the local police. However, the police had to be vigilant that their members did not violate human rights as their predecessors once did.

Finally, there is considerable ethnic diversity that might lead to civil disturbances which the police will have to monitor. For example, "the population of North Yemen has often been considered a source of political weakness or potential divisiveness [because]... although nearly 100 per cent Muslim, [it] is divided into different Sunni and Shi'a sects, between which there exists a certain amount of competition, friction, and differential access to the levers of power and influence" (Werner, 1993: 173-174). In the North, "the Zaydi Shi'as, although probably a minority of the total, have determined the political as well as the socio-cultural patterns of the state since the ninth century AD. In the southern areas of North Yemen, as well as in all of South Yemen, the Sunni Shafi'is are the majority. Hence, in the new state, they are now an uncontested overall majority" (Werner, 1993: 174). The police also struggled with the representation of different ethnic and religious groups in their ranks in order to create and maintain legitimacy with some sectors of the population.

## SUMMARY

For all intents and purposes, the Republic of Yemen was quite unstable, and it came as no surprise that in May 1994 the delicate peace that had been forged completely broke down and the civil war resumed when the north invaded the south. One indication of the effect of the instability in Yemen was the postponement of the scheduled elections from November 1992 to the spring of 1993. After the unification, "the regime...announced its intention to introduce a multiparty system in a full-fledged democracy. An interim period not exceeding 30 months was to culminate in parliamentary elections" (Ibrahim, 1993: 297). Thus, the police until the election in 1993, were without stable leadership. The eventual breakup could have been predicted. Indeed, the whole unification process motivated one expert to suggest that "the



possibilities for derailment [of the unification process] are so numerous that some analysts are still amazed that the recent steps could have been taken" (Hudson, 1991: 424).

## KUWAIT

### INTRODUCTION

It is difficult to trace the beginning of Kuwaiti history. It was once under the control of the Ottoman Empire; in 1899 it became a British protectorate, and in 1961 it achieved independence. The unique structure and organizational culture of many of Kuwait's public institutions are the result of this colonial, historical legacy.

### HISTORY OF THE KUWAITI POLICE

Until 1938, various small security-related forces, including a night guard, the king's palace bodyguard, and tribal armies, had policing functions (Crystal, 1990: 59). During the 1930s, as a result of the *Majlis* ("Committee of Counsellors") Movement and the influx of foreign workers due to the oil boom, the modern police of Kuwait took shape. Consequently, "the government began to draw more formal distinctions between internal and external security" motivating "the ruler to take internal security more seriously" by establishing the Police Department and the Public Security Department, the former "responsible for policing the capital (Kuwait)" and the latter, charged with policing "the country districts and national borders" (Al-Fahed, 1989: 127). The Police Department was created in 1938 by splitting the Sheik's Guards into the Kuwait Police Force and the Kuwait Army (Cramer, 1964: 342; Andrade, 1985: 117; Al-Fahed, 1989: Chapter 3). The police force at that time was under the command of the Sheik, consisted of only twelve men, and "was established to guard the peace and fight crime" (Cramer, 1964: 342). In that same year, a police training center was established and new technologies were introduced into the forces. After 1938, "the security needs of the oil companies accelerated" the growth of police forces (Crystal, 1990: 59). Despite this progress, police were generally unprofessional as most of them received their positions not because they had any special skills or training, but because they were relatives of the ruling family (Crystal, 1990: 60).

In general, the police served their masters. "They were one part political police and one part the protectors of privilege and patronage" (Crystal, 1990: 93). Because of the country's colonial connections, the British pressured the Kuwaitis to make changes in their public institutions. During the 1950s, in an effort to achieve these objectives, many of the higher ranking police officers and administrators studied policing in England. Largely as a result of the British, the Kuwait Police Force "emerged into a small national armed force in the mid-1950's. A 600 man constabulary existed in 1954 and was expanded with the aid of British training and equipment until it reached a capacity of 2,500 men" (Al-Fahed, 1989: 89). In 1958, the two police forces were combined to form the present General Department of Police (Al-Fahed, 1989: 127). "The Force is financed by the Central Government and is under the control of the Minister of the Interior" (Cramer, 1964: 343).

Massive oil revenues and a desire to stave off discontent resulted in an increase in the number of individuals working for the Kuwaiti public bureaucracy. This situation continued during the 1960s to such an extent that a British doctor living in Kuwait commented that "jobs are invented for overstaffed... municipal policemen... and the town is liberally sprinkled with such individuals who really do nothing but walk around in their uniforms and lean against the buildings" (Klien, 1963: 766-767).

Generally, the Kuwaiti police are responsible for "patrol and crime investigation" (Becker and Becker, 1986: 291). In the 1970s, the police were kept active dispersing and arresting crowds of Islamic fundamentalists, particularly those who protested in front of the U.S. Embassy (Crystal, 1990: 102). They also became increasingly involved in intelligence collection and counterinsurgency as a result of a number of actual and potential oppositional political crimes which occurred or were launched in Kuwait (Becker and Becker, 1986: 291). Towards the end of the 1970s, "the government reorganized the internal police force as a result of its new security concerns. Twenty-six high ranking police officers went into early retirement in... 1979, and the regime gradually demoted or eliminated the Shiites from sensitive security and military positions. Henceforth, the upper echelon of the security forces was to be composed entirely of reliable loyalist elements" (Assiri, 1990: 68).

As a result of "security concerns, excessive division, and the need for unity in the face of the Iran-Iraq war," the Kuwaiti National Assembly (their parliament) was closed in July 1986 (Crystal, 1990:

Even though the Gulf Conflict had an impact on many countries throughout the world, the Middle Eastern states, because of their proximity, were most affected. In this region, three countries, from least to most affected were the former Republic of Yemen, Saudi Arabia, and Kuwait.

## YEMEN

### INTRODUCTION

After a stormy civil war during the 1980s, the two Yemens, the communist People's Democratic Republic (PDR) in the south and the moderate Yemen Arab Republic (YAR) in the north, formally united as the Republic of Yemen on May 2, 1990. This unification was met with considerable optimism as well as pessimism. According to Norton (1993: 216),

on the one hand, elements in civil society...have shown real vitality and assertiveness. On the other hand, the tribal organization of Yemeni society is so marked that for Yemen's democratic experiment to succeed, there will have to be considerable tribal support for the effort.

### THE HISTORY OF THE YEMEN POLICE

The history of Yemen has been marked by considerable instability (Amin, 1987). Northern Yemen achieved independence from the Ottoman Empire in 1918, while Southern Yemen attained independence from Great Britain in 1968. The first Yemeni police system was started by His Majesty The Imam Yahya during the First World War (1914-1918). Police forces, composed of recruits "chosen from the Army," were created in the large cities including San'a, the capital (Cramer, 1964: 436). In an attempt to professionalize the police, "the Government established special colleges for the training of policemen and sent students to Egyptian and other foreign colleges and schools to study the tasks and duties of police. When they returned they were entrusted with the training of their own" recruits (Cramer, 1964: 436).<sup>6</sup> In general, however, the current policing system "is one of the un-uniformed quasi-personal retainers called 'soldiers' ... [working for] governors, district officers, and the judges" (Messick, 1983: 512).

Regardless, generalizations about police and organizational change in Yemen are difficult to make because of the differing roles of the urban and rural police officers and the existence of separate states before the short lived reunification experiment. Nevertheless, some broad statements can be made. First, police are more powerful in the cities than they are in the countryside. In the latter, the central government does not have as much control over affairs as do tribal chieftains "whose power in some provinces rivals that of the central government." Additionally, "Yemen enjoys a sense of frontier justice in which guns are the great equalizer" (Hundley, 1992: F8). Hence, in these contexts, sophisticated arms are readily available and loosely regulated.

Before unification, in North Yemen "public security was carried out by three organizations: the police, the tribes, and the Central Security Forces (CSF)."<sup>7</sup> The region

remained essentially tribal,... and the central government, lacking the resources to assume close and direct police control of the tribal areas, had no alternative but to place the responsibility for internal order and security on the tribes themselves. Traditionally, the police were not welcome in the tribal region of the north (Krieger, et al. 1985a: 211).<sup>8</sup>

The police were a "national organization also directly under the Ministry of Interior. Control was centralized at the national level with provision for dual operational control and administration at the governmental level" (Krieger et al., 1985a: 211).

In order to become a police officer, applicants needed to be literate. "Officers and senior enlisted personnel were sent to police schools in Saudi Arabia, Kuwait, and Egypt. The police academy for officers, located in Sana, and other training units for enlisted personnel in the capital and in Hodeida and Taizz have gradually been strengthened and improved. The advice of police officials in Egypt, Britain, and Jordan [was] sought and followed in an effort to develop a more professional police force.... With the exception of those who are in charge of traffic or social services," the North Yemenis saw police as a simple extension of the security forces "that in turn were linked with the military. In the mid-1980s, the government attempted to



105). The government changed its focus "from representation to repression; it began relying more heavily on the police and the military, which had been increasing their coercive capacities over the last few decades" (Crystal, 1990: 106).

#### THE EFFECT OF THE GULF CONFLICT

During the Conflict, many police either fled, joined the resistance, were recruited by the invading Iraqi forces, or were tortured or killed. After the Conflict, Kuwaiti police, among other organizations (i.e., military, vigilantes, etc.), carried out a series of illegal searches, lootings, arbitrary arrests, detentions, rapes, tortures, summary executions, and murders of foreigners, particularly Palestinians, who actually had or were suspected of collaborating with the Iraqis (Lawyers Committee for Human Rights, 1992; Middle East Watch, 1991; Warren, 1991). It has been reported that "up to 400 young Palestinians were kidnapped from their homes or off the streets in the first three days of liberation. A U.S. official also estimated that 200-600 disappeared in the first two weeks..." (Lesch, 1991:47-48). Moreover, shortly after the liberation, "more than 100 Filipino women, Sri Lankans and other foreigners have reported being raped or badly beaten in Kuwait city by Kuwaiti soldiers, police and citizens of the emirate" (Kelly, 1991).

According to Middle East Watch (1991: 1-2),

although the Kuwaiti government has attempted to blame individuals beyond its control for these killings, most were committed by official security forces or by irregular armed groups working closely with official forces, including many returning exiles intent on revenge.... The most notorious source of abuse has been the State Security Secret Police...which reportedly recruited hundreds of youths, often of unscrupulous bent, who were granted wide discretion to arrest, beat and hold prisoners incommunicado for long periods.

Additionally, the government is screening *bidun*—an Arabic word meaning "without officiality," or foreigners—and expelling those that they believe are security threats. In particular, "almost 400,000

Palestinians who worked in the emirate before the invasion" were [expelled]... The move was in reprisal for PLO chairman Yasser Arafat's... support of Saddam Hussein [and because] a small minority of Palestinians in Kuwait collaborated with the Iraqi invaders" (Hepburn, 1991: H2). In addition to Palestinians, "tens of thousands of Egyptians and Syrians [were]...expelled (the diplomatic term is their work visas are not renewed)" (Hepburn, 1991: H2). It is highly likely that the municipal police were involved in the expulsion process.

After the Conflict, there was an abundance of arms in the country. The government placed an amnesty on their return, then made possession punishable by fine and imprisonment. The police were responsible for collecting the weapons (*Law and Order*, 1991a; 1992). Also ironic in post-war Kuwait is the fact that apparently more people were being killed as a result of traffic fatalities than by the invading Iraqis. This state of affairs is attributed to the fact that many of the traffic lights and signs were destroyed or torn down and the number of traffic police officers was limited (*Law and Order*, 1991b).

Even though the government gave assurances that the civil liberties of the *bidun* and suspected collaborators would be protected, according to the Lawyers Committee for Human Rights (1992: 13), the Kuwaiti government did not immediately uphold this commitment. However, in May 26, 1991,

the Crown Prince (who was also the Martial Law governor) delivered a stern rebuke in a meeting with senior officials of the Interior Ministry. He emphasized that even if sons of the ruling family or high officials were implicated, they must be arrested, because 'nobody is above the law'.... While all the prison guards and officers in police stations were immediately aware of the speech, the short-term impact on their behavior was questionable.... Nonetheless, a shake-up in the upper echelons of the Interior Ministry took place in early June, which appeared to indicate an effort to discipline the vindictive impulse of the soldiers who serve as police and prison guards (Lesch, 1991: 50).

Complicating matters is the fact that "at least a third of Kuwait's soldiers and police officers are *bidun*." This means that the size of the police forces decreased, placing additional manpower strains on the remaining officers. Currently, "Kuwait police are rebuilding with the help of the US Army." Part of this process involves the recruitment of Kuwaitis (Greene, 1991: A, 5).

### SUMMARY

Since the liberation of the country, in February 1991, there have been repeated calls for liberalization and democratization (Ibrahim, 1993: 229; Tétreault, 1993: 276-277). Consequently, "parliamentary life was resumed with a heated and spirited campaign during the summer and fall of 1992. In October of that year, elections were held with few or no complaints about irregularities. Several new faces won seats in the National Assembly, where the opposition forces won a clear majority and Sunni and Shi'i Islamist forces won at least one-third of the 50 seats" (Ibrahim, 1993: 299). While the movements for liberalization and democratization are bound to have an effect on the way policing is conducted, their effects, at present time, are unknown.

## SAUDI ARABIA

### INTRODUCTION

Saudi Arabia is a "traditional personal authoritarian regime... where the ruler seeks to maintain a balance of power between two paramilitary units and the national military establishment in order to strengthen his regime" (Janowitz, 1977: 30). Policing in Saudi Arabia has developed within this context.

### HISTORY OF THE SAUDI POLICE

The earliest recognized police force was established by Abdul al-Aziz Ibn Saud who in 1927 consolidated the Saudi state (Lipsky, 1959: 124). Even though the police operate both in the municipalities and frontier, in the latter tribal solutions to moral/legal violations still prevail giving "regional emirs... considerable autonomy in matters pertaining to public security. In addition to supervisory authority over the police of local emirates, regional emirs have command over their own personal guards, which supplement the regular police as needed"

(Lipsky, 1959: 124-125). Thus, the Saudi police system "has remained partly entrenched in the tribal social order under which the sheiks remain the primary guarantors of public order within their bailiwicks. Only when local efforts fail is the National Guard brought in. In this sense, the law enforcement agencies complement but do not intrude on tribal authority" (Kurian, 1989: 328).

Since the oil boom began, "a civil police system gradually has been put in place that, on occasion, can create some semblance of order out of chaos. Always cognizant of the divisiveness within its kingdom, the House of Saud from the beginning centralized control of the police. Consequently, municipalities neither hire nor command their own police forces. Every policeman who patrols the street works directly for and is answerable to the Ministry of the Interior Security Forces" (Mackey, 1987: 278).

The number of Saudi police had increased so much that in 1937 there were 33 police officers in the ranks of 2nd lieutenant and higher. By 1980, this rank was occupied by 3,800 individuals (Rajehi, 1981: 141, 147). In 1960, because the police were beginning to play a larger role in the country, the government created a Police College at Mecca and later one in Riyadh (Kurian, 1989: 328; Rajehi, 1981: 147). All that is needed for entrance is "a secondary-school certificate. Training is provided at the college in the use of sophisticated equipment such as radar and helicopters" (Kurian, 1989: 328). Nevertheless, police officers "are recruited mainly from nomadic tribes" (Lipsky, 1959: 125). Teachers "at the Saudi police school have often been Egyptian police officers and many policemen have been trained in Egypt" (Lipsky, 1959: 125).

The police force is now called the Department of Public Security and is accountable to the Ministry of the Interior (Andrade, 1985: 173). Despite the changes and modernization of the police force, there has been considerable continuity in the organization of the police. "The mechanisms now in force in Saudi Arabia for maintaining order remain essentially those devised by Ibn Saud. The present king, Saud, while retaining many features of his father's system, has, however, relied increasingly on police organized along modern lines and on military forces equipped with modern arms and transport" (Lipsky, 1959: 124).

In times of actual and potential internal disorder (e.g., the *Hajj*), the police are often assisted by other paramilitary and military



forces. For instance, during the 1953 and 1956 strikes and demonstrations of ARAMCO employees, the personal guards of the emirs were used to restore order. Army units "regularly patrol port areas and usually assist the police and the White Army in the control of crowds during Ramadan and pilgrimage seasons" (Lipsky, 1959: 124-125).

The methods of the Saudi police seem cruel and unfair when compared with Western standards. The forces have routinely been accused of abusing the human rights of citizens and visitors and engaging in excessive force. Periodically, the police make arbitrary arrests, detain suspects without trial, punish dissenters, torture suspects, and break up public protests (Mackey, 1987; Cesar, 1990; 1992). "The whole law enforcement system terrifies Westerners, who constantly live with the possibility of landing in jail. An expatriate faces the threat of jail for anything from driving without a license to the possession of alcohol" (Mackey, 1987: 278). What makes the situation worse is that "friends or relatives often use police ... to settle personal disagreements, especially with Westerners...." In late 1983, this problem "finally led the government to issue a set of detention laws that would apply to Saudis and foreigners alike" (Mackey, 1987: 279). The new rules

forbid arrest or detention of any one unless there is ample evidence calling for his arrest and stipulates that investigation should be completed within three days of detention.... This procedure gives the governor authority to dispense quickly with cases of wayward expatriates, primarily Westerners, thus saving the government the embarrassment of formal protests about unjust detentions from foreign governments. Although they do not always work very well, the statutes are at least an attempt to get those accused out of jail, where they often languish for weeks without charges, and into other courts (Mackey, 1987: 279-280).

Police use of excessive violence can be traced back to 1956, in the aforementioned strike. Instead of negotiating with strikers, ARAMCO appealed to the Saudi government for help. Saudi police forces responded by attacking the strikers and torturing and executing

the strike leaders (Abir, 1988). Striking workers have not been the only victims of Saudi police abuse. In 1984, for instance, American businessman Scott J. Nelson claimed that he was beaten, tortured and unlawfully imprisoned by Saudi police for 39 days (*The New York Times*, March 24, 1993: 19).

Besides the government-run civil police, approximately 50,000 zealous and fanatical *Mutawa*--missionaries or religious police--enforce the *Shari'a* laws (Al-Yassini, 1985; Mackey, 1987). Formally known as the Committee for the Protection of Virtue and Prevention of Vice, they "are drawn from older salaried men and young fanatical volunteers whom the Government wants to monitor" (Miller, 1991: 30). In general, the majority are older, self-appointed, uneducated, ignorant, often poor (Mackey, 1987: 70). A number of recent recruits, however, are "foreign-educated younger men, perhaps disillusioned with what they see as the decadence of the West, [who] return to Saudi Arabia to join the ranks" (Mackey, 1987: 69).

The *Mutawa* patrol the country's streets, bazaars, and shopping malls, which are increasingly being "invaded" by symbols of American "consumerism and decadence" like Kentucky Fried Chicken, Baskin Robbins, and Pizza Hut. They ensure that women dress according to modest Islamic tradition, do not drive cars, and are not approached by men in public; restrict mingling between the sexes; and ensure businesses close for prayer hours (LeMoyne, 1990; Mackey, 1987: 68-71). In addition, they "keep foreign books and magazines they find objectionable out of the kingdom. Offensive advertising is controlled by a legion of manual laborers armed with ink pots and brushes, who leaf through imported magazines, painting out pictures of women and ads for alcohol" (Mackey, 1987: 70).

The *Moutawin* (interchangeably spelled *Matawain*, *Mutawin*, or *Mutawin*), the plural of *Mutawa*, have become

a group of vigilantes with an increasingly sophisticated bureaucracy. The government has little control over its membership or its actions. A *Matawa* is not appointed but rather rises up, by virtue of his piety, through the ranks of the local mosque. [It is] a genuine grass-roots organization and an important component of the backbone of the House of Saud's political support--the religious fundamentalists.

Therefore, it has tremendous power. Although mostly free of political control by the House of Saud, the religious organization is largely dependent on government financing since the practice of Wahhabism does not include contributions to the local mosque (Mackey, 1987: 69).

In sum, "in the face of the onslaught of wealth, materialism, foreign influences, and the ever-escalating press of change, the *mutawain* stand in defense of a way of life. They are there to enforce the rules that have measured life in Saudi Arabia since Mohammed" (Mackey, 1987: 72).

Furthermore,

the *mutawain* patrol the public morals and the police enforce civil law. But [in Saudi Arabia] since all law is ultimately religious, there is a constant overlapping of jurisdictions. And in any jurisdictional conflict with the *mutawain*, the civil police are rendered powerless. No one in the political sphere is willing to back its own police in a confrontation with the religious authorities. Therefore, the religious police dominate unless the parties involved have sufficient political power to appeal the matter to a higher authority. This sets in motion the consensus process, which can reach the highest level of government and which, at some point, may or may not settle the matter (Mackey, 1987: 276).

Immediately before the Gulf Conflict, Islamic fundamentalists, "were criticizing the puritanical leadership of the Government appointed religious hierarchy as insufficiently pious. In sermons from mosques and in cassette-recorded homilies, these extremists attacked the Government as corrupt in a way that no other force dared do" (Miller, 1991: 31). Criticism of this sort increased during the Conflict, after the foreign troops, particularly the Americans, established bases in Saudi Arabia.

### THE EFFECT OF THE GULF CONFLICT

In 1990, shortly after Iraq invaded Kuwait, close to 200,000 U.S. troops arrived in Saudi Arabia. The *Mutawa*, feeling spiritually threatened, "launched an intensive drive against such affronts to Islam as alcohol, home videos, rock music, dancing and female drivers." One of the more dramatic cases involved "gun and club toting *mutawin* storm[ing] private homes and arrest[ing] dozens of prominent Saudis and foreigners on charges of drinking alcohol and chatting casually with members of the opposite sex." This response was "highly unusual--and shocking even to some fairly conservative Saudis--that the religious police would break into private homes, considered to be sacrosanct by Arab custom, and brandish weapons in the faces of terrified citizens and foreigners" (Nickerson, 1991: D4). Almost as a reaction to this heightened fundamentalism, "King Fahd... named a new head of the *mutawin* and gave him cabinet rank reflecting the force's enhanced stature..." (Perrin, 1990: A12).

During the Conflict, there was also "widespread internal unrest and criticism of the Saudi legal system" (Tarazi, 1993: 260). On November 6, 1990, the now famous drive-in by 50 Saudi women took place. These sentiments inspired two important "reformist" petitions being presented to King Fahd: one "religious" and the other "secular." In order to diffuse the situation, the King needed to "draft a Basic Law that balanced the interests of both movements. In other words, he would have to create a basic law which would expand and guarantee fundamental rights under the precepts of Islam" (Tarazi, 1993: 263).

On March 1, 1992, Saudi Arabia issued two new major laws: the Basic Law of Government and the Consultative Council Law. These "supplemented... the 1958 Regulation of the Council of Ministers," and "represent the first extensive written constitutional system." The Basic Law included measures which insured "civil and human rights in the context of pre-trial arrest and detention." Nevertheless, these laws are "subordinate" to the *Shari'a*, which is the official constitution of Saudi Arabia (Tarazi, 1993: 258). Moreover, according to Middle East Watch, the law governing arrest and detention gives inadequate protection to detainees, who may only obtain counsel at the discretion of the Ministry of the Interior.... (Tarazi, 1993: 269). In the long run, the supposed changes in the laws probably will not have a major effect on how police conduct their affairs.



After the Gulf Conflict, the demands for change increased. "Amongst the most argued topics are the creation of a larger, professional army, an expanded role for women, more democracy, press freedom and an international security to protect gulf oilfields" (LeMoyne, 1990: A, 17). The ruling Saud family has, with American support,

proved able to weather radical demands over several decades...the Saudi monarchy is one of the most resilient and conservative governing institutions in the modern world, choosing the pace to permit innovation by pragmatically wielding the oil wealth needed to buy reality at home and acceptance abroad. Among the luxuries that almost unimaginable oil wealth and geographic isolation have permitted this Arab kingdom, perhaps the most striking has been the effort to resist unwanted social innovation (LeMoyne, 1990: A, 17).

#### SUMMARY

Despite this apparent liberalization, Saudi police are still complicitous in violating international human rights standards. For example, in September 1992, "authorities beheaded 23-year old Sadiq Abd al-Karim Malallah after he was found guilty of insulting Muhammad and the Quran" (*Middle East Journal*, Vol. 47, No. 1, Winter, 1993: 109). Additionally, in May 1993 police raided a "university campus in Riyadh" and arrested Mohammed Mas'ari, a professor and the spokesman of the "Committee for the Defense of Legitimate Rights," a banned human rights group which "has expressed a desire to meet with the country's liberal factions to find common ground on human rights and democracy issues" (Evans, 1993: 8).

#### CONCLUSION

In sum, there have been numerous responses to the Gulf Conflict in each of the countries reviewed. The Conflict challenged the devout, puritanical, and conservative elements of societies in Yemen, Kuwait, and Saudi Arabia. Iraq's invasion of Kuwait on August 2, 1990 increased each country's instability and served as a catalyst for

change. So long as municipal police have the greatest contact with citizens among any arm of government, they must also respond to these changes.

This overview is a starting point. Due to problems with access to sources, many of the changes which have taken place with police forces in these countries can only be inferred. More in-depth and resource intensive analysis might be achieved by consulting Arabic language sources, interviewing those individuals working for or having some connection with the police of each country, and conducting field research. Until then, we must rely on open source academic and popular materials and make cautious conclusions keeping in mind their inherent contributions and shortcomings.

#### NOTES

1. An earlier version of this chapter was presented at the Annual Meeting of the American Society of Criminology, Phoenix, Arizona, October 30, 1993. Special thanks to Nawal Ammar, Paul Bond, Charles Dunbar, Gregory Gause, Sam Matheson, and others whose positions and organizations may be compromised by citing them for research assistance. Additional appreciation for comments is extended to Paul Bond, Otwin Marenin and Natasha J. Cabrera.

Points of view are those of the author and do not necessarily represent the view of the U.S. Department of Justice or the National Institute of Justice.

2. All future references to the Republic of Yemen will use the much shorter Yemen, unless the author is referring to the preunification states.

3. These countries were selected because it is argued that they experienced the greatest changes as a result of the Gulf Conflict.

4. In this respect, the author subscribes to Simon's (1991: 305-310) travel theorem. Nevertheless, should funding be obtained, field research in the respective states will be conducted.

5. For a more detailed examination of Shari'a law see, for example, Amin (1987); Anderson (1959); El-Awa (1982); Moore (1987); Rahmatian (1993); Schacht (1964); Souryal (1988).
6. This interpretation is echoed by Andrade (1985: 234).
7. "The CSF were under the Ministry of the Interior. They were separate from the police and operated under an open mandate to search homes, monitor telephone conversations, read personal correspondence, or otherwise intrude into the private lives when they believed that the security of the state was jeopardized....According to the United States Department of State's *Country Reports on Human Rights Practices for 1984*, there had been credible reports that the CSF occasionally resorted to secret arrests and clandestine detention. There was no indication that the CSF had been guilty of political killings in 1984" (Krieger et al. 1985a: 211).
8. This perception is echoed by Kurian (1989: 477).
9. Based on an interview with Charles Dunbar, former U.S. Ambassador to Yemen from July 1988-May 1991, conducted on October 20, 1994.
10. Over the past two decades, the majority of Yemeni migrants emigrated "to neighboring oil states. With up to 30 percent of adult men abroad at a time, migration affected virtually every household. The earnings of roughly 1.25 million expatriates, coupled with heavy foreign assistance, fuelled the region's socioeconomic transformation" (Stevenson, 1993: 15).
11. The country had a number of economic problems beyond the incorporation of the returning guest workers which led to discontent. Some of these challenges included "few goods which could be offered in the international arena for foreign exchange; relative overpopulation; no real economic development or diversification; a relatively high percentage of the national budget devoted to military expenditure...and a rather high...budget support and development activities provided by other states" (Werner, 1993: 173).

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