

Eric Lomax

## *Warriors or Peacekeepers?*

### *British Colonial Police in Ireland (1919-1921) and Palestine (1920-1948)*

**ABSTRACT:** *This article analyzes the careers of colonial policemen who served the British Empire during the Irish War of Independence (1919-1921) and Mandatory Palestine (1920-1948). It primarily follows the memoirs of officers who served in both colonies such as Douglas Valder Duff (1901-1978) with supporting evidence that shows how vague mandates from the British capital eroded the line between soldier and police officer. The 1920 "Restoration of Order in Ireland Act" and the 1933 version of the "Prevention of Crime Ordinance" in Palestine are two examples of how British policy enabled colonial police to employ counterinsurgency tactics such as torture and collective punishment against civilian populations.*

**KEYWORDS:** *modern history; Britain; Ireland; Palestine; colonialism; policing; Irish War of Independence; Arab Revolt of 1936; Black-and-Tans (Royal Irish Constabulary); Douglas Valder Duff*

#### *Introduction*

Violence against the Indigenous was a crucial strategy used by colonial powers in the twentieth century, however, agents of the United Kingdom prided themselves on policing "the British way." In contrast to King Leopold II's brutal reign in the Belgian Congo, the British claimed they were bringing law and order to their overseas territories.<sup>1</sup> Yet, the police tasked with enforcing this "lawful" rule did so with varying degrees of force. To fight the rebels during the Irish War of Independence (1919-1921), Great Britain hired reinforcements for the Royal Irish Constabulary (RIC) from a large pool of recently unemployed World-War-I veterans. These so-called "Black-and-Tans" earned an infamous reputation for their policing methods which included torture, collective punishment, and property destruction. When the Irish War ended in 1921, several hundred of these officers continued their harsh policing methods as administrators in the newly conquered territory of Mandatory Palestine (1920-1948).

British officials in the 1920s and 1930s associated the influx of RIC officers into the British Gendarmerie and British Section of the Palestinian Police (BSPP) with Black-and-Tan tactics, but the historical evidence does not support this claim. Counterinsurgency tactics like torture and collective punishment developed in these situations because the British Parliament placed an impossible demand on these officers, namely, to enforce British law on subjects who were unwilling or unable to accept it. Douglas Valder Duff (1901-1978) served as a colonial policeman in both Ireland and Palestine, and his career shows how vague mandates from the British capital eroded the line between occupying soldier and peaceful lawman. An ambiguous policy toward native rights and a systemic lack

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<sup>1</sup> Matthew Hughes, "The Banality of Brutality: British Armed Forces and the Repression of the Arab Revolt in Palestine, 1936-39," *The English Historical Review* 124, no. 507 (2009): 313-354, here 315.

of accountability led to an imperially sanctioned model of systematic retribution and fearmongering in the colonies. From Ireland to Palestine, the laws, the police, and their violent enforcement tactics adapted to benefit an imperialist nation.

### *I. Ireland*

The trajectory of the Irish War of Independence changed when Parliament passed the *Restoration of Order in Ireland Act* of 1920, which introduced an auxiliary division to supplement the RIC's shrinking ranks. These auxiliaries were trained hastily, and their equipment sometimes amounted to little more than plain khaki coats and black trousers. One member of these Black-and-Tans, Douglas Valder Duff, recounted his three-day training as consisting of military drill exercises with firearms and grenades, concluding with a single hour-long lecture on law and police duties.<sup>2</sup> Other recruits without a military background affirmed this observation, stating that—while there was an emphasis on police training—the majority of the time was spent on military drills.<sup>3</sup> Nominally, the RIC were recruiting auxiliary policemen, but in reality they were training men to occupy a hostile nation instead of peacefully enforcing the law.

In addition to establishing these auxiliary units, the *Restoration of Order in Ireland Act* included stipulations which greatly expanded the power of courts-martial to replace trial by jury. Parliament did not shy away from declarations of martial law, and this bill facilitated the securing of convictions in areas of suspected Irish-Republican-Army (IRA) activities. While this initially had the desired effect of increasing convictions and raising officer morale, it ultimately caused the IRA to reorganize. Men avoiding arrest formed the notorious “flying columns” of “active service units, more suited to staging ambushes of patrols and convoys than attacks on individual police officers and barracks as before.”<sup>4</sup> The conflict escalated as clashes now involved more men and were thus deadlier. The servicemen were not satisfied either: Duff felt that, if England intended to keep Ireland, the latter needed to be reconquered by military occupation instead of letting policemen die to preserve it.<sup>5</sup> Decisions and policies made in London often failed to address issues on the frontlines in Ireland, and this disconnect affected the poorly trained field officers. In this position, the RIC learned to apply flexible interpretations of the law to respond to escalating IRA attacks.

Even before the *Restoration of Order in Ireland Act*, provisions for RIC members in their own manuals had been vague. The 1909 sixth edition of *The Royal Irish*

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<sup>2</sup> Douglas V. Duff, *Sword for Hire: The Saga of a Modern Free-Companion* (first published 1934; London: J. Murray, 1937), 60-61.

<sup>3</sup> Tyler Krahe, “A History of Violence: British Colonial Policing in Ireland and the Palestine Mandate” (MA thesis, West Virginia University, 2016), 29.

<sup>4</sup> John Ainsworth, “British Security Policy in Ireland, 1920-1921: A Desperate Attempt by the Crown to Maintain Anglo-Irish Unity by Force,” *The Australian Journal of Irish Studies* 1 (2001): 1-12, here 5.

<sup>5</sup> Duff, *Sword for Hire*, 77.

*Constabulary Manual, or Guide to the Discharge of Police Duties* described virtually all offenses from petty theft to treason. For hastily trained recruits like Duff, the manual was a reliable source of instruction on policing. However, the exact parameters were often vague, especially in sections relevant to political opponents. Conspiracy, for example, was defined as follows: “When two or more persons combine together to execute some act, so as to injure some third person or the public, they are guilty of a misdemeanour at common law.”<sup>6</sup> To convict someone on this charge, one simply needed to convince a judge that there was *prima facie* evidence, meaning that there was an assumption of guilt unless proven otherwise. Taken together with the expanded power of courts-martial under the *Restoration of Order in Ireland Act*, this gave RIC members considerable leeway to arrest suspected IRA members without much evidence. Since courts-martial were conducted by the military, the *Restoration of Order in Ireland Act* eliminated civilian juries from cases in which suspects were accused of IRA affiliation. This was part of a continuous pattern in British policy to protect the imperial administration from real accountability, ultimately leading to an escalation in violence.

Another key definition in the RIC manual not only gave officers jurisdiction to break up crowds, it actively encouraged it. Unlawful assembly was defined in such a way that any gathering of three or more with a common purpose, whether legal or illegal, was unlawful if it was in “such a manner as to give firm and courageous persons in the neighbourhood of such assembly reasonable grounds to apprehend a breach of the peace in consequence of it.”<sup>7</sup> Not only could individual officers disperse any crowd on these grounds, they were bound to break up any riot.<sup>8</sup> Duff described the aftermath of an ambush on his first day in service, when commoners were stampeding to get out of the streets while the Black-and-Tans were firing into the crowd.<sup>9</sup> While an armed response was a reasonable use of force against assailants, the readiness of the police to exact retribution against the crowd in Duff’s example shows how common this practice had become.

Just as the British government was not sure whether they were sending soldiers or policemen into Ireland, the RIC themselves were unsure of their roles. From the outset, general morale within the RIC had been low. One of the first things Duff saw upon his arrival in Ireland were the coffins of policemen being shipped home.<sup>10</sup> Servicemen were well aware of the dangers associated with their work, but they lacked the spirit of their IRA opponents who were fighting for their freedom. In Duff’s words, “we were mercenary soldiers fighting for our pay, not

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<sup>6</sup> Robert H. Curtis, ed., *The Royal Irish Constabulary Collection*, 6<sup>th</sup> ed. (1909; Dublin: Archive CD Books Ireland, 2011), 298.

<sup>7</sup> Curtis, ed., *Royal Irish Constabulary Collection*, 300.

<sup>8</sup> Curtis, ed., *Royal Irish Constabulary Collection*, 302.

<sup>9</sup> Duff, *Sword for Hire*, 62.

<sup>10</sup> Duff, *Sword for Hire* 55.

patriots willing and anxious to die for our country.”<sup>11</sup> This was true for the majority of soldiers who joined the RIC as an alternative to unemployment after the end of World War I. As Lt. Ernest Lycette (1891-1979) said of his time in Ireland, “[f]or some it was an adventure, but to the majority, it was a job as unemployment was very bad in England.”<sup>12</sup> The ambiguous policy of colonial rule in Ireland was reflected in the mindset of the RIC and their auxiliaries. Based on whatever was more expedient, they acted either as soldiers or policemen, and this included violent retribution against civilians.

Since the IRA used guerilla tactics like ambush and assassination, the RIC and their auxiliaries had few opportunities to take direct action; hence, they resorted to collective punishment. Duff admitted to participating in arson against civilians’ homes but claimed that such action was officially sanctioned: “These ‘reprisals’ were done with the due force of the Law, they were ordered by the military authorities.”<sup>13</sup> His role was not limited to the destruction of property, though: he was ordered to halt or detain anybody who tried to escape the burning house.<sup>14</sup> He followed through on his charge with such little hesitation that he used his bayonet to skewer whatever or whoever came running out of the house. Even though he only killed a pig – which he fully believed to be a human being while stabbing it, this instance shows that these “legal” reprisals were done with little restraint and intended to terrorize civilians.

While it is true that the Black-and-Tans were given orders to exact retribution against the locals, these officers were liable to take matters into their own hands. In his diary, Lt. Raymond Cafferata (1897-1966), one of these auxiliaries, states, that when he was posted in Macroom (County Cork), his commanding officer had to warn his unit against “unofficial appraisals,” which suggests that this was an ongoing problem that needed addressing. The diary mentions later on that, after two RIC cadets had been kidnapped, “[t]here were talks of reprisals – some chaps were for going out and beating up Macroom,” but Cafferata’s commanding officer (C.O.) quashed the idea by threatening harsh punishment.<sup>15</sup> While Cafferata claims that cooler heads prevailed, his and his C.O.’s anxiety about unofficial attacks confirms that unsanctioned reprisals were a cause for concern.

## II. Palestine

After the Irish War of Independence had resulted in the establishment of the Irish Free State and the demobilization of the Black-and-Tans, the United Kingdom

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<sup>11</sup> Duff, *Sword for Hire* 73.

<sup>12</sup> Quoted in Andrew Nelson, “‘The other boys of Kilmichael’: No. 2 Section, ‘C’ Company, Auxiliary Division Royal Irish Constabulary, 28 November 1920,” *Historical Research* 87, no. 238 (2014): 703-722, here 711.

<sup>13</sup> Duff, *Sword for Hire*, 69.

<sup>14</sup> Duff, *Sword for Hire*, 73.

<sup>15</sup> Quoted in David Grant, “Lt. Raymond Oswald Cafferata,” *The Auxiliary Division of the Royal Irish Constabulary*, accessed June 4, 2021.

found a new purpose for this now defunct paramilitary unit. Since the end of the Great War, Britain had been dealing with its great number of unemployed veterans by reinforcing its imperial holdings overseas, and the expansion of the RIC had been consistent with this policy.<sup>16</sup> Now that Britain had been forced to give up its oldest colony (Ireland), it was setting up an administration in its newest colony: Mandatory Palestine. From 1915 until 1918, the British Egyptian Expeditionary Force had conquered the Sinai, Palestine, and Syria from the Ottoman Empire. After the Great War, Britain was able to secure Palestine as an official colony, and part of the government's transition from military to civilian administration was the establishment of two Gendarmerie divisions, namely, one composed of locals and the other formed from British nationals: "Indeed, in April 1922, approximately 650 former 'Black and Tans' arrived in Haifa, Palestine, and commenced their duties as the British Palestine Gendarmerie."<sup>17</sup> Roughly 95% of the new British force were former Black-and-Tans, but they would find the situation in Palestine much different than in Ireland.

Despite the loss of most of colonial Ireland and the ambiguous experiences of the servicemen there, imperial administrators sought to copy the RIC's paramilitary police model. Across their Empire, the British reorganized colonial police according to the "Irish model" or "Ulster model."<sup>18</sup> In Palestine, the confusion whether the new force were to be soldiers or policemen immediately continued—both among the officers themselves and their commanders. Duff complained that his Commandant, a former Brigadier General in the army, had treated them as common infantry, both during training and on the voyage to the East. Duff preferred the second-in-command, himself a former RIC member, to lead the new force: "If that old man has his own way we shall be indistinguishable from a battalion of infantry, but if No. 2, the Assistant Commandant, is given a say, he will have us doing Constabulary duties."<sup>19</sup> In general, the rank and file were so annoyed with the discipline and parades that, after their first year of deployment, half of the Gendarmes refused to renew their contracts.<sup>20</sup> While service in the Black-and-Tans had been more dangerous than service in the Gendarmerie, it appears that the officers preferred the freedom afforded to them in Ireland over military discipline. While the tension between soldier and peacekeeper continued, the new assignment came with a new outlook on duties.

Deployment in the Holy Land offered a new perspective to Duff who, as his 1934 memoir (*Sword for Hire*) shows, had a mind for history. Duff comments that,

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<sup>16</sup> Nelson, "Other boys of Kilmichael," 707.

<sup>17</sup> Richard Cahill, "'Going Beserk [sic]': 'Black and Tans' in Palestine," *Jerusalem Quarterly*, no. 38 (summer 2009): 59-68, here 61.

<sup>18</sup> Alex Winder, "Policing and Crime in Mandate Palestine: Indigenous Policemen, British Colonial Control, and Palestinian Society, 1920-1948" (PhD diss., New York University, 2017), 20.

<sup>19</sup> Duff, *Sword for Hire*, 103.

<sup>20</sup> Duff, *Sword for Hire*, 136.

upon arriving in Palestine, he felt a swell of determination and “thoughts of Richard, of Edward, of Longsword, and the myriads of our race who had seen the very same vista opening on their entranced eyes as they neared Outremer.”<sup>21</sup> In *Sword for Hire*, Duff makes several other references to the Crusades and shows a new determination to keep the peace.<sup>22</sup> This mindset became so persistent that, seven years into his deployment, during the 1929 Arab Revolt, Duff carried a Crusader-era ax into combat. While Duff’s memoir is likely invoking literary tropes, his description of duty in Palestine is a far cry from his recollections of his time in Ireland. By likening himself to Crusaders, he justified his service as a noble pursuit. Viewing his actions in Palestine not as a mere mercenary effort but, rather, as a duty to preserve the Holy Land added to Duff’s sense of purpose. However, his actions and those of his fellow officers were not as noble as he presents them.

After four years of using the Gendarmerie to reinforce the Palestinian Police, Britain deemed the force too costly. These were some of the most peaceful years in Mandatory Palestine, and the force was expensive to maintain, so, in 1926, it was dissolved and folded into the much cheaper BSPP.<sup>23</sup> Duff was one of two hundred former Gendarmes to transition and felt relieved to have joined a proper civil service as opposed to his highly regulated previous position. He stated that, “[a]lthough the Police are an armed force, trained and equipped as soldiers, I found that I was no longer a subject to the harsh military discipline under which I had lain ever since I joined at Fort Tregantle.”<sup>24</sup> The BSPP enjoyed more freedom, both on- and off-duty, which included living in private residences rather than cramped barracks. Yet, even though they had been tasked with peaceful policing, Duff and the BSPP were more familiar with the tools and tactics of soldiers.

The impact of the Gendarmerie—and thus of the former Black-and-Tans—on colonial-police personnel and tactics should probably not be overstated. During the Gendarmerie’s four-year existence, members of the colonial administration were just as confused as to whether the Gendarmerie was there for civilian or for military purposes. Since they were deployed to augment the existing Palestinian Police, their primary role was to assist in suppressing riots, and many officers found themselves bored while waiting for long periods of time between emergencies.<sup>25</sup> The situation in Palestine was different from that in Ireland: when the Gendarmerie had initially been established, its men were not going into a hostile territory with insurgent rebels. At the time the Gendarmerie was dissolved, only seventy-two former RIC members transferred to the BSPP.<sup>26</sup> Despite their

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<sup>21</sup> Duff, *Sword for Hire*, 101.

<sup>22</sup> Duff, *Sword for Hire*, 163.

<sup>23</sup> Cahill, “Going Beserk,” 62.

<sup>24</sup> Duff, *Sword for Hire*, 164. Fort Tregantle was a military installation in Cornwall (U.K.).

<sup>25</sup> Seán William Gannon, “The Formation, Composition, and Conduct of the British Section of the Palestine Gendarmerie, 1922-26,” *The Historical Journal* 56, no. 4 (2013): 977-1006, here 995.

<sup>26</sup> Gannon, “Formation, Composition, and Conduct,” 1002.

notoriety, the Black-and-Tans were not a unique force in the British Empire. However, their careers do reflect the adaptability of those policing the colonies.

Duff's memoir of policing Palestine has a constant undercurrent of the threat of violence. Just as the citizens of Dublin had feared getting caught out in public due to RIC reprisals, so, too, did Palestinians learn the implicit danger of the British police presence. While pursuing criminals from Jerusalem to the mountains of Moab, Duff happened upon a cave well-armed with British weapons and fully provisioned with food. Concluding that the village of Lifta (north of Jerusalem) must have provided fresh bread to these brigands, the British officers dragged the latter's corpses through Lifta's streets. The villagers, whether complicit or not, must have received the message as the clear threat that it was. Duff states, "We remained there until nearly noon, together with the large reinforcements that had arrived, whilst we ate several sheep and other delicacies that they so 'willingly' provided for us."<sup>27</sup> From Duff's tone, it is clear that he and his fellow policemen knew the implied threat: comply or end up like the dead brigands. This action was certainly more reminiscent of an occupying army than of a police force. With no evidence other than warm bread (which the criminals could have coerced from the villagers), the police occupied Lifta and punished its inhabitants collectively.

Duff's stories from 1920s Palestine reveal a pattern of how the BSPP responded to villagers with collective punishment, which continued at an extreme level in the following decade. His memoir details an incident, years later, of a village refusing to give up an individual accused of well-poisoning: "[a] village called Shweikeh [i.e., Shuweikah, located east of modern-day Netanya] received the full force of my long-pent resentment, and, incidentally, served as an example to the others and gave the troubled division peace for nearly five months;" Duff gathered as many as fifty armed men on horseback and went to the village with the intent of abusing their hospitality: each officer received two cooked chickens and had his horse stationed in the villagers' houses, but instead of reciprocating the gift according to Arab custom, Duff insisted that his men would stay every night and expect the same hospitality until a witness would give them the name of the well-poisoner.<sup>28</sup> Duff found this tactic so clever that he subsequently used it any time he wanted peace from feuding villagers. While this occurred nominally under the guise of Arab hospitality, the practice described in Duff's memoir was one of occupation and extortion. Instead of policing, Duff establishes a pattern of coercion with armed men inspired by their overtly racial judgments of the locals.

Duff's encounter with the villagers of Shweikeh/Shuweikah makes it very clear that he was treating with them by abusing their customs because he did not believe they would listen to his British appeal to law and order. Despite the fact that it was his role to enforce British laws, he was convinced that none of the locals

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<sup>27</sup> Duff, *Sword for Hire*, 181-183.

<sup>28</sup> Duff, *Sword for Hire*, 295-299.

would understand “Western procedure of trial and punishment.”<sup>29</sup> While hypocritical, this could be chalked up to a communication gap, were it not for some other comments in Duff’s memoir. Referring to a disturbance from a Muslim crowd in 1922, Duff explained: “Had our Arabic been better we might have sympathised with them; though I doubt it, for most of us were so infected by the sense of our own superiority over lesser breeds that we scarcely regarded these people as humans.”<sup>30</sup> While Duff comes off as more remorseful later in his memoir, he reveals the BSPP’s common racial biases. Other accounts show the presence of fascism in the force, including an incident of Jews complaining that police members had adorned their riot shields with swastikas.<sup>31</sup> Although racial prejudice does not explain all of the BSPP’s violence against the locals, it certainly informed their practice of routinely dehumanizing the locals for transgressions.

Due to Palestine’s multi-ethnic population, the RIC would not have been suitable as the sole model for colonial policing in the eastern Mediterranean. In fact, British administrators were able to refer to a plethora of other colonial models. As Jewish immigration increased, keeping a balance between Jewish, British, and Arab policemen became a constant struggle, so Britain turned to the Kenyan administration for inspiration. In addition to African and Indian communities, Kenya also had British settlements, and the Kenyan colonial police reflected this. According to Alex Winder, this “also explains why, along with the Palestine Police and the Shanghai Police, Kenya was one of three British colonial forces that had a distinct British section, rather than a British officer corps sitting atop, but within, a unified force.”<sup>32</sup> Thus, ideas about administration, including racial divisions, were drawn from across the British Empire. Maintaining hegemony over a multiplicity of ethnic populations across the globe, British colonial policy could not be uniform. Colonial projects developed along different paths across the Empire, however, all of them enforced hierarchies with the British at the top.

Jewish settlement in Palestine was another vague administrative policy that fell under the interpretation of colonial administration. The *Balfour Declaration* of 1917, addressed to Lord Rothschild, had announced:

His Majesty’s Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.<sup>33</sup>

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<sup>29</sup> Duff, *Sword for Hire*, 295.

<sup>30</sup> Douglas V. Duff, *Bailing with a Teaspoon* (London: John Long Limited 1953), 36.

<sup>31</sup> Hughes, “Banality of Brutality,” 333.

<sup>32</sup> Winder, “Policing and Crime in Mandate Palestine,” 61.

<sup>33</sup> Arthur James Balfour, “The Balfour Declaration” (1917), *The Rothschild Archive*, accessed June 4, 2021.

In fewer than a hundred words, the *Balfour Declaration* had stated that the rights and political status of local Arabs were not to be infringed. The British were promising the impossible, namely, support for a Zionist state, while also claiming not to be partisan. Jewish settlement was the basic premise of Mandatory Palestine, and by the 1930s Jewish agencies were given access and political legitimacy that similar Arab organizations were denied. While legislation in 1934 expanded municipal powers of town councils in urban settlements, this was not extended to rural villages which were predominantly Arab. The traditional rural leaders, the *mukhtars*, were not given any legal standing, which led to many villages being run informally by one family. When facing rural resistance or revolt, police then did not have a legal infrastructure to deal with and resorted to collective punishment and violence.<sup>34</sup> Duff's own experiences in Shweikeh/Shuweikah and Lifta show the informal means police employed when punishing villagers without due process. While "the British way" was nominally about bringing law and order to the colonies, in the case of Palestine, the Arabs' lack of formally recognized law and organization thus reduced them to subaltern status.

Duff seemed to have his own mixed feelings on Jewish settlement, but his own accounts suggest that he decisively acted against Arabs. He claims to have had no feelings either way on Zionism, but then—on the next page—opines that Palestine's fertile valleys would have room for a million Jews and that the Arabs would "benefit from the higher standard of life exhibited by their neighbours."<sup>35</sup> One time, when he had to break up a Jewish riot, he switched to a light baton instead of the usual heavy truncheon he had brought from Ireland. Against Muslim mobs, he opted for "no half-measures" and would even brandish a hammer.<sup>36</sup> For Duff, nothing in Palestine was more worrisome than a public demonstration because of how "they are the root of all riots and disturbances."<sup>37</sup> Police reports from this era frequently blamed rural crime on a concept called *fassad* (meaning "corruption" or "intrigue"), which stereotyped rural Arabs as untrustworthy. One officer stated, "All is complicated further by sub-plots and fragmented passions with greed, hatred and even lust [...] It is nearly impossible to live in Palestine without quarrelling *fassad* bringing the police to almost any village."<sup>38</sup> By prejudicially denying that Arab society could work through disputes civilly, Duff and his colleagues opened the door to more violence. Police instincts were to treat Arabs as an uncivilized population, and their actions reflected this.

In addition to collective punishment, Duff brought with him from Ireland interrogation techniques that bordered on torture. After bashing crowds "without

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<sup>34</sup> Matthew Kraig Kelly, "Crime in the Mandate: British and Zionist Criminological Discourse and Arab Nationalist Agitation in Palestine, 1936-39" (PhD diss., UC Los Angeles, 2013), 44-45.

<sup>35</sup> Duff, *Sword for Hire*, 326.

<sup>36</sup> Duff, *Sword for Hire*, 228.

<sup>37</sup> Duff, *Sword for Hire*, 176.

<sup>38</sup> Winder, "Policing and Crime in Mandate Palestine," 179-181.

half-measures,” Duff was reassigned to a penal colony in the Plains of Armageddon, pending a trial for the use of unnecessary force.<sup>39</sup> According to other policemen, he earned such a reputation for beating prisoners that “Duffing up” became common slang among the force.<sup>40</sup> Although Duff does not elaborate on these beatings in his memoir, he is not modest about his brutality in cases when he felt he had been wronged. Once, when Duff was patrolling the highway, a local Arab attempted to rob him and his company by ambushing them with a rifle. After they caught him, the local claimed he was on the road just to drink from the stream Wadi Zeita. “We decided that as he had come so far for a drink in the brook he had better have it, and stood him on his head in the middle of the shallow stream, continuing the treatment until he told us where his rifle was hidden.”<sup>41</sup> Even after Duff had been officially reprimanded for unnecessary force, he still had men under his command and the jurisdiction to continue harsh police tactics. Duff was not a lone actor, however, he was part of a system that routinely used violence to coerce colonial subjects.

Although Duff does not admit to personally committing the systemic sort of violence used for counterinsurgency, he does claim to have witnessed it. After an Anglican Bishop and an American tourist had been robbed by highwaymen, Duff describes the methods of beating and water-boarding used on nearby villagers. While he states that the British officers usually stood away from the beatings, he continues: “I am not holding my hands in shocked protest, for I witnessed hundreds of bastinadoings during my years in the Palestine police and many scores of cases where the ‘Hoist’, or the ‘water-can’, was employed.”<sup>42</sup> Regardless of Duff’s personal involvement, police abuse was systemic in Palestine. When Duff was finally brought to trial and dismissed from service in 1931, it was not because of his own personal involvement in these beatings. On October 22, 1931, the High Commissioner affirmed the court’s ruling that “[Duff] was found guilty of having ‘counselled [sic] and procured Sergeant Ishak Ahmed Nejb,’ a member of the Palestine Police, to ‘exercise ill-treatment and to do acts which occasioned bodily distress to Farid Muhammad Sheikh Ibrahim.’”<sup>43</sup> The problem of torture went beyond Duff, and while he may have been convicted, the law was flexible enough to change with the circumstances.

The unofficial, ambiguous counterinsurgency tactics which had permeated the Palestinian Police gained official sanctioning in the face of a unified Arab front during the Arab Revolt of 1936. After Sir Charles Tegart had been transferred from India to advise the Inspector General, he oversaw the construction of seventy-seven new “Arab Investigation Centers.” In these centers, suspects were

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<sup>39</sup> Duff, *Sword for Hire*, 254.

<sup>40</sup> Cahill, “Going Beserk,” 64.

<sup>41</sup> Duff, *Sword for Hire*, 318.

<sup>42</sup> Duff, *Bailing with a Teaspoon*, 168.

<sup>43</sup> Cahill, “Going Beserk,” 64.

repeatedly beaten and tortured with water-boarding techniques similar to those Duff describes in his memoir. In one instance, an officer was reprimanded because he brought in a suspect unharmed after he had been ordered to “Duff up” the man.<sup>44</sup> While one of these centers was closed after a complaint to the High Commissioner, the majority remained in operation throughout British rule. Duff may have been dismissed for his extrajudicial punishments before the revolt, but war made law malleable. Colonial officials launched an internal investigation during the late 1930s and 1940s to determine the extent of Black-and-Tan tactics in the Palestinian Police, and the entire service was acquitted.<sup>45</sup> The official channels, which had mostly turned a blind eye during the 1920s, were now fully complicit during “wartime,” meanwhile contesting that this was, in fact, “wartime.”

Britain refused to call the Arab Revolt of 1936 a national insurrection for fear of legitimizing the Arab cause and nominally dealt with it as a criminal matter. According to Matthew Kraig Kelly, “[h]aving neglected to extend legal recognition to any Arab Palestinian entity advancing an agenda of national autonomy, the mandatory government effectively rendered all nationalist activity ‘criminal’.”<sup>46</sup> This legal distinction guaranteed less scrutiny than a full-scale war and downplayed the severity of the revolt. Additionally, the 1933 *Prevention of Crime Ordinance* gave extensive power to district commanders who could legally target suspects without any evidence other than “known character.” When locals wanted to challenge these arrests through proper channels, they had no legal recourse.<sup>47</sup> Policing methods during the revolt may have been arbitrary, oppressive, and brutal, but they were essentially legal in the eyes of the Empire.

When the British military intervened in the revolt, earlier tactics of collective punishment against Arab villages became routine. In light of the ongoing rebellion, the military considered it justified to terrorize rural Arabs in their homes in search of rebels. British soldiers reportedly smashed furniture, tore women’s clothes off, destroyed food stores, defaced holy books, and beat innocents: “Particularly recalcitrant villages would be entirely demolished, reduced to ‘mangled masonry,’ as happened to the village of Mi’ar north of Acre in October 1938.”<sup>48</sup> Police were not idle in the countryside either; they were ordered to gather exorbitant “fines” from resisting villagers that these could never hope to pay. When villagers did not pay, the Palestinian Police confiscated livestock and food, similar to Duff’s tactics a decade earlier.<sup>49</sup> Arab village life was permanently devastated by the rebellion, and it was done in the name of British law and order.

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<sup>44</sup> Hughes, “Banality of Brutality,” 331-332.

<sup>45</sup> Laleh Khalili, “The Location of Palestine in Global Counterinsurgencies,” *International Journal of Middle East Studies* 42, no. 3 (2010): 413-433, here 416.

<sup>46</sup> Kelly, “Crime in the Mandate,” 42.

<sup>47</sup> Kelly, “Crime in the Mandate,” 43.

<sup>48</sup> Hughes, “Banality of Brutality,” 323-324.

<sup>49</sup> Hughes, “Banality of Brutality,” 325.

### Conclusion

No matter how “legal” the British Empire was or was not, the way it maintained order in the colonies was by means of force. In his 2012 work, *Webs of Empire: Locating New Zealand's Colonial Past*, Tony Ballantyne describes the British response to the 1857 Sepoy Mutiny in India as follows: “The key feature of the suppression of the revolt in India was the unrestrained retribution visited upon sepoys and their supporters by the [British East India] Company’s army. The circulation of stories recounting the horrors of Lucknow and especially Kanpur created a seemingly insatiable appetite for death and destruction.”<sup>50</sup> The evidence for the actions of the British colonial police in Ireland and Palestine mirrors this description. Wanton destruction of civilian property was not an unfortunate occurrence in colonial policy, it was the bedrock. Actors like Douglas Valder Duff cannot be excused for the violence in which they participated, but the imperial bureaucracy itself is also responsible for enabling, protecting, and at times ordering colonial police into violence. “The British way” was not law and order; it was the adaptability of the law and the personnel who administered it to justify torture and collective punishment.

ABOUT THE AUTHOR: *Eric Lomax of Long Beach, California, earned his B.A. in History at California State University, Long Beach (2018). He is currently pursuing an M.A. in History at California State University, Fullerton (CSUF). His article printed above originated in a research seminar offered by CSUF’s History Department.*

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<sup>50</sup> Tony Ballantyne, *Webs of Empire: Locating New Zealand's Colonial Past* (Vancouver: University of British Columbia Press, 2012), 170.