

UNVEILING **TYRANNY**

THE **GENOCIDE IN GAZA** &
FALSE ZIONIST NARRATIVES ON PALESTINE



HAMZA ANDREAS TZORTZIS
& MASSOUD VAHEDI

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Authors: Hamza Andreas Tzortzis and Massoud Vahedi

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Sapience Publishing. First Edition, 2023

www.sapienceinstitute.org

Typesetting by Imran Rahim ♦ enquiries@ethereadesign.com

Book Design: UmmahGrafiks

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SECTION ONE

Background Matter and Epistemic Foundations

Many individuals desire to develop a solid understanding of Palestine and its people's difficulties over the last seven decades. However, they are uncertain where to start and what resources to read to kickstart their epistemic journey. This comprehensive and well-cited work provides a series of arguments and counter-arguments that elucidate the underpinnings and root causes of the Palestinian crisis, both concerning the current 2023 Gaza Genocide and the long-term cycles of oppression that have preceded it. The book has been organised logically and linearly, with its material divided into four sections.

Section 1 constitutes a background study of the present Palestinian crisis and may be read as a standalone chapter. In sum, Section 1 incorporates the following topics and themes: 1) The provision of a concise and preliminary outline of the Palestinian crisis; 2) The role of the so-called enlightened Western world in facilitating and supporting the present genocide; 3) How media outlets distort the nature of the Palestinian crisis; 4) A discussion on why Palestine is primarily an Islamic topic, and can only be solved through a moral outlook that is based on the teachings of the one and true religion of Allah; and, 5) Besides pointing out that violence against non-combatants can never be justified from an Islamic lens, this chapter also highlights why the events of October 7 cannot be used as a pretext to justify Israel's ongoing tyranny. After completing this section, the reader will have the baseline degree of information required to appreciate the vital theoretical arguments found in Section Two.

With this rudimentary groundwork in place, the reader will have the baseline degree of information needed to appreciate the key theoretical

arguments found in Section Two, which comprises the main body of the work. This Section provides a series of positive arguments in favour of the Palestinian cause, which consist of the following: 1) The Israeli state's development and expansion has been predicated on the policies of apartheid and ethnic cleansing, with both of these inhumane techniques being meted against the Palestinian people (Section 2.1); 2) Israel has killed scores of Palestinian children from 2021-2023 in the West Bank, which indicates that its crimes predate the current crisis and extend to areas that are not ruled by Hamas (Section 2.2); 3) For almost 17 years, the Gaza Strip has been held under a crippling siege, which has reduced the enclave to an open-air prison (Section 2.3); 4) As a collective people, the Palestinians enjoy the right to self-determination and the establishment of their own independent state (Section 2.4); 5) Israel has acutely failed to abide by the legal principle of proportionality in its warfare conduct and has most likely committed war crimes in its operations within the Gaza Strip (2.5); 6) Israel has consistently violated numerous provisions of international law in past and present wartime engagements (Section 2.6); 7) When evaluating the statements of Israeli officials and military commanders, there are clear indications of genocidal intent, which in turn put the Palestinian people in grave danger of being indiscriminately eliminated (Section 2.7); and, 8) There are a number of solid indicators which point to the conclusion that Israel is using its current military operation as a pretext to expel the people of Gaza to Egypt and annex the enclave, thereby achieving its goal of establishing a "Greater Israel" (Section 2.8). The arguments and theoretical points found in this section will manifestly demonstrate the merits of the Palestinian cause and highlight the grave atrocities of the Israeli war machine throughout the last seven decades.

Sections 3 and 4 comprise a series of counter-arguments to common Zionist talking points and objections and may be read as stand-alone segments. While both sections provide cogent responses to popular objections made by Israel's backers, there is an essential difference between the two. Section 3 evaluates popular claims made against the Palestinian cause with respect to the current 2023 crisis. The objections found in Section 4, on the other hand, are general and pertain to recurrent tropes used to justify the Israeli state's wrongdoings. The chief theoretical finding of this research work is that none of these claims withstand critical scrutiny.

From the onset, it is essential to note that this work is *not* simply about the 2023 crisis. Instead, it provides a concise yet comprehensive study of the roots and antecedents of the tragedy that has struck Palestine ever since 1948 and considers the general themes and historical realities that inform the ongoing occupation. Studying the present hostilities in isolation

would undoubtedly be an analytical error since that would entail ignoring the structural conditions and root factors that caused Operation al-Aqsa Flood to arise in the first place. Contrary to the assertion of commentators and the backers of the Zionist state, the events of October 7 constitute a last-gasp reaction to the many decades of systemic oppression and ethnic cleansing meted out by the Zionist killing machine. The people living in occupied Palestine have been forced to endure a brutal top-down apartheid system, which has suffocated them and deprived them of the freedom of movement, self-determination, and all other fundamental liberties. This stark reality caused the great human rights champion Nelson Mandela to make the following proclamation during the 1997 International Day of Solidarity with the Palestinian People: “We know too well that our freedom is incomplete without the freedom of the Palestinians.”¹ Almost 30 years have passed since this monumental proclamation. However, it is painful to know that the state of the Palestinians has only worsened, as the West Bank has been reduced to a maze of Palestinian communities rapidly outnumbered by surrounding Israeli settlements. Meanwhile, the Gaza Strip continues to be subjected to perverse, degrading, and unliveable circumstances caused by a crippling blockade. The Palestinians living in Gaza and the West Bank have been subject to violence, humiliation, murder and the imprisonment of their children for too long. Justice delayed is justice denied, and the entire world is currently guilty of remaining indifferent to the oppression meted against the Palestinian people.

Besides identifying the antecedents of the October crisis and proposing tangible and meaningful solutions for the liberation of the occupied Palestinian Territories, this work aims at reframing the current meta-narrative of the Palestine question, which remains overwhelmingly biased in favour of the Zionist cause. Concrete changes cannot be realised in the future unless the world population develops a new and shared intersubjective mentality that is inclined towards the liberation of the Palestinian people. This lofty goal is challenging but can be achieved if misinformation and propaganda are challenged with established facts. This book plays a small yet noticeable role in achieving this objective.

This academic work provides a comprehensive analysis of the current war of oppression that has been unleashed against the people of Palestine. The purpose of this book is to deconstruct and challenge these conventional assertions by providing counter-points, thought experiments, and eight key

1 Nelson Mandela, “Address by President Nelson Mandela at International Day of Solidarity with Palestinian People, Pretoria,” Office of the President, 4 December 1997, <http://www.mandela.gov.za/mandela_speeches/1997/971204_palestinian.htm> accessed 15 November 2023.

arguments to reframe the narrative concerning Palestine. Nevertheless, a few critical disclaimers are needed before highlighting these aforementioned points and arguments. First and foremost, the deliberate killing of any non-combatants – regardless of whether they are men, women, or children – is a moral wrong and a blatant contravention of international law. All the actors above must never be condoned as military targets, and any loss of civilian life is a tragedy that must be condemned. In addition, during times of warfare, the Islamic faith itself prohibits the killing of any non-combatants. Several categorical statements from the Prophet and his noble Companions confirm that this is an iron-clad ruling in Islamic law that cannot be contravened. Considering this perspective, any group claiming to fight in the name of Islam cannot partake in such atrocities. The first Caliph of Islam, Abū Bakr al-Ṣiddīq, exemplified the rules of conduct *jus in bello* when he exhorted the military forces of Usāmah ibn Zayd with the following commandments when they were launching an expedition in the Levantine front: “Oh people, stop [before me]. For I wish to communicate to you ten rules, so ensure that you memorise them from me. Do not be treacherous or stray from the right path. Do not engage in treachery or mutilate the bodies of the dead. Do not kill a young child, man of old age, or a woman. Do not bring forth any harm to the palm trees whether by cutting them or burning them. Do not cut any tree that bears fruits. Do not slaughter any sheep, cow, or camel, except that which is for your consumption. You will come across groups of people who have devoted themselves [to worship] in monasteries. Such people should be left uninterrupted and allowed to partake to that which they have devoted themselves.”² After perusing this elaborate list of commandments, it will become readily apparent to any objective observer that Islam champions a stringent code of conduct in warfare, which military personnel are expected to observe during all times of military conduct.

Notwithstanding, there is a need for balance when assessing the atrocities of the belligerents of any conflict. If confirmed, the wrongdoings of any fighters from the Palestinian side must never be used as a pretext to ignore far more glaring moral and legal wrongs that are being meted against the Palestinian people *en masse*, such as ethnic cleansing, apartheid policies, and – at the immediate moment – a full-blown genocide in the Gaza Strip via a relentless wave of indiscriminate aerial bombardment. Zionist propaganda outlets do not enjoy the right to exploit the events of October 7 as a pretext to justify even greater and monstrous wrongs being committed against the Palestinian people in the present moment (a point further

2 Abū al-Fiḍāʾ Ismāʿīl Ibn Kathīr, *al-Bidāyah wa al-Nihāyah* (Beirut: Maktabah al-Maʿārif, 1990), vol. 3, 226-227.

explored in Section 3.1). It is unfortunate to find that such arguments are being recycled on an hourly basis in all mainstream media channels. Such claims enjoy much currency due to their use of the deceptive premise that the history of the struggle began only on October 7. This viewpoint is seriously misguided and is informed by a skewed prism that fails to consider the roots of this crisis.

This book sidesteps the problems in both extreme tendencies by adopting a balanced position. It does not justify or condone the killing of any combatants, regardless of their nationality or setting in the time of the hostilities. It thus aims to explain the events of October 7 with this underlying assumption in mind (as observed in Section 3.3). Nor does it fall into the ahistorical fallacy of assuming that the current military engagement is simply a product of recent temporal factors. Instead, it offers essential counterpoints to these common talking points and critical corrections to the skewed dominant discourse.

1.1 The Gaza Genocide: The Culpability of the West-Media-Zionist Axis of Evil

For over seven decades, the plight of the besieged and plundered Palestinians has not been given the consideration and urgency it deserves and needs by the international community. Unfortunately, many Western online channels and platforms have distorted the background and nature of the crisis that began on October 7, 2023. They have attempted to erase the seven decades of plight and oppression that the Palestinians have faced at the hands of Israel. However, partly due to the apparent Israeli propaganda and its barbaric and genocidal response to the Hamas attacks that occurred in October, the illegal occupation, apartheid, and tyranny in Palestine is finally penetrating and engulfing the public discourse – whether in conventional news outlets or social media – in an unprecedented manner. The purpose of this work is to correct many enduring misconceptions and provide a cohesive study of the antecedents and drivers of the devastation that has ridden Palestine, particularly the ethnic cleansing and genocide that is being meted out in the Gaza Strip. In a cruel twist, owing to the grave severity and viciousness in this latest month, an ideological breakthrough has finally been achieved, and the truth has become manifest for many. Notwithstanding, much more work is needed. The entire world must wake up from its lack of action and ensure that a just solution is given to the Palestinian people.

Humanity currently stands at a critical crossroads, and it cannot stand passively or ignore the long-standing atrocities committed against the Palestinian people. Every passing moment is an acute indication of the international community's moral bankruptcy and, arguably, marks the death knell of any conventional standard of rights and semblance of civilised human conduct. The famous American historian and thinker Will Durant once said: "From barbarism to civilization requires a century; from civilization to barbarism needs but a day."³ That dark day of misfortune

3 Will Durant, *The Reformation: The Story of Civilization VI* (New York: Simon

appears to have come already. While it is true that the Western world has for decades demonstrated its apathy when Palestinian lives are lost, its blatant obliviousness to the loss of more than 6,000 children in Gaza during Israel's Operation Swords of Iron demonstrates that it has reached a new all-time low in its moral self-indulgence.

Those who value human dignity and justice must take a decisive stand and support those unwearingly striving for emancipation. Without this moral clarity and courage, humanity runs at the danger of misframing the oppressed as the oppressor and the oppressor as the oppressor, thereby creating a world of injustice for many generations. This upshot is what the great thinker and activist Malcolm X warned against when he said: "The media is the most powerful entity on earth. They have the power to make the innocent guilty and to make the guilty innocent, and that's power. Because they control the minds of the masses."⁴ In another poignant and socially conscious remark, Malcolm X warned the civic American community: "If you're not careful, the newspapers will have you hating the people who are being oppressed, and loving the people who are doing the oppressing."⁵ Elaborated more informally, the Western media cannot be trusted due to its enforcement of the dominant discourse and blatant double standards. In this arena, Palestinian voices are silenced, while the assertions and charges of Israeli officials and military personnel – no matter how farfetched they may be – are provided an unrestricted platform. Simply put, "[the] Israeli narrative is allowed to run riot on Western screens. Here, the double standard is laid bare. Israeli claims, however absurd, are always afforded an air of respectability."⁶ Against such a distorted backdrop, all truth seekers must proceed with the utmost caution and ensure their analysis is unclouded and based on a comprehensive review of the relevant facts. Otherwise, it is easy to drown in the misinformation that currently engulfs the world.

The plain truth is that the misfortune of Gaza is simply heart-breaking. Being cognisant of what has been inflicted upon the people of Gaza, and Palestine in general, should invoke empathic pain, overwhelming one's being with anguish. Every few years, Gaza, a densely-populated enclave of 2.2 million – with almost half of that figure consisting of children – is subjected to an extreme and brutal round of violence by its merciless oc-

and Schuster, 1957), 190.

- 4 See Joanne Griffith, *Redefining Black Power: Reflections on the State of Black America* (San Francisco: City Lights Books, 2013), 115.
- 5 See Sreechinth C, *Reflecting Malcom X: Wordings of the Detroit Red* (No Location: UB Tech, 2018), 20.
- 6 Jody McIntyre and Mohammed Hijab, *The Double Standard: Media Reactions to Zionist Terror* (London: Sapience Institute, 2023), 7.

cupier. Unfortunately, the latest iteration has reached unprecedented levels of cruelty and savagery, with several objective observers noting that the threshold of genocide has already been met. As of 22 November 2023, more than 14,000 innocent Palestinian civilians have been killed, with approximately 5,800 and 3,900 of them being children and women, respectively. 6,000 people are still missing and are presumed to be dead under the rubble of collapsed buildings and housing structures.⁷ This brutality can only be called one thing, which is none other than the Gaza Holocaust.⁸ At the present moment, the 14,000-plus death toll in Gaza has already exceeded the number of killings found in the Srebrenica massacre, which is considered a genocide by almost-near international consensus. Refusing to call the current carpet bombing of Gaza a genocide would be a blatant double standard and signify the demise of all the moral standards and legal norms that the international community has celebrated for decades. Right now, in the Gaza Strip, transparent elements of genocidal intent can be observed, as Israel has consistently failed to distinguish between combatants and non-combatants in its operations. For instance, not only is Israel guilty of partaking in the “indiscriminate killing of women and children,” it has also exerted great “efforts to terrorise an entire population into submission”.⁹

The Israeli government has already been implicated in three massacres against the innocent Palestinian population. The first is the Al-Ahli Arab Hospital bombing by the Israeli air force on the 14th of October, which led to almost 500 deaths.¹⁰ The second is the wholesale bombing of the Jabalia refugee camp on both October 31 and November 1, which killed at least 50 innocent civilians and wounded hundreds of additional people in Northern Gaza.¹¹ The third is the al-Maghazi refugee camp airstrike, which killed at

7 Sharjah 24, “Gaza War Death Toll surpasses 14,000,” Sharjah24, 21 November 2023, <<https://sharjah24.ae/en/Articles/2023/11/21/Gaza-war-death-toll-surpasses-14000>> accessed 20 November 2022.

8 The Palestinian Information Center, “Gaza Holocaust: 9,257 Martyrs, including 3,826 Children and 2,405 Women (Arabic),” Palinfo, 3 November 2023, <<https://palinfo.com/news/2023/11/03/859232/>> accessed 3 November 2023.

9 Refik Hodzic, “There Are Common Points between the Gaza War and the Bosnian Genocide,” Al Jazeera, 20 October 2023, <<https://www.aljazeera.com/opinions/2023/10/20/there-are-common-points-between-the-gaza-war-and-the-bosnian-genocide>> accessed 31 October 2023.

10 Awad Rajoub, “Over 500 killed as Israel strikes Al-Ahli Baptist Hospital in Gaza: Health Ministry,” Anadolu Ajansı, 18 October 2023, <<https://www.aa.com.tr/en/middle-east/over-500-killed-as-israel-strikes-al-ahli-baptist-hospital-in-gaza-health-ministry/3023435#>> accessed 29 November 2023.

11 Al Jazeera, “Israel’s Deadly Attack on the Jabalia Refugee Camp: What We Know So Far,” Al Jazeera Media Network, 1 November 2023, <<https://www>

least 45 people, with almost all of them being children and women.¹² There are several other aerial attacks and strikes in densely populated areas which have led to high civilian casualties. On the official news front, there have only been a few voices of concern and a handful of public actors who have expressed their consternation with the ongoing bloodshed out of the fear that the Zionist propaganda machine will target them.

One of the few voices to condemn Israel's military conduct against Palestinian civilians is Navi Pillay, who presides as chair of the United Nations Commission of Inquiry on the Occupied Palestinian Territory and Israel. In a recent interview with Al Jazeera, Pillay said: "From the evidence we have already gathered we are concluding that this [*sic*] is indiscriminate attacks against civilians and very excessive. It does not conform with the requisites of international law which is disproportionality and with focus on protection of civilians. And therefore, we thought that this cannot be equated with self-defence. It amounts to collective punishment...how can children ever be deemed a threat so much that Israel has to defend itself against these babies and children?"¹³ Francesca Albanese, who presides as the United Nations Special Rapporteur on Palestine, articulately reiterated the plight of the population of Gaza and blamed Israel for failing to observe the rule of proportionality in its wartime conduct: "...it's Israel's responsibility to *not* bomb a 360 square kilometre strip of land where the people are besieged...8000 people have been already killed...UNRWA [United Nations Relief and Works Agency for Palestine Refugees in the Near East] has staff members who have been killed, there are journalists who have been killed, 50 per cent of the civilian infrastructure has been destroyed. The Palestinians in Gaza have nowhere to go. Please, imagine what it is to have two million and two hundred thousand people living in 300 square kilometres, which is being bombed North to South. Where do these people have to go? There is no safe haven. These people are trapped and being killed. This is what Israel is pursuing."¹⁴ Even though these assessments have come from neutral sources and their language is free of any

aljazeera.com/news/2023/11/1/israels-deadly-attack-on-the-jabalia-refugee-camp-what-we-know-so-far> accessed 29 November 2023.

- 12 Rushdi Abualouf, "At Least 45 killed At Al-Maghazi Refugee Camp," BBC, 5 November 2023, <<https://www.bbc.com/news/world-middle-east-67326895>> accessed 29 November 2023.
- 13 Al Jazeera, "UN's Navi Pillay: Israel has 'No Intention of Ending Occupation'", Al Jazeera English, 28 October 2023, <https://www.youtube.com/watch?app=desktop&v=cz1th-a_2M4> accessed 15 November 2023, 6:53.
- 14 BBC Newsnight, "The Gaza Airstrikes and International Law," BBC, 1 November 2023, <<https://www.bbc.co.uk/iplayer/episodes/boo6mk25/newsnight>> accessed 1 November 2023.

distortion or manipulation of the facts, it is astonishing to find that many backers of Israel have accused Pillay and her United Nations counterparts of advancing an anti-Semitic cause and “further[ing] a demonstrably discriminatory agenda against the Jewish people and the State of Israel”.¹⁵ How can such charges and accusations be levelled when plain facts are recited and a simple call for compassion is made? The answer is that the political playing field is deeply lopsided and serves the oppressing side. Through malicious smear campaigns, censorship repertoires, and persistent use of the anti-Semitism card, the Zionist regime has been able to maintain a semblance of legitimacy at the mainstream level. However, even more importantly, there is an essential layer of political support that lubricates the drums of war and the killing machine. Simply put, Israel heavily relies on its Western allies to maintain its standing and promote its war agenda.

The entire world was shocked by the carpet bombings and wholesale slaughter of civilians during the Second World War. The world stood by as the horrors of the Holocaust raged on, which led to the killing of six million Jews during the Second World War. The post-war era was supposed to mark the emergence of a new world order of equality and justice for all nations. New institutions and organisations were developed to maintain a baseline of global security. As the famous critical thinker Theodor Adorno put it in his book *Negative Dialectics*, owing to the genocidal actions of the Nazis, the entire world carried a new categorical imperative on its shoulders, namely “to arrange their thoughts and actions so that Auschwitz will not repeat itself, so that nothing similar will happen”.¹⁶

Sadly, Adorno’s moral call for creating a new world order has fallen upon deaf ears. In the 1990s, the world witnessed two bloody genocides in Bosnia and Rwanda, which led to the deaths of many thousands based on ethnic and religious divisions. Not only has the international community failed to learn from its dark past, but it is now poised to repeat the same grave error of disregarding yet another and even more sophisticated round of ethnic cleansing and genocide in the 21st century. This time, the target is Gaza, an enclave which has already been forced to endure waves of oppression and violence for more than seven decades at the hands of the criminal Israeli

15 Luke Tress, “Leading Law Conference Drops UN Israel Investigator after Hamas Attack,” *The Jerusalem Post*, 26 October 2023, <<https://www.jpost.com/international/article-770175>> accessed 31 October 2023; John Robson, “Polite Antisemitism on Full Display from International Law ‘Experts’ at uOttawa,” *National Post*, 31 October 2023, <<https://nationalpost.com/opinion/polite-antisemitism-on-full-display-from-international-law-experts-at-uottawa>> accessed 31 October 2023.

16 Theodor W. Adorno, *Negative Dialectics*, trans. E. B. Ashton (New York: Continuum, 2000), 365.

state. In such a hostile and aggressive pro-Israel environment, any voices of support for the Palestinian cause and condemnations of the Gazan genocide are being rapidly drowned out. In the post-World War II framework, the international community firmly issued the promise of “never again”, yet it is now repeating the same moral crime of exterminating an entire national group with unequivocal genocidal intent.

The Palestinians in Gaza are being mercilessly slaughtered by the modern Israeli military machine, which enjoys full backing from the United States, France, the United Kingdom, and Canada, all of whom are notorious colonial regimes in their own right. As a result of the convergence of this murderous coalition of the willing, the death toll is rapidly rising every hour. With impunity, the international community is allowing Israel to cross every red line by subjecting the Palestinian people to an unforeseen degree of collective punishment and ethnic cleansing, with the bloodshed expected to have severe repercussions for generations to come. The Israeli onslaught continues to persist unabated, with every call for a ceasefire dismissed by the criminal backers and funders of the Zionist war machine.

Perhaps one of the key reasons why a ceasefire resolution has not been passed yet is that the leading Western powers remain committed to an ethnocentric conception of the world, whereby Muslims are deemed to be an inferior race if not outright subhuman. It is essential to be frank here: if 14,000 Caucasian individuals were killed in just seven short weeks, the implementation of an immediate humanitarian ceasefire would have never been a matter of debate; in fact, had the Gazan population consisted of blue-eyed Europeans, the international community would have likely activated the mechanism of humanitarian intervention and sent their forces to save the oppressed population from their attackers. However, for the Arab and Muslim Palestinians, only the unacceptably short and morally obscure notion of a “humanitarian pause” is viewed by Western politicians to be an acceptable proposition. Such short pauses have only been permitted for nefarious political purposes that solely serve the interests of Israel since “given their vague legal status, humanitarian pauses can too easily be abused for unsavoury political ends, while upholding a façade of compassion. In Gaza, there is reason to fear that the agreed ‘humanitarian windows’ lead to further forced displacement at gunpoint”.¹⁷

Western countries are not only siding with Israel on the public policy front, but they are also supporting it on the propaganda front as well. It is

17 Adrian Kreutz, Lillian Robb and Enzo Rossi, “‘Humanitarian Pauses’ are Not Enough. Neither is a Ceasefire,” Mondoweiss, 14 November 2023, <<https://mondoweiss.net/2023/11/humanitarian-pauses-are-not-enough-neither-is-a-ceasefire/>> accessed 14 November 2023.

most disturbing to find that the same Orientalist rhetoric which latently demonised Arabs and presented them as an inferior race has resurfaced in the mainstream news channels of Western countries, with the clear target being the besieged Palestinians. The purpose of this dehumanisation campaign is quite apparent since it causes the killing of Palestinians to become a matter of little concern in the eyes of public audiences. For instance, just before imposing a complete siege on the Gaza Strip and barring the entry of food, water, and fuel to the enclave, Israeli Defence Minister Yoav Gallant said: “We are fighting human animals, and we are acting accordingly.”¹⁸ One cannot fail to notice the nexus between the reference to “human animals” and implementing a complete blockade, whereby the former cause justifies the latter consequence. Even more shocking is that media channels across the globe related Gallant’s inappropriate remarks verbatim without voicing any concern regarding the language used for a civilian population. Raz Segal, a world-renowned historian and scholar of genocide studies, states: “...this is the type of language that facilitates the implementation of genocide. This dehumanizing language is clearly calculated to justify the wide-scale destruction of Palestinian lives; the assertion of ‘evil,’ in its absolutism, elides distinctions between Hamas militants and Gazan civilians, and occludes the broader context of colonization and occupation.”¹⁹ In the last few weeks, Israel officials have consistently “trot out the worst anti-Arab rhetoric we have seen since the period following 9/11. This racist rhetoric is intended to dehumanize the Palestinians in order to neutralize public outrage at what may amount to the worst ethnic cleansing since the 1948 Nakba, and furthermore constitutes a genocide at the hands of one of the most advanced militaries in the world, all while world powers watch and do nothing.”²⁰ As the killing spree continues, Western media outlets have intensified and accelerated their anti-Palestinian propaganda campaign by publishing offensive and racist cartoons that mirror the malicious pogrom-enabling techniques employed by the Nazis.²¹

18 Middle East Eye Staff, “Israel-Palestine War: ‘We Are Fighting Human Animals,’ Israeli Defence Minister Says,” Middle East Eye, 9 October 2023, <<https://www.middleeasteye.net/news/israel-palestine-war-fighting-human-animals-defence-minister>> accessed 14 November 2023.

19 Raz Segal, “A Textbook Case of Genocide,” Jewish Currents, 13 October 2023, <<https://jewishcurrents.org/a-textbook-case-of-genocide>> accessed 30 November 2023.

20 Stephen Bennett, “On the Dehumanization of the Palestinians,” Institute for Palestine Studies, 23 October 2023, <<https://www.palestine-studies.org/en/node/1654481>> accessed 20 November 2023.

21 Al Jazeera Staff, “Washington Post Cartoon Slammed as ‘Racist, Vile,’ Ignites Controversy,” Al Jazeera Media Network, 9 November 2023, <<https://www>.

Instead of expressing alarm with the terms used to describe civilians, Western media channels are merely reciting these assertions as if they are established facts; as such, they provide Israeli authorities carte blanche to freely blur the lines between Palestinian combatants and civilians, and thereby open the door to collective punishment. Starving and bombarding a population of two million people because there are militants among them is a violation of every moral principle and legal precept. Simply put, “no international law permits Israel or any other country to carry out genocide against a whole people because there are terrorists located among them. Collective punishment inflicted against an entire people for offences they did not personally commit constitutes a war crime under the Fourth Geneva Convention”.²² Nevertheless, within the current unjust world order, Israel has been given the green light to do both with total impunity. Israeli officials have openly made indications of genocidal intent in their public addresses. Examples include Likud party politician and member of parliament Moshe Saada, who said that there should be “[n]o more surgical operations, humanitarian corridors, and door-knocking operations,”²³ as well as an unnamed Israeli official’s chilling assertion that “Gaza will eventually turn into a city of tents”.²⁴

The Western world and its respective media outlets have been able to obscure the true nature of this crisis by labelling it as the Israel-Hamas *conflict* or the Israel-Palestine *war*. Such labels are gross misnomers since they suggest a relative power parity between the two belligerents. However, in reality, the disparity between the two sides in terms of their objective powers and capabilities could not be any more pronounced since the current political state of affairs is that of an occupying force (Israel) and an occupied strip of land that lacks any statehood and the right to self-deter-

aljazeera.com/news/2023/11/8/racist-vile-cartoon-in-washington-post-ignites-controversy> accessed 10 November 2023.

- 22 Prabhat Patnaik, “Genocide Under the Guise of ‘Collective Punishment’ in Gaza,” NewsClick, 22 October 2023, <<https://www.newsclick.in/genocide-under-guise-collective-punishment-gaza>>accessed 29 November 2023.
- 23 Selman Aksunger, “What’s Happening in Gaza Tantamount to Genocide, International Law Shows,” Anadolu Ajansı, 27 November 2023, <<https://www.aa.com.tr/en/middle-east/whats-happening-in-gaza-tantamount-to-genocide-international-law-shows/3062150>> accessed 29 November 2023.
- 24 Stacey Eldridge, “‘City of Tents’: Israeli Defence Official Vows Every Building in Gaza Will be Destroyed in ‘Ground Manoeuvre,’” Sky News Australia, 12 October 2023, <<https://www.skynews.com.au/world-news/city-of-tents-israeli-defence-official-vows-every-building-in-gaza-will-be-destroyed-in-ground-manoeuvre/news-story/203242e24afidd4757e0250001e7ed8a>> accessed 29 November 2023.

mination (Palestine). Given that this has been the status quo for the last 70 years, Israel is entitled to act as a superior aggressor and enjoy the licence to encroach on Palestinian territories and resources however they wish. In both geographical and ideational terms, the very concept of Palestine as a country and world observer has been oppressed and subject to erasure by the Zionist entity. Moreover, while “[i]t is fashionable nowadays to speak of a victim’s agency,” Norman Finkelstein reminds us, “one must be realistic about the constraints imposed on such agency by objective circumstance. . . . Gaza could only exercise as much, that is, as little, agency as is allocated to any people held in bondage.”²⁵ Shackled and bound as a prisoner by the Israeli guard, Gaza has been struggling to remain afloat and maintain the least dignified standard of living imaginable. For this reason, every few years, it is given a severe shake-up by the Israeli war machine that causes it to drown in a bloodbath of demolition.

There can be no doubt that 2023 has marked a new low in the Palestinian plight and highlights the urgency of allowing them to be liberated from the Israeli occupation once and for all. It is most unfortunate and heart-breaking to find that the asymmetrical mode of warfare and indiscriminate attacks on the Gazan landscape has led to an incredible and profoundly saddening loss of life in the Palestinian territories. According to the *United Nations International Children’s Emergency Fund*, two-thirds of the people killed in this conflict have been women and children; this translates to approximately 420 children killed or injured *daily*.²⁶ More than 3,200 children were killed in the short span of just three weeks; this grand figure is “more than the number [of children] killed in armed conflict globally – across more than 20 countries – over a whole year, for the last three years.”²⁷ The situation has already become so bleak that James Elder, the official spokesperson for the United Nations’ Children’s Fund, said by the end of October, “Gaza has become a graveyard for thousands of children. It’s a living hell for everyone else.”²⁸ With so many children being exclusively killed on one side of the

25 Norman Finkelstein, *Gaza: An Inquest into Its Martyrdom* (Oakland: University of California Press, 2018), xi-xii.

26 Haxie Meyers-Belkin, “Israel-Hamas War: ‘420 Children Killed or Injured Every Day,’ UNICEF Spokesperson Says,” *France 24*, 31 October 2023, <<https://www.france24.com/en/tv-shows/perspective/20231031-israel-hamas-war-420-children-killed-or-injured-every-day-unicef-spokesperson-says>> accessed 31 October 2023.

27 Save the Children, “3195 Children Killed in Gaza Surpasses Annual Number of Children Killed in Conflict Zones Since 2019,” *Save the Children International*, 29 October 2023, <<https://www.savethechildren.net/news/gaza-3195-children-killed-three-weeks-surpasses-annual-number-children-killed-conflict-zones>> accessed 31 October 2023.

28 James Elder, “Gaza Has Become a Graveyard for Thousands of Children,”

border, it is evident that such an upshot cannot stem from an equal-sided conflict or war.

Undoubtedly, a tremendous toll has been exacted on our fellow brothers and sisters living in Gaza and the West Bank. This upshot undoubtedly reveals the moral bankruptcy of the so-called civilised Western world. To add insult to injury and in yet another dimension of asymmetry, mainstream commentators in the West have sought to impose a dominant narrative via media outlets and channels that is purely in favour of the belligerent Israeli forces. Such actors have squarely levelled the blame on the Palestinian side by imparting the impression that the antecedents of the military struggle waged on October 7 are recent and merely transient. The cruel and ironic twist is that the silence on the Palestinian crisis in political circles is deafening. It appears to be the case that the more the Palestinians are being killed and murdered in cold blood, the further the West delights in glee and nods in approval to the Israeli onslaught. Any peaceful protest or demonstration led against the genocidal Israeli assault – which has been codenamed Operation Iron Swords – is condemned as a call for extremism and violence, with many organisers or protesters facing harassment and even reprisals at the workplace.²⁹ Nothing could be further from the truth.

In the Qur'an, God reminds His believing servants that this is the trademark of the hypocrites and wrongdoers, who condemn the callers to good by psychologically manipulating them through a deceptive response: "When they are told, 'Do not spread corruption in the land,' they reply, 'We are only peace-makers!'"³⁰ Despite facing such risks in the public sphere and workplace arena, citizens of the world cannot remain on the side-lines and be indifferent to the dark tragedy that is currently unfolding. While the official government announcements and media channels provide a facade of hard-line support for the Zionist entity, beneath the surface, a counter-movement is arising due to a dramatic shift in public opinion that is sympathetic – but not necessarily supportive – to the Palestinian cause. This turning tide of public opinion must be effectively harnessed to generate peaceful resistance from below and create appropriate ripple effects in all strata of society.

United Nation's Children's Fund, 31 October 2023, <<https://www.unicef.org/mena/press-releases/gaza-has-become-graveyard-thousands-children>> accessed 31 October 2023.

29 Tyler Walicek, "Advocacy for Palestinians Has Been Outright Criminalized, Warns Academic," Truthout, 2 November 2023, <<https://truthout.org/articles/advocacy-for-palestinians-has-been-outright-criminalized-warns-academic/>> accessed 29 November 2023.

30 *al-Baqarah*, 11.

Muslims must be the forerunners in the pro-Palestinian grassroots and bottom-up movement since, in the absence of their presence, the Palestinian issue will be merely seen through a secular perspective, which is marred by imperfect human subjectivities. Ultimately, this causes it to be bereft of spiritual values or religious fulfilment. Such a mentality is dangerous since the world humans currently inhabit is not an amoral accident or a godless plane that is merely governed by the Machiavellian values of the “effectual truth” and “might means right”. Instead, the cosmos is governed by the universal ethical values set by Allah, Who is the fashioner of the universe – and *ipso facto* the entirety of humankind – and, as such, the sole being worthy of worship and obedience.

In order to govern the affairs of humankind, Allah prescribed for His servants the final and decisive religion of Islam, whose parameters are defined by His divine word known as the Qur’an – which is an inimitable text – and the *sunnah* (tradition and path) of the Prophet Muhammad ﷺ, who is the last Messenger sent to the planet. Throughout his life, the Prophet strove and exerted his best efforts to establish and nurture a community of believers, culminating in Islam’s spread and establishment throughout the Arabian Peninsula. After his death, the Islamic call was spread by his faithful followers, known as the Companions, which caused it to become a universal message in a short span of years. Islam has now spread in every corner of the world, with its message appealing to Westerners and Easterners alike. It also happens to be the dominant faith of Palestine, which explains why its people can bear the trials and dangers that engulf them daily. That resilience and serenity in their hearts is not a spontaneous manifestation but a deeply embedded faculty that Allah, the Almighty, imputed to them. Any person who wishes to find this sense of peacefulness and comfort should submit to the Divine Truth and follow His last Prophet ﷺ.

Within the depths of their spiritual self, every human being realises the folly of their nihilistic and hedonistic impulses and strives to fulfil the true purpose of their existence in this temporal world, which is none other than finding and recognising the Divine One. Suppose a person wishes to attain security and salvation in this world and the Hereafter. In that case, they must ensure that they submit to the religion of Islam and abide by the ordinances of these two divine sources. Without this religious compass, people cannot orient themselves in the current worldly setting and devise morally consistent solutions for the social, political, and economic problems that currently plague the world. The current Palestinian crisis is no exception to this rule: it must be diagnosed and solved through a religious-cum-ethical framework. Palestine can only be liberated with an Islamically-oriented lens; by submitting to the Creator, one will be able to

attain the spiritual fulfilment, mental clarity, and endurance needed to free the Holy Land from the shackles of the oppressors. If humankind wishes to improve its conditions on the Earth, it must heed the call of the Truth and submit to His ordinances.

Several theological and ethical features in Islamic thought make it worthy of assuming leadership in the Palestine liberation movement. First and foremost, for the Muslim *ummah* (nation), standing for justice and the truth is a moral imperative that can never be compromised, even if secular cost-benefit analysis results say otherwise. Internalising the truth and standing up for it is given the highest value in the Islamic ethos. In one pivotal verse of the Qur'an, Allah states, "O believers! Stand firm for Allah and bear true testimony. Do not let the hatred of a people lead you to injustice. Be just! That is closer to righteousness. And be mindful of Allah. Surely Allah is All-Aware of what you do."³¹ In another verse, He states: "Indeed, Allah commands justice, grace, as well as generosity to close relatives. He forbids indecency, wickedness, and aggression. He instructs you so perhaps you will be mindful."³² Secondly, a fundamental concept entrenched in Islamic value theory is commanding the good and forbidding the evil. In the majestic Qur'an, Allah has stressed the importance of this concept in the following verse: "You are the best community ever raised for humanity – you encourage good, forbid evil, and believe in Allah."³³

In addition, the Muslim nation functions and operates as one holistic unit, whereby it cares for every single one of its communities and groups; this notion of brotherhood transcends the lines of ethnicity, nationality, and cultural markers and is instead grounded on the metaphysical truth that the universe is the creation of Allah and solely under His ownership. This theological tenet of Islam is powerful in the social plane since it indicates that the authority of humans on this Earth is always contingent and conditional; no ethnic group or nationality can claim superiority over another and assert the right to rule over another community. The metaphor of the *ummah* constituting a single body has been used in the prophetic discourse to foster a sense of group-feeling and solidarity. For it has been authentically reported that the Prophet ﷺ said: "The example of the believers in their love, mercy, and empathy for one another is like that of a body: if one limb is engulfed in pain, the rest of the body is affected with both fever and insomnia."³⁴ However, Islam is an emancipatory universal

31 *al-Mā'idah*, 8.

32 *al-Nahl*, 90.

33 *Āl 'Imrān*, 110.

34 Muslim ibn al-Ḥajjāj al-Naysābūrī, *Ṣaḥīḥ Muslim* (Riyadh: Dār Ṭaybah, 2006), 1201.

religion because it adopts a broader conception of brotherhood; through this latter prism, a Muslim can and should consider every person in this world as a brother in humanity entitled to one's care and empathy. In a beautiful and powerful Hadith, the Prophet ﷺ addressed the Companion Yazīd ibn Asad by stating: "O Yazīd ibn Asad, love for humanity what you love for yourself."³⁵ For this reason, Muslims are committed to the emancipation of the entire Palestinian population, regardless of whether they are Muslims, Christians, or Jews.

The Islamic faith is instrumental in any liberation movement devoted to the Palestine cause since it provides the spiritual spark or impetus to take decisive action. This is because, in the Islamic tradition, Palestine is considered a land of utmost value and importance. First and foremost, within it is the blessed city of Jerusalem, in which the third most sacred masjid in the Muslim world is found, namely the al-Aqsa Mosque; during the early and formative years of Islam, it served as the direction of prayer. The grounds of this sacred mosque comprise the first monumental stage of the sacred night journey of the Prophet ﷺ, a miraculous event known as al-Isrā' wa al-Mi'rāj. This momentous event is highlighted in the first verse of Sūrah al-Isrā', which states: "Glory be to the One Who took His servant (i.e., the Prophet Muhammad) by night from the Sacred Mosque to the Farthest Mosque whose surroundings We have blessed, so that We may show him some of Our signs. Indeed, He alone is the All-Hearing, All-Seeing."³⁶ Secondly, Palestine comprises a noteworthy portion of the geographical region known as Bilād al-Shām and is considered noteworthy in the Islamic tradition. In one tradition, it is reported that the Prophet witnessed the following vision: "When tribulations arise, true faith will certainly be located in al-Shām."³⁷ Because it was praised by the Prophet himself, in Islamic theology, the land of al-Shām enjoys an exalted status and is revered by all Muslims, and it must never be left at the mercy of the oppressors. At the present moment, among all the territories that fall under this domain, Palestine is the one that requires the greatest assistance and support. Hence, Muslims of all nationalities and ethnicities have rallied in support of the Palestinians in every corner of the globe.

At the same time, however, it is important to note that while it is a Muslim-led movement, the Palestinian issue is a global cause which can and should incorporate other moral and political allies as well. In an influ-

35 Aḥmad ibn Ḥanbal, *Musnad al-Imām Aḥmad ibn Ḥanbal* (Beirut: Mu'assasah al-Risālah, 1999), vol. 27, 217; Muhammad ibn Ismā'īl al-Bukhārī, *al-Tārīkh al-Kabīr* (Hyderabad, Dā'irah al-Ma'ārif al-ʿUthmāniyyah, 1941), vol. 2, 49.

36 *al-Isrā'*, 1.

37 Aḥmad ibn Ḥanbal, *Musnad al-Imām Aḥmad ibn Ḥanbal*, vol. 36, 62.

ential article outlining the moral and religious elements of the Palestinian struggle, Omar Suleiman and Ovamir Anjum state: “That Palestine is an especially Islamic issue does not mean it is *exclusively* so. The target population is overwhelmingly Muslim, but not exclusively so: Israel also targets Palestinian Christians, depriving them of their basic human and religious rights, and its racist elite even discriminate against non-white Jews.”³⁸ They also share several other crucial observations which make it evident that the current crisis cannot be labelled as simply a dispute between Muslims and Jews. For one thing, many of the strongest supporters of the Zionist movement are evangelical Christians based in the United States and other Western countries. Secondly, many of the strongest supporters of the Palestinian liberation movement are from a Jewish background, such as the following academics and researchers: Norman Finkelstein, Ilan Pappé, Noam Chomsky, and Gabor Maté. Thirdly, they note that it is a paradox to find that many Muslim states and institutions have abandoned the Palestinian cause and have instead sought to sell their brothers and sisters in faith in order to make a meagre profit in this world. It is unfortunate to find that this problem has dramatically increased in recent years due to political normalisation treaties between Israel and several Gulf Arab states. Such agreements constitute an abandonment of the Palestinian people; as Suleiman and Anjum note, “[T]he leaders of Arab-Muslim states have routinely betrayed their Islamic duty to help their brethren and protect one of the three holiest shrines of Islam—not to mention the Palestinians’ Islamic rights—for the sake of their own personal, political, and economic gain.”³⁹

Despite the presence of these setbacks on the political front, at the personal and spiritual level, there is a deep affinity between Muslims and Palestine due to the latter’s eminent standing in religious texts. For members of the Islamic faith, there is thus a religious impetus to liberate Palestine from its oppressors, a crucial element that is lacking in secular political movements. For this reason, the Islamic ethos constitutes the solitary pathway to saving Palestine from its oppressors.

38 Omar Suleiman and Ovamir Anjum, “The Palestinian Struggle Through the Prophetic Lens,” Yaqeen Institute, 31 July 2021, <<https://yaqeeninstitute.ca/read/paper/the-palestinian-struggle-through-the-prophetic-lens#ftnt8>> accessed 9 November 2023.

39 Ibid.

SECTION TWO

Key Positive Arguments for the Palestinian Cause

This section consists of the primary theoretical matter of the book. It provides several well-fleshed and logically structured points that demonstrate the primacy of the Palestinian cause and why the Israeli occupation must be dismantled immediately. In terms of positive arguments, this paper advances eight key postulations in order to provide an accurate account of the crisis in Palestine, which in turn demonstrates that the Palestinians are an oppressed people who have been deprived of their right to self-determination for numerous decades. In summary, these eight arguments – which will be explored in further length in the following section – consist of the following propositions:

1. The Palestine conflict did not begin on 7 October 2023. The fact of the matter is that Israel has been illegally occupying Palestinian lands for almost seven decades, partaking in a brutal repertoire of ethnic cleansing, implementing a full-blown apartheid system, and arbitrarily killing and imprisoning Palestinians – many of whom are children – for several decades.
2. Between 2021 and 2023 (i.e., before the occurrence of the current crisis), over 130 children were murdered by Israeli forces in the West Bank, which Hamas does not rule. In addition, during this same timeframe, hundreds of children have been arbitrarily detained by the same occupying power. Despite these gross violations, the international community failed to voice its disapproval or alarm over the flagrant abuses against the Arab population.

3. The Gaza Strip has been an open-air prison ever since 2005, which marked the year when the Sharon government imposed a complete land and maritime blockade on the exclave, thereby barring it from political and economic autonomy. In light of this abysmal status quo, it is no surprise to find that scholars and academics conclude that the Palestinians living in the Gaza Strip are forced to endure harsh and degrading conditions.
4. While it is true that Hamas and the Palestinian Islamic Jihad are classified as blacklisted groups in some Western registers, there are other extant factions in the Gaza Strip and West Bank which can and do exercise their legal right to resist the current occupation. The legal right to resist occupation is well-entrenched and recognised in international law.
5. Because Israel is an occupying force, any form of violence and force that it metes out against the rightful inhabitants of the Palestinian territories is unjustified and illegal. This is contrary to the widespread yet fallacious claim of many Western commentators that Israel's response is proportionate and justified. Moreover, this latter viewpoint is further nullified by the fact that the recent flare-up against Israel was a by-product of its oppressive policies, which have been enumerated in the earlier points.
6. Ever since its establishment, Israel has been the most flagrant and consistent violator of international humanitarian conventions and United Nations Resolutions, especially concerning the obligation of ensuring the safety of civilians. As such, its assertion that the crimes and wrongdoings it commits on the Gazan front should be read as accidents and acts of collateral damage is, in reality, a lie.
7. Through the statements of several of its politicians and high-ranking officials, Israel has demonstrated that it holds the intention of instituting a full-scale genocide against the Palestinian people, which, according to many observers, is imminent or in effect.
8. Israel is exploiting the events of October 7 as a pretext to expel the Palestinian population from Gaza and achieve the irredentist dream of creating Eretz Yisrael Hashlema (lit. The Complete Land of Israel).

2.1 The Dark Roots of the Israeli State: The Original Nakba and the Imposition of Apartheid

The first argument stresses the need to uncover and appreciate the Palestinian crisis's historical and structural drivers. An accurate and impartial person never allows their thought processes to be shaped merely by the present moment. Instead, they undertake the level of research and inquiry needed to determine the root causes and antecedents of the current problem. Simply put, the analytical starting point must not be October 7, but rather the conditions that caused the resistance to arrange this operation in the first place. Likewise, a person who assesses the historical trajectory of the Palestinian crisis will conclude that depicting the present crisis as a war between two states is an egregious error. It is a mistake to label the hostilities between Western-backed Israel and the Palestinian resistance as a conflict since such a designation would suggest that there is a relative power symmetry between the two sides. This is an asymmetrical and unequal dichotomy of the oppressor and oppressed and the occupier and the occupied.

For more than seven decades, Israel has consistently transgressed the rights of the Palestinian people by encroaching on their territories through illegal settlements, instituting discriminatory laws, and indiscriminately killing members of the indigenous population. Several neutral non-governmental organisations have sufficiently investigated and corroborated these claims mentioned above. For instance, in 2021, Human Rights Watch published a detailed 200-page report entitled *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution*. This paper meticulously outlined the range of atrocities and discriminatory practices that the Israeli state metes out against Palestinians on a day-to-day basis, thereby frustrating the political, social, and economic ambitions of the latter. The critical analytical observation of the report is encapsulated in the following passage:

“About 6.8 million Jewish Israelis and 6.8 million Palestinians live today between the Mediterranean Sea and the Jordan River, an area encompassing Israel and the Occupied Palestinian Territory (OPT), the latter made up of the West Bank, including East Jerusalem, and the Gaza Strip. Throughout most of this area, Israel is the sole governing power; in the remainder, it exercises primary authority alongside limited Palestinian self-rule. Across these areas and in most aspects of life, Israeli authorities methodically privilege Jewish Israelis and discriminate against Palestinians. Laws, policies, and statements by leading Israeli officials make plain that the objective of maintaining Jewish Israeli control over demographics, political power, and land has long guided government policy. In pursuit of this goal, authorities have dispossessed, confined, forcibly separated, and subjugated Palestinians by virtue of their identity to varying degrees of intensity. In certain areas, as described in this report, these deprivations are so severe that they amount to the crimes against humanity of apartheid and persecution.”⁴⁰

This all ultimately begs the following question: how was it possible for this region to plunge into such a world of oppression and full-blown apartheid? The only way this question can be answered is to assess the roots of Israel's genesis effectively. In essence, there were two crucial variables which paved the way for Israel's formation as an apartheid state. The first was Great Britain's capitulation to the bidding of the World Zionist Organisation and other politically-oriented Jewish bodies that sought the establishment of a state for the Jewish people in particular. More specifically, the catalyst which facilitated the birth of Israel was the Balfour Declaration of 1917, which promised a “national home for the Jewish people” in Palestine. However, what is most shocking about this assurance is that the indigenous people of Palestine were never consulted about the plan and did not consent to having any portion of their land expropriated. The eponymous issuer of the declaration, Foreign Secretary Lord Arthur James Balfour, was well aware of the majority Arab presence in the region, yet this did not prevent him from ignoring their interests or views with prejudice: “In Palestine, we do not propose even to go through the form of consulting the wishes of the present inhabitants of the country... Zionism be it right or wrong is more important than the wishes of 700,000 Arabs.”⁴¹ To curtail any

40 Omar Shakir, *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution* (New York: Human Rights Watch, 2021), 2.

41 Ernest Llewellyn Woodward and Rohan Butler, *Documents on British Foreign*

potential backlash and to display a neutral aura, Balfour added the caveat that “nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine”.⁴² However, this latter provision would prove to be nothing but an empty promise, for the Balfour Declaration emboldened the Zionist movement to encourage the migration of Jews from all parts of Europe to settlements in Mandatory Palestine. This latter move would disturb the peace of the region, as the demographic nature of the region was being artificially upset by external actors who conspired with the Zionists to enforce a one-sided partition deal. This point was eloquently expressed by Israeli historian Ilan Pappé, who noted that the Declaration “erased [Palestinians] as a national movement and reduced [them] to the category of ‘a non-Jewish’ group that should be tolerated by the Zionist newcomers (who had first arrived in 1882). Zionism on the other hand was treated as a proper and modern national movement.”⁴³

The second pivotal factor was the use of political violence on the part of Zionist militias to expel the indigenous Arab population from their native land, which ultimately reached its most intense threshold in 1948. Once again, this did not occur in a vacuum, for this process was also facilitated by the British colonial menace. During their occupation of mandatory Palestine – as a mandate – from 1918 to 1948, the British rulers exerted their best efforts to weaken the military and political strength of the beleaguered Arab population while ignoring the terrorism meted out by Zionist gangs. The turning point could be found in 1937 when the British Army brutally suppressed the Arab Revolt led by the Arab Higher Committee. In the aftermath of this failed popular struggle, “The British exiled the Palestinian leadership, and Palestinian military units were forced to disband.”⁴⁴ However, the pivotal defining moment that marked the violent dispossession of the Palestinian people is none other than the Nakba, an event so dark and sinister in the history of the region that it cannot even be uttered in Israel. In the Arabic language, the word Nakba refers to a great catastrophe and disaster, and in conventional terms, it is used concerning the 1948 destruction of Palestinian societies and villages at the hands of

Policy, 1919-1939 (London: H.M. Stationery Office, 1952), vol. 4, 345.

42 Ibid, 430.

43 Ilan Pappé, “The Palestine Peace Process: Unlearned Lessons of History,” *History & Policy*, 4 May 2005, <<https://www.historyandpolicy.org/policy-papers/papers/the-palestine-peace-process-unlearned-lessons-of-history>> accessed 18 November 2023.

44 Taj Ali, “Britain Is Complicit in Israel’s Violence Against Palestinians,” *Tribune Magazine*, 11 May 2021, <<https://tribunemag.co.uk/2021/05/britain-is-complicit-in-israels-violence-against-palestinians>> accessed 3 November 2023.

Jewish settlers. During this cataclysmic event, more than 400 villages and towns were razed to the ground, and numerous wells were contaminated with poison to ensure Palestinians would be deterred indefinitely from returning.⁴⁵ Notable atrocities that were committed by Jewish militias – such as the Irgun and Lehi paramilitary groups – that could be mentioned in this regard include the Deir Yassin, the Al-Dawayima, and the Ein al-Zeitun massacres. As a result of these violent incursions, more than 700,000 Palestinians were permanently deprived of their homes, territorial holdings and other possessions, a negative upshot that ultimately robs them of the right to return. What is most shocking and outrageous is that it was orchestrated and organised by the highest echelons of the nascent Israeli apparatus, which included the first Israeli President, David Ben-Gurion. On 1 January 1948, Ben-Gurion revealed how the establishment of the Israeli state was acutely linked with the dispossession and expulsion of the indigenous Arab population: “There is a need now for strong and brutal reaction. We need to be accurate about timing, place and those we hit. If we accuse a family—we need to harm them without mercy, women and children included. Otherwise, this is not an effective reaction... There is no need to distinguish between guilty and not guilty.”⁴⁶ Several variables motivated Ben-Gurion and his colleagues to adopt such a *modus operandi*. Pape notes that there was a confluence of local and regional factors that incentivised the use of violence as a means to increase the landmass of the prospective Israeli state: “Ben-Gurion’s shift at this point to systematic operations of take-over, occupation and expulsion had much to do with his keen understanding of the fluctuations in the global mood... Moreover, the sense that an opportune moment for action towards cleansing the country was developing was reinforced by the fact that the Zionist leadership knew how weak the Palestinian and Arab military opposition was.”⁴⁷

Until today, these expelled Palestinians and their descendants have received no apology for their displacement, let alone any compensation. To further aggravate the matter, in its later years, Israel has led additional dispossession campaigns against the Palestinian people. For example, in their authoritative joint work entitled *Divided Environments: An International Political Ecology of Climate Change, Water and Security*, authors

45 The New Arab Staff, “Israeli Forces ‘Poisoned Wells in Palestinian Villages’ During 1948 Nakba, Unearthed Documents Show,” *The New Arab*, 15 October 2022, <<https://www.newarab.com/news/israel-forces-poisoned-palestine-wells-during-1948-nakba>> accessed 29 November 2023.

46 Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: Oneworld Publications Limited, 2007), 69.

47 *Ibid.*, 70.

Jan Selby, Gabrielle Daoust, and Clemens Hoffmann state the following: “[There were] around 751,000 [Palestinians] displaced during the war of 1948-9, a full 88 per cent of the Palestinian population of what would henceforth become Israel. Several hundred thousand more [were] displaced in 1967. [And there are] over 5 million Palestinians who decades later still have refugee status.”⁴⁸ These alarming statistics show that the Nakba was not a single-episode event in 1948. Instead, it is an *ongoing process that is worsening over time*. For this reason, many academics stress that the Nakba should not be perceived merely as a distant historical event; instead, it is a rapidly accelerating expropriation process that aims to achieve the total expulsion of the Palestinian people from their homeland. Pappé also adopts this view and states: “The Palestinians refer to their current situation quite often as al-Nakba al-Mustamera, the ongoing Nakba. The original Nakba or catastrophe occurred in 1948 when Israel ethnically cleansed half of the Palestinian population and demolished half of their villages and most of their towns. The world ignored that crime and absolved Israel from any responsibility. Since then, the settler-colonial state of Israel has attempted to complete the ethnic cleansing of 1948.”⁴⁹

By the 2010s, the situation had become so dire that Yair Golan, the former deputy chief of staff in the Israeli Defence Forces, likened the violent settler incursions in the Palestinian West Bank with the brutal acts of expropriation and dispossession that Nazi Germany committed against its Jewish population in the early 1930s. In a chilling remark, Golan warned his Israeli counterparts by stating: “If there is one thing that frightens me about the memory of the Holocaust, it is identifying the revolting trends that occurred in Europe as a whole, and in Germany in particular, some 70, 80 and 90 years ago, and finding evidence of those trends here, among us, in 2016.”⁵⁰ Golan was troubled by the sight of the settler presence, checkpoints, roadblocks, and walls that were encroaching on the lands of the Palestinians and reducing their living spaces. When former South African Archbishop Desmond Tutu visited the West Bank and East Jerusalem, he was shocked by the undeniable similarities between the Israeli occupation

48 Jan Selby, Gabrielle Daoust, and Clemens Hoffmann, *Divided Environments An International Political Ecology of Climate Change, Water and Security* (Cambridge: Cambridge University Press, 2022), p. 219.

49 Ilan Pappé, “Everyday Evil in Palestine: The View from Lucifer’s Hill,” *Janus Unbound: Journal of Critical Studies* 1, no. 1: 80.

50 William Booth, “The Israeli General who Compared the Jewish State to Nazi-era Germany,” *Washington Post*, 8 May 2016, <<https://www.washingtonpost.com/news/worldviews/wp/2016/05/08/the-israeli-general-who-compared-the-jewish-state-to-nazi-era-germany/>> accessed 27 October 2023.

and the apartheid system of rule he had experienced in his native land of South Africa. In an article published in 2014, he said: “I know first-hand that Israel has created an apartheid reality within its borders and through its occupation. The parallels to my own beloved South Africa are painfully stark indeed.”⁵¹

To further illustrate the gravity and moral repercussions of the Israeli oppression against the occupied territories, one could provide a thought experiment that is closer to home and opens the door to a reaction grounded on empathy. Imagine that France invaded Great Britain in a bloody campaign that led to the indiscriminate murder of thousands of Britons. Furthermore, assume that as a grand policy of colonisation in the capital, France opted to expel more than 700,000 Britons from the city of London. In order to maximise the oppression against the indigenous inhabitants, the French state then legislates a blanket system of apartheid and reduces the status of Britons to second-class citizens. Through these brutal and decades-long measures, it would be understandable if the Britons took up arms and rose in resistance against their occupiers. Quite intuitively, all actors in the international community would find the French occupation of London to be unjust and would support the cause of the oppressed indigenous population. Considering this thought experiment, one could argue that in analogous terms, the Palestinian resistance is also justified and deserves the full backing of the international community. There is no essential difference between the British response in the hypothetical case cited here and the real-life example of the Palestinians, who have had to bear a consistent front of material and symbolic damage to their properties and religious identity, respectively.

Through this thought experiment, one can appreciate the fact of why the whole Palestine-Israel issue must be radically reframed. It aptly demonstrates that the entire premise that Israel is defending itself – a notion which will be further deconstructed in the next section – is an absurd proposition and has no logical grounding; after all, in objective terms, as a nuclear power with an arsenal of lethal weapons, it enjoys hegemony in the region and can freely stunt the aspirations of the Palestinian people however it pleases. An occupying force is already in an illegal and offensive position that removes it from any legal backing. As Mohammed Hijab – co-founder and senior lecturer at Sapience Institute – put it during his discussion with the popular broadcaster and journalist Piers Morgan, “The notion that Israel

51 Desmond Tutu, “Presbyterian General Assembly Biennial Meeting: My Message on Israel and Palestine,” BuzzFeed Inc., 16 August 2014, <https://www.huffpost.com/entry/presbyterian-general-assembly_b_5499395> accessed 15 November 2023.

is defending itself is as absurd as the notion that the rapist is defending itself from the victim.”⁵²

Several ideologues and Western liberals argue that the charges of apartheid and ethnical cleansing levelled against Israelis are only recent ideological inventions that were created with the sole aim of hurting the country’s public image. Nothing could be further from the truth. In reality, neutral actors have raised these concerns for numerous years. To demonstrate this point, one may consider the findings of the former United Nations Special Rapporteur Richard A. Falk. In a special report presented before the United Nations General Assembly in 2010, Falk said: “It is the opinion of the current Special Rapporteur that the nature of the occupation as of 2010 substantiates earlier allegations of *colonialism and apartheid* in evidence and law to a greater extent than was the case even three years ago. The entrenching of colonialist and apartheid features of the Israeli occupation has been a cumulative process. The longer it continues, the more difficult it is to overcome, and the more serious is the abridgement of fundamental Palestinian rights.”⁵³ Thus, early warnings concerning the dangerous practices of the Israeli regime had been raised many years prior.

Unfortunately, such advance notices were ignored by the international community, with Israel ultimately being given *carte blanche* to accelerate further its expropriation of Palestinian districts and neighbourhoods in the West Bank. This sentiment was echoed by the prominent legal scholars John Dugard and John Reynolds, who stated the following in 2013: “Overall, more than 40 per cent of the land mass of the West Bank has now been appropriated to make way for Israeli settlement infrastructure and is entirely closed to Palestinian use.”⁵⁴ The fact that almost half of the West Bank had been seized more than 13 years ago is shocking and illustrates how rapidly the apartheid regime was operating. As Dugard and Reynolds note, the situation one decade ago had become so dire that some representative words of condemnation were issued against Israel: “In March 2012, the UN Committee on the Elimination of Racial Discrimination took the unprecedented step of censuring Israel under the rubric of

52 Piers Morgan, “Piers Morgan vs Mohammed Hijab On Palestine and Israt el-Hamas War,” Piers Morgan Uncensored, 16 October 2023, video, <<https://www.youtube.com/watch?v=9jBgGY2Ww9Q>> accessed 29 October 2023.

53 Richard A. Falk, “Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967,” 65th Session, UN Doc. A/65/331, 30 August 2010, 4.

54 John Dugard and John Reynolds, “Apartheid, International Law, and the Occupied Palestinian Territory,” *The European Journal of International Law* 24, no. 3: 901.

apartheid and segregation as prohibited by Article 3 of the International Convention for the Elimination of All Forms of Racial Discrimination.”⁵⁵ While significant, this measure could not enact any meaningful change, as the system of apartheid had become a *de facto* reality: “On the basis of the systemic and institutionalized nature of the racial domination that exists, there are indeed strong grounds to conclude that a system of apartheid has developed in the occupied Palestinian territory. Israeli practices in the occupied territory are not only reminiscent of – and, in some cases, worse than – apartheid as it existed in South Africa, but are in breach of the legal prohibition of apartheid.”⁵⁶ Thus, one can observe how even during the early 2010s, scholars and officials were not only using the term apartheid to describe Israel’s treatment of the occupied Palestinian territories, but they were even suggesting that this regime’s gross atrocities were even worse than the violations committed by South Africa in the 20th century.

By the 2020s, the state of affairs would reach an all-new low, as the system of apartheid was entrenched as the official *modus operandi* of the regime and made even deeper incursions into the occupied territories. In its authoritative 2023 report entitled *The State of the World’s Human Rights*, the well-respected non-governmental organisation Amnesty International stated the following: “In Israel and the Occupied Territories, 2022 saw the system of apartheid solidified. Successive Israeli governments rolled out measures forcing more Palestinians from their homes, expanding illegal settlements, and legalizing existing settlements and outposts across the occupied West Bank. Rather than demand an end to that system of oppression, many Western governments chose instead to attack those denouncing Israel’s apartheid system.”⁵⁷ In another pertinent section assessing Israel’s treatment of religious and ethnic minorities, the same annual report states: “Israel maintained an extreme form of discrimination – a system of apartheid – through oppression and domination over Palestinians through territorial fragmentation, segregation and control, dispossession of land and property, and denial of economic and social rights. Israel committed a wide range of human rights violations against Palestinians to entrench this system, including forcible transfers, administrative detention, torture, unlawful killings, denial of basic rights and freedoms, and persecution, which constituted the crime against humanity of apartheid.”⁵⁸

55 Ibid, 912.

56 Ibid.

57 Amnesty International, *Amnesty International Report 2022/23: The State of the World’s Human Rights* (London: Amnesty International Ltd., 2023), x.

58 Ibid, 58.

Within the context of the discussion concerning the Israeli regime of apartheid, it is perhaps most shocking to find that some officials and Zionists gleefully acknowledge that their state is guilty of promulgating and implementing such policies. Statements of such a nature have been registered by Israeli politicians since the first Nakba, with several officials even insisting that their project of ethnic cleansing is yet to be fully realised at the desired level. A key example of such an admission is highlighted by the famous investigative journalist Antony Loewenstein, who highlights the following account in his book *The Palestine Laboratory*: “A rare moment of Israeli political honesty came in October 2021 when far-right Israeli parliamentarian Bezalel Smotrich, leader of the Religious Zionist Party and ally of Prime Minister Benjamin Netanyahu, said in the Knesset to the Arab members, ‘You’re only here by mistake, because [founding prime minister David] Ben-Gurion didn’t finish the job, didn’t throw you out in ’48.’ It was an acknowledgement that ethnic cleansing took place in 1948...”⁵⁹ The author notes how the senior Israeli military officer and state administrator Yehoshua Verbin admitted that his fellow soldiers and fighters committed horrendous war crimes against the indigenous Arab population during the 1948 War of Independence. Verbin acknowledged that ethnic cleansing of Arabs was a prevalent theme of the war by stating: “We expelled around half a million Arabs, we burnt homes, we looted their land – from their point of view – we didn’t give it back, we took land...”⁶⁰ Loewenstein further demonstrates that ethnic cleansing has always been a *sine qua non* of the Israeli state since, without it, a state firmly based on Jewish roots could not be established: “It is not a new point of view; in fact, it’s been state ideology since 1948. Declassified documents from the Israel State Archives in 2021 revealed that attitudes toward the Palestinians have not changed much since the 1940s. It has been official policy, at least among some of the nation’s senior military and political elites, to forcibly expel Arabs to neighbouring countries for the entire period of the country’s existence.”⁶¹ The Israelis have always seen the Nakba as a progressive and linear process that ultimately culminates with the complete expulsion of Arabs from the Palestinian territories. This upshot would then allow the former to annex both the West Bank and Gaza Strip *in toto* without the slightest level of opposition.

59 Antony Loewenstein, *The Palestine Laboratory: How Israel Exports the Technology of Occupation Around the World* (Croydon: Verso Books, 2023), 70.

60 Ibid, 70-71.

61 Ibid, 70.

2.2 Killing the Most Vulnerable: Israeli Crimes Against Palestinian Children

Israeli crimes have a long pedigree and have been particularly pronounced against children living in the occupied Palestinian Territories. With over 6000 children killed in Gaza in the current 2023 conflict, it has become abundantly clear that the so-called “strongest military of the world” is only capable of killing the weakest and most vulnerable members of society. Defenders of the Israeli state often claim that this upshot is the unfortunate consequence of a war sparked by Hamas. In fact, during the last few years, the Israeli state and its forces have been guilty of killing scores of Palestinian children living in the West Bank, which the Palestinian Authority, not Hamas, rules.

Between 2021 and 2023, over 130 Palestinian children were killed at the hands of Israeli forces and settlers. Reporting on the killing of children in the West Bank, Human Rights Watch wrote the following in 2023: “Last year, 2022, was the deadliest year for Palestinian children in the West Bank in 15 years, and 2023 is on track to meet or exceed 2022 levels. Israeli forces had killed at least 34 Palestinian children in the West Bank as of August 22. Human Rights Watch investigated four fatal shootings of Palestinian children by Israeli forces between November 2022 and March 2023.”⁶² However, another fact that demonstrates the false narrative of self-defence is the fact that most of these crimes have occurred in the West Bank, which is governed semi-autonomously by the Palestinian Authority, not Hamas. Writing in 2022, the United Nations Officer for the Coordination of Humanitarian Affairs (OCHA) verified that in 2022, at least 36 Palestinian children had been killed in the West Bank. In fact, in 2021 alone, the De-

62 Human Rights Watch, “West Bank: Spike in Israeli Killings of Palestinian Children End Systematic Impunity for Unlawful Lethal Force,” Human Rights Watch, 28 August 2023, <<https://www.hrw.org/news/2023/08/28/west-bank-spike-israeli-killings-palestinian-children>> accessed 29 October 2023.

fense for Children International confirmed that 86 Palestinian children were killed in the Occupied Palestinian Territories.⁶³ To further add insult to injury, during the short two-year time span of 2021-2023, numerous Palestinian children have also been subject to arbitrary arrest and detention by the Israeli police and other oppressive state bodies. This range of facts is significant since they demonstrate the gravity of Israeli crimes during a concise timeframe. Moreover, what makes these facts doubly significant is that they occurred prior to the war of October 2023, which completely nullifies the Israeli claim that it orchestrates or backs such attacks due to the principle of self-defence.

It is a tragedy to find that despite the constant force and brutality meted out against these children, there has been virtually no outrage from any notable actor within the international community. Such blatant disregard for the constant stream of violations evidences the problem of selective outrage, where, for some unexplained reason, the life of a Palestinian child is worth less than that of an Israeli child. Palestinian children who are imprisoned and deprived of their habeas corpus rights are, in essence, hostages. Nevertheless, no national or observatory actor has observed the bare minimum moral duty of condemning these gross human rights violations. It is as if every wrong or crime committed before October 7 was non-existent in the eyes of mainstream media. All the leading political powers and groups of the world are culpable for deliberately veiling these human rights violations for numerous years. It is then quite shocking to find that only in October 2023 did they find the collective impetus to speak against the Palestinians, who were essentially at their wits' end. The double standards and ideological biases cannot be glaring and apparent anymore. It would be a manifest error to presume that these atrocities against children are only a recent phenomenon. They represent a hallmark of the occupying regime, which fails to recognise the rights of Palestinian civilians *en masse*.

Many authoritative international legal bodies and non-governmental organisations are concerned with the list of rights violations that Israel continuously commits in its treatment of Palestinian children. Bill Van Esveld, who presides as Human Rights Watch's associate children's rights director, issued a moving statement in this regard. In 2021, Van Esveld issued the following warning to international actors and observers: "Israeli forces are gunning down Palestinian children living under occupation with increasing frequency. Unless Israel's allies, particularly the United States,

63 Defense for Children Palestine, "2021 is Deadliest Year for Palestinian Children Since 2014," Defense for Children International Palestine, 10 December 2021, <https://www.dci-palestine.org/2021_is_deadliest_year_for_palestinian_children_since_2014> accessed 27 October 2023.

pressure Israel to change course, more Palestinian children will be killed.”⁶⁴ While the rate of violence meted out against Palestinian children in both the West Bank and the rest of the occupied territories has been increasing at an alarmingly astronomical rate, the international community has remained dormant. It serves as the political doormat of Israel, which allows Jewish soldiers and the Israeli Armed Forces to kill however and whenever they wish. Even many years back, neutral political observers had warned that if the international community failed to take decisive action, the living conditions for Palestinian children living in the occupied territories would deteriorate dramatically. In this regard, one may consider the ominous warning of forced migration and displaced youth researchers Claudia Lo Forte and Jason Hart, who wrote the following in 2010: “The failure to protect Palestinian children over many years raises questions about the integrity of organisations that proclaim the principles of human and child rights and the primacy of children’s protection over national interests, yet invest their energies in activities that appear largely ameliorative in nature: intended to increase the capacity of Palestinian children and their families to cope better and longer with Israeli violations. This is clearly far less than Palestinians would expect, and the patience of many that we interviewed has long since worn thin.”⁶⁵

Considering these facts above and personal accounts, it becomes abundantly clear that the tragic killing of Palestinian children in Gaza is not a one-off incident that simply constitutes a response to Hamas’ actions. Instead, it is the natural and years-long extension of the brutal Zionist killing machine’s lack of mercy for all the occupied Palestinian Territories, which includes the West Bank and East Jerusalem. Within the context of the 2023 offensive, the state on the ground has reached a breaking point, with children being deprived of their basic scholastic and medical needs owing to Israel’s destruction of schools and hospitals in the Gaza Strip. Because of the constant heavy shelling in civilian areas, Gazan children are either being killed or becoming orphans. Every child that miraculously survives this present ordeal will face many psychological problems in the future, with the degree of mental harm rapidly increasing with every passing day.⁶⁶

64 Human Rights Watch, “West Bank: Spike in Israeli Killings of Palestinian Children,” Human Rights Watch, 28 August 2023, <<https://www.hrw.org/news/2023/08/28/west-bank-spike-israeli-killings-palestinian-children>> accessed 29 October 2023, 16:41.

65 Claudia Lo Forte and Jason Hart, *Protecting Palestinian Children from Political Violence: The Role of the International community* (Oxford Department of International Development, 2010), 34.

66 See Save the Children, “Children’s Mental Health In Gaza Pushed Beyond

Once this dark war ends, there will be numerous thousands of Palestinian children who will require extensive assistance for their medical and livelihood needs. Considering the international community's abysmal track record, it is unlikely that these children will receive the care and need that they deserve.

Breaking Point After Nearly A Month Of Siege And Bombardment,” Save the Children Fund, 7 November 2023, <<https://www.savethechildren.org.uk/news/media-centre/press-releases/childrens-mental-health-in-gaza-deteriorates-one-month-on-#:~:text=A%20ofurther%2043%20children%20have,children%20are%20being%20held%20hostage.>> accessed 10 November 2023.

2.3 The World's Largest Open-Air Prison

Imagine living in an isolated enclave where your people's consumption and industrial needs are severely hindered by an occupying force, whereby the flow of imported foodstuffs, basic manufacturing materials, and even medical supplies is constricted. Anyone who is situated in such an environment would likely describe themselves as living in a quasi-prison environment, with their engulfing occupier assuming the status of a merciless warden or prison guard. You are correct if you guessed that this thought experiment was describing the decades-long reality of Gaza.

The third key argument of this work is that ever since 2006, Gaza has been an open-air prison and has been deprived of the ability to regulate the affairs of the densely populated enclave in an autonomous fashion. The use of the phrase "open-air prison" has been readily employed as a fitting descriptor by several academics and scholars to describe the state of Gaza. Almost 20 years ago, Baruch Kimmerling, an academic and professor in the sociology department of Hebrew University, described Gaza as "the world's largest concentration camp ever to exist".⁶⁷ Indeed, Dugard and Reynolds argue that the conception of Gaza being an open-air prison has been the predominant view ever since Israel withdrew from the enclave 18 years ago: "Since the removal of Jewish settlers in 2005, Gaza effectively amounts to a besieged Palestinian ghetto, with the 'open-air prison' analogy repeatedly invoked."⁶⁸ Whether the open-air prison analogy is accurate enough to describe the brutality and force meted against the Palestinians is still a matter of contention. According to Jean-Pierre Filiu, a well-respected professor of political science at the Paris School of International Affairs (PSIA), the simile of a prison falls quite short. In a seminal analytical article entitled "The Twelve Wars on Gaza", Filiu demonstrated that the living standards of Palestinians residing in Gaza were so bleak and inhumane that an even more

67 Baruch Kimmerling, *Politicide: Ariel Sharon's War Against the Palestinians* (London: Verso Books, 2003), 169.

68 Dugard and Reynolds, 898.

extreme mode of conceptualisation is necessary. As he puts it: “Meanwhile, according to a document leaked to *Haaretz* in October 2012, Israeli decision-makers had fixed the average daily intake for the population of Gaza at 2,279 calories per person, and were allowing supply trucks into the Strip on that basis. The fact that Israel could feel empowered to decide how much a Palestinian could eat on a daily basis shows how perverse and degrading the post-2005 occupation of the Gaza Strip had become. The description of Gaza as an ‘open-air prison’ was actually far from the mark since, in any jailhouse, detainees are not supposed to be shot at or bombed except in the case of a full-fledged riot. In Gaza, Israeli raids, whether ‘targeted’ or not, remained a regular occurrence.”⁶⁹ The Israeli regime is thus able to dictate the quantity of food intake per capita in the Gaza Strip, which is the bare minimum needed to avoid malnutrition in an absolute sense. Israeli policymakers have not shied from revealing the sinister and chilling motives behind such legal promulgations. For instance, according to Dov Weissglas, a special advisor to former Israeli Prime Minister Ehud Olmert, the point of these food restriction policies is “to put the Palestinians on a diet, but not to make them die of hunger.”⁷⁰

It is equally interesting to find that several prominent politicians from Western countries have readily accepted the phrase and applied it to the present Gazan context without reservation. In 2010, David Cameron, the former Prime Minister of the United Kingdom, said that owing to the Israeli blockade, Gaza had been essentially reduced to a prison. 13 years ago, Cameron made a plea to the international community and said: “Humanitarian goods and people must flow in both directions. Gaza cannot and must not be allowed to remain a prison camp.”⁷¹ Almost 15 years ago, former US President Jimmy Carter paid Gaza a personal visit and ended up issuing the following statement: “[Palestinians] are being treated more like animals than human beings...[n]ever before in history has a large community like this been savaged by bombs and missiles and then been deprived of the means to repair itself.”⁷²

69 Jean-Pierre Filiu, “The Twelve Wars on Gaza,” *Journal of Palestine Studies* 44, no. 1 (2014): 57.

70 Conal Urquhart, “Gaza on Brink of Implosion as Aid Cut-Off Starts to Bite,” *The Guardian*, 16 April 2006, <<https://www.theguardian.com/world/2006/apr/16/israel>> accessed 27 October 2023.

71 Nicholas Watt and Harriet Sherwood, “David Cameron: Israeli Blockade has turned Gaza Strip into a ‘Prison Camp,’” *The Guardian*, 27 July 2010, <<https://www.theguardian.com/politics/2010/jul/27/david-cameron-gaza-prison-camp>> accessed 30 October 2023.

72 Jimmy Carter, “Speech to the United Nations Relief Works Agency’s Human Rights Graduation in Gaza,” *The Carter Center*, 15 June 2009, <<https://www>.

Notwithstanding, the most potent words of condemnation are arguably found in the painstaking research work of internationally recognised non-governmental organisations. In this regard, one may consider the formal statement of Robert Piper, who presided as the UN Coordinator for Humanitarian Aid and Development Activities in the Occupied Palestine Territory. In 2017, Piper shared the following pessimistic assessment under the auspices of the United Nations: “In 2012, the UN Country Team produced a report on living conditions in Gaza and predicted that based on the trends we were seeing then, Gaza was on track to become ‘unliveable’ by 2020. Sadly, as we check in on those same trends again in this 2017 report, the deterioration has accelerated, sped along not least by a devastating round of hostilities in 2014, from which we are only now starting to recover. In my fortnightly visits to Gaza, I am constantly amazed at the resilience of a people who manage to get by despite such odds. For most of us, with electricity only 2 hours a day, as was the case recently, and youth unemployment at 60%, the ‘unliveability’ threshold has already been passed. Yet, somehow, families in Gaza find ways to ‘make do.’”⁷³ In a similar fashion, Human Rights Watch marked the 15th anniversary of the Gazan blockade by penning a sobering piece entitled “Gaza: Israel’s ‘Open-Air Prison’ at 15”. This reflective article commences by indicating the dire straits that the enclave currently finds itself in: “Israel’s sweeping restrictions on leaving Gaza deprive its more than two million residents of opportunities to better their lives, Human Rights Watch said today on the fifteenth anniversary of the 2007 closure. The closure has devastated the economy in Gaza, contributed to fragmentation of the Palestinian people, and forms part of Israeli authorities’ crimes against humanity of apartheid and persecution against millions of Palestinians.”⁷⁴

With Israel’s chokehold over Gaza tightening with every passing year, it is becoming abundantly clear that the humanitarian situation in the enclave is becoming progressively worse over time. These statements above from authoritative non-governmental organisations and political scientists reveal that the open-air prison metaphor has been deemed an accurate and

cartercenter.org/news/editorials_speeches/gaza-061609.html> accessed 30 October 2023.

73 Robert Piper, “Foreword,” in United Nations, *Gaza Ten Years Later* (United Nations Country Team in Palestine, 2017), <<https://unsco.unmissions.org/gaza-ten-years-later-report-july-2017>> 2.

74 Human Rights Watch, “Gaza: Israel’s ‘Open-Air Prison’ at 15 – Israel, Egypt Movement Restrictions Wreak Havoc on Palestinian Lives,” Human Rights Watch, 14 June 2022, <<https://www.hrw.org/news/2022/06/14/gaza-israels-open-air-prison-15>> accessed 27 October 2023.

fitting figure for capturing the dire humanitarian state of Gaza. However, things are no doubt taking a turn for the worse. With Israel's war crimes mounting during its 2023 genocidal operation, the state of affairs is likely to worsen even more severely, and the open-air prison analogy will likely have to be replaced with an even more disturbing metaphor.

2.4 The Inherent Right to Self-Determination

The fourth main argument of this work is that although both Hamas and the Palestinian Islamic Jihad are proscribed groups among some international observers and Western governments,⁷⁵ this does not entail that the political ambitions of the Palestinian people must be curtailed. Denying the Palestinian right to statehood simply because Hamas rules them is, without a doubt, a short-sighted and hasty conclusion. The fact of the matter is that many other factions on the Palestinian front have exercised all political options available to them to achieve their right to self-determination. The indigenous inhabitants of a given land or territory enjoy the legal right to assert their independence and be freed from external interference.

Just like another human society or group, the Palestinians have a right to form and rule their independent state. A myriad of General Assembly resolutions passed under the auspices of the United Nations permits national liberation movements to achieve their independence, even through force. Ihsan Adel, a prominent lawyer and the founder of the non-governmental organisation Law for Palestine, adamantly states: “Dozens of resolutions by the UNGA support national liberation movements in their struggle for

75 It is important to state, however, that the majority of nation-states in the world – a hefty list which includes Norway, Switzerland, China, Russia, and Brazil – do not classify Hamas as a terrorist entity. As British investigative journalist Kit Klarenberg notes, “Hamas is not recognized as a terrorist entity by the majority of countries, and even the BBC – which has relentlessly manufactured consent for genocide in Gaza since the violence erupted – rejects the use of that loaded, politicized designation.” See Kit Klarenberg, “The Mask Has Fallen: King Charles Supports Israel,” *MintPress News*, 2 November 2023, <<https://www.mintpressnews.com/is-zionist-king-charles-behind-israel-genocide-in-gaza/286185/>> accessed 29 November 2023; Sergio García Magariño, “What is Hamas? Seven Key Questions Answered,” *The Conversation*, 11 October 2023, <<https://theconversation.com/what-is-hamas-seven-key-questions-answered-215391>> accessed 29 November 2023.

independence and self-determination, including armed struggle.”⁷⁶ For instance, United Nations General Assembly Resolution No. 2105 of 1965 condemned all manifestations of colonialism and prescribed the provision of material support for people being targeted in such imperial settlements.⁷⁷ A significant 1970 General Assembly Resolution similarly recognised the right of colonised people to determine their political destiny and have their self-determination unfettered from any foreign exploits. One key provision states, “Every State has the duty to refrain from any forcible action which deprives peoples referred to above in the elaboration of the present principle of their right to self-determination and freedom and independence. In their actions against, and resistance to, such forcible action in pursuit of exercising their right to self-determination, such peoples are entitled to seek and receive support in accordance with the purposes and principles of the Charter.”⁷⁸

The same fundamental concept is found and reiterated in the First Additional Protocol to the Geneva Conventions, ratified and adopted in 1977.⁷⁹ According to Stanley Cohen, a prominent lawyer, human rights activist, and champion of the Palestinian cause, “In accordance with international humanitarian law, wars of national liberation have been expressly embraced, through the adoption of Additional Protocol I to the Geneva Conventions of 1949...as a protected and essential right of occupied people everywhere.”⁸⁰ However, perhaps the most explicit international

76 Ihsan Adel, “Do Palestinians Have the Right to Resist, and What are the Limits?” Law for Palestine, 8 October 2023, <<https://law4palestine.org/do-palestinians-have-the-right-to-resist-and-what-are-the-limits-short-article/>> accessed 27 October 2023.

77 United Nations General Assembly Resolution No. 2105 (20 December 1965), *Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples*, UN GAOR, 20th Session, Supp. No. 14, UN Doc. A/6014 (1966).

78 United Nations General Assembly Resolution No. 2625 (24 October 1970), *Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations*, UN GAOR, 25th Session, UN Doc. A/RES/25/2625 (1970).

79 United Nations Human Rights Office of the High Commissioner, Protocol Additional (Protocol 1) to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (adopted 8 June 1977).

80 Stanley L Cohen, “Palestinians have a Legal Right to Armed Struggle,” Al Jazeera Media Network, 20 July 2017, <<https://www.aljazeera.com/opinions/2017/7/20/palestinians-have-a-legal-right-to-armed-struggle>> accessed 27 October 2023.

legal instrument that affords the Palestinians the right to self-determination and national liberation is General Assembly Resolution No. 38/17 of 1983; the latter was passed against the backdrop of the Israeli invasion of Lebanon, which culminated with several massacres against Palestinian refugees. Besides condemning these atrocities, the Resolution in question acknowledges the “denial of the inalienable rights of the Palestinian people to self-determination, sovereignty, independence and return to Palestine and the repeated acts of aggression by Israel against the people of the region constitute a serious threat to international peace and security”; as a suitable remedy, it “[r]eaffirms the legitimacy of the struggle of peoples for their independence, territorial integrity, national unity and liberation from colonial domination, apartheid and foreign occupation by all available means, including armed struggle”⁸¹

Taking the resolutions above into consideration, it becomes evident that the Palestinian people deserve the collective right to enjoy equal rights and privileges just like any other civic or ethnic nation and establish their independent political state. The chief theoretical finding that is derived from these aforementioned legal resolutions and international instruments is that framing the current crisis as a conflict squarely between Hamas and Israel is a manifest error that silences the legitimate political aspirations of the Palestinian people and ignores their collective will to freedom. Equating Hamas with the Palestinian side as a whole is a gross conflation and a logical fallacy that can never be accepted, regardless of how much mainstream media outlets recite it. This is because, besides Hamas, there are a myriad of other political Palestinian entities and factions – of varying political demarcations – resisting the occupation through their respective efforts. As a political nation in its own right, Palestinian people *en masse* enjoy the right to resist the oppressive state of physical occupation that they face and pursue their political and economic ambitions by having their independent state. Any critic or interlocutor who directs their analysis merely towards Hamas without acknowledging the collective right of the Palestinian people to attain independence is a partner in oppression.

81 United Nations General Assembly Resolution No. 38/17 (22 November 1983), *Importance of the Universal Realization of the Right of Peoples to Self-Determination and of the Speedy granting of Independence to Colonial Countries and Peoples for the Effective Guarantee and Observance of Human Rights*, UN GAOR, 38th Session, UN Doc. A/RES/38/17 (1983).

2.5 Israel's Blatant Lack of Proportionality in its Warfare Conduct

The fifth argument of this book is that the force and violence that the Israeli military machine has unleashed upon Gaza in *all* its military operations is neither justified nor proportionate. Considering this book's previous arguments and points, one will likely find this point intuitive. However, it is important to evaluate this claim separately on its terms to demonstrate Israel's cruel targeting of civilians in its military conduct.

Even before presenting statistical data and official statements demonstrating Israel's wrongful conduct *in bello*, the following thought experiment may be sufficient to justify this chapter's conclusion. Imagine that your neighbour armed himself and his family and, through a wave of well-organised violence, seizes your home and the other residences in the district, kills your children, and arbitrarily detains your wife. This unjust status quo not only remains for 75 years, but it steadily worsens due to the neighbour committing further human rights violations against the dispossessed survivors and their children. A countless number of individuals suffer and face immense physiological and psychological harm due to their raw brutality, with many children being killed or becoming orphans. The level of abuse meted against you and your peers is horrifying and shocks the conscience. Throughout this period, the neighbour stockpiles weapons and develops his contingent of troops to ensure no revolt can be executed. After facing 75 years of oppression, however, alongside your oppressed neighbours, you decide to take a decisive stand to end this brutality once and for all. Out of anger and frustration, you end up adopting the initiative to attack and kill this neighbour's family through a surprise mission. However, it does not take long for the neighbour to mobilise his forces and weaponry; he quickly gains the upper hand in the military contest and proceeds to kill more members of your own family as well as members of other households. During this violent counter-attack, he also manages to destroy many of the dwellings and houses of the rebel movement, ultimately incinerating all elements of resistance.

An observer who looks at your violent response in isolation will likely condemn you for your actions and claim that the neighbour's counter-attack is justified and proportionate. However, such a judgement would be grossly inaccurate since it fails to appreciate the effective cause of the crisis. For this reason, the entire blame for the problems lies on the shoulders of the violent and land-grabbing neighbour. The purpose of this thought experiment is not to justify the targeting of innocent civilians. Instead, its underlying purpose is to reorient readers' conceptions and allow them to reframe the narrative. Through this analytical exercise, one can appreciate the fact that the current Israeli attack on Palestine is illegal and lacks any moral or legal impetus. Israel cannot claim that its response to the October 7 mission is justified since it is squarely responsible for dispossessing the Palestinians from their lands and subjecting them to the most brutal cycles of violence. Upon looking at the broader context and *longue durée* of the Palestinian issue, it becomes abundantly clear that the Israeli response to Operation Al-Aqsa Flood cannot be justified. This is because the Arab attack was nothing more than a by-product of decades of de-enfranchisement, de-possession, indiscriminate killing, and police brutality. A force or power that causes a crisis to erupt in the first place through its oppressive measures cannot proceed to invoke the principle of proportionality when it attempts to quell the subsequent fire of resistance that engulfs it.

The common claim that Israel exercises restraint or proportionality in its military operations is also belied by the fact that it often targets Gazan civilian sites in its assaults. For instance, concerning Israel's current aerial, naval, and ground bombardment of Gaza, Agnès Callamard – who presides as the Secretary General of Amnesty International – has stated: “In their stated intent to use all means to destroy Hamas, Israeli forces have shown a shocking disregard for civilian lives. They have pulverized street after street of residential buildings, killing civilians on a mass scale and destroying essential infrastructure. At the same time, new restrictions mean Gaza is fast running out of water, medicine, fuel and electricity. Testimonies from eyewitnesses and survivors highlighted, again and again, how Israeli attacks decimated Palestinian families, causing such destruction that surviving relatives have little but rubble to remember their loved ones by.”⁸²

In order to justify their merciless bombings in densely populated areas, the Israeli army often states that the intended target was a Hamas soldier

82 Amnesty International, “Damning Evidence of War Crimes as Israeli Attacks Wipe out Entire Families in Gaza,” Amnesty International Ltd., 20 October 2023, <<https://www.amnesty.org/en/latest/news/2023/10/damning-evidence-of-war-crimes-as-israeli-attacks-wipe-out-entire-families-in-gaza/>> accessed 28 October 2023.

who happened to be present in the same surrounding area. Besides such claims being devoid of evidence, they tolerate an extreme civilian-militant ratio that defies any reasonable person's basic intuitions. Take the example of the October 31 strike of the Jabalia refugee camp, which was full of innocent civilians. This bombing was so catastrophic that it likely killed hundreds of Gazans, as many people were buried under a heap of suffocating rubble. Israel justified this brazen act based on the questionable claim that there was a *single* Hamas commander in the area. During a live interview with CNN, Israeli Defence Forces spokesperson Richard Hecht attempted to justify this shocking incident while merely brushing aside the high civilian death toll as being collateral damage. However, veteran CNN anchor Wolf Blitzer was shocked by Hecht's lack of emotion and empathy and proceeded to intensely interrogate the Israeli colonel at least *three different times*, on each occasion highlighting the fact that the area had many innocent civilians. Unimpressed with the colonel's answers, Blitzer stated the obvious burning moral problem that seemed invisible for the Israeli killing machine: "You knew there were civilians there, you knew there were refugees, all sorts of refugees, but you decided to still drop a bomb on that refugee camp attempting to kill this Hamas commander."⁸³

There is no moral or legal principle which can justify the "wide net" killing approach of the Israeli army. As the Australian academic and thinker Uthman Badar put it, "The idea that you can kill hundreds of innocent people because there is one person there who is a military target is ridiculous. According to which moral calculus is that right?"⁸⁴ By all means and all measures, such an attack is disproportionate since the degree of civilian harm caused by the strike exponentially outweighed the supposed military gain. According to the precautionary measures provision of the Additional Protocol I of 1977, all member-states must "refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated."⁸⁵ When the advantage/harm ratio runs somewhere

83 Adrienne Mahsa Varkiani, "CNN Host Left Stunned as IDF Confirms Israel Hit Refugee Camp with Airstrike," 31 October 2023, The New Republic, <<https://newrepublic.com/post/176497/speaker-mike-johnson-warned-dangers-living-democracy>> accessed 10 November 2023.

84 OnePath Network Muslim Media, "Exposing the Lies of Israel's Biggest Tool – Ben Shapiro," OnePath Network, 6 November 2023, <<https://www.youtube.com/watch?v=wQ3sWktCWMQ>> accessed 10 November 2023, 3:03.

85 United Nations Human Rights Office of the High Commissioner, Protocol Additional (Protocol 1) to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (ad-

along the lines of 1:50 in the case of the Jabalia airstrike, there can be no doubt that Israel has violated this article and is likely guilty of a serious war crime.

However, this appalling targeting of innocent civilians did not simply occur in 2023; instead, it has been a recurring dark theme in several past military operations and incursions led by Israel in the Gaza Strip. For instance, one may consider the 2008-2009 Israeli assault known as Operation Cast Lead, which killed at least 1400 Palestinian civilians, including 300 children. Regarding the brutality of the Israeli operation, Belén Fernández, an academic and editor of the political magazine *Jacobin*, writes: “The Israeli fatality count from Cast Lead totalled three civilians and ten soldiers (four of them from friendly fire), which put the ratio of Palestinian civilian to Israeli civilian deaths at 400:1. However, Israel unfurled its signature brand of criminal illogic to claim the role of victim, predictably portraying itself as under attack from Hamas rockets despite the negligible damage inflicted.”⁸⁶ The same disproportionate use of force can be disturbingly observed in the 2014 Israeli assault in Gaza known as Operation Protective Edge, which killed almost 1500 civilians, with approximately 500 of them being children. The sheer brutality found in this military assault against children is well-expressed in the following passage: “DCIP’s investigation into all Palestinian child fatalities during Operation Protective Edge found overwhelming and repeated evidence that Israeli forces committed grave violations against children amounting to war crimes. This included direct targeting of children by Israeli drone-fired missiles, and attacks carried out against schools. Israel, the world’s largest exporter of aerial drones, killed 164 children in drone strikes during the conflict.”⁸⁷ The 2018-2019 peaceful protest known as the Great March of Return was also marred with a vicious Israeli response, as snipers from the Israeli Defence Forces and the Israel Border Police indiscriminately killed many demonstrators. A number of non-governmental bodies condemned the harsh and inhumane Israeli response. For instance, in a formal statement, Médecins Sans Frontières (Doctors Without Borders) said: “It is unbearable to witness such a massive

opted 8 June 1977), art. 57.2.a.iii.

86 Belén Fernández, “A Milestone on the Timeline of Israeli Brutality,” *Jacobin*, 27 December 2018, <<https://jacobin.com/2018/12/operation-cast-lead-ten-year-anniversary-israel-occupation>> accessed 28 October 2023.

87 Defense for Children International Palestine, “Operation Protective Edge: A War Waged on Gaza’s Children,” ReliefWeb, 17 April 2015, <<https://reliefweb.int/report/occupied-palestinian-territory/operation-protective-edge-war-waged-gazas-children>> accessed 29 October 2023.

number of unarmed people being shot in such a short time... This bloodbath is the continuation of the Israeli army's policy during the last seven weeks: shooting with live ammunition at demonstrators on the assumption that anyone approaching the separation fence is a legitimate target. Most of the wounded will be condemned to suffer lifelong injuries."⁸⁸

However, in its wartime conduct for 2023, Israel has already reached an all-time moral low by superseding the number of casualties found in all the conflicts mentioned above *combined*. So far (as of 21 November), the Ministry of Health in Gaza has reported that approximately 14000 Palestinians have been killed as a result of Israel's indiscriminate aerial bombardments, with at least 5800 of this grand number being children. Furthermore, more than 17000 Palestinians have been injured, with an additional 6000 civilians still being trapped under the rubble of collapsed structures. According to Norman Finkelstein, a well-respected American academic and champion of the Palestinian cause, Israel's atrocities in its 2023 offensive are so severe and callous that they amount to blatant crimes against humanity if not outright genocide.⁸⁹ It is a pity that against this dark and violent backdrop, any concerns about the lack of proportionality in Israel's military engagements will receive a muted response.

88 Marie-Elisabeth Ingres, "Violence on Demonstrators in Gaza is 'Unacceptable and Inhumane,'" Médecins Sans Frontières, 14 May 2018, <<https://www.msf.org/palestine-violence-demonstrators-gaza-unacceptable-and-inhuman>> accessed 29 October 2023.

89 Al Jazeera English, "Israel Aims to Declare New Security Zone in Northern Gaza: Norman Finkelstein," Al Jazeera, 15 October 2023, video, <<https://www.youtube.com/watch?v=ql9FfYTKt1Q>> accessed 29 October 2023.

2.6 Israel: A Flagrant Violator of International Law on the Battlefield

Supporters of Israel often argue that the country is, for the most part, a responsible and moral actor that is committed to the model of global governance carved by the United Nations; they adamantly contend that in its inter-state affairs, Israel exerts genuine efforts to follow international law to the best of its ability. According to this narrative, any wrongs that Israel commits in its warfare conduct in Gaza are unfortunate errors of judgement or unavoidable tragedies in such a densely-populated plane, not malicious atrocities. However, the superficiality of this claim becomes apparent once Israel's track record in international forums is carefully assessed.

Ever since its establishment, Israel has been violating international law with impunity, with its egregious conduct being on full display for virtually every military operation it has participated in. Notable Israeli crimes which constitute blatant violations of international law in wartime conduct include the ethnic cleansing of the indigenous population of Palestine and the denial of their right to return (the 1948 War of Independence), illegally launching a war in tandem with the colonial powers of France and Britain (the 1956 Suez Crisis), illegally annexing and occupying territories from Jordan, Syria, and Egypt (the 1967 Six Day War), and illegally occupying Southern Lebanon from 1985 to 2000 (the South Lebanon Conflict). This hefty list of violations is succinctly outlined by the Palestinian legal expert Henry Cattani: "Israel's actions after its admission to UN membership have been at variance with the declarations and explanations it gave to the UN as a condition of its admission. The position it took before the Conciliation Commission in considering the armistice lines as its boundaries conflicted with its undertaking to respect General Assembly resolutions, and in particular, resolution 181. Its refusal to repatriate the Palestine refugees violated resolution 194...in opposing the establishment of a Palestinian State, it violated resolution 181 and also repudiated its own birth certificate. Lastly, in launching general wars of aggression in 1956, 1967 and 1982 it flouted

the principles of the UN Charter and international law.”⁹⁰

In the domain of international human rights law, Israel’s record is even worse. Regarding the latter, Lendman writes: “Israel is a serial human rights international law abuser. The UN Human Rights Commission affirms that it violates nearly all 149 articles of the Fourth Geneva Convention, which governs the treatment of civilians in war and under occupation, and is guilty of grievous war crimes.”⁹¹

Israel’s track record on the battlefield during the time of hostilities is equally horrific and repugnant. During its intervention and attempted occupation of Southern Lebanon during the Hezbollah War of 2006, the Israeli war machine failed to pay heed to any of the norms of just conduct dictated by the principles of *jus in bello*. In effect, the Israeli army pursued a “classic punishment campaign”. It sought to “inflict massive pain on Lebanon’s civilian population by destroying residences and infrastructure and forcing hundreds of thousands of people to flee their homes”.⁹² However, the most egregious crime that Israel committed in this theatre was the widespread use of cluster bombs in the final days of the conflict, despite it being aware that a ceasefire was imminent. What made this act even more appalling was that these bombs were fired at civilian areas situated in Southern Lebanon. Cluster munitions are a notorious choice of weaponry since they release hundreds of bomblets on the site perimeter. Many of these submunitions fail to explode when dropped and can be activated many months or years later when an unsuspecting person steps on them.

As a result of Israel’s severe bombardment, many civilians lost their lives after the war had concluded. In sum, Mearsheimer and Walt note that in the last three days of the war, it is estimated that the Israeli military “fired over one million bomblets into Southern Lebanon, which has a population of 650,000...in the first eight months after the war, 29 Lebanese were killed by cluster bombs and another 215 were injured, [with] 90 of them [being] children.”⁹³ On a similar note, a seminal study led by Human Rights Watch reached the following determination: “Research in more than 40 towns and villages found that the IDF’s use of cluster munitions was both indiscriminate and disproportionate, in violation of IHL, and in some locations possibly a war crime.”⁹⁴

90 Henry Cattan, *The Palestine Question* (London: Saqi Books, 2000), 88.

91 Steve Lendman, “Israel’s Slow-Motion Genocide in Occupied Palestine,” in *The Plight of the Palestinians*, ed. William A. Cook (New York: Palgrave Macmillan, 2010),

92 John Mearsheimer and Stephen Walt, *The Israel Lobby and U.S. Foreign Policy* (New York: Farrar, Straus and Giroux, 2007), 313.

93 Ibid, 312-313.

94 Bonnie Docherty, Marc Garlasco, and Steve Goose, *Flooding South Lebanon:*

Besides the use of cluster munitions, Israel has frequently employed white phosphorus bombs in civilian zones. White phosphorus is an extremely dangerous and lethal incendiary weapon that can cause severe firestorms. Moreover, it not only detrimentally affects the fertility of land and stunts vegetative growth, but if it makes contact with humans, it can cause severe burns and permanent neurological damage. For this reason, according to international humanitarian law, its use in civilian areas during a war is strictly prohibited. Most unfortunately, Israel has violated these wartime regulations and has proceeded to use the banned substance in densely populated areas. One of the earliest recorded cases of Israel's usage of white phosphorus was in 2008 during its incursion in Gaza, known as Operation Cast Lead. In their current 2023 operations, Israeli forces are once again employing the lethal agent in both Gazan and Lebanese communities. Neutral organisations such as Human Rights Watch have evaluated all available video and physical evidence connected to this charge, and they have corroborated its authenticity and confirmed Israel's culpability.⁹⁵ This reflects an acute moral and legal failure on Israel's part since it had given assurances to the international community after 2009 that it would no longer use white phosphorus. Taking the facts above into account, it becomes evident that Israel's war crimes in Gaza are not exceptional acts of aggression; instead, they constitute an extension of its non-acquiescence to international legal norms and conventions.

Israel's Use of Cluster Munitions in Lebanon in July and August 2006 (New York: Human Rights Watch, 2008), 1.

- 95 Yasmeen Serhan, "Israel Allegedly Used White Phosphorus Munitions in Gaza and Lebanon. Here's What to Know," *Time Magazine*, 13 October 2023, <<https://time.com/6323482/israel-white-phosphorus-gaza-lebanon/>> accessed 1 November 2023; Human Rights Watch, "Israel: White Phosphorus Used in Gaza, Lebanon," Human Rights Watch, 12 October 2023, <<https://www.hrw.org/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon>> accessed 1 November 2023.

2.7 A New Amalek? Israel's Ultimate Plan for Genocide

With the death toll rapidly increasing with the progression of time, it is not a surprise to find that there is a growing concern that Israel is currently committing genocide in Gaza. In plain and simple terms, one can find a clear-cut definition in the Genocide Convention of 1948, which provides the following delineation: “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.”⁹⁶ By considering this list of criteria, many observers and commentators have argued throughout the last years that Israel is already guilty of committing genocide against the Palestinian people, as a number of its trademark wrongdoings can be observed. Even more than a decade ago, some academics argued that Israel was already carrying out a “slow-motion genocide” in the occupied Palestinian territories by gradually depriving its inhabitants of the resources and rights it needed to undertake their daily life needs.⁹⁷

Within the current context of the 2023 Israeli onslaught, the level of violence and brutality meted out by the Israeli state has been so severe and unprecedented that there can be no doubt that the threshold for genocide has been met. However, to substantiate such a claim, there must be clear-cut evidence which demonstrates that Israeli officials intend to orchestrate such a brutal act on ethnic or religious lines. To prove that such an active genocide is being carried out, a few essential elements are needed. Before

96 Convention on the Prevention and Punishment of Genocide, adopted 9 December 1948; entered into force 12 January 1951, 78 U.N.T.S. 277.

97 Lendman, “Israel’s Slow-Motion Genocide in Occupied Palestine,” 29.

the indiscriminate bombings and attacks are carried out, there must be indications of genocidal intent, whereby the aggressor uses language that dehumanises the targeted civilian population and depicts them as being non-humans. This was, in fact, the same *modus operandi* that the Nazi regime used against the Jews in order to justify its horrific atrocities during the Holocaust. The researcher, Stewart Gabel, meticulously examined the process of dehumanisation and noted that the Nazis employed “dehumanizing tactics to engage in various types of behaviors that enslaved other people and justified the killing of other human beings, often by arguing that these enslaved or murdered other people were not actually people at all...Not surprisingly, the group considered subhuman usually has less power, making it weaker than the larger, stronger individual or group that argues it has been ‘forced’ to defend itself against what it considers to be a subhuman ‘monster.’”⁹⁸ Now, more than 80 years later, Israel is using the same playbook to delegitimise the Palestinian people through the same tropes in order to receive a blank cheque in its warfare conduct. The results could not be more horrific. To justify their month-long murder spree, Israeli authorities have juxtaposed their extreme Zionist rhetoric with the former Nazi talking points. Neve Gordon, a law professor at Queen Mary University in London, outlined the dangerous propaganda techniques employed by the Israeli media machine: “Palestinians are presented as barbarian and as primitive and as people who do not understand the laws of war, people that do not make distinctions between civilians and combatants, and so forth, and therefore they are immoral, while Israel claims that it tries to protect civilians.”⁹⁹

A plethora of statements from numerous Israeli politicians, military officials, and even religious figures indicate that not only are they indifferent to the deaths of Palestinians, but they also perceive them to be subhuman. A notable example of the first can be found in Naftali Bennett, who previously served as the Israeli Prime Minister. When asked by a Britain Sky News anchor whether the Israeli Defence Forces could ensure the safety and provision of supplies to Palestinian civilians during the violent operation, he angrily dismissed Israel’s culpability in imposing an illegal

98 Stewart Gabel, “The Role of Dehumanization in the Nazi Era in Activating the Death Drive Resulting in Genocide” (Doctoral Thesis, University of Denver, 2021), 3.

99 Halil İbrahim Medet, “Israel Paints Palestinians as ‘Animals’ to Legitimize War Crimes: Israeli Scholar,” Anadolu Ajansı, 23 October 2023, <<https://www.aa.com.tr/en/middle-east/israel-paints-palestinians-as-animals-to-legitimize-war-crimes-israeli-scholar/3030278#>> accessed 29 October 2023.

blockade. He said: “Are you seriously – keep asking me about Palestinian civilians? What’s wrong with you? Now the world can come and bring them anything they want. If you want to bring them electricity, I’m not going to feed electricity or water to my enemies.”¹⁰⁰ Rabbi Meir Maroz, a prominent religious authority in Israel, had the following to say about the currently besieged Palestinians when speaking on Israeli Channel 7: “If they [people of Gaza] were humans, we would have sent them humanitarian aid...but this is about animals.”¹⁰¹

The most chilling and disturbing statement comes from none other than Israeli Prime Minister Benjamin Netanyahu. Unlike the dehumanising rhetoric found in the earlier statements, Netanyahu’s comments are particularly troubling since they constitute a clear indication of genocidal intent. In a speech delivered on the 28th of October, Netanyahu exhorted the Israeli military to exert the fullest force possible against Gaza. To make his rhetoric as venomous as possible, he cited a verse from the Jewish Bible regarding the divine order to destroy the idolatrous town of Amalek and all its inhabitants: “‘You must remember what Amalek has done to you,’ says our Holy Bible. ‘Now go, attack the Amalekites and totally destroy all that belongs to them. Do not spare them; put to death men and women, children and infants, cattle and sheep, camels and donkeys.’”¹⁰² As some commentators note, the “invocation of this biblical passage serves not only as a historical reference but also as a genocidal lens through which the Prime Minister views the current conflict”.¹⁰³ The statement also provides the Israeli military licence for killing combatants and non-combatants alike since “Netanyahu blurred the distinction between Hamas and Palestinians more generally, implicitly justifying attacks not just on the terrorist organization but on all the residents of Gaza. While defenders of the prime

100 Dominick Mastrangelo, “Former Israeli PM Erupts at TV Host for Asking about Palestinian Suffering,” *The Hill*, 12 October 2023, <<https://thehill.com/homenews/media/4252414-former-israeli-pm-gaza-palestinian-suffering/>> accessed 29 October 2023.

101 Mucahit Aydemir, “Israeli Rabbi Opposes Sending Humanitarian Aid to Gaza,” *Anadolu Ajansı*, 10 November 2023, <<https://www.aa.com.tr/en/middle-east/israeli-rabbi-opposes-sending-humanitarian-aid-to-gaza/3050255#:~:text=Israel's%20Channel%207%20reported%20that,%2C%E2%80%9D%20the%20Jewish%20cleric%20said.>> accessed 16 November 2023.

102 1 Samuel 15:3.

103 Faruk Imamovic, “Netanyahu Openly Calls for Genocide Citing the Bible: ‘Go, Attack the Amalekites...’” *Financial World*, 29 October 2023, <<https://www.financial-world.org/news/news/financial/22857/netanyahu-openly-calls-for-genocide-citing-the-bible-go-attack-the-amalekites-/>> accessed 29 October 2023.

minister may deny this, the consequences of Israeli actions in Gaza belie those denials”¹⁰⁴ By weaponising and instrumentalising the Bible, Netanyahu can enlist the backing of far-right and extremist religious forces to activate his genocidal project.

Other members of the Israeli coalition have uttered similar depraving remarks that denigrate and dehumanise the Palestinian people, with genocidal intent also being evident. Galit Distel Atbaryan, a member of the leading Likud party, made the following horrific remark in a tweet: “Erase all Gaza from the face of the Earth. That the Gazan monsters will fly to the southern fence and try to enter Egyptian territory, or they will die, and their death will be evil. Gaza should be erased.”¹⁰⁵ Ezra Yachin, a 95-year-old Israeli war veteran, was brought as a reservist to exhort his younger counterparts on the battlefield by sharing motivational words and giving reminders. During the early days of the Israeli operation, Yachin shared the following “advice” with the younger soldiers: “Be triumphant and finish them off and don’t leave anyone behind. Erase the memory of them. Erase them, their families, mothers and children. These animals can no longer live... Every Jew with a weapon should go out and kill them. If you have an Arab neighbour, don’t wait; go to his home and shoot him... We will witness things we’ve never dreamed of. Let them drop bombs on them and erase them. All of the prophecies sent by the prophets are about to occur.”¹⁰⁶ For the Israeli public, the current onslaught is unfortunately presented as a holy war to give the army carte blanche to kill whoever and however they wish. As Netanyahu put it, the present Israeli operation is “a struggle between the children of light and the children of darkness, between humanity and the law of the jungle”.¹⁰⁷ With the Israeli army being stirred

104 David Rothkopf, “Biden and Netanyahu Look Headed for a Breakup on Unqualified U.S. Support for the Gaza War,” Yahoo Finance, 2 November 2023, <<https://ca.finance.yahoo.com/news/biden-netanyahu-look-headed-breakup-173258544.html>> accessed 2 November 2023.

105 Middle East Eye Staff, “Israel-Palestine war: Likud MP Calls for Gaza to be ‘Erased from the Face of the Earth,’” Middle East Eye, 1 November 2023, <https://www.middleeasteye.net/news/israel-palestine-war-likud-mp-calls-gaza-erased-face-earth?utm_source=twitter&utm_medium=social&utm_campaign=Social_Traffic&utm_content=ap_kswr6ns3ru> accessed 2 November 2023.

106 Rayhan Uddin, “Israel-Palestine War: Israeli Veteran, 95, Rallies Troops to ‘Erase’ Palestinian Children,” Middle East Eye, 14 October 2023, <<https://www.middleeasteye.net/news/israel-palestine-war-veteran-ezra-yachin-soldiers-erase-children>> accessed 2 November 2023.

107 Israeli Ministry of Foreign Affairs, “Excerpt from PM Netanyahu’s Remarks at the Opening of the Winter Assembly of the 25th Knesset’s Second Session,”

and steered through such genocidal rhetoric, it is regrettably expected that the occupiers will commit many more atrocities in the weeks ahead.

In light of these explicit proclamations, at least seven experts from the United Nations have warned that a genocide in Gaza is imminent or currently underway. These officials note that the entire population is at risk unless decisive action is taken. In a joint statement, the seven high-ranking figures from the body said: “We remain convinced that the Palestinian people are at grave risk of genocide. The time for action is now. Israel’s allies also bear responsibility and must act now to prevent its disastrous course of action.”¹⁰⁸ To underscore the gravity of the matter, Craig Mokhiber, a high-ranking human rights official in the United Nations, tendered his resignation from the organisation due to the international community’s failure to take action against Israel, which he accused of committing genocide. Mokhiber said that there could be no shred of doubt that the Israeli army was committing a wholesale extermination of the Palestinian people since the country’s officials have not concealed their sinister intentions towards the civilian population living in the enclave. In an important interview prepared with Al Jazeera, Mokhiber shared his observations on this matter by stating: “Usually the most difficult part of proving genocide is intent because there has to be an intention to destroy in whole or part a particular group. In this case, the intent by Israeli leaders has been so explicitly stated and publicly stated – by the Prime Minister, by the President, by senior cabinet ministers, by military leaders – that that is an easy case to make. It’s on the public record.”¹⁰⁹ Put in simpler terms, Mokhiber believes that the “smoking gun” for identifying a genocide is present, and there can be no room for doubting its present occurrence. On this topic, the experts have issued a unanimous verdict and concluded that the current bloody events in Gaza bear strong parallels with past genocides committed in other theatres, such as Bosnia.

Services and Government Information Website, 16 October 2023 <<https://www.gov.il/en/departments/news/excerpt-from-pm-netanyahu-s-remarks-at-the-opening-of-the-knesset-s-winter-assembly-16-oct-2023>> accessed 5 November 2023.

108 The Office of the High Commissioner for Human Rights, “Gaza is ‘Running Out of Time’ UN Experts Warn, Demanding a Ceasefire to Prevent Genocide,” United Nations, 2 November 2023, <<https://www.ohchr.org/en/press-releases/2023/11/gaza-running-out-time-un-experts-warn-demanding-ceasefire-prevent-genocide-o>> accessed 2 November 2023.

109 Al Jazeera, “Q&A: Former UN official Craig Mokhiber on Gaza and Genocide,” Al Jazeera English, 2 November 2023, <<https://www.aljazeera.com/news/2023/11/2/qa-former-un-official-craig-mokhiber-on-gaza-and-genocide>> accessed 2 November 2023, 0:14.

2.8 Eretz Yisrael Hashlema: Israel's Expansionist Mission Unlocked

The eighth and last argument is in many respects related to 2.7 since it pertains to how Israel views the general Palestinian population as a demographic “problem” that must be eliminated in order to widen the geographical horizons of the Jewish state. From this viewpoint, the construction of Israel is viewed to be an incomplete project that is yet to reach its full territorial potential. In order for Israel to be “complete”, it must consolidate control over the entire perimeter of the Palestinian territories. At first sight, this proposition may appear to be a conspiracy theory or a biased postulate. However, it is firmly grounded in reality and Israeli leaders’ attestations. As a historical fact, the state of Israel is predicated on the political ideology of Zionism, which dictates that the indigenous Palestinian population must be expelled from Palestine proper *in toto* through an aggressive ethnic cleansing policy. This philosophy was plainly expressed by former Israeli Prime Minister Ariel Sharon in 1998: “It is the duty of Israeli leaders to explain to public opinion, clearly and courageously, a certain number of facts that are forgotten with time. The first of these is that there is no Zionism, colonization, or Jewish State without the eviction of the Arabs and the expropriation of their lands.”¹¹⁰ Thus, through its Zionist foundations and the philosophy of expansionism, Israel can achieve its irredentist dream of creating what is known as Eretz Yisrael Hashlema, which can be rendered as “The Complete Land of Israel”. In the last few years, Israel has pursued this goal by supporting the Jewish settler movement, which has been able to seize many neighbourhoods and districts of the West Bank from Palestinians at an alarming pace.

Presently, it can exploit the October 7 attack as a pretext to “justify a brutal assault on Gaza — perhaps with the hopes of annexing more territory”.¹¹¹

110 Michael B. Hammer, *The Dot on the I in History: Of Gentiles and Jews – A Hebrew Odyssey Scrolling the Internet* (Morrisville: Lulu Publishing Services, 2017), 3.

111 Oren Schweitzer, “For Netanyahu’s Government, Israeli Hostages Are Just a

This was always the dream of right-wing parties and Zionist groups, who currently hold leverage in the governing coalition of Israel. The right-wing Likud party, which Israeli Prime Minister Benjamin Netanyahu currently leads, also espouses the dream of capturing all the Palestinian Territories. Likud's charter boldly and unequivocally denies the right of Palestinians to have a state of their own. Instead, it asserts the following: "The right of the Jewish people to the land of Israel is eternal and indisputable and is linked with the right to security and peace; therefore, Judea and Samaria will not be handed to any foreign administration; between the Sea and the Jordan there will only be Israeli sovereignty."¹¹² The use of the traditional biblical names associated with the Holy Land is quite telling, for it indicates how the party views the entire land as one unbreakable unit promised to the Jewish people that can never be compartmentalised or divided. Benjamin Netanyahu himself has unabashedly espoused this vision in many public settings. For instance, in a formal address during the 78th session of the United Nations General Assembly, Netanyahu shockingly displayed a map which depicted Israel to be incorporating all the Palestinian Territories, including the entirety of Jerusalem, the West Bank, and Gaza.¹¹³ Similar illustrations have been used by other Israeli officials who disregard entirely the lands of the Palestinians and promote the vision of a Greater Israel.¹¹⁴

However, for the last few decades, the achievement of such an expansionist goal seemed unattainable since the Israelis required a pretext to mobilise and annex Gaza *en masse*. An extraordinary event or incident was needed to make this dream possible. In light of the Al-Aqsa Flood offensive launched by Hamas on October 7, Israel was able to devise its own Pearl Harbour narrative to justify the full-scale occupation of Gaza.

Propaganda Tool," Jacobin, 29 October 2023, <<https://jacobin.com/2023/10/israeli-hostages-gaza-war-hamas-netanyahu-propaganda#:~:text=Whatever%20the%20Israeli%20government's%20motives,hopes%20of%20annexing%20more%20territory.>> accessed 10 November 2023.

112 Likud Party, "Likud Party: Original Party Platform," American-Israeli Cooperative Enterprise, 1977, <<https://www.jewishvirtuallibrary.org/original-party-platform-of-the-likud-party>> accessed 20 November 2023.

113 Middle East Eye Staff, "Israel-Saudi Arabia: Netanyahu Promotes Normalisation with New Map Erasing Palestine," Middle East Eye, 22 September 2023, <<https://www.middleeasteye.net/news/israel-saudi-arabia-netanyahu-promotes-normalisation-new-map-erasing-palestine>> accessed 10 November 2023.

114 Barak Ravid, "Jordan Condemns Far-Right Israeli Minister Over 'Greater Israel' Map," Axios, 20 March 2023, <<https://www.axios.com/2023/03/20/bezalel-smotrich-jordan-greater-israel-map-palestinians>> accessed 15 November 2023.

Almost immediately after Hamas staged its attack, several Israeli governmental insiders and think tanks lobbied the incumbent coalition to seize the golden opportunity to eliminate the Palestinian problem once and for all by expelling the Palestinians southwards and seizing the Gaza Strip. For instance, on October 17, the influential Misgav Institute for National Security & Zionist Strategy – which has many researchers and authorities that enjoy ties with the Israeli government – published a policy-oriented memorandum advising the Netanyahu administration to enlist the support of the Egyptian government and push all the residents of Gaza to the Sinai Peninsula. The preface of this chilling report reads: “There is a need for an immediate, viable plan for the resettlement and economic rehabilitation of the entire Arab population in the Gaza Strip, which sits well with the geopolitical interests of Israel, Egypt, U.S.A. and Saudi Arabia.”¹¹⁵ On a similar note, the Israeli Intelligence Ministry led by Likud party member Gila Gamliel published a memorandum – intended for private distribution only – echoing the same proposal in a policy paper entitled “The Unit for Settlement – Gaza Strip”. This latter work is far more specific insofar as it definitively mentions that all the residents of Gaza should be relocated to the Sinai Peninsula. This radical proposal “for mass transfer bear[s] a closer historical resemblance to the 1948 nakba and its aftermath.”¹¹⁶ If successfully executed, it could have even more dire repercussions than the horrors and tragedies wrought in the original Nakba since the livelihoods of more than two million people will be ultimately affected.

During the first four weeks of Operation Iron Swords, Israel pursued a vigorous genocidal campaign against the Palestinian people. However, this is merely a preliminary step to facilitate the much more extensive plan of removing all the Palestinians from the Gaza Strip through an ambitious transfer agreement. Simply put, “Israel’s war today is not about fighting terrorism or rescuing hostages. It is about violently advancing its expansionist project in Gaza, the West Bank, and Israel itself — Palestinian

115 Mel Frykberg, “Israeli Extremists Believe Now Is the Time to Deploy Their Ethnic Cleansing Plots,” The Daily Beast Company LLC, 8 November 2023, <<https://www.thedailybeast.com/israeli-extremists-believe-now-is-the-time-to-deploy-their-ethnic-cleansing-plots>> accessed 15 November 2023.

116 Jonathan Adler, “South into the Sinai: Will Israel Force Palestinians Out of Gaza?” Carnegie Endowment for International Peace, 31 October 2023, <https://carnegieendowment.org/sada/90869?fbclid=IwAR-2ZGuoN72kzolUocMGGgZ_B2GKm1lhQmPLzYXeSclOMS97gXLv-Ju_E5-ok#:~:text=On%20October%2017%2C%20the%20Misgav,Gaza%20Strip%2C%E2%80%9D%20and%20resettle%20Palestinians> accessed 3 November 2023.

and Jewish lives be damned.”¹¹⁷ There are many solid signs and indicators which point to this conclusion. Israel has been very aggressively ordering the inhabitants of Northern Gaza – who number more than one million – to move to the South. Not only is this evacuation order inhumane and unrealistic, but it also raises fears that a bigger overarching plan is in place, whereby the Palestinians will be then further pushed to the Rafah border crossing and ultimately forced to settle in the Sinai Peninsula. In order to ensure the exodus of the Palestinians is achieved, Israel must continue its indiscriminate “shock and awe” bombing campaign and cause the Palestinians to leave out of sheer desperation. As Cook puts it, “The aim appears to be to squeeze Palestinians into the tiny space of Gaza’s south, next to the border with Sinai, destroy all civilian infrastructure, and bomb and terrorise Palestinians in the south too.”¹¹⁸ By expelling the Palestinians to Egypt, Israel will be able to effectively insulate itself from the Palestinian resistance movement and also be able to expand its borders with relative ease. Once exiled in the Sinai, the Palestinians will be forced to integrate into Egyptian society and adopt it as their new civic homeland. In the hopes of making a living, many Palestinians will likely opt to migrate to the major metropolitan cities in Egypt – such as Cairo or Alexandria – and gradually lose their association with their Palestinian roots. In such an abysmal scenario, what would the endgame look like for the Palestinians? Cook notes that exiting the enclave, “they would be stripped of their right in international law to return to their homes. In a generation or two, their children would identify as Egyptian, not Palestinian.”¹¹⁹ In a draconian and malevolent fashion, Israel would be able to free itself from the political pressure of resuming peace talks with the Palestinians.

117 Oren Schweitzer, “For Netanyahu’s Government, Israeli Hostages Are Just a Propaganda Tool,” *Jacobin*, 29 October 2023, <<https://jacobin.com/2023/10/israeli-hostages-gaza-war-hamas-netanyahu-propaganda>> accessed 3 November 2023.

118 Jonathan Cook, “Israel’s Long-Held Plan to Drive Gaza’s People Into Sinai Is Now Within Reach,” *Declassified UK*, 27 October 2023, <<https://www.declassifieduk.org/israels-long-held-plan-to-drive-gazas-people-into-sinai-is-now-within-reach/>> accessed 10 November 2023.

119 *Ibid.*

SECTION THREE

Debunking Key Pro-Israel Talking Points Justifying the Present Israeli Operation

In addition to providing positive arguments in this book, it is necessary to nullify a few common arguments raised by the vocal proponents and backers of the Israeli military machine, such as Zionists, the mainstream media, and politicians across the spectrum. The lines of reasoning that are often cited against proponents of the Palestinian cause revolve around one of the following themes:

1. Hamas's actions must be condemned and given an appropriate response.
2. Western states and allies of Israel often claim that Israel has the right to defend itself, and this is now commonly-invoked as if it is a dictum-like assertion.
3. Hamas committed a second Holocaust on October 7 and is guilty of committing gross atrocities, such as raping several women and beheading at least 40 infants.
4. Israel is empowered with the right to target civilian locations and densely populated areas since Hamas often uses members of the general population as human shields.
5. Palestinian citizens are legitimate military targets since they elected Hamas and allowed them to assume power over them in 2006.

It is somewhat interesting that even though these five arguments are frequently invoked and confidently cited *ad nauseam* by Zionists and liberal allies of Israel, all three of them are actually – in logical terms – invalid. This section will demystify the mechanics of these claims and demonstrate why they fail to nullify the pro-Palestinian position championed in this paper.

3.1 The Claim That the Actions of Hamas Must be Condemned and Given an Appropriate Response

The weakness and logical invalidity of the first argument can be appreciated through the following response. If someone believes that it is necessary to condemn the October 7 Hamas attacks due to their brutality and lack of respect for human life, then *a fortiori* they are required to condemn the wave of offensive attacks meted against the people of Gaza and Palestine as a whole in the last three weeks specifically, and the last seven decades in general. Put in another way, the critics who condemn the crimes committed by the Hamas resistance movement on the 7th of October are the same individuals who ignore the violent Israeli counter-response, which has killed more than 14000 civilians, and they ignore decades of murder, illegal occupations, apartheid, and oppression. In essence, these critics fail to maintain a morally consistent position. Arguably, the reasonable and correct mode of reasoning is this: anyone who insists on condemning Hamas for the death of 1200 people must also issue their condemnation of Israel due to the latter's hefty list of war crimes, crimes against humanity, and violation of *jus cogens* norms. Any individual who begins their analytical starting point with a condemnation of the events of October 7 while ignoring all prior events and incidents is biased and ideologically slanted. Namely, if they wished to adopt a morally consistent position, they would have to be more perturbed and angered by the immense loss of Palestinian lives during the last seven decades. Spelled out in more basic terms, the legal and moral wrongs that Israel has committed against the Palestinian people include the following categories:

1. 75 years of illegal occupation;
2. Decades of legally-enforced apartheid;
3. Decades of ethnic cleansing;

4. Tens of thousands of Palestinians murdered in cold blood;
5. Thousands of Palestinians were arbitrarily imprisoned without any recognition of their habeas corpus rights;
6. Endless years of the use of the sanction of collective punishment, which constitutes a war crime;
7. Decades of blatant human rights violations.

Without any doubt, at a basic intuitive level, any reasonable person would fully agree that the list of crimes above, in terms of its oppressive effects and loss of human life, far supersedes anything that was committed on October 7 and requires far more robust and vocal condemnation. Indeed, anyone who even dares to suggest that the two are amenable to comparison would be dismissed and accused of bringing forth an absurd proposition. However, what conventional media outlets are doing currently on the ideological front is far worse, for they are erasing the oppression that Palestinians have experienced for more than half a century and merely present the events of October 7 as an insulated event that was not shaped or determined by any past Israeli atrocities. Such a viewpoint is nothing more than a manifest error. Indeed, even the UN Secretary-General Antonio Guterres firmly stated that Operation Al-Aqsa Flood “did not happen in a vacuum” and urged the international community to identify the root systemic causes of the recent flare-up, which is the occupation of the Palestinian Territories and the encroachment of illegal settlements in the West Bank.¹²⁰ Considering these structural factors, the Israeli response can and must be condemned as being immoral and a flagrant violation of international humanitarian law.

Any objective observer of the present round of hostilities cannot deny the sheer breadth of human loss that has been sustained on the Palestinian side, with the most shocking statistic currently being the murder of more than 5800 Palestinian children at the hands of the Israeli Air Force since the commencement of hostilities in early October. This tragic loss of life can never be ignored or downplayed as a mere by-product of war. Such a massive figure reflects the callous disregard of the international community to hold Israel to account for its mammoth atrocities. Nevertheless, even news forums and bulletins read this horrific tragedy as if it were a neutral

120 António Guterres, “Secretary-General’s remarks to the Security Council – on the Middle East,” United Nations, 24 October 2023, <[64](https://www.un.org/sg/en/content/sg/speeches/2023-10-24/secretary-generals-remarks-the-security-council-the-middle-east%C2%A0#:~:text=I%20have%20condemned%20unequivocally%20the,of%20rockets%20against%20civilian%20targets.> accessed 4 November 2023.</p></div><div data-bbox=)

event requiring no emotional response. This begs the following question: are Palestinian children of a lower value than the children of other nationalities or ethnicities? Do their deaths matter at all to the international community? What appears to be the case as a *prima facie* judgement is that their deaths do not matter and have no bearing. Irrespective of the context, if a political group or a state murdered 6000 children in a Western country, there would be international outrage and significant political and military action would take place. Thus, regarding the facts mentioned above, any person who fails to take a consistent moral position and spares Israel of any criticism is undoubtedly ideologically biased. People can and should refuse to engage in a ritualistic condemnation of Hamas since it means ignoring the decades of atrocities committed by the Zionist entity.

3.2 The Claim That Israel Has the Right to Defend Itself

The second common argument that is invoked as an axiom to justify Israel's use of indiscriminate and unrestrained force against the Palestinian people is the dictum, "Israel has the right to defend itself." Whenever Israel proceeds to carpet bomb Gaza, Western politicians often assert that the former enjoys the right to defend itself. The right to self-defence from external threats can be traced to Article 51 of the United Charter, which entrenches the concept with the following proviso: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations until the Security Council has taken measures necessary to maintain international peace and security."¹²¹ When applied to the case of Israel, the reasoning often espoused by its backers is that since the former is often subject to violent attacks on the part of militant groups like Hamas, it enjoys the right to defend itself by mounting an appropriate response.

Despite the widespread appeal of this argument in academic and mainstream circles, it is fallacious. For this argument to work, the conflict in question must involve two sovereign entities with their own defined land borders, whereby one interrupts the territorial integrity of the other. However, this type of inter-state friction is absent in the military hostilities between Israel and Gaza since the latter remains effectively occupied by the former and is deprived of the constituent elements that allow it to exercise statehood at a basic level. In its public statements, Israel often attempts to obscure this reality and presents Gaza as an independent state that bears full responsibility for its actions. As former United Nations Secretary-General Ban Ki-moon puts it, this tactic is nothing more than a crafty act of deception; such a malicious framing act distorts the fact that as long as it imposes a blockade on Gaza, Israel is always the wrongful belligerent party: "The Palestinian Territory has been occupied for so long...that there

121 Charter of the United Nations, 1 UNTS XVI (1945), art 51.

is a tendency in certain quarters to overlook this reality and to treat the Occupied Palestinian Territory as an ‘unoccupied’ entity. This leads to the perception of Israel and Palestine as two States poised against each other, with Israel as the victim and Palestine as a neighbouring aggressive, terrorist State... Insofar as there is a ‘victim’ party, it is Palestine as inevitably an occupied party has such a status vis-à-vis the occupier.”¹²² In a parallel fashion, Francesca Albanese, the United Nations Special Rapporteur on Palestinian Territories, rejected Israel’s claim of self-defence by noting the status of Gaza as an occupied territory: “Israel cannot claim the right of self-defence against a threat that emanates from a territory it occupies, from a territory that is under belligerent occupation.”¹²³

Simply put, Israel cannot invoke any legal provisions or statutes mentioning the principle of self-defence to justify its strikes in Gaza since, under international law, it is considered to be an illegal occupier of all the Palestinian Territories. This is an important point, given that the right to self-defence can only be invoked against a foreign belligerent state, not a geographical entity illegally incorporated by a power-hungry state aiming to boost its political and economic fortunes. Put in more simple terms, the notion that a state is allowed to wage a war against a territory that it occupies is an absurd proposition.

An interlocutor does not enjoy the prerogative to object to the declarations above because they merely represent the opinions of some officials from the United Nations. This is because Israel’s claimed right to defend itself vis-à-vis the occupied Palestinian Territories – which *ipso facto* includes Gaza – has been rejected by several international bodies that are acknowledged as neutral arbiters. For instance, one may consider Israel’s illegal construction of an ever-expanding separation wall in the West Bank, which has been erect for almost two decades. To justify this aberrant action, Israel invoked the right to self-defence found in Article 51 of the United Nations Charter. It argued that the wall was needed in order to protect itself from potential acts of terrorism. However, this mode of reasoning was swiftly rejected by the International Court of Justice (ICJ) in its advisory

122 Secretary-General Ban Ki-moon, “Situation of Human Rights in the Palestinian Territories Occupied Since 1967: Note by the Secretary-General” (A/63/326), United Nations General Assembly, 62nd Session, Item 72 (c) of the Provisional Agenda, 25 August 2008, 6-7.

123 Kyle Morris, “UN Official Causes Uproar Over Claim that Israel Doesn’t Have Right to Defend Itself Against Hamas Terrorists,” FOX News Network, LLC., 16 November 2023, <<https://www.foxnews.com/world/un-official-causes-uproar-claim-israel-doesnt-right-defend-itself-against-hamas-terrorists>> accessed 20 November 2023.

opinion, which said the right to defence had no bearing at all when applied to the context of an occupied territory:

“Article 51 of the Charter...recognizes the existence of an inherent right of self-defence in the case of armed attack by one State against another State. However, Israel does not claim that the attacks against it are imputable to a foreign State. The Court also notes that Israel exercises control in the Occupied Palestinian Territory and that, as Israel itself states, the threat which it regards as justifying the construction of the wall *originates within*, and not outside, that territory. The situation is thus different from that contemplated by Security Council resolutions 1368 (2001) and 1373 (2001), and therefore Israel could not in any event invoke those resolutions in support of its claim to be exercising a right of self-defence. Consequently, the Court concludes that Article 51 of the Charter has no relevance in this case.”¹²⁴

In light of this scholarly opinion, Israel’s oft-recited claim to self-defence does not withstand critical scrutiny. It cannot be envisioned in an asymmetrical relationship like that of the occupier and the occupied. The chief reason why Article 51 lacks any applicability to the Palestinian case is that the provision was intended to apply to the realm of inter-state relations, not where a power incorporates another territory in a neo-colonial fashion. The logical implications of this argument apply analogously to the case of Gaza, which is, for all intents and purposes, considered an occupied enclave which has its inter-border affairs severely curtailed by the Israeli security apparatus.¹²⁵ Likewise, Israel cannot claim that it is entitled to the right to bombard Gaza because Hamas attacked its territory and seeks refuge in the enclave. Such an argument is flawed because Hamas is “a militant group that, as a political party, currently leads the government in Gaza but is not itself the Palestinian government”. As a result, Hamas’s actions on October 7 are “distinct from an attack perpetrated by a state or territory”.¹²⁶

124 Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, para. 139 (International Court of Justice, 9 July 2004), 43 ILM 1009 (2004).

125 Using a functional mode of analysis, Safaa Sadi Jaber and Ilias Bantekas argue that notwithstanding the military withdrawal from Gaza, in legal terms the enclave still remains an occupied territory due to Israel’s sophisticated surveillance techniques and stiff border controls. See Safaa Sadi Jaber and Ilias Bantekas, “The Status of Gaza as Occupied Territory under International Law,” *International and Comparative Law Quarterly* 72, no. 4 (2023): 1:20.

126 Celeste Kmiotek, “Israel Claims it is No Longer Occupying the Gaza Strip.

Thus, the self-defence argument cannot be sustained legally or logically.

The mechanics of the right to self-defence argument can also be critiqued in the following manner. One may consider the following upshot: if Israel is granted the right to defend itself (for the sake of argument) and the killing of 6000 innocent children from Gaza is a natural corollary of that, then it logically justifies – for the sake of consistency – the right of Palestinians to defend themselves through any means, even via arms. Norman Finkelstein expressed this point perfectly when he said: “If Hamas has to be dismantled because of what it did on October 7th...then the Israeli government has to be dismantled 10 times over. It’s called keeping a single standard.”¹²⁷ Of course, this is not to say that the events of October 7 were morally permissible, but as a rhetorical argument, the logical door swings both ways. It is deeply arbitrary for one to positively label every Israeli military act as self-defence while denouncing the resistance of Palestinians as terrorism. Such a distinction defies one’s basic intuitions and any person who insists upon it either suffers from an episode of cognitive dissonance or is ideologically slanted. Suppose Israel is entitled to the right to defend itself by killing 6000 children. In that case, the religious-nationalist group Hamas can likewise argue through the same mode of reasoning that its attack was justified since it was a response to decades of illegal land seizures, construction of settlements, and blockade measures that had deprived the Palestinian people of their natural right to self-determination and to live a dignified life.

One does not have to be an expert in international law or jurisprudence to grasp the weakness of the “Israel has the right to defend itself” claim. At a more fundamental and philosophical level, there is a fatal flaw in the assertion that Israel can be a defender in any relational context with Palestine. This is because Israel is the *original cause* and determinant of the oppression that has engulfed the region and has benefited in both territorial and monetary terms at the direct expense of the oppressed Palestinians. Such an entity – which depends on this uneven and asymmetrical relationship to maintain its existence and prosper – can never be a victim since it is always unleashing violence against the entity that it has dehumanised and subjugated. This point was eloquently articulated by the great Brazilian philosopher Paulo Freire in their seminal work entitled *The Pedagogy of the Oppressed*:

What does International Law Say?” Atlantic Council, 31 October 2023, <<https://www.atlanticcouncil.org/blogs/menasource/gaza-israel-occupied-international-law/>> accessed 6 November 2023.

127 Comedy Cellar USA, “Live from The Table Podcast: Norman Finkelstein & Eli Lake Debate – Israel Hamas Debate,” Comedy Cellar, <<https://www.youtube.com/watch?v=Zzjjcdi3Oo0>> accessed 15 November 2023, 1:59:14.

“With the establishment of a relationship of oppression, violence has already begun. Never in history has violence been initiated by the oppressed. How could they be the initiators, if they themselves are the result of violence? How could they be the sponsors of something whose objective inauguration called forth their existence as oppressed? There would be no oppressed had there been no prior situation of violence to establish their subjugation. Violence is initiated by those who oppress, who exploit, who fail to recognize others as persons – not by those who are oppressed, exploited, and unrecognized. It is not the unloved who initiate disaffection, but those who cannot love because they love only themselves. It is not the helpless, subject to terror, who initiate terror, but the violent, who with their power create the concrete situation which begets the “rejects of life.” It is not the tyrannized who initiate despotism, but the tyrants. It is not the despised who initiate hatred, but those who despise. It is not those whose humanity is denied them who negate humankind, but those who denied that humanity (thus negating their own as well).”¹²⁸

Oppressors live at the expense of the people they subjugate and dehumanise daily. By being victims of an oppressive apartheid system swooning from above, the Palestinians have, in effect, been consistently subjected to violence, whether in physical or ideological forms. This vicious structure of oppression functions like a multi-layered chain or thick knot that cannot be unfettered except through the resistance mechanism from below. Only by overthrowing the tyrannical order can the Palestinians finally enjoy and claim the basic rights that all humans deserve.

128 Paulo Freire, *The Pedagogy of the Oppressed* (New York: Continuum, 2001), 55.

3.3 Beheading Babies and Raping Women? The Egregious Lies of the Zionist Propaganda Machine

The claim that Israel enjoys the right to deliver a forceful response to the events of October 7 can only be accepted if the mainstream rendition of events proves to be accurate. Israeli and Western media outlets have depicted the Hamas military operation as being a second Holocaust, with mounting accusations of rape and beheaded Jewish babies feeding into the digital frenzy. According to conventional media claims, Hamas fighters stormed the kibbutzes that were adjacent to the Gaza Strip and killed at least 1200 people (initially claimed to be 1400), the majority of whom were civilians. The mainstream narrative is that the Hamas operation culminated in a genocidal bloodbath, as the militant fighters killed every civilian they saw, destroyed houses, and set entire kibbutzes ablaze into an engulfing inferno. This was the meta-narrative that Israel constructed in order to attain the support of the international community and wage a full-blown genocidal campaign in the Gaza Strip.

Objective observers should be sceptical of the prevailing Israeli account for many solid and compelling reasons. Perhaps the most important piece of evidence in this regard is that Israeli media outlets and officials have been notorious for circulating unfounded or unverified pieces of data to public channels in order to gain sympathy and win the narrative war. For instance, while the charge of rape was frequently cited in the immediate days that followed Hamas' surprise attack, the claim slowly lost currency due to the lack of any evidence pointing to such a conclusion. On 9 October, conservative author Jonah Goldberg wrote a provocative and spirited piece against Hamas in the *Los Angeles Times*, with a key segment stating: "But again, however brutal you might think Israel's Gaza policy might be, the murderers still chose to murder, the rapists chose to rape. If you deny them that agency, you're the one calling them unthinking animals..."¹²⁹

129 Jonah Goldberg, "Column: Who's to Blame for the Hamas Attack on Israel?"

However, her arguments were somewhat dented, as the paper edited her column piece and added the following note: “For the record: An earlier version of this column mentioned rape in the attacks, but such reports have not been substantiated.”¹³⁰ Through his meticulous research, investigative reporter Arno Rosenfeld was able to trace the story of Israeli festival goers being raped to an unnamed survivor who did not confirm even witnessing the perpetration of such alleged crimes: “The person did not say they had witnessed these incidents, and at one point was recounting videos they had seen on social media.”¹³¹

In a parallel fashion, Israeli media outlets like i24NEWS hastily published a story on October 10 which claimed that Hamas fighters had decapitated 40 Israeli babies in the kibbutz of Kfar Aza. The reporter who made this claim, Nicole Zedeck, asserted that this information was conveyed to her by Israeli soldiers present at the scene. Zedeck’s claim was highly suspect since none of the many other journalists in the same kibbutz that day claimed to have heard such a thing. Nonetheless, Zedeck’s report spread like wildfire and caused many Western observers and political leaders to voice their support for Israel. However, as Tenbarge and Chan note, due to the absence of evidence, “the reports are still unconfirmed, and in some cases have been retracted.”¹³² A spokesperson from the Israeli army itself would eventually go on to say: “We have seen the news, but we do not have any details or confirmation about that.”¹³³ The well-regarded and veteran journalist Rami Khouri deemed the reporting of such a suspect story during a highly sensitive period to be an insult against journalism and the high

That Debate is Already Going Off the Rails,” Los Angeles Times, 9 October 2023, <<https://www.latimes.com/opinion/story/2023-10-09/israel-hamas-attacks-failure-security-surveillance-blame>> accessed 20 November 2023.

130 Ibid.

131 Arno Rosenfeld, “How Biden Condemned Hamas for Rape Before the IDF Officially Confirmed it Happened,” The Jewish Daily Forward, 11 October 2023, <<https://forward.com/news/564318/sexual-assault-rape-proof-hamas-idf-israel-gaza/>> accessed 20 November 2023.

132 Kat Tenbarge and Melissa Chan, “Unverified Reports of ‘40 Babies Beheaded’ in Israel-Hamas War Inflamm Social Media,” Yahoo News, 12 October 2023, <https://finance.yahoo.com/news/unverified-reports-40-babies-beheaded-201425362.html?fr=yhssrp_catchall> accessed 22 November 2023.

133 Turgut Alp Boyraz, “Israeli Army Says it Does Not Have ‘Confirmation’ About Allegations that ‘Hamas Beheaded Babies,’” Anadolu Ajansı, 11 October 2023, <<https://www.aa.com.tr/en/middle-east/israeli-army-says-it-does-not-have-confirmation-about-allegations-that-hamas-beheaded-babies-/3014787>> accessed 15 November 2023.

standards expected from members of the field.¹³⁴ By the time these stories were discredited, the damage was already done, as Israel was able to garner public support and enlist the support of most Western countries in its “ Hamas equals Islamic State ” narrative. If the events of 2023 have proven anything, it is that the truth was the first victim of Israel’s vicious war.

With the current crisis reaching the two-month mark, no direct photographic or video evidence has been provided to substantiate such strong claims. Instead, these claims have only gained currency in public forums thanks to hearsay and rumours that are yet to be verified by an independent and neutral body.¹³⁵ It is interesting to note that during the same time-frame, Palestinian journalists have been able to share hundreds of videos and photographs that display limbless or decapitated Gazan children who were killed due to the indiscriminate airstrikes and artillery shelling by the Israeli army. Why the Israeli authorities cannot do the same raises serious questions and casts doubt on their assertions. Marc Owen Jones, a scholar and professor of media studies at Qatar’s Hamad bin Khalifa University, succinctly outlined the obvious and glaring problems found in this account: “ Regardless of how you frame this, there is clearly misleading information around two things: a) ages killed (Zedek said ‘babies/children’) b) how they were killed (some/all beheaded). The lack of clarity and consistency, singular sourcing is enough to indicate caution with the story.”¹³⁶

Another vital piece of evidence challenging the Israeli account comes from captives who were freed or rescued from the adjacent kibbutzes; virtually all of them have confirmed that Hamas fighters did not harm them when they were confined. Such an explanation appears unsurprising since harming or killing the hostages would be a counterproductive measure, as it would run contrary to the objective of being able to secure a prisoner swap. As a militant group, Hamas planned this attack with a strategic objective in mind, namely to ensure that high-ranking military personnel were taken as a bargaining chip for future negotiations. Arranging a major mission to cross the Gaza Strip’s perimeter simply to kill as many civilians confers no

134 Rami G Khouri, “Watching the Watchdogs: Babies and Truth Die Together in Israel-Palestine,” 13 October 2023, <<https://www.aljazeera.com/opinions/2023/10/13/watching-the-watchdogs-babies-and-truth-die-together-in-israel-palestine>> accessed 22 November 2023.

135 Rosenfeld, “How Biden Condemned Hamas for Rape Before the IDF Officially Confirmed it Happened.”

136 Mehmet Solmaz and Enes Calli, “Despite Refutations from Israeli Military, Headlines that Hamas ‘Beheaded Babies’ Persist,” Anadolu Ajansı, 16 October 2023, <<https://www.aa.com.tr/en/middle-east/despite-refutations-from-israeli-military-headlines-that-hamas-beheaded-babies-persist/3016167>> accessed 29 November 2023.

objective tactical or military gains. This ultimately leads to the question of why the number of casualties was so unusually high. There are testimonial and circumstantial factors which both lend credence to the view that it was the Israeli forces themselves who killed many of their fellow citizens on October 7. A telling account in this regard comes from Yasmin Porat, a resident of Kibbutz Be'eri who was held captive on that fateful day. In her account, she related in an Israeli radio programme that Hamas militants took her as a hostage from a house she sought refuge in and moved her to a nearby domicile with other captured individuals. Regarding her ordeal, she states: "They treated us very humanely...by that, I mean they guarded us, they gave us to drink here and there. When they saw that we were nervous, they calmed us down. It was very frightening, but no one treated us violently."¹³⁷ In her account, she also noted that the captors did not wish to kill them and instead sought to secure their transfer to Gaza. When asked to explain how many of her fellow counterparts were killed, she noted that the Israeli police forces who arrived in the residence began a fierce firing battle, even going as far as using tank shells to destroy the residence in its entirety. In the midst of the intense crossfire, she added that it was the Israeli forces who "eliminated everyone, including the hostages."¹³⁸ When the radio host asked Porat whether she was sure that it was her own nation's police forces that killed the hostages, she said, "Undoubtedly, that's what I believe."¹³⁹

The other key factor which assigns preponderance to the view that the killings were a result of Israeli forces shelling the premises is the substantial damage done to the houses and structures situated in the kibbutzes. This is a most curious fact since concrete and mortar structures cannot be destroyed by the rifles and grenades that Hamas fighters possess. Writing for the *Guardian*, the Jerusalem-based journalist Quique Kierszenbaum scanned the grounds in the aftermath of the devastation and made the following observation: "Building after building has been destroyed, whether in the Hamas assault or in the fighting that followed, nearby trees splintered and walls reduced to concrete rubble from where *Israeli tanks* blasted the Hamas militants where they were hiding. Floors collapsed on floors. Roof beams were tangled and exposed like rib cages."¹⁴⁰ Indeed, in a further

137 The Electronic Intifada, "Israeli Forces Shot their Own Civilians, Kibbutz Survivor Says," The Electronic Intifada, 24 October 2023, video, accessed 1 November 2023.

138 Ibid.

139 Ibid.

140 Quique Kierszenbaum, "'It Was a Pogrom': Be'eri Survivors on the Horrific Attack by Hamas Terrorists," The Guardian, 11 October 2023, <<https://www>

setback against the Israeli narrative, Tuval Escapa, the security head of one of the kibbutz complexes, confirmed that Israeli commanders made “difficult decisions’ including ‘shelling houses on their occupants’ in order to eliminate the terrorists along with the hostages”.¹⁴¹ Furthermore, there is concrete evidence from Israeli military personnel which demonstrates that units deployed to the kibbutzes on October 7 fired in an indiscriminate fashion, which led to the death of Hamas militants and civilians alike. For instance, one may consider the recent testimony of Israeli lieutenant Michal, who was part of a tank unit deployed on October 7 to eliminate the fighters that had infiltrated the Gaza envelope. In his account, Michal states: “We arrived at the entrance of the (Hulit) compound and the gate was closed... We entered the compound, broke the gate with the tank, and followed the directions pointed out by the soldier. Then the soldier told me, ‘Fire over there. The terrorists are there.’ I asked him, ‘Are there any civilians (Israelis) there?’ His response was, ‘I don’t know, just fire.’”¹⁴² On a similar note, Israeli lieutenant colonel Nof Erez assessed the harrowing events of October 7 by stating: “What we’ve seen here is mass Hannibal. There were many gaps in the fences. There were thousands of people in many different vehicles, both with and without hostages... it was an impossible task to identify and do what was allowed.”¹⁴³

Such a fact may, at first sight, seem perplexing and even counterintuitive. Why would Israel ever undertake the decision to shell its citizens? The answer to this lies in a highly controversial Israeli policy known as the Hannibal Directive, which is used to remain immune from the pressure of foreign opponents. Essentially, the Hannibal Directive “compels the Israeli army to kill Israelis rather than let them be taken hostage. It usually applies

theguardian.com/world/2023/oct/11/it-was-a-pogrom-beeri-survivors-horrific-attack-hamas-terrorists> accessed 1 November 2023.

141 Middle East Monitor, “Report: 7 October Testimonies Strike Major Blow to Israeli Narrative,” Ardi Associates Ltd, 30 October 2023, <<https://www.middleeastmonitor.com/20231030-report-7-october-testimonies-strikes-major-blow-to-israeli-narrative/>> accessed 1 November 2023.

142 Anadolu Staff, “Israeli Soldier’s Testimony Raises Questions About Whether Army Fired on Civilians on Oct. 7,” Anadolu Ajansı, 28 November 2023, <<https://www.aa.com.tr/en/middle-east/israeli-soldiers-testimony-raises-questions-about-whether-army-fired-on-civilians-on-oct-7/3066484>> accessed 29 November 2023.

143 Anadolu Staff, “Israel Allegedly Enforces ‘Hannibal Protocol’ on Oct. 7, Killing Festival-Goers to Prevent their Captivity,” Anadolu Ajansı, 21 November 2023, <<https://www.aa.com.tr/en/middle-east/israel-allegedly-enforces-hannibal-protocol-on-oct-7-killing-festival-goers-to-prevent-their-captivity/3060949>> accessed 29 November 2023.

to military personnel, but has been used against Israeli civilians too.”¹⁴⁴ In short, the Directive functions as a cold but strategic wartime calculus, with the critical underlying theme being that a dead Israeli is better than a captured Israeli. According to several observers, it is likely that the Israelis calculated that destroying many of the residential areas of the kibbutzes was a necessary sacrifice to prevent any additional hostages from being taken, which would increase the leverage of Hamas in any prospective negotiations. In order to avoid such a suboptimal outcome, the Israeli army came to the determination that having all parties killed would be better than having them all left alive, which would have likely led to the hostages being led to Gaza. TRT journalist Paul Salvatori leans to the conclusion that Israeli troops themselves killed the hostages and even calls for an investigation to hold the perpetrators to justice. He adds, “If enough concrete evidence surfaces to show that Israel employed the directive... Israel will be further exposed as a fraudulent ‘democracy’, woefully failing to recognise human life if doing so advances its impersonal interests.”¹⁴⁵

The standard Israeli narrative concerning the events of October 7 is also belied by the statements of Hamas officials themselves, who argue that the Western media is guilty of being hypocritical, circulating lies, and displaying selective outrage. While the West has put the case of the 250 Israeli hostages in the spotlight, the Palestinian authorities ask when and where did any member-states of the international community display their concern with the 5000 Palestinians – which include hundreds of women and children – who have been arbitrarily detained, confined indefinitely, and denied of their *habeas corpus* rights. This far greater sum of individuals, they point out, are also without any doubt hostages.¹⁴⁶ In a few public forums and conference sessions, Hamas and Palestinian Islamic Jihad officials asked the world to listen to their side of the story and to at least empathise with their cause. They stressed many essential facts which belie the mainstream Western narrative. First, they noted that this operation was not a spur-of-the-moment attack but had been meticulously planned for over a year. A

144 Jonathan Cook, “Did Israel Choose to Kill Hamas and the Hostages Indiscriminately?” Jonathan Cook Blog, 23 October 2023, <<https://www.jonathan-cook.net/blog/2023-10-23/israel-kill-hamas-hostages/>> accessed 1 November 2023.

145 Paul Salvatori, “‘Hannibal Directive’: Did Israel Kill its Own?” TRT World, 27 October 2023, <<https://www.trtworld.com/middle-east/hannibal-directive-did-israel-kill-its-own-15574953>> accessed 1 November 2023.

146 Hamas, “Responding to the False Zionist Slanders About the al-Aqsa Flood Battle,” Muqawamalogy, 12 October 2023, <<https://muqawamalogy.com/2023/10/12/new-video-message-from-hamas-responding-to-the-false-zionist-slanders-about-the-al-aqsa-flood-battle/>> accessed 10 November 2023.

critical spiritual impetus for the fighters was the constant desecration of the al-Aqsa Mosque over the last few years, which is why they named their operation after the sacred space.¹⁴⁷ Secondly, they highlighted the fact that the situation in the occupied territories was rapidly deteriorating in the last few years due to the increased aggression of the Israeli army. Hamas and Palestinian Islamic Jihad officials here hint that they gathered credible intelligence, which indicated that Netanyahu was undermining the state of the Palestinian lands in order to facilitate a unilateral assault on Gaza. Thus, to pre-empt the Israeli menace's plans, Hamas decided that it would be better for them to launch the first strike and benefit from the element of surprise.¹⁴⁸ Thirdly, Hamas officials confirmed that they had received specific and unequivocal instructions from the senior ranking members of the group not to target any civilians.¹⁴⁹ The sole aim of the operation was to capture Israeli military personnel stationed at the kibbutzes adjacent to Gaza in order to secure a prisoner swap in the future. Fourthly, a Hamas spokesperson noted that their forces were unaware of the Supernova music festival occurring in Re'im, and as their militants landed within or nearby the concert's perimeter, mayhem ensued as many of the partygoers were killed in the crossfire with Israeli troops stationed nearby. They also reiterate that it was solely their intention to take soldiers as hostages. However, due to their surprise landing in the middle of a concert and the unexpectedly rapid success of the operation, some civilians were inadvertently taken as well. Lastly, the official spokesperson of Hamas denied the charges of committing any atrocities against Israeli civilians, particularly that of raping women or beheading children.¹⁵⁰

After assessing the two narratives through a balance of probabilities outlook, the account offered by Hamas appears far more compelling. First and foremost, in a military state like Israel, soldiers are relatively more valuable than civilians for the purposes of arranging prisoner swaps, as they offer a higher ratio of return. For this reason, it would not make sense for Hamas to intentionally seize so many civilians to have their own civilians returned through an exchange process, as the strategic gains would be less.

147 Middle East Monitor, "Haniyeh Outlines Context and Objectives of Hamas Operation Al-Aqsa Flood," Ardi Associates Ltd, 9 October 2023, <<https://www.middleeastmonitor.com/20231009-haniyeh-outlines-context-and-objectives-of-hamas-operation-al-aqsa-flood/>> accessed 10 November 2023.

148 Ali Bou Jbara, "Palestinian Islamic Jihad: 'Al-Aqsa Flood was a Preemptive Strike Against the Enemy,'" The Cradle, 30 October 2023, <<https://new.thecradle.co/articles-id/11530>> accessed 10 November 2023.

149 Hamas, "Responding to the False Zionist Slanders About the al-Aqsa Flood Battle."

150 Ibid.

Secondly, Israeli officials and military personnel have failed to explain how so many houses in the kibbutz complexes have been heavily damaged or reduced to ashes despite Hamas lacking the weaponry to inflict such damage. The Israeli army must have used such heavy weapons in its panicked counter-response. The Israelis have already implicitly admitted to this fact when they officially downgraded the casualty count from 1400 to 1200. They noted that the overestimate stemmed from the later apprehension that 200 of the bodies they had taken into consideration in the original count belonged to Hamas soldiers. From this, one may infer that many of the horrific scenes of charred and burnt bodies resulted from the Israeli army's own artillery and air strikes, which intuitively must have killed many Israelis as well.¹⁵¹ Thirdly, the Israeli state has remained tight-lipped about the potential activation of the Hannibal Directive on 7 October. An official statement denying its usage could be issued in minutes. Nevertheless, government officials and military leaders refuse to add any comment, perhaps due to the recognition that their narrative is progressively becoming more challenging to believe.

151 Chris Hedges, "Did Israel's Military Kill its Own Civilians on Oct. 7?" *The Real News*, 17 November 2023, <<https://therealnews.com/did-israels-military-kill-its-own-civilians-on-oct-7>> accessed 20 November 2023.

3.4 An Objective Critique of the Human Shields Charge

The fourth key argument that pro-Israel proponents often invoke is the charge that Hamas uses members of the Palestinian civilian population as human shields. As such, they reason, civilian casualties are an unfortunate consequence of Israeli shelling or strikes – often signified through the term collateral damage – and attacks against militant areas. The Israeli army cannot then be responsible for the death of innocent children or women. This claim was expressed forcefully by Rabbi Shmuley Boteach in a heated debate with Mohammed Hijab, with the former stating to his interlocutor: “The children in Gaza are dying because Hamas uses them as bulletproof vests!”¹⁵² However, does this charge withstand critical scrutiny?

In reality, the evidence cited for this claim lacks any epistemic warrant. In the aftermath of the 2014 onslaught known as Operation Protective Edge, Amnesty International objectively assessed this charge that was rendered *ad nauseam* against Hamas. In its final report, it said: “Several of... [Hamas'] actions which have been discussed above, such as storing munitions in civilian buildings or launching attacks from the vicinity of civilian buildings, violate the obligation to take all feasible precautions to protect civilians from the effects of attacks. But they do not necessarily amount to the specific violation of using ‘human shields’ under international humanitarian law.”¹⁵³

152 TalkTV, “Piers Morgan Hosts Furious Debate on Israel’s War with Hamas between Mohamed Hijab and Rabbi Shumley,” News UK Broadcasting Ltd., 17 November 2023, <<https://talk.tv/news/36564/piers-morgan-israel-hamas-mohamed-hijab-rabbi-shumley>> accessed 20 November 2023.

153 Amnesty International, *State of Palestine: Unlawful and Deadly: Rocket and Mortar Attacks by Palestinian Armed Groups During the 2014 Gaza/Israel Conflict* (London: Amnesty International Ltd., 2015), 48. Even the claim that Hamas is embedded in civilian areas and is guilty of intentionally and maliciously organising its rocket strikes near residential districts must be received with skepticism, especially considering the limited geographical plane like Gaza. In a restricted enclave like Gaza, which is only 365 square

Even more firmly, the report absolves Hamas of the particular charge of using human shields by stating: “The Israeli authorities have claimed that in a few incidents, the Hamas authorities or Palestinian fighters directed or physically coerced individual civilians in specific locations to shield combatants or military objectives. Amnesty International has not been able to corroborate the facts in any of these cases.”¹⁵⁴

The irony is that there is concrete evidence which demonstrates that the Israeli army itself is guilty of using Palestinians as shields in several episodes. Despite the Supreme Court of Israel prohibiting the practice, “[Israeli] soldiers continue to occasionally use Palestinians as human shields even after the court ruling, especially during military operations... For example, over the course of Operation Cast Lead, which took place in Gaza from December 2008 to January 2009, B’Tselem and other organizations were informed of incidents in which soldiers used Palestinians as human shields.”¹⁵⁵ In a parallel fashion, the well-respected non-governmental organisation Defence for Children International has also “documented 17 cases of Palestinian children being used as human shields by Israeli forces.”¹⁵⁶ Considering the facts mentioned above, it becomes evident that the charge that Hamas uses human shields is unfounded.

Even if one were to adopt the Israeli frame of reasoning, their justification for killing civilians through the pretext of human shields faces several other hurdles. For one thing, it strongly suggests that the Israeli government actually takes no moral offence to targeting civilians and merely views them as collateral damage; essentially, they have not even entertained the possibility of eliminating the enemy without killing civilians in the process. The human shield argument is flawed since it fallaciously assumes the existence of a symmetry of power between the involved belligerent sides. In objective terms, the Israeli side enjoys military and strategic superiority, but it uses this absolute power edge to bombard civilian areas and neighbourhoods in Gaza indiscriminately. Such an act is not only egregious and immoral,

kilometres and blockaded from all sides, it is inevitable that any armed resistance will be close to some inhabitants or residential quarters. Israel’s constant invocation of the unavoidable close proximity between Hamas forces and residential areas is a convenient excuse for the Zionist occupation to nullify the formation of any militant resistance.

154 Ibid.

155 B’Tselem, “Human Shields,” The Israeli Information Center for Human Rights in the Occupied Territories, 11 November 2017, <https://www.btselem.org/human_shields> accessed 29 October 2023.

156 Defense for Children International Palestine, *Recruitment and Use of Palestinian Children in Armed Conflict* (Jerusalem: United Nations Office for the Coordination of Humanitarian Affairs, 2012), 6.

but it also amounts to collective punishment, which is illegal under international law.¹⁵⁷ As a counter, Israel often claims that it must employ such heavy-handed tactics to subdue Hamas and rescue the remaining hostages currently detained in their underground networks. However, this claim does not withstand critical scrutiny. For one thing, Israel possesses the resources and special units – such as the Sayeret Matkal – to surreptitiously launch a special operation to save the hostages from the tunnels that they are currently confined in. However, such special forces have not been marshalled or used on the battlefield. Secondly, at the present moment, much to the anger of its citizens, the Israeli government is undertaking aerial and ground shelling operations that have indiscriminately killed the people situated in Gaza, including many of the hostages taken on October 7. The blanket carpet bombing of Gaza suggests that the Israelis might be unconcerned with the safety or release of the hostages; indeed, several preliminary and unconfirmed reports suggest that a substantial number of the hostages have been killed as a result of the Israeli bombardment, which has rained at least 20,000 bombs on the Gazan enclave in the short span of six short weeks. At first, this might appear to be a counterintuitive thesis, but it appears to be the current stance of the Netanyahu government. According to a number of sources, Netanyahu – who is facing a severe crisis of confidence on the political front – has no objective in launching a full-blown war against Hamas except to prolong his grip on power and keep his political opponents at bay. For the family members and citizens who want these hostages returned, the Israeli military response has been counterproductive from a strategic standpoint and has only further raised the stakes of the war.

The fact that Israel has not mobilised any special units to rescue the hostages surgically and instead has opted to exert ham-handed force suggests that it is less interested in freeing the hostages and instead is more concerned with implementing a “shock and awe” operation. This strategy is very likely one that Netanyahu has authorised for his political ends, but geopolitical considerations may also be in mind. Some recent leaked memorandums and statements from Dutch attachés based in Tel Aviv suggest that Israel is striking innocent civilians not because they are near militant areas but simply to exact revenge, exact political gains, and demonstrate their brute force to their regional rivals.¹⁵⁸ More specifically, the reputable

157 United Nations, “Civilians in Gaza Must Not Be Collectively Punished for Atrocities Committed by Hamas, Speakers Tell Security Council, Urging Ceasefire,” United Nations Press, 30 October 2023, <<https://press.un.org/en/2023/sc15473.doc.htm>> accessed 29 November 2023.

158 Chris Doyle, “Western Silence Over Israelis’ Genocidal Comments Speaks

leak states that Israel's military objective entails "showcas[ing] credible military force to show Iran and its proxies [such as Hezbollah] that they will stop at nothing".¹⁵⁹ This explains why Israeli Defence Minister Yoav Gallant threatened Hezbollah that any escalation of their border-area strikes would cause Lebanon to meet the same fate as Gaza. In an official statement, Gallant chillingly remarked, "What we can do in Gaza, we can also do in Beirut."¹⁶⁰ Once again, such a *modus operandi* demonstrates that the high civilian casualty count has nothing to do with Hamas using Gazans as human shields, but instead reflects Israel's unilateral decision to target civilian areas, which is a flagrant violation of international law.

The Israeli war machinery has adopted the flawed and immoral strategy of indiscriminately bombing civilian areas simply out of the pretext of killing alleged Hamas targets. Zionist leaders and supporters from Israel and the West have applauded this strategy, and they believe that destroying the entire Gaza Strip and its citizens would be an acceptable price to pay as long as it leads to the decimation of Hamas and the elimination of any Palestinian political movements. Several high-ranking Israeli officials and military leaders have admitted that the underlying strategy of their 2023 Operation Iron Swords is to inflict maximum damage on the Gaza Strip, which *ipso facto* includes high civilian casualties. For instance, in a speech issued just three weeks ago, Israeli President Isaac Herzog dangerously invoked the principle of collective punishment as a guiding military instrument against the people of Gaza: "It is an entire nation out there that is responsible. It is not true; this rhetoric about civilians not being aware, not involved. It's absolutely not true."¹⁶¹ Such a proclamation represents a clear departure from the most basic of legal and moral standards since it constitutes collective punishment of a group of people, which is a war crime. These are not the words of political leaders who are expressing concern and

Volumes," Arab News, 30 October 2023, <<https://www.arabnews.com/node/2400096>> accessed 15 November 2023.

159 Claudia Chiappa, "Israel Wants to Obliterate Gaza to Deter Iran, Hezbollah, says Dutch Memo," POLITICO, 14 November 2023, <<https://www.politico.eu/article/israel-hamas-war-dutch-memo-gaza-disproportionate-force-iran-hezbollah/>> accessed 15 November 2023.

160 Jerusalem Post Staff, "Gallant Threatens Hezbollah: 'What We Can Do in Gaza, We Can Do in Beirut,'" Jerusalem Post, 11 November 2023, <<https://www.jpost.com/israel-news/defense-news/article-772795>> accessed 15 November 2023.

161 Paul Blumenthal, "Israeli President Suggests That Civilians In Gaza Are Legitimate Targets," Yahoo News, 16 October 2023, <<https://news.yahoo.com/israeli-president-says-no-innocent-154330724.html>> accessed 28 October 2023.

alarm that a militant group is using its civilians as human shields. Instead, these are the utterances of individuals who wish to harm civilians even if they are geographically distant from Hamas.

The wholesale and inhumane maximum destruction technique adopted by Israel is also telling from another perspective insofar as it disqualifies the human shields argument. Israel's own proclaimed military strategy of indiscriminate carpet bombing the entire Gaza Strip bars any utility that may be found in using a human shield strategy, which ironically nullifies its accusation. Put in another way, Hamas cannot logically use any Palestinian civilians as shields since Israel views all areas and districts to be legitimate targets. That is because in every conflict it engages in, and especially in the case of the 2023 invasion of Gaza, Israel's range of fire is entirely unrestricted: it targets hospitals, mosques, press offices, bakeries, and even ambulances. Against this violent and genocidal backdrop, even if it wanted to, it would be futile for Hamas militants to adopt any form of "human shield" strategy to protect their forces.

Even if one were to assume for argument's sake that the human shields argument has some bearing on the 2023 crisis and Hamas is gathering its forces and tunnels near civilian areas, it could be refuted through a thought experiment. Suppose a violent shooter on the run enters a store, barricades themselves in the building, and takes the shopkeeper as hostage. In response to this crisis, the police contingents and special forces proceed to bomb the entire building and kill everyone in the structure through the pretext that the shopkeeper was a human shield. Such a course of action would be deemed both disproportionate and a violation of the most basic code of ethics. However, the logic of the Israeli military would dictate that destroying the whole structure is the right thing to do since it would eliminate the threat; the death of all innocent civilians would be dismissed as collateral damage. An even more concrete and relevant thought experiment can be raised about Israel itself.

In *The Whole Show*, the famous British radio presenter James O'Brien effectively raised a fascinating objection against the shields argument during a decisive segment of his programme with a caller named Stuart. Stuart attempted to argue that Israel could not be accused of murdering Palestinian children via its air strikes since their deaths can only be considered an unfortunate by-product of targeting Hamas militants; through this viewpoint, such deaths cannot be deemed intentional. In response, O'Brien neatly turned the tables on Stuart and asked what course of action Israel would be required to take if Hamas was hiding in an *Israeli residential area*: would they be allowed to bomb a school or hospital on these grounds? Stuart argued that the same tactic of indiscriminate bombing could not be

used in this hypothetical scenario, but he could not provide any satisfactory rationale to justify this distinction. This ultimately led O'Brien to ask: "Why is it called collateral damage if it happens in Gaza but not in Israel?"¹⁶² Eventually, Stuart reluctantly admitted that the reason why indiscriminately bombing a hospital or school in the Jewish state would be unacceptable is that Israeli lives are more valuable than those of the Palestinians. It is unfortunate to find that Western scholars, legal practitioners, and politicians are adopting the same ethnocentric view espoused by Stuart, which deems the deaths of Palestinians to be nothing more than a minor inconvenience.

162 London Broadcasting Company, "A Constant Fear of Persecution and Death: James O'Brien – The Whole Show," LBC, 30 October 2023, video, <<https://www.youtube.com/watch?v=czl-L4LqUvs>> accessed 31 October 2023, 6:01.

3.5 Challenging the “You Elected Hamas, You Die” Argument

To justify their bloody and indiscriminate attacks against the civilian population of Gaza, some Israelis have raised the bold argument that the entire citizenry bears some level of responsibility for the conflict since they opted to elect Hamas through a free and fair election held in 2006. Ever since that point, Hamas has presided as the official government of Gaza. For this reason, some pro-Israeli analysts contend that there are, in fact, no innocent civilians in Gaza since they all carry a share of the blame for electing an extremist group. Israeli President Isaac Herzog alluded to this line of reasoning when he assigned blame upon the entire Gazan population by stating: “It is not true this rhetoric about civilians not being aware, not involved. It’s absolutely not true. They could have risen up. They could have fought against that evil regime which took over Gaza in a coup d’état.”¹⁶³

Because Gazans elected Hamas and maintained the status quo for more than a decade, they are all culpable for the actions that the latter carried out on October 7. This mode of reasoning is undoubtedly fallacious and can be refuted by presenting several basic statistical realities that shed light on the present demographic setting in Gaza. First and foremost, Hamas was elected almost 17 years ago; ever since their ascent to power, no new round of elections has been held. Secondly, almost half (47.3 per cent) of Gaza’s population is under the age of 18, and approximately 70 per cent of it is under the age of 30. Presently, the median age in Gaza is 18. Considering these figures and historical realities, this means that when the 2006 Palestinian legislative election was held, approximately 70 per cent of the Gazan population consisted of youth who were 13 years of age or even younger. According to the United Nations Children’s Fund (UNICEF), in 2006, out

163 Rageh Omaar, “Israeli President Isaac Herzog says Gazans Could Have Risen up to Fight ‘Evil’ Hamas,” 13 October 2023, <<https://www.itv.com/news/2023-10-13/israeli-president-says-gazans-could-have-risen-up-to-fight-hamas>> accessed 10 November 2023.

of the aggregate population of 1.4 million in Gaza, approximately 840,000 were children.¹⁶⁴ Due to their status as minors, this large proportion of the population could not possibly participate in the 2006 legislative process since, on average, they would have only been a few years old. To then suggest that these individuals are somehow accountable for the political ascension of Hamas is an absurd proposition.

Secondly, the suggestion that the entire civilian Palestinian population should bear direct responsibility for electing their government whitewashes the egregious act of *collective punishment*, which constitutes a war crime in international humanitarian law. A definitive and clear-cut section (Article 33) of the Fourth Geneva Convention proscribes the employment of collective punishment as a wartime tactic to punish the general population of a nation: “No protected person may be punished for an offence he or she has not personally committed. Collective penalties and all measures of intimidation or terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited.”¹⁶⁵ Israel’s actions in the Gaza Strip indicate a callous disregard for the actions that are prohibited in this Article. It is thus no surprise to find that the officials of many recognised international agencies and non-governmental organisations are currently accusing Israel of committing collective punishment.

Philippe Lazzarini, who presides as the head of the United Nations Agency for Palestine Refugees (UNRWA), charged Israel with the crime in its current military operation. In addition to making an urgent appeal for a humanitarian ceasefire, Lazzarini outlined the various inhumane modes of punishment that the Israeli war machine had put in place against the general population of Gaza: “More than 700,000 displaced people live in similar degrading conditions in 150 UNRWA schools and buildings across the Gaza Strip. Our shelters are overcrowded, with little food, water, or privacy. The appalling sanitary conditions represent a looming public health hazard... Outside the shelters, entire neighborhoods have been leveled, extinguishing countless lives, hopes and dreams. Hospitals, churches, mosques, bakeries and UNRWA schools have not been spared... Thousands of children killed cannot be ‘collateral damage’. Pushing a million people from their homes and concentrating them in areas without adequate infrastructure is forced displacement. Severely limiting food, water and medicine is collective

164 United Nations Children’s Fund, “UNICEF – Occupied Palestinian Territory (oPt),” 1 December 2006, <<https://www.un.org/unispal/document/auto-intsert-203552/>> accessed 10 November 2023.

165 Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War, 1949, 590.

punishment.”¹⁶⁶ Israel has not only destroyed the lives of an entire young generation of people living in the Gaza Strip but also added insult to injury by suggesting that they are somehow responsible for electing a government that assumed power when they were still in their infancy.

Thirdly, the argument that the entire citizenry of Gaza bears responsibility for the ascension and actions of Hamas is detrimental at an intellectual and political level. What is most shocking and egregious about Israel’s carpet bombing of Gaza in 2023 is that it inadvertently serves the extremist narrative of terrorist groups like Al Qaeda and its splinter cells. For decades, Al Qaeda has justified its attacks against the civilian areas of Western countries because their voters elected their leaders, who in turn used their mandates as representatives of the people to bomb Muslim lands. Al Qaeda’s frame of reasoning is that every citizen of these Western countries is a legitimate target since they have legitimised their rulers through the ballot box and deferred to their executive decisions, which include waging wars against Muslim-majority countries. Of course, no one would accept this reasoning and justify the targeting of innocent civilians living in the West on these grounds. It is for this reason that Al Qaeda’s actions have been consistently condemned by both Muslims and non-Muslims alike. It is then disturbing to find that Israeli authorities and military leaders are borrowing the same myopic logic of Al Qaeda and applying it to the Palestinian citizenry to justify their indiscriminate targeting of civilian areas. By employing such dangerous reasoning, the Israeli army has ended up mirroring the *modus operandi* of terrorist groups, which opine that ordinary civilians enjoy no political rights. By doing so, they have departed from the most basic standards of morality and ironically *become what they claim to hate*.

166 Philippe Lazzarini, “Statement of the Commissioner-General of UNRWA, Mr. Philippe Lazzarini at International Conference on Gaza,” United Nations Relief and Works Agency for Palestine Refugees in the Near East, 9 November 2023, <<https://www.unrwa.org/newsroom/official-statements/statement-commissioner-general-unrwa-mr-philippe-lazzarini-International-Conference-Gaza-Paris>> accessed 10 November 2023.

SECTION FOUR

Nullifying Miscellaneous Pro-Israel Talking Points

The final section of this book assesses several false underpinnings and notions that inform the creation and persistence of Israel as a colonial entity. There are a number of ever-ready talking points that are invoked by Zionist figures to justify the ongoing occupation and to delegitimise the existing resistance forces. While it is true that many of these arguments are *not* directly related to the current 2023 hostilities, they are nevertheless worthy of analysis; indeed, they are comprised of dominant theoretical assumptions that inform the pro-Zionist movement and its viewpoint vis-à-vis the Palestinian people. The key arguments that will be critiqued and deconstructed in this section are the following:

1. Before Jewish settlers entered and inhabited the region, Palestine was a barren and empty land that had no indigenous population.
2. Ever since Israel's withdrawal from Gaza in 2005, the enclave has never been occupied. As such, Gaza was afforded the freedom to develop into an economically prosperous state, but it squandered this opportunity and became a bastion for terrorism. For this reason, all fault lies squarely on Hamas and the Palestinian citizenry who elected them.
3. Hamas is a terrorist group, and the Israeli government cannot and should not enter into peace negotiations with it, regardless of the circumstances.
4. If Hamas is destroyed or removed from power, all obstacles to peace will be removed, and the door to negotiations can be opened.

5. Israel has always been committed to solving the Palestinian crisis and has offered many generous peace proposals. Nevertheless, the Palestinian leadership has refused to accept such offers or sit at the negotiating table.
6. The famous American commentator Ben Shapiro successfully defended Israel's wartime conduct in the Oxford Union.
7. Most of the Israeli population – which believes in the values of democracy and human rights – is pleased with or indifferent to its government's occupation of the Palestinian people, which implies that the situation in Gaza, the West Bank, and East Jerusalem may not be as bleak as commonly portrayed.
8. Jews cannot and should not entertain the proposal of disbanding the state of Israel since that would cause them to be subject to Muslim rule, which is intolerable.

4.1 The Myth of the Barren Land Thesis

One of the most central foundational myths invoked by Israelis to justify the creation of their Jewish state is the claim that Palestine was simply an empty and barren land that necessitated being populated by a new demographic group. They then proceed to state that no group could be a worthier candidate for living in this unpopulated terrain than the Jewish people, who had been exiled and stateless for millennia from the Holy Land. To encapsulate these two points effectively in a terse maxim, Zionists fighting for a Jewish homeland in Palestine often employed the catchy phrase “a land without a people and a people without a land”. A key figure who persistently employed this phrase to justify the creation of Israel in the Palestinian territories was Israel Zangwill, a prominent member of the Zionist movement. According to this meta-narrative, the region consisted of virgin or undeveloped plots of land waiting to be settled. Jewish migrants from Europe were the first to undertake this endeavour. One of the biggest proponents of this false motif was Chaim Weizmann, a high-ranking member of the Zionist movement who would eventually become the first President of Israel. In one notable statement, Weizmann vividly described how members of the movement exploited this narrative to justify their forced expropriation of the Palestinian territories: “In its initial stage Zionism was conceived by its pioneers as a movement wholly depending on mechanical factors: there is a country which happens to be called Palestine, a country without a people, and, on the other hand, there exists the Jewish people, and it has no country. What else is necessary, then, other than to fit the gem into the ring, to unite this people with this country?”¹⁶⁷ Even after the establishment of Israel, the story would be used in schools and other educational institutions as a means to erase the indigenous population altogether. Dan Ben-Amotz effectively articulated the dominant discourse that flooded later Israeli public culture when he said: “The Arabs do not exist in our study books. This is apparently

167 Barnet Litvinoff (ed.), *The Letters and Papers of Chaim Weizmann, Vol. 1, Series B* (Jerusalem: Israel University Press, 1983), 115-116.

in accordance with the Jewish-Zionist-Socialist educational principles that we inherited: 'A people without a country returns to a country without a people.'¹⁶⁸ Such a founding story myth has proven to be instrumental in serving the Zionist agenda in two crucial ways. First, it confers a false sense of continuity in the Jewish claim to Palestine proper by negating the existence of any prior inhabitants in the region. Secondly, it effectively erases the existence of the Palestinian communities who thrived and prospered in the region for centuries. Through this well-crafted narrative, Zionists were able to convince their audiences that the notion of Palestine being a nation is nothing more than a modern lie since the land was allegedly left undeveloped and uncultivated. However, in reality, the foundations of the Israeli state can be traced to the violent dispossession and displacement of the indigenous Palestinian population. To further add insult to injury, these innocent Arab civilians were then deprived of their right to return, an injustice which endures until the present day.

In some crucial contexts, Zionist authorities have been ready to admit that this "land without a people" narrative was nothing more than a well-concocted fabrication. For instance, in a 1969 speech delivered before the Israel Institute of Technology (Technion) in Haifa, the former Israeli Minister of Defence Moshe Dayan said: "Jewish villages were built in the place of Arab villages. You do not even know the names of these Arab villages, and I do not blame you because geography books no longer exist. Not only do the books not exist, the Arab villages are not there either. Nahlal arose in the place of Mahlul; Kibbutz Gvat in the place of Jibta; Kibbutz Sarid in the place of Huneifis; and Kefar Yehushua in the place of Tal al-Shuman. There is not a single place built in this country that did not have a former Arab population."¹⁶⁹ Besides Dayan, one can also find a similar admission from the prominent British Lord and Foreign Secretary Arthur Balfour, a staunch Zionist. Balfour, who would be most famously known for promising the Jewish people a homeland in Palestine through a declaration named after him, actually affirmed that the bulk of the indigenous population in Palestine consisted of Arabs. Even Israel Zangwill, who was a champion of the cultural Zionist movement, realised that Palestine already had an indigenous Arab population after he personally visited the region in 1897. In 1905, in a speech delivered in Manchester, Zangwill addressed his audience by stating: "Palestine proper had already its inhabitants. The

168 Dan Ben-Amotz, *Seporei Abu-Nimr* [The Tales of Abu-Nimr] (Tel Aviv: Zmora-Bitan, 1982), 155.

169 Nur Masalha, *The Palestine Nakba: Decolonising History, Narrating the Subaltern, Reclaiming Memory* (London: Zed Books Ltd, 2012), 101.

pashalik [district] of Jerusalem is already twice as thickly populated as the United States, having fifty-two souls to the square mile, and not 25 per cent of them Jews.¹⁷⁰

In the face of such glaring facts, Zionists could not deny that Palestine had an overwhelmingly Arab population. To that end, they proceeded to concoct another sinister thesis to disqualify the indigenous population's claim to the land. In this new claim, members of the Zionist movement invented the myth that Palestine only assumed its name and ethnic character due to the Arab conquests in the 7th century CE, which were spurred by the nascent Islamic religion. However, this claim is false and belied by many historical references, which indicate that even prior to the famous Muslim-led conquests, the region had a predominantly Arab population. In reality, the Arabisation of Palestine was facilitated by Christian Arabs who lived, settled, and prospered in the area centuries prior to the advent of Islam. This latter fact has been documented and authenticated by several neutral observers. For instance, one may consider the account of the pre-modern chronicler Herodotus, a contemporary of Socrates. Referred to be Cicero as the Father of History, Herodotus penned a work – between 450-420 BC – entitled *Histories*, which documented the wonders and peculiarities he witnessed in various parts of the world. Within this work, Herodotus outlines his sojourn at a land he refers to as Palestine, with his description vividly matching the characteristics found in the geographical region bearing the same name today. An important detail which he shared in his account was the monopoly that the Arabs enjoyed over the incense trade; this economic hegemony was a factor that allowed them to exercise control over the sea ports of Palestine as well.¹⁷¹ On a similar note, contemporary scholars echo many of the assessments shared by Herodotus, particularly his assertion that Arabs were living in the Palestinian region before the common era. For instance, David Asheri, a leading professor of classical history at the Hebrew University of Jerusalem, argues that during Herodotus's time, the bulk of the Palestinian population consisted of Arabs, with only a minority of them consisting of Jews.¹⁷² Most interestingly, one cannot find any statement from Herodotus where he uses the terms Canaan or Israelites within the context of Palestine. In the face of such facts and statements from reputable figures, the suggestion that Palestine

170 Israel Zangwill, *Speeches, Articles and Letters* (London: Soncino Press, 1937), 210.

171 Nur Masalha, *Palestine: A Four Thousand Year History* (London: Zed Books Ltd, 2020), 45, 72.

172 David Asheri, Alan Lloyd, and Aldo Corcella, *A Commentary on Herodotus Books I-IV* (Oxford: Oxford University Press, 2007), 402.

only attained its name and identity as a distinct geographical unit in the 7th century CE is unfounded.

In addition, some ancient scholars and historians identified Palestine as a distinct region. The key figures mentioned in this regard include Aristotle, Strabo, Pliny the Elder, Pomponius Mela, Ammianus Macellinus, and many others. Nevertheless, there are even strong archaeological indicators pointing to the existence of Palestine during ancient times. For instance, one may consider the Mortuary Temple of Ramses III at the Medinat Habu Temple in Luxor, which is considered one of Egypt's best-preserved ancient religious structures. Within the bowels of this structure, an inscription dating back to 1150 BC refers to Palestine. Moreover, an ancient tablet registered back in 717 BC refers to the land of Palestine and notes that the Assyrian Empire incorporated it.¹⁷³

The field area of numismatics – concerned with the study of coins from past nations – also provides crucial clues concerning the ancient roots of Palestine. This discipline has also played a crucial role in uncovering the economic status and self-sufficiency of bygone empires and societies, such as Palestine. Scholars specialising in this field reveal that during the 6th to 4th century BC, the land of Palestine functioned as an independent political region and had its coinage and currency, which were known as Philisto-Arabian coins. Such a finding demonstrates that Palestine was a fertile and economically prosperous land and enjoyed significant autonomy in its socio-political affairs.

Even before the Islamic call emerged and penetrated the Levantine region, Arabs represented the dominant demographic group in Palestine. A key historical event that can be cited to demonstrate this point is the famous Council of Chalcedon, held in 451 CE. This was a decisive meeting between Christian clergymen that established a fundamental Christian tenet, namely, the twin nature of Jesus as both man and God. It so happens that the city of Gaza – which is situated in Palestine – was also represented in this Council through the attendance of an Arab bishop.¹⁷⁴ Similarly, on the political front, it was often the custom that the Byzantine Emperors of the Eastern Roman Empire would assign the rulership post of Palestine to Arab kings. For instance, the 6th century Roman Emperor Justinian appointed Abū Karib ibn Jabalah as the ruling authority over the land of Palestine.¹⁷⁵

In light of these established facts, there can be no doubt that a territorial entity bearing the name of Palestine has existed for millennia, with its population predominantly consisting of Arabs. These historical truths fly in

173 Masalha, *Palestine: A Four Thousand Year History*, 56, 61.

174 *Ibid*, 109.

175 *Ibid*, 139.

the face of the so-called barren land thesis, which gives the false impression that the land of Palestine was bereft of an indigenous community that had subsisted and settled there since antiquity. Notwithstanding their most vigorous and unethical efforts, Zionist pseudo-historians will not be able to erase the rich and vibrant history of the Palestinian people.

4.2 Challenging the Claim that Gaza is Not An Occupied Territory

Defenders of the Israeli state often claim that Palestine is, for all intents and purposes, a free state, and as such it alone bears responsibility for its decades-long problems with political turmoil and economic stagnation. Proponents of this view often cite the fact that former Israeli Prime Minister Ariel Sharon unilaterally opted to withdraw all forces and settlers from the Gaza Strip in 2005, which allegedly allowed the inhabitants of Gaza to enjoy full autonomy and determine their own political path. According to this narrative, the present plight of the Palestinians is squarely their responsibility since they opted to trek a path of violence by electing radical political leaders and parties that lack the know-how to spark genuine political and economic development. Hamas was elected in 2006, which displaced the Palestinian Authority and marked a dark spiral towards radicalism. In fact, it is not hard to find many supporters of this position stating that Gaza had the potential to become a flourishing, trade-oriented, and economically prosperous city-state like Singapore. However, it turned away from that opportunity to become “a terrorist dystopia like the benighted lands formerly under ISIS”.¹⁷⁶

However, this argument is fallacious and ignores several realities on the ground. The claim that Israel’s withdrawal from Gaza marks an end to the occupation is a hasty conclusion. Almost every authoritative international body that enjoys standing in global affairs affirms that *the Gaza Strip has been under Israeli occupation ever since 1967*. It would be taxing to enumerate the names of all the bodies and non-governmental organisations that uphold such a view. However, some of the most vocal backers of this position include the International Committee of the Red Cross (ICRC), the United

176 Bassem Eid, “Gaza could Have Been Singapore. Hamas Turned It Into ISIS,” *Newsweek*, 9 October 2023, <<https://www.newsweek.com/gaza-could-have-been-singapore-hamas-turned-it-isis-opinion-1833145>> accessed 4 November 2023.

Nations, Amnesty International, and Human Rights Watch. Several official agencies, such as the United States Department of State, express the same view.¹⁷⁷ While it is true that Israel ended its settler and military presence in Gaza in 2005, it still exercises effective control over the enclave through its choking land and naval blockade, countless border checkpoints, and almost Orwellian surveillance techniques used against the Palestinians. Against these odds, Palestinians have very little economic and political freedom, with their mobility rights also being severely limited. In its socio-political study of how Israel has interfered with the day-to-day operations of the Gaza Strip, the Geneva Academy of International Humanitarian Law and Human Rights concluded that notwithstanding its military withdrawal and eviction of Jewish settlers, Israel still met the “effective control” threshold needed for being an occupying power: “An occupation may continue after the withdrawal of troops from the territory under certain conditions: if the occupying power continues to exercise effective control the law of occupation will apply...the majority of international opinion considers that Israel has retained effective control over the Gaza Strip by the control exercised over, *inter alia*, its airspace and territorial waters, land crossings at the borders, supply of civilian infrastructure, and key governmental functions such as the management of the Palestinian population registry.”¹⁷⁸

Under such circumstances, the suggestion that Gaza enjoys any significant degree of autonomy in its day-to-day affairs is frankly absurd. For this reason, John Dugard, who presided as the United Nations Special Rapporteur on the Situation of Human Rights in the Palestinian Territories, vehemently denied Israel’s claim that its occupation of Gaza had effectively ended in 2005 by stating: “In August 2005, Israel withdrew its settlers and armed forces from Gaza. Statements by the Government of Israel that the withdrawal ended the occupation of Gaza are grossly inaccurate...Israel retained control of Gaza’s air space, sea space and external borders, and the border crossings of Rafah (for persons) and Karni (for goods) were ultimately under Israeli control and remained closed for lengthy periods. In effect, following Israel’s withdrawal, Gaza became a sealed off, impris-

177 For a full list of the various international agencies and bodies that subscribe to this view, see Celeste Kmiotek, “Israel Claims it is No Longer Occupying the Gaza Strip. What does International Law Say?” Atlantic Council, 31 October 2023, <<https://www.atlanticcouncil.org/blogs/menasource/gaza-israel-occupied-international-law/>> accessed 6 November 2023.

178 The Geneva Academy of International Humanitarian Law and Human Rights, “Military Occupation of Palestine by Israel,” The Rule of Law in Armed Conflict Project, 12 August 2022, <<https://www.rulac.org/browse/conflicts/military-occupation-of-palestine-by-israel#collapse2accord>> accessed 16 November 2023.

oned and occupied territory.”¹⁷⁹ United Nations Secretary-General Ban Ki-moon echoed this assessment in 2007 when he said: “Israel remains an occupying Power in respect of Gaza. Arguments that Israel ceased its occupation of Gaza in 2005 following the evacuation of its settlements and the withdrawal of its troops take no account of the fact that Israel retains effective control over Gaza by means of its control over Gaza’s external borders, airspace, territorial waters, population registry, tax revenues and governmental functions.”¹⁸⁰

This Section establishes that Gaza has been considered occupied territory from 1967 until the present. However, the present crisis suggests that the status quo might shift from its already deplorable state to an even greater low. The greatest danger is that the scale of Israel’s administration of the Gaza Strip will reach the level of full-blown annexation in the aftermath of the 2023 operation. Owing to the deep incursions in the 2023 operation, it appears that the occupation will only further intensify and assume – just as it did from 1967 to 2005 – a military character. This was an option that the Israelis had always put on the table. In 2006, then-Israeli Prime Minister Ehud Olmert threatened that the country’s forces were always ready to re-occupy Gaza if needed or desired: “We will operate, enter and pull out as needed.”¹⁸¹ The Israeli army has not only seized the majority of Northern Gaza, but its ongoing activities in the enclave signify that it has no intention of withdrawing anytime soon, and this will only further underscore the fact that Israel has never had the intention to free Gaza from the shackles of political and economic dependency.

179 John Dugard, Implementation of General Assembly Resolution 60/251 of 15 March 2006 Entitled “Human Rights Council”: Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967, Human Rights Council, Fourth Session, Item 2 of the Provisional Agenda, 29 January 2007, 2.

180 Secretary-General Ban Ki-moon, “Situation of Human Rights in the Palestinian Territories Occupied Since 1967: Note by the Secretary-General” (A/63/326), United Nations General Assembly, 62nd Session, Item 72 (c) of the Provisional Agenda, 25 August 2008, 2.

181 Steven Erlanger, “Offensive to Continue in Gaza, Israel says – Africa & Middle East – International Herald Tribune,” *The New York Times*, 9 July 2006, <<https://www.nytimes.com/2006/07/09/world/africa/09iht-mideast.2153892.html>> accessed 15 November 2023.

4.3 Piers Morgan and the “Do you Condemn Hamas as a Terrorist Movement?” Game

Piers Morgan, a famous English television broadcaster and the host of *Piers Morgan Uncensored*, has developed a notorious reputation for inviting commentators and public figures to appear on his show and discuss the present Palestinian crisis. Unfortunately, it is abundantly clear that Morgan has a strong bias against the Palestinian resistance since he almost always commences his interview by asking his guest the prejudiced questions of “Do you condemn what happened on October 6?” or “Do you condemn Hamas?” This hideous slant took a new extreme when Morgan aggressively attacked his guest, Jeremy Corbyn, a British Member of Parliament and the former leader of the Labour Party. While Corbyn tried his best to advance a contextual approach, Morgan would have none of it and pressed the former to condemn Hamas. In rapid succession, Morgan asked Corbyn at least 15 times whether he thought Hamas was a terror group: “Are Hamas a terror group? Are they a terror group? Answer the question! Are they a terror group? Are they a terror group? Are they a terror group? Are they a terror group? Why can’t you say it? Are Hamas a terror group? Are Hamas a terror group?”¹⁸²

Undoubtedly, Morgan views the entire issue through a skewed prism, with the critical issue at play being his restrictive use of terrorism to the Hamas movement only. He conveniently ignores the fact that Israel’s use of violence against civilian areas to achieve their political objectives – coincidentally, the definition of terrorism itself – is exponentially more significant than the events of October 7. Section 3.1 already explored and tackled this claim. The purpose of this section is somewhat different, as it aims to deconstruct the epistemic assumptions that inform Morgan’s line of

182 Piers Morgan, “‘Why Won’t You Call Hamas Terrorists?’ Piers Morgan vs Jeremy Corbyn Debate on Palestine And Israel,” *Piers Morgan Uncensored*, 13 November 2023, <<https://www.youtube.com/watch?v=gma98QwZdZo>> accessed 15 November 2023, 14:52.

questioning. More specifically, this section reveals the slanted underpinnings behind using the term terrorism in the dominant discourse. It also presents a historical study of Hamas, the roots of its emergence, and how it has attempted to broker peace with Israel on several occasions.

Objective observers are well aware of the fact that structures of oppression use the term terrorism as a pejorative label to delegitimise resistance movements that have unheard yet valid grievances. As the famous critical thinker Noam Chomsky put it, “It’s very simple: if ‘they’ do it, it’s terrorism; if ‘we’ do it, it’s counterterrorism. That’s a historical universal.”¹⁸³ The fact is that in their external interactions, state and non-actors are equally prone to wield violence. However, due to the state-dominated landscape we currently live in, it is expected to find international lawyers and political scientists reduce terrorism as solely being the product of non-state actors. Chomsky stated it best when he noted that the “term terrorism is used by the great powers simply to refer to forms of violence of which they disapprove.”¹⁸⁴ On a similar note, Lee Jarvis notes that this political bias has also affected the academic study of terrorism: “[T]errorism research has also tended to reduce terrorism to a very narrow and specific set of acts of violence, namely those conducted by non-state actors against civilians. As we shall see later, this is often seen to preclude discussion of state terrorism: a form of violence that is, for many, of far greater historical and contemporary significance.”¹⁸⁵ Because the international community has failed to develop a comprehensive definition of terrorism that incorporates state belligerents as well, this causes Hamas to be put under the microscope of scrutiny. Yet, in reality, the violent crimes of Israel supersede any of the atrocities that Hamas commits. This point was succinctly expressed by the American lawyer Stanley Cohen when he said: “There’s no difference between suicide bombers blowing up buses or Israeli jets killing 50 children in a densely populated building. Death is death. We like to romanticise the

183 Hot Type on the Middle East, “Noam Chomsky ‘9-11’ Interview,” Canadian Broadcasting Corporation, 16 April 2002, <https://web.archive.org/web/20080604003830/http://www.cbc.ca/hottype/season02-03/middleeast_chomsky.html> accessed 15 November 2023.

184 Middle East Media Research Institute, “American Linguist Noam Chomsky: Hamas Policies Are More Conducive to a Peaceful Settlement than Those of the U.S. or Israel,” MEMRI TV, 23 May 2006, <<https://www.memri.org/tv/american-linguist-noam-chomsky-hamas-policies-are-more-conducive-peaceful-settlement-those-us-or>> accessed 15 November 2023.

185 Lee Jarvis, “Critical Terrorism Studies After 9/11,” in Richard Jackson (ed.), *Routledge Handbook of Critical Terrorism Studies* (New York: Routledge, 2016), 29.

Israeli Army.”¹⁸⁶ Piers Morgan’s line of argumentation falls on its head since any condemnation of Hamas logically requires *a fortiori* the censure of the state of Israel. The latter is the only entity in this theatre that has used genocidal rhetoric against civilians and has carried out this threat against an entire territory.

The key upshot of the analysis above is that there are no logical grounds to direct the “condemnation card” on Hamas or to disqualify its existence as a political actor on the Gaza front. Nevertheless, for argument’s sake, let us entertain Piers Morgan’s argument that Hamas is the only subversive entity in this conflict. Does such a claim necessarily preclude the option of engaging in negotiations with it? The answer is a firm no. A cursory look at historical conflicts demonstrates that governments have negotiated with militant groups to solve their internal conflicts. There is a myriad of examples which can be cited in this regard. For instance, against the backdrop of apartheid South Africa, the African National Congress (ANC) – which was led by Nelson Mandela and other prominent black figures – was formed as a resistance movement and a guerrilla force to challenge the racist regime. Although the ANC labelled itself as a liberation movement, it was classified as a terrorist organisation in the United States, the United Kingdom, and even the apartheid government ruling South Africa. Yet, despite having this hostile standpoint, the ruling apartheid government eventually entered into negotiations with the ANC and signed a compact that ended white minority rule in South Africa and paved the way for free and fair elections. What is remarkable about this positive political transformation is that it occurred rapidly, such that the once notorious and black-listed ANC became a legitimate political leader in the post-apartheid era. Nelson Mandela, who led the ANC and would become the first president of South Africa in its new republic era, once famously said: “I was called a terrorist yesterday, but when I came out of jail, many people embraced me, including my enemies, and that is what I normally tell other people who say those who are struggling for liberation in their country are terrorists. I tell them that I was also a terrorist yesterday, but, today, I am admired by the very people who said I was one.”¹⁸⁷

The same rapid shift from a terrorist entity to a legitimate political player could also be observed in the United Kingdom. In this context, the

186 Doha Debates, “This House Believes that the International Community Must Accept Hamas as a Political Partner,” The Qatar Foundation, 26 February 2006, <<https://archive.dohadebates.com/debates/item/indexf5e8.html?d=20&s=2&mode=transcript>> accessed 15 November 2023.

187 Larry King Live, “President Nelson Mandela One-on-One,” Cable News Network, 16 May 2000, <<http://edition.cnn.com/TRANSCRIPTS/000516/lkl.00.html>> accessed 15 November 2023.

scrutinised group in question was none other than the Provisional Irish Republican Army (IRA), which fought for the liberation of Ireland – specifically the Northern region of the island – from British rule. To achieve this goal, the IRA was notorious for organising many attacks and bombings in both Ireland and England, which led to the deaths of hundreds of civilians. Perhaps the most notorious attack that the IRA ordered was the 1984 Brighton Hotel bombing, whose ultimate aim was the elimination of senior members of the British government, including Prime Minister Margaret Thatcher and the Conservative Party cabinet. Despite taking such an extreme and belligerent posture, the IRA was not simply dismissed as a terrorist organisation. The British government eventually recognised the validity of its political grievances and entered into peace negotiations with it, culminating with the 1998 Good Friday Agreement (GFA).

Moreover, within this context, one cannot forget to mention the example of the Palestine Liberation Organisation (PLO). Unbeknownst to many, during its formative and early years, the PLO was known for staging several violent attacks against Israeli centres and assets. The PLO explicitly stated that it did not recognise the existence of Israel and even sought its total dissolution. However, as Stanley Cohen notes, despite these harsh truths, the Israelis still “negotiated with the PLO which had a charter that called for the destruction of Israel. They still negotiated. They negotiated out of reality.”¹⁸⁸ Despite viewing the Israelis as an occupying force, the PLO entered into negotiations with the former via the mediating efforts of the United States, which eventually culminated in the Oslo Accords. Over time, the PLO softened their political positions and removed the provision calling for Israel’s destruction from their charter.

What can be derived from these past historical realities? The fundamental point is that labelling a group or organisation as being a terrorist entity is a subjective determination that is determined by the political agenda of a given context or circumstance. In the short span of a few years, if a change suits the interests of the West, such labels are removed, and the pariah entity becomes a welcome political partner. This fact makes it evident that the designation of Hamas as a terrorist organisation does not enjoy any objective significance. Piers Morgan’s simplistic use of the “terrorist card” and dismissal of Hamas is not only a naive move but it is also belied by past historical episodes where oppressive governments recognised their wrongs and entered into the bargaining table. Morgan may believe that he is taking a principled stance. However, in reality, he is siding against the oppressed and legitimising far more violent forms of state terrorism exercised by the Israeli killing machine.

188 Doha Debates, “This House Believes that the International Community Must Accept Hamas as a Political Partner.”

4.4 Nullifying the Claim That “If Hamas Disappeared, Peace Would Be Possible”

Zionists and liberal backers of Israel frequently attempt to absolve Israel of all blame by arguing that the Jewish state’s belligerent posture stems from the existence of Hamas, which has not acknowledged its existence and does not believe in a two-state solution. This is what forces Israel to take a harsh and belligerent stance. The backers of Israel argue that the solution to solving the crisis is quite simple: without Hamas, peace is possible.

Obviously, this is a naive and unfounded claim belied by the most basic of facts. Decades before Hamas even existed, Israel was heavily invested in committing a myriad of crimes against the Palestinian people, with its oppression reaching a critical threshold after it illegally occupied the West Bank, East Jerusalem, and Gaza after the 1967 Six-Day War. From 1967 to 1987, Israel killed at least 650 Palestinians, which represents an annual average of 32 per annum.¹⁸⁹ In a 1986 poll, a significant proportion (often more than 50 per cent) of Palestinians reported that due to the Israeli occupation, they had been subjected to political arrests, beatings and threats of physical violence from Israeli soldiers, harassment at Israeli checkpoints, and curfews.¹⁹⁰ These shocking figures are significant since during this entire 20-year timeframe, Hamas never existed as an entity, as it would only be formed in 1988. This all points to the fact that the actual cause of violence is not Hamas but rather the occupying force of Israel.

Even when considering the post-1988 era, it becomes evident that Hamas is not the effective cause or driver of Israeli crimes. For one thing, Hamas was established and remains a political force in Gaza and does not rule the

189 Neve Gordon, *Israel’s Occupation* (Berkeley: University of California Press, 2008), xvii.

190 Mouin Rabbani and Lisa Hajjar, “Israel and the Palestinians, 1948-1988,” Middle East Research and Information Project, May/June 1988, <<https://merip.org/1988/05/israel-and-the-palestinians-1948-1988/>> accessed 19 November 2023.

West Bank. Despite this, for almost 50 years, Israel has been constructing illegal settlements in the West Bank by importing Jewish settlers into traditional Palestinian lands and arbitrarily evicting members of the indigenous population. The rate and speed by which the settlement programme is being executed is alarming since it has reduced the areas marked as Palestinian land to a hollowed-out archipelago. Human Rights Watch succinctly outlines the range of Israeli wrongdoings in the area during the last 50 years by stating: “In 1967, Israel established two settlements in the West Bank: Kfar Etzion and East Talpote; by 2017, Israel had established 237 settlements there, housing approximately 580,000 settlers. Israel applies Israeli civil law to settlers, affording them legal protections, rights, and benefits that are not extended to Palestinians living in the same territory who are subjected to Israeli military law. Israel provides settlers with infrastructure, services, and subsidies that it denies to Palestinians, creating and sustaining a separate and unequal system of law, rules, and services.”¹⁹¹ In the last year, the rate of settler violence in the West Bank has reached record-high levels. It jeopardises the lives of thousands of Palestinians, with many Arabs already being killed or evicted from their properties.¹⁹²

Secondly, even when it laid its foundations in the Gazan frontier, Hamas did not begin as a militant movement. Instead, it positioned itself as an organisation in the charity sector and provided necessary welfare assistance and social services for the Gaza population. Hamas only attained a militant character against the backdrop of the First Intifada (1987), which was sparked after an Israeli soldier killed several civilians in Gaza with their military truck. This traumatic event had a ripple effect on the entire Gaza Strip, and the Hamas movement was no exception to this. Members of the movement began to adopt a far more belligerent tone and sought to represent the security interests of the Gaza Strip. This was cemented with the development of a charter formally known as the Covenant of the Islamic Resistance Movement. The charter did not recognise Israel and called for full resistance against the plundering Israeli government. However, it is interesting to note that while the Hamas leadership adopted harsh and un-

191 Human Rights Watch, “Israel: 50 Years of Occupation Abuses – Ramp Up Pressure for Accountability on all Sides,” Human Rights Watch, 4 June 2017, <<https://www.hrw.org/news/2017/06/04/israel-50-years-occupation-abuses>> accessed 19 November 2023.

192 Julia Frankel, “UN Reports Says West Bank settler Violence Has Displaced More Than 1,100 Palestinians Since 2022,” CTV News, 21 September 2023, <<https://www.ctvnews.ca/world/un-reports-says-west-bank-settler-violence-has-displaced-more-than-1-100-palestinians-since-2022-1.6571721>> accessed 19 November 2023.

compromising rhetoric, in reality, they were open to reaching a pragmatic compromise with Israel as long as the latter ended its rule of tyranny. For instance, in 1988, Mahmoud al-Zahar – who is one of the co-founders of Hamas – penned a formal peace resolution process and had it submitted to the Israeli authorities. According to the plan, a peace deal could be reached if Israel withdrew from the territories it had occupied in 1967, granted a general amnesty to all political prisoners, and provided the Palestinians the right to self-determination without any interference. Despite the deal “reflect[ing] moderation,” it was rejected by the Israeli authorities.¹⁹³ Similar long-term deals – even relatively temporary ones lasting for 10 years – were proposed by the Hamas leadership, but the Israelis always rejected them.

In its foreign policy outlook and attempted engagement with Israel, Hamas has adopted an open and accommodating approach. It has stressed that it seeks to develop a durable peace agreement with Israel. However, it is adamant that there can be no peace without having justice *first*, which entails the permanent end of the occupation and political freedom for the Palestinians. Israel has flatly refused to accede to these demands since it would have to forfeit all the Palestinian territories that it has illegally annexed. In his thoughtful analysis of Hamas’ development and evolution, Zachary Foster argues that Israel is to blame for the failure of any meaningful peace process, not the militant group: “Israel’s leadership would have the world believe that Hamas has committed itself to unrelenting terror since its founding, a narrative soothing for the grieving Israeli public, but also one at odds with Hamas’s complex evolution. A closer look at Hamas’s history suggests that it sought a truce with Israel in 1988, 2006, 2008, 2012, and 2017. Alas, Israel has preferred war to peace if peace means a challenge to Jewish demographic domination in Israel or a full withdrawal from the Occupied Palestinian Territories.”¹⁹⁴

Everyone desires peace, but such an aspiration is meaningless if one side is an unrepentant usurper that fails to realise its lengthy trail of wrongdoings against an occupied population. Put in another way, there can be no peace without the guarantee of justice. This golden principle can and must be implemented within the Palestinian context. In its false narrative and misplaced public relations agenda, Israel would want the world to believe that if Hamas simply lay down its weapons, peace would be possible. Such

193 Ziad Abu-Amr, *Islamic Fundamentalism in the West Bank and Gaza: Muslim Brotherhood and Islamic Jihad* (Bloomington: Indiana University Press, 1994) 76.

194 Zachary Foster, “Israel Rejected Peace with Hamas on Five Occasions,” Inkstick Media, 25 October 2023, <<https://inkstickmedia.com/israel-reject-ed-peace-with-hamas-on-five-occasions/>> accessed 15 November 2023.

a claim is entirely absurd and is belied by basic historical facts which confirm that Israel is pursuing its neo-colonial and expansionist state project in an unabated fashion. If Hamas were to disappear today, Israel would *continue expanding* the sphere of its occupation, which is the effective cause that spurred the development of the militant group in the first place. Even if Hamas were to be removed from power, with the occupation still in place, other Palestinian militant groups would emerge to challenge the Zionist usurper. The efficient cause of the spiral of violence in the region is none other than Israel itself. Its illegal occupation, illicit settlements, and immoral apartheid structure all constitute solid barriers to a lasting peace resolution in the region. An undeniable fact that every reasonable person would agree with is the following: “one need only look at maps of Israeli settlements in Palestinian territory to conclude that ‘peace on equitable terms’ is not going to be offered willingly by a power engaged in a decades-long land theft”.¹⁹⁵ When an apartheid force refuses to submit to international legal standards and continues to expropriate territories with complete impunity illegally, one can appreciate why militant groups arise in the occupied territories and can enlist many resistance fighters in their squadrons. These Palestinian fighters have not adopted the path of violence for its own sake but as a necessary means to support the little that remains of their homeland. Empathy is the only thing required to understand the impetus of the Palestinian resistance. It was this inner quality that caused former Israeli Prime Minister Ehud Barak to issue the following remark in 1998 during a live interview with journalist Gideon Levy: “If I was [a Palestinian] at the right age, at some stage, I would have entered one of the terror organizations and have fought from there, and later would have certainly tried to influence from within the political system.”¹⁹⁶ The resistance will continue as long as this unjust status quo remains in place. The door to peace can only be opened once the illegal occupation and its constituent elements – which include the unjust apartheid regime and illegal settlement structure – are removed.

195 Eli Massey, “Snappy Responses to Israeli Hasbara,” *Current Affairs*, 14 February 2009, <<https://www.currentaffairs.org/2019/02/snappy-responses-to-israeli-hasbara>> accessed 29 November 2023.

196 John Daniszewski, “Remarks on Terror Become Fighting Words in Israel,” *Los Angeles Times*, 11 March 1998, <<https://www.latimes.com/archives/la-xpm-1998-mar-11-mn-27709-story.html>> accessed 20 November 2023.

4.5 Past Peace Proposals and the Two-State Solution: Fake Jewels or Genuine Pearls?

Liberals and Zionists often assert that both the West and the Israelis have provided the Palestinians with a plethora of opportunities to have an independent nation via the mechanism of a two-state solution. Nevertheless, on every occasion, it is the Palestinians themselves who have squandered such proposals due to their obstinance and lack of willingness to strike a compromise. Many political analysts and academics have echoed this narrative.

However, a careful analysis of the various land distribution initiatives reveals that the entire so-called peace processes and partition plans have been heavily biased against the Palestinian people. It is unfortunate to find that this has been the case for the last 70 years. When the United Kingdom illegally occupied Palestine in the post-World War I era, the political and legal rights of the indigenous population were upset due to the allowed entry of Jewish settlers, who began unleashing violence and seizing the property of the former. Because of the rising Arab resistance – which consisted of civil disobedience and general strikes – against this illegal emigration programme, the British government tasked Lord William Robert Wellesley Peel to lead the Palestine Royal Commission and unilaterally propose a solution for the crisis. In 1937, Peel released his report, which, against the wishes of the Arab majority, proposed a partition plan that would divide the Mandate into two separate states, one for the Arabs and the other for the new Jewish population. The execution of this plan had to be put on hold for several reasons, with the key inhibiting factors being the outbreak of World War II and the decline of British hegemony in the region. Sensing its grip on the region waning due to its increasing weakness, the British government shifted the issue to the newly formed United Nations, which was extremely weak and entirely dependent on the United States, which was open to a partition proposal. In 1947, the United Nations proposed an extremely skewed partition plan that acutely failed to account for the

demographic realities of the region. Despite the Jewish settler population only consisting of roughly one-third of the total number of inhabitants, the United Nations allocated 56 per cent of the total landmass of Palestine for a Jewish state. The plan was not just unjust, but it also afforded the Zionist movement the power edge it needed to implement the Nakba, destroy hundreds of Palestinian towns and cities, and usurp even further land. By the end of the 1948 war, the United Nations realised the error of its original plan. They proposed a new land distribution model that divided the landmass of Palestine proper into two relatively equal halves for the Arabs and Jews. However, the Israelis, who had managed to seize and administer more than 80 per cent of the territory of Palestine, flatly rejected the proposal.¹⁹⁷

The status quo would hit a new abysmal low in the aftermath of the 1967 Six-Day War when Israel emerged victorious and seized all the Palestinian Territories, which included Gaza, the West Bank, and Jerusalem. With the remaining Palestinian lands within their reach, the Israelis began entertaining the prospect of developing Jewish settlements in what would be known as the occupied territories. Against this devastating backdrop, where the Israelis were expropriating more and more land, the Palestinians had almost no bargaining power. By the 70s and 80s, many of the Arab countries – such as Egypt and Jordan – were gradually developing ties with Israel, which in turn caused them to abandon the Palestinian cause altogether. With the playing field extremely uneven, the Palestinian Authority led by Yasser Arafat was forced to accept an unjust deal in 1993, which is often known as the Oslo Accords. Despite being widely heralded as a massive diplomatic achievement of the United States, the interim agreement was highly one-sided since it forced the Palestinian Authority to relinquish its claim to almost all of historical Palestine, whereby it would be forced to be content with a mere fifth of the total territory. Still, at least in theory and in the long term, the Oslo Accords were supposed to put a brake on any further Israeli settlements and ensure that the Palestinians could govern their state, however small it may be. The price for this concession was steep, however: the Palestinians were required to give up the right to return for all Palestinian refugees who were evicted from their properties during the original Nakba. For many Palestinian observers, the agreement was humiliating and a complete disgrace. In his review of the deal, Edward Said famously said that it was “an instrument of Palestinian surrender, a Palestinian Versailles...the Palestinians have in effect discounted their unilateral and internationally acknowledged claim to the West Bank and

197 Pappé, “The Palestine Peace Process: Unlearned Lessons of History.”

Gaza: these have now become ‘disputed territories.’ Thus, with Palestinian assistance, Israel has been awarded at least an equal claim to them.”¹⁹⁸

However, it would not take long for the already-skewed Oslo process to be dealt with a quick and decisive *coup de grâce*. The assassination of Israeli Prime Minister and leader of the Labour Party Yitzhak Rabin at the hands of a Jewish extremist in 1995 marked the death knell of the Oslo Accords, since from that point onwards, Israel would be led by far-right political forces. Rabin’s successor would be none other than Likud leader Benjamin Netanyahu, who has dominated the Israeli political landscape for the last three decades. In the span of just a few short years, Netanyahu was able to torpedo the entire Oslo process by revamping the settlement development process in the occupied West Bank and East Jerusalem. Through this ambitious programme, the Likud leader reduced the occupied territories to a series of hollowed-out cantons which are traversed by a maze of Jewish settlements. As the Israeli historian Avi Shlaim noted more than 10 years ago, owing to these developments in the occupied territories, an independent and robust Palestinian state has become a near-impossible proposition: “As a result of settlement expansion, the area available for a Palestinian state has been steadily shrinking to the point where a two-state solution is barely conceivable. The so-called security barrier that Israel has been building on the West Bank since 2002 further encroaches on Palestinian land. Land-grabbing and peace-making do not go together: it is one or the other.”¹⁹⁹ In Shlaim’s view, the fault for the breakdown of the Oslo Accords lies solely in Netanyahu’s hands since, for almost three decades, he has been able to publicly feign a desire for a just peace process while privately speeding up the construction of settlements. As he put it, “[Netanyahu] is the procrastinator par excellence, the double-faced prime minister who pretends to negotiate the partition of the pizza while continuing to gobble it up.”²⁰⁰

The same sentiment was echoed in 2023 by Craig Mokhiber, a former human rights official at the United Nations. In a recent interview with Al Jazeera, Mokhiber explained that the ship for having a two-state solution has already sailed, and any present suggestion by a Western state leader

198 Edward Said, “The Morning After,” London Review of Books Ltd., 21 October 1993, <<https://www.lrb.co.uk/the-paper/v15/n20/edward-said/the-morning-after>> accessed 16 November 2023.

199 Avi Shlaim, “It’s Now Clear: the Oslo Peace Accords were Wrecked by Netanyahu’s Bad Faith,” The Guardian, 12 September 2023, <<https://www.theguardian.com/commentisfree/2013/sep/12/oslo-israel-renege-colonial-palestine>> accessed 15 November 2023.

200 Ibid.

that they wish to reactivate the process is an absurdity and an “open joke”. As he notes, “There’s nothing left for a Palestinian state that would be sustainable or just or possible in any respect, and everyone knows that.”²⁰¹ What makes the problem sobering is the fact that even the remaining slim slivers of land found in the West Bank and East Jerusalem – which can and should be strictly reserved to the Palestinians in a *de jure* sense – are being unrelentingly expropriated by the Israeli settler menace at an alarming pace. Regarding this abysmal state of affairs, the Palestinian political analyst Reham Owda wrote: “By building settlements and outposts on what is geographically recognized as Palestinian land, Israel undermines Palestinian sovereignty and preemptively bifurcates any future Palestinian state by limiting its urban development.”²⁰²

The question of whether Israel ever genuinely wanted peace remains an open issue of contention. According to some analysts and scholars, the fact that Israel never withdrew from the West Bank and East Jerusalem and prescribed the development of illegal settlements in the occupied territories ever since the 1970s is a strong indication that the formation of a fair and equitable peace project was never an option on the table. This is the very conclusion championed by Glenn Robinson, a resident fellow at the Middlebury Institute of International Studies. Writing about the Likud Party’s complicity in the settlement enterprise, Robinson states the following: “...the most important reason for the defeat of the Palestinian national state-building project has been Israel’s settlements in the West Bank and East Jerusalem, which have been strongly promoted by Netanyahu since 2009... The preclusion of any serious future withdrawal from the West Bank was the reason why the Likud party put the settlement project on steroids after its 1977 election victory... The Likud’s settlement drive was designed to keep the West Bank under permanent Israeli control and had both political and strategic dimensions.”²⁰³ Israel never wished to relinquish its control over the West Bank, a crucial fact that signifies its unwillingness to give up the territories it had illegally seized in 1967.

201 Al Jazeera Staff, “Q&A: Former UN Official Craig Mokhiber on Gaza, Israel and Genocide,” Al Jazeera Media Network, 2 November 2023, <<https://www.aljazeera.com/news/2023/11/2/qa-former-un-official-craig-mokhiber-on-gaza-and-genocide>> accessed 15 November 2023.

202 Reham Owda, “How Israeli Settlements Impede the Two-State Solution,” Carnegie Endowment for International Peace, 7 March 2023, <https://carnegieendowment.org/sada/89215> accessed 28 November 2023.

203 Glenn E. Robinson, “The Death of the Two-State Solution: Israel, the Palestinians, and the Arab World in the Age of Netanyahu,” in Robert O. Freedman (ed.), *Israel Under Netanyahu: Domestic Politics and Foreign Policy* (Oxon: Routledge, 2020), 179.

4.6 A Conservative Commentator's Folly: Ben Shapiro's Inability to Escape the Moral Equivalence Conundrum

Ben Shapiro is a popular conservative commentator, podcaster, and columnist based in the United States. An avowed Zionist, Shapiro is one of the most vocal backers of Israel and its criminal wrongdoings during the 2023 operation in Gaza. Shapiro's grasp of politics and history is undoubtedly lacking; in normal circumstances, his comments would not be worthy of any response. However, his participation in a discussion at the Oxford Union increased his viewership exponentially and allowed him to espouse his fallacious opinions. In his opening statement, Shapiro accused pro-Palestine supporters of being Jew-haters and genocidal enthusiasts. In his introductory session, Shapiro examined the events of 2023 through a tilted prism by centring his analysis on the events of October 7 and exclusively pinning the blame on Hamas.

However, his astonishingly false arguments were revealed during the debate session. Within this context, Shapiro presented a series of arguments to defend Israel's conduct in its 2023 operation. His first argument constitutes an attempt to explain away the high civilian loss in Gaza caused by Israel's bombardment. This claim was formulated through a spirited counter-response against an audience member. Essentially, Shapiro was challenged by an interlocutor who applied the moral equivalence argument to Hamas and Israel. Suppose Shapiro deems Hamas' actions to be morally repugnant due to them targeting innocent civilians on October 7 to achieve their political goals. In that case, he must likewise condemn Israel since they have also resorted to killing civilians in order to eliminate Hamas militants. From this viewpoint, the actions of Israel are morally equivalent to those of Hamas, and for this reason, singling out criticism against Hamas is an arbitrary move. Put in another way, if Shapiro believes that Israel's military engagements to free its hostages are morally permissible despite them causing a high number of civilian deaths, he must also grant the same

concession to Hamas since their main objective through Operation al-Aqsa Flood was to procure an agreement that would lead to the emancipation of thousands of Palestinian prisoners in Israeli jails.²⁰⁴ In response, Shapiro contends that there can be no moral equivalence between the actions of Hamas and Israel since while the former intentionally killed civilians, the latter's actions are justified because "it is attempting to kill terrorists, and civilian casualties are a cost of war".²⁰⁵ Defenders of the Israeli regime often argue that there is a massive distinction between the actions of Hamas and the Israeli government; they assert that Hamas and its affiliated groups mainly attack civilian communities, not military targets. This is the essence of Shapiro's counter-response as well.

However, this claimed point of distinction is inaccurate since Israel itself is guilty of committing a myriad of atrocities against civilian centres – including children – in the Gaza Strip and the West Bank. Indeed, the track record of the Israel Defence Forces (IDF) is a clear testament to this fact, with the implementation of the Dahiya Doctrine being the most concrete evidence in this regard. This doctrine prescribes the use of heavy and indiscriminate violence in civilian areas as a means to force the enemy government to capitulate and surrender.²⁰⁶ Indeed, Israel has activated this very military tenet in its current bombardment of the Strip.

As confirmed by one Israeli intelligence official, the state apparatus has permitted the decimation of public and private buildings – along with all their inhabitants – situated in the enclave in order to "harm Palestinian civil society: to 'create a shock' that, among other things, will reverberate powerfully and 'lead civilians to put pressure on Hamas.'"²⁰⁷ Through this

204 Oxford Union, "Ben Shapiro Talks about Israel vs Hamas and Why He Would Never Support Biden over Trump," Oxford Union, 10:47.

205 Ibid, 11:24.

206 Developed in 2006 by Israeli general Gadi Eisenkot, the Dahiya Doctrine is a military strategy that "calls for the deliberate targeting of civilians and civilian infrastructure in order to induce suffering and severe distress throughout the targeted population. By targeting indiscriminately, the IDF hopes to deter further military attacks against Israel, destroy its enemies, as well as influence the population to oust the militants seen as the primary target". See Stephen Benavides, "The Dahiya Doctrine: State Terrorism and a Philosophy of War Crime," Truthout, <<https://truthout.org/articles/the-dahiya-doctrine-state-terrorism-and-a-philosophy-of-war-crime/>> 2 August 2014, accessed 15 November 2023.

207 Yuval Abraham, "'A Mass Assassination Factory': Inside Israel's Calculated Bombing of Gaza," +972 Magazine, 30 November 2023, <<https://www.972mag.com/mass-assassination-factory-israel-calculated-bombing-gaza/>> accessed 30 November 2023.

stunning revelation, it becomes apparent that in its warfare conduct, Israel maliciously and mercilessly depletes the lives of Palestinians in order to exert pressure on the Palestinian resistance. Such casualties cannot be waved away as being a form of collateral damage since Israel is frequently aware of the demographic particularities of the civilian areas it targets and what the projected casualty count will be. Several Israeli officials have “confirmed that the Israeli army has files on the vast majority of potential targets in Gaza — including homes — which stipulate the number of civilians who are likely to be killed in an attack on a particular target. This number is calculated and known in advance to the army’s intelligence units, who also know shortly before carrying out an attack roughly how many civilians are certain to be killed.”²⁰⁸ This point nullifies Shapiro’s counter-argument and flips it on its head. Israel does not target Hamas militants to defeat them and accidentally kill Palestinian civilians as an unfortunate by-product of war. Instead, Israel intentionally kills Palestinian civilians as a means to weaken the political legitimacy of the Palestinian resistance among its civilian population.

Furthermore, as the Australian academic Uthman Badar notes, Israel has a lengthy history of targeting Palestinian civilians in areas where no militants are found to be present. With such a negative track record, the Israeli army’s claim that it functions as an ethical and scrupulous actor in its warfare conduct cannot be accepted. For instance, during the Second Intifada in 2000, the Israeli Defence Forces shot and killed 11-year-old Mohammed al-Durrah as his father tried in vain to shield him from his attackers. The entire scene was captured live and broadcast on television programmes across the globe. Talal Abu Rahma, the cameraman who shot the scene, passed the following verdict concerning the incident: “I can confirm that the child was intentionally and in cold blood shot dead and his father injured by the Israeli army.”²⁰⁹ Secondly, in 2014, the Israeli army killed four young boys who were playing soccer at the Gaza City beach through a vicious missile attack.²¹⁰ In this brazen strike against Palestinian youth, the Israeli military could not produce any meaningful rationale since there were no legitimate military targets in sight.

208 Ibid.

209 Harriet Sherwood, “Father of Muhammad al-Dura Rebukes Israeli Report on Son’s Death,” *Guardian*, 23 May 2013, <<https://www.theguardian.com/world/2013/may/23/israeli-report-denies-death-al-dura>> accessed 15 November 2023.

210 Kia Makarechi, “Israeli Attack Kills Four Children Playing Soccer, in View of Journalists,” *Vanity Fair*, 16 July 2014, <<https://www.vanityfair.com/news/daily-news/2014/07/israeli-attack-kills-four-children-gaza-beach>> accessed 10 November 2023.

During the 2018 Great March of Return, the Israeli Defence Forces were guilty of another brazen act of cruelty when one of their snipers killed 20-year-old Rouzan al-Najjar, a paramedic who was wearing a white vest during the scene of the incident. After leading an intensive study of the event, the politically neutral and non-profit organisation B'Tselem concluded that an Israeli sniper intentionally shot al-Najjar despite her not posing as a security threat: "Contrary to the many versions offered by the military, the facts of the case lead to only one conclusion. An investigation conducted by B'Tselem proves 20-year-old a-Najar was fatally shot by a member of the security forces who was aiming directly at her as she was standing about 25 meters away from the fence, despite the fact that she posed no danger to him or anyone else and was wearing a medical uniform."²¹¹

However, perhaps one of the most shocking and egregious cases is that of the famous Palestinian-American journalist Shireen Abu Akleh, whom an Israeli soldier killed while she was directly on the ground with her fellow Al Jazeera colleagues and covering an illegal Israeli raid in the Jenin refugee camp. Abu Akleh's death sent shockwaves around the world, for it demonstrated that Israel lacked the moral fibre to allow journalists to cover its military activities in the occupied territories. These are clear and shocking examples that Israel has a track record of intentionally killing civilians. In 2023, however, Israel has outdone itself by reaching a new all-time moral low "by bombing everything...the remarkable nature of the situation [is] that Israel can break every single rule of international law, the rules of war, and basic morality and just shoehorn Hamas into the picture somewhere, and they don't have to prove anything."²¹² In its 2023 campaign, the army has targeted mosques, churches, hospitals, refugee camps, shelters, bakeries, and other civilian areas with the empty pretext that Hamas forces were nearby, without producing any evidence.²¹³

Shapiro is ironically right on one point: there is, in fact, no moral equivalence between the actions of Hamas and Israel. However, he is squarely wrong in his assertion that Hamas is the sole culpable actor that deserves to be condemned for its actions on October 7. Here, Shapiro is guilty of duping his audience with a deceptive sleight of hand trick by glossing over

211 B'Tselem, "Israeli Soldiers Deliberately and Fatally Shot Palestinian Paramedic Rozan a-Najar in the Gaza Strip," The Israeli Information Center for Human Rights in the Occupied Territories," 17 July 2018, <https://www.btselem.org/gaza_strip/20180718_paramedic_rozan_a_najar_killed_by_deliberate_fire> accessed 10 November 2023.

212 OnePath Network Muslim Media, "Exposing the Lies of Israel's Biggest Tool – Ben Shapiro," OnePath Network, 2:14.

213 Ibid, 2:21.

the fact that Israel's crimes in its warfare conduct are exponentially more severe than the actions of Hamas. This is both true in a temporal sense – in terms of the occupation enduring for 70 years – and a numerical sense, insofar as the number of Palestinians killed in Operation Iron Swords is likely twenty times greater than the total number of Israelis killed. There can be no moral equivalence between the two sides since the totality of Israeli crimes is far worse than the events that transpired on October 7.

Another central assertion of Shapiro during the debate session was that calling for the liberation of Palestine from the river to the sea logically entails a call for genocide against the Jewish people. This claim is devoid of any rational basis and is simply a fabrication against the Palestinian movement. As Badar notes, it is a fact that many of the Jews who established the state of Israel, and arrived in the years that followed, were migrants who came from Europe. It is also a fact that the Arab population of Palestine has lived in the region for countless generations, which renders them the indigenous inhabitants of the land. These two facts warrant an undeniable conclusion: ensuring the Palestinians return to their homeland and having a “transfer of political authority” to the rightful owners of the land.²¹⁴ What is needed is a peaceful and just correction of the political wrongs that occurred during the Nakba by acknowledging the Palestinian people's right to return and having a new system of sovereignty that permanently undoes the fetters of the occupation. There is nothing in this message that promotes or calls for genocide against the Jewish people.²¹⁵ Just like in the case of South Africa, such a meaningful reformation movement can be achieved by dismantling the apartheid regime and creating a new system of rule that is based on coexistence, which was the *modus operandi* found in the past Muslim period. When the apartheid regime developed by the racist white minority was unfettered, South Africa did not cease to exist; instead, it was reinstated as a political republic where whites *and* blacks could live in peace and cooperatively rebuild their society. Similarly, the dismantling of the Israeli apartheid regime will not lead to any genocide of the Jewish people. Instead, it will bring forth a regime where Jews, Christians, and Muslims can live side by side, just as they did without any disruption during the Ottoman era.

Nevertheless, Shapiro still tries to pull one last trick from his sleeve, which for this section will be referred to as the “Bombing of Dresden Argument”. Essentially, through this mode of reasoning, Shapiro attempts to downplay the high civilian casualty count in Gaza by arguing that there are cases of conflicts where the morally upright belligerent killed more

214 Ibid, 4:17.

215 Ibid, 4:45.

people than the wrongdoing force. To demonstrate this point, he brings up the example of Great Britain and Nazi Germany in World War II and notes how the former caused more civilian deaths by carpet bombing German cities than vice versa. As he puts it, “If based on the numbers, more Germans died than British in World War Two. Does that mean the British were wrong in World War Two? Because they did. Many more Germans died than Brits.”²¹⁶ Despite being from the Allies, Britain did target civilian German towns and areas, such as Dresden in 1945. While these actions may upset the conscience, from Shapiro’s standpoint, they were a necessary evil to subdue the Nazi menace and restore a peaceful world order.

This is an immensely flawed mode of analogical reasoning. First and foremost, World War II is an unsuitable analogue for the 2023 Palestinian crisis. There was a relative balance of power between the belligerents in the former, whereby all the contending forces were well-established great powers in the European theatre. The same cannot be said regarding the present events of 2023 since there is no power parity between the two sides; one side is objectively stronger, commands an arsenal of advanced and sophisticated weaponry, and enjoys the unconditional backing of Western powers. In other words, there is a severe asymmetry since the engagement is between an occupying force and a besieged strip of territory – not a nation-state – fighting for its liberation. For this reason, there are no logical grounds for him to compare Gaza with Nazi Germany.

Even if one were to entertain the analogy for argument’s sake and assume that the example of Nazi Germany is applicable, Shapiro’s argument would still not be acceptable. This is because the carpet bombing of Dresden did not accrue any tangible strategic gains for the Allied forces, as it failed to achieve the goal of psychologically subduing the German citizenry, damaging their morale, and eroding the legitimacy of the Nazi government in their eyes. This is the conclusion adopted by historian Katrin Schreiter in a seminal research article.²¹⁷ Summarising the findings of this paper, journalist Erin Blakemore writes: “The Allies’ goal had been to wreck the German economy and undermine morale, eroding support for the Nazis and leading Germans to question their leaders. Ultimately, writes Schreiter, it failed. The bombardments forced Darmstadt to rely on one another all the more, fortifying communities that helped them keep living in the face of the unthinkable. The bombs may have destroyed Germany, but they

216 Oxford Union, “Ben Shapiro Talks about Israel vs Hamas and Why He Would Never Support Biden over Trump,” 13:18.

217 Katrin Schreiter, “Revisiting Morale under the Bombs: The Gender of Affect in Darmstadt, 1942-1945,” *Central European History* 50, no. 3 (2017): 347-374.

did not destroy German morale.”²¹⁸ This historical reality further renders Shapiro’s argument invalid since the British strategy was unsuccessful in the first place.

Thirdly, by bringing up the example of World War II in his argument, Shapiro also demonstrates his ignorance of the legal developments and changes that occurred in the post-war era. During this conflict, owing to the lack of any sophisticated and detailed international legal codes, war crimes and atrocities were committed by both sides, and the carpet bombing of major cities was a common tactic to exert pressure and procure an unconditional surrender from the enemy. For this reason, in the years that followed, a series of international legal mechanisms and instruments were developed to prevent the repeated occurrence of such atrocities in the modern era. A prime example of an international instrument employed for this very end is Protocol I of the Geneva Conventions, which was promulgated in 1977. Article 51(2) of the latter states: “The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence, the primary purpose of which is to spread terror among the civilian population, are prohibited.”²¹⁹ From the standpoint of modern international law, Dresden was certainly a condemnable war crime, and invoking it as an example to justify the killing of civilians in a densely populated area like Gaza is an anachronistic and manifest error. The fact that Shapiro had to cite a wartime example from World War II to whitewash the crimes of Israel constitutes an implicit argument against his position since it would be impossible for a legally and morally compliant state in the present age to undertake such actions. Thanks to the provisions of Protocol I, it is inconceivable for a morally scrupulous belligerent to inflict more civilian casualties than a genocidal pariah state. Thus, the fact that Israel kills far more civilians on the battlefield than opposing belligerents indicates that it is the wrongdoing force. Furthermore, one could use Shapiro’s tactic of going back in time and finding specimens from past nations to justify actions that are unanimously considered crimes today. For instance, a person may justify the brutal practice of child labour presently implemented in many third-world countries on the basis that it was widely used in Great Britain during its industrial stage. However, such reasoning would be fallacious, considering the modern conventions that ban such a practice.

218 Erin Blakemore, “Did Allied Bombs Destroy German Morale?” JSTOR Daily, 10 September 2021, <<https://daily.jstor.org/did-allied-bombs-destroy-german-morale/>> accessed 29 November 2023.

219 United Nations Human Rights Office of the High Commissioner, Protocol Additional (Protocol 1) to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (adopted 8 June 1977), art. 51.2.

4.7 Why Do Israelis Support the Occupation? The Need for A Paradigmatic Mentality Shift

A discomfoting reality that continues to persist into the present moment is that a significant proportion of Israelis support their government's occupation of the Palestinian Territories and its military strikes against the people of Gaza.²²⁰ This ultimately causes some critics to say: if the situation in Gaza is as bad as it is claimed, then why is it supported so much among Israelis? The ultimate question is why such manifest injustice remains tolerated within significant strata of Israeli society. Perhaps the best diagnosis of this problem comes from the prominent Israeli journalist, Haaretz column writer, and human rights advocate Gideon Levy. According to Levy, there are three underlying narratives or fundamental principles that allow the Israeli occupation to persist and be conferred an aura of legitimacy.

First and foremost, most members of the Israeli population believe that they are God's chosen people, which in turn provides them the divine right to undertake whatever deeds or actions they wish towards others.²²¹ From this viewpoint, the Israelis view their nation as unique and free from legal or social responsibilities. In an important opinion piece written in 2011, Levy further elaborated on the dangers of this mentality: "This is not only unnecessary and groundless arrogance, it's also an extremely dangerous

220 Amy Teibel, "Israelis Overwhelmingly Are Confident in the Justice of the Gaza War, Even as World Sentiment Sours," The Associated Press, 6 November 2023, <<https://apnews.com/article/israel-gaza-hamas-palestinians-war-mood-ocbcbcf0550ee08cod757334f69851d>> accessed 29 November 2023; Marwan Bishara, "Why Israel Hates the Palestinians So Much," Al Jazeera Media Network, 8 August 2022, <<https://www.aljazeera.com/opinions/2022/8/8/why-israel-hates-the-palestinians-so-much>> accessed 29 November 2023.

221 April 10, 2015 Conference at the National Press Club, "Gideon Levy: Does Unconditional Support for Israel Endanger Israeli Voices?," Panel 4.0 Is the Lobby Good for Israel?, 4 June 2015, <<https://www.youtube.com/watch?v=D-GO3eBxQX7Q>> accessed 15 November 2023, 11:20.

idea that enables Israel to behave as it does, with blatant disregard of the world's feelings. Nor does it lack benighted ultra-nationalist and racist foundations... At the basis of Israeli arrogance lies the idea that this really is a special nation with special traits that are shared by no other nation."²²² Not only does the concept of being God's chosen people inculcate arrogance, but it also justifies racist and prejudiced attitudes toward other people. "On the one hand," Levy states, there is the "trampling [of] the other" and further notes that "we praise and exalt the 'chosen people' above everyone else. Two sides of the same coin: unconscionable racism."²²³

Levy then notes that the second problematic tendency that has engulfed the Israeli nation is its effective use of discursive power in the propaganda industry, whereby it can portray itself as being a victim notwithstanding its status as the occupier of Gaza. While Levy acknowledges that throughout the annals of history, there has been a myriad of imperialist forces and occupiers, Israel holds the distinction of being the first settler-colonial force in history to present itself as the only victim.²²⁴ Thirdly, and most dangerously, Levy points out that the Israeli state apparatus has carried out a systematic dehumanisation campaign against the Palestinian people, which allows the Israeli people to not only tolerate the occupation but view it as a necessary good. It is this element of dehumanisation, Levy argues, that "enables us Israelis to live in peace with everything, because if they are not human beings like us, then there is not really a question of human rights."²²⁵

Levy's last point about dehumanisation is of utmost importance, and considering the sophistication and modern nature of the Israeli killing machine, its effects are even further pronounced. With thousands upon thousands of Palestinians being killed in Gaza and the West Bank, the ultimate question is why Israeli citizens are so unmoved by the sheer brutality of their state's genocidal actions. The latest iteration of violence in the region provides us with many crucial clues. Stripping an undesirable "other" or racial group of its human qualities is a common tactic used by regimes to justify ethnic cleansing and mass destruction. Academic and researcher, Dr Salah Sharief, meticulously described this dangerous process in a TEDx Talk delivered in 2020. According to Sharief, there are two dehumanisation

222 Gideon Levy, "Jewish People Are Just That, People, and Far from Chosen," Haaretz, 9 October 2023, <<https://www.haaretz.com/2011-10-09/ty-article/jewish-people-are-just-that-people-and-far-from-chosen/0000017f-e051-d804-ad7f-f1fb568e0000>> accessed 20 November 2023.

223 Ibid.

224 April 10, 2015 Conference at the National Press Club, "Gideon Levy: Does Unconditional Support for Israel Endanger Israeli Voices?," 11:41.

225 Ibid, 13:43.

techniques employed by rogue forces to justify their indiscriminate killing of innocent people. The first is known as “animalistic dehumanisation”, whereby human communities are portrayed as subhuman creatures or animals to render their loss of life insignificant. This was the murderous tactic employed against the Jews and Tutsis to facilitate the Holocaust and Rwandan Genocide. The second mode of dehumanisation is known as “mechanistic dehumanisation” and refers to when “we act so mechanically that we become indifferent to the other person’s existence”.²²⁶ This latter form of dehumanisation is far more severe than the former since it renders the suffering of the oppressed entirely invisible. Moreover, owing to advancements in the rules of warfare, troops serving in modern armies are far more likely to dehumanise their victims and view their military operations in a mechanistic way. Sharief’s research reveals that the more geographically distant army troops are from their combatants, the less empathy they have for the destruction they cause and the greater the willingness they have to kill without mercy. The modern war techniques employed by the Israeli army – such as aerial bombardments by their fighter jets and artillery shelling by their Merkava tanks – cause their troops to act with impunity. The more their army has modernised and mechanised, the more merciless they have become. The level of desensitisation among Israeli army troops vis-à-vis the killing of Palestinians has increased steadily in a linear fashion. It has reached its genocidal climax during the 2023 invasion of Gaza.

Scholarly studies of dehumanisation within the Israeli setting reveal the lengthy pedigree in the use of such techniques against the Palestinians at the institutional and societal levels. Dehumanisation has been a common discursive tactic employed by the Israelis to minimise the public repercussions of its attacks and bombardment of Palestinians in the eyes of its citizenry. For instance, Dr Osman Latiff, a postdoctoral researcher in dehumanisation and instructor at Sapience Institute, notes how “negative and dehumanising portrayals of Arabs, and oftentimes specifically Palestinian Arabs...are often used to promote American wars, or...to promote Israel’s campaigns against Palestinians”.²²⁷ This process, Latiff notes, is facilitated through a careful nurturing process, whereby from a very young age, Israelis are indoctrinated and led to believe that Palestinians are bereft of any humanity and do not deserve any just treatment. Eran Efrati, a former member of the

226 TEDxManchester, “Wars Without Battlefields: The Dehumanisation Of War – Salah Sharief,” TEDx Talks, 31 March 2020, <https://www.youtube.com/watch?v=gOk44Ax-O_w> accessed 20 November 2023.

227 Osman Latiff, *Navigating War, Dissent and Empathy in Arab/U.S Relations: Seeing Our Others in Darkened Spaces* (Cham: Springer International Publishing, 2021), 20.

Israeli Defence Forces interviewed by Latiff, conveyed that the “systematic oppression against Palestinians is underscored by layers of dehumanising that began from when he was very young and became more pronounced during his drafting into the occupied territories. Children, he explained, are taught that a Palestinian life is not to be accorded the same value as an Israeli life, that an Israeli soldier cannot intervene if a Jewish settler is abusing a Palestinian, even to the point of carrying out the murder of a Palestinian. He explains how Palestinians are not considered fully human, but sub-human.”²²⁸ This ideology is further reinforced at the physical level daily through the mechanism of “structural otherness,” which in essence refers to “the separating and designating to that Other a substandard living space, an erecting of physical barriers to keep out the ‘untamed’ is vivid in the landscape of Hebron in Palestine.”²²⁹ The Palestinians are restricted to confined quarters and separated from the topography and water channels that define their people and history. Restricted in both spatial and discursive terms, the Palestinians are treated worse than cattle and humiliated both physically and verbally by the Israeli security apparatus that gazes at them unrelentingly. Such a regime of dehumanisation ultimately “functions as a precursor to violence and also effects violence through omission of a frame for the life lost.”²³⁰

228 Osman Latiff, *On Being Human: How Islam Addresses Othering, Dehumanisation and Empathy* (London: Sapience Institute, 2020), 18.

229 Ibid, 48.

230 Latiff, *Navigating War, Dissent and Empathy in Arab/U.S Relations*, 60.

4.8 The False Charge of Muslim Intolerance and Desired Eradication of the Jews

A common Zionist talking point raised to justify both Israel's creation and its present wrongdoings is that its existence is a *sine qua non* for the survival of the Jewish people since hostile Muslim states surround it. Zionists claim that without Israel, there would be no safe haven for the Jewish people, as they would be exposed to the unjust and brutal policies of the Muslim people. Essentially, they assert that when ruling over a diverse polity, Muslims have always lacked the capacity to give other religious denominations and groups their rights and instead rule with an iron fist. Through this viewpoint, Islam is deemed to be a failed civilisational project which can never be given a leading role. Perhaps the most vocal proponents of this thesis consist of the historian Bernard Lewis and the political scientist Samuel Huntington, both of whom championed the "Clash of Civilizations" theory.²³¹ According to this scheme, Islam lacks the theological and spiritual impetus to cooperate with other faith groups and instead has always been an intolerant and belligerent force. For this reason, the Jewish migrant population in Palestine had every right to establish a separate state for their own faith group since, without that, they would be at the mercy of a despotic system of Muslim rule that does not confer any rights for minority groups.

As a corollary of the points mentioned above, Zionists who back Israel's creation and expansionist actions often insist that the latter's actions are simply a reaction and balancing act against the violent Muslim empires of the past, who had occupied the Holy Land and denied Jews and Christians the right to worship in their own sacred spaces. Through this perspective, the Arab warriors who conquered the Levant are viewed as violent colonisers who spread Islam through the sword and championed the practice of forced conversion. Muslims had many centuries to leave a positive mark during their occupation of the Levant, yet they failed to create a system informed by cosmopolitan values. For this reason, Muslims have no right to restore

231 Samuel Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster, 1996).

their backwards structure of rule in modern settings. According to this narrative, the formation of Israel was what finally emancipated the Jewish people from the tyranny of Islamic rule, which relegated Jews, Christians, and other religious minorities to the status of second-class subjects. Israel's creation represents “the story of a Dhimmi people [non-Muslim inhabitants under Islamic rule], a subject people who ought to have stayed within their bounds but who shook off the yoke of servitude, emerging triumphant as master of a sovereign non-Muslim state in the ‘Abode of Islam.’”²³² Through this lens, Hamas is perceived to be a great menace and danger against the Jewish nation since it attempts to reclaim the lands that were originally part of the Abode of Islam (Dār al-Islām), now lost at the hands of the disbelieving infidels: “That is the Hamas premise, clear, pellucid, honest. It is not the ‘liberation of Palestine’ for the sake of a Palestinian cause or the Palestinian people. It is an apocalyptic struggle for the redemption of Muslim land (Dar al-Islam) fallen to the hands of disbelief.”²³³

However, this narrative is blatantly false. Contrary to the claim that Islam cannot accommodate other religions and groups, there is much proof from the Qur’an and the life of the Prophet that the faith of monotheism is predicated on the principles of cooperation and optimising the goodness of humankind. After migrating to the city of Madinah, one of the first things that the Prophet did was to sign a defence alliance and pact of mutual understanding with the Jews of the city. This memorandum was so significant in its legal and historical import that it would later be known as the Treaty of Madinah. One key provision of the treaty has been reproduced verbatim by the scholar and historian Ibn Hishām in his famous *Sīrah* of the Prophet ﷺ: “It is incumbent on all the Muslims to help and extend sympathetic treatment to the Jews who have entered into an agreement with us. Neither an oppression of any type should be perpetrated on them nor should their enemy be helped against them... It is incumbent on the parties to treat each other sincerely and to wish each other well. None shall subject the other to oppression and injustice and the oppressed shall be helped...”²³⁴ The text of this treaty reveals that the Prophet ﷺ desired Muslim-Jewish relations to be cordial and good-natured. While the Prophetic migration caused Madinah almost instantly to become a Muslim state, this did not in any way hinder the ability of minority groups – such as the Jews – to practice their faith.

232 Franck Salameh, “Jews, Muslims, and an ‘Origin Story’ of the Arab-Israeli Conflict,” Hoover Institution Caravan Notebook, 14 November 2023, <<https://www.hoover.org/research/jews-muslims-and-origin-story-arab-israeli-conflict>> accessed 29 November 2023.

233 Ibid.

234 ‘Abd al-Malik Ibn Hishām, *al-Sīrah al-Nabawīyyah*, (Beirut: Dār al-Kitāb al-‘Arabī, 1990), vol. 2, 144.

The same spirit of tolerance can be observed when the second Caliph of Islam, 'Umar ibn al-Khaṭṭāb, signed a historical pact in 638 CE after conquering the city of Jerusalem. The central portion of the text reads: "In the name of God, the Merciful, the Compassionate. This is the assurance of safety [aman] which the servant of God Umar, the Commander of the Faithful, has given to the people of Jerusalem. He has given them an assurance of safety for themselves, for their property, their churches, their crosses, the sick and healthy of the city and for all the rituals which belong to their religion. Their churches will not be inhabited by Muslims and will not be destroyed. Neither they, nor the land on which they stand, nor their cross, nor their property will be damaged. They will not be forcibly converted..."²³⁵

In light of these well-cemented treaties and agreements, the Muslim empires and dynasties that would emerge in the following centuries largely upheld this positive and accommodating model. For this reason, non-Muslim minorities often felt safe and respected in the Islamic polities they lived in and deemed themselves to be a part of their respective societies. By way of example, one may consider the Jewish exegetical text known as the *Sefer Pitron Torah*, which had this to say about the treatment that Jews experienced in Muslim-led Jerusalem during the 9th century CE: "The people in whose hands the Temple is today [viz. the Muslims] have made it into a choice, excellent and honorable place of worship. They say: let us worship the one God who created heaven and earth, to whom the creatures belong, until the coming of the Messiah and on that day the true worship will be renewed and will be acceptable before God."²³⁶

The same spirit of tolerance could also be observed in other major Muslim cities. For instance, one may consider the account of Benjamin of Tudela, a famous medieval Jewish voyager who visited Baghdad in 1168 CE. In his account, Benjamin of Tudela praised the Abbasid authorities for their fair and ethical treatment of the Jewish minority population in the capital city of Baghdad. In a crucial section of his work, Benjamin states the following: "In Baghdad, there are about forty thousand Jews, and they dwell in security, prosperity, and honour under the great Caliph [al-Mustanjid, 1160-70 CE], and amongst them are great sages, the Heads of the Academies engaged in the study of the Law..."²³⁷ In another notewor-

235 Ibn Jarīr al-Ṭabarī, *Tarīkh al-Rusul wa al-Mulūk* (Beirut: Dār al-Kutub al-'Ilmiyyah), vol. 2, 449. The translation of this segment is adapted from Hugh Kennedy, *The Great Arab Conquests: How the Spread of Islam Changed the World We Live In* (New York: Da Capo Press, 2007), 91-92.

236 Ephraim Elimelech Urbach, *Sefer Pitron Torah: A Collection of Midrashim and Interpretations* (Jerusalem: The Hebrew University Magnes Press, 1978), 339.

237 Benjamin of Tudela, *The Itinerary of Benjamin of Tudela*, trans. Marcus

thy passage, he notes how the Jewish population enjoyed the freedom to construct synagogues and perform their religious rites: “In Bagdad, there are twenty-eight Jewish Synagogues, situated either in the city itself or in Al-Karkh on the other side of the Tigris; for the river divides the metropolis into two parts. The great synagogue of the Head of the Captivity has columns of marble of various colours overlaid with silver and gold, and on these columns are sentences of the Psalms in golden letters. And in front of the ark are about ten steps of marble; on the topmost step are the seats of the Head of the Captivity and of the Princes of the House of David.”²³⁸ The same assessment was echoed in the ethical rulership of the Umayyads in Islamic Spain (al-Andalus), whose ethical mode of leadership helped free the Jews from the unjust levies and persecution of the Visigoth Kingdom. The contemporary Jewish historian Zion Zohar provides a vivid account of how not only the Jewish population welcomed the Muslims as liberators, but they also intellectually prospered in the centuries that followed under the banner of Umayyad rule: “...when Muslims crossed the straits of Gibraltar from North Africa in 711 CE and invaded the Iberian Peninsula, Jews welcomed them as liberators from Christian Persecution... Born during this era of Islamic rule, the famous Golden Age of Spanish Jewry (circa 900-1200) produced such luminaries as: statesman and diplomat Hasdai ibn Shaprut, vizier and army commander Shmuel ha-Nagid, poet-philosophers Solomon Ibn Gabriol and Judah Halevi, and at the apex of them all, Moses Ben Maimon, also known among the Spaniards as Maimonides.”²³⁹

Even in later parts of history, the same spirit of toleration would endure in the abode of Islam, including the Holy Land of Jerusalem. For example, the 15th-century Italian rabbi and biblical commentator Obadiah ben Abraham Yare da Bertinoro, shared the following assessment of the Old City when he visited it in 1486 CE: “Jews are not persecuted by the Arabs in these parts. I have travelled through the country in its length and breadth, and none of them has put an obstacle in my way. They are very kind to strangers, particularly to anyone who does not know the language; and if they see many Jews together they are not annoyed by it.”²⁴⁰ The chief upshot of the quotations above and analytical remarks is that “the Muslims had established a system that enabled Jews, Christians, and

Nathan Adler (London: Oxford University Press, 1907), 39.

238 Ibid, 42.

239 Zion Zohar, *Sephardic and Mizrahi Jewry: From the Golden Age of Spain to Modern Times* (New York and London: New York University Press, 2005), 8-9.

240 See Elkan Nathan Adler, *Jewish Travellers in the Middle Ages: 19 Firsthand Accounts* (New York: Dover, 1987), 235.

Muslims to live in Jerusalem together for the first time”²⁴¹ Thus, the claim that Muslims lack the moral fibre or tolerant spirit to accommodate other religious denominations does not withstand critical scrutiny and is belied by the testimony of Jewish historians themselves. Islam is a religion that is committed to furthering the progress of humankind and ensuring their spiritual and material well-being. The Jewish people are no exception to this norm of care.

One concrete and relevant example that can be cited to demonstrate the value of care in the Islamic model is the Greek Orthodox Church, which was protected and given rights and freedoms – such as the right to continue their religious sermons and services – by the Arab conquerors. One of the structures built by followers of this denomination is the Church of Saint Porphyrius in Gaza City, considered the third oldest church in the world. For more than a millennium, these churches and their respective communities were protected by several Muslim empires, with each guarding the structure and the congregants who went to pray in it weekly. Other prominent churches belonging to this denomination, such as the Greek Orthodox Patriarchate of Jerusalem, have also received favourable treatment. Despite all the difficulties that the Greek Orthodox Church and its constituents have faced ever since the Israeli occupation, they remain satisfied with the treatment they receive from the fledgling Muslim authorities in Gaza and the West Bank. For instance, Father Antonius Hananya, who presides as a priest in the Orthodox Church, criticised the Israeli occupation for its erasure of the history of the Palestinian people and thanked his Muslim brethren for protecting them. For instance, he noted that it was Muslims who protected Shireen Abu Akleh’s casket during her funeral procession: “The occupation forces attempted to hurl Shireen Abu Akleh’s casket on the ground, but the Muslims of Palestine raised the casket and guarded it. Had this deceased person been a [Muslim] Shaykh I would have protected it just as they guarded Shireen. And I say in this context exactly what Father Manuel Musallam said several times: ‘Let them ban our Muslim brothers from broadcasting the *adhān* (call to prayer), for I will be the one to call it.’”²⁴² Muslim rulers never touched or obstructed the Church of Saint Porphyrius for over a thousand years. However, it only took 70 years of Zionist occupation for it to be targeted and seriously damaged.

241 Karen Armstrong, *Jerusalem: One City, Three Faiths* (New York: Random House Publishing Group, 2005), 245.

242 Shorouk News, “Father Antonius Hananya: ‘If the Occupation Bans the Muslims from Broadcasting the Adhān, Then I Will be the One to Call It,’” Shorouk, 20 October 2023, <<https://www.shorouknews.com/news/view.aspx?cdate=20102023&id=3a84a690-1081-4670-9109-a9cde8f2ee72>> accessed 4 November 2023.

During the early days of the Israeli aerial bombardment of Gaza, numerous Christians and Muslims sought refuge in the Church of Saint Porphyrius; as a place of worship, it should have been a safe haven. Nevertheless, it was hit by a lethal airstrike that killed at least 18 Palestinians and damaged the Church complex and much of its exterior structure.²⁴³ The contrast could not be more stark or evident: 70 years of Zionist occupation did something unheard of in more than 1000 years of Muslim rule.

However, what about Hamas and its alleged desire to vanquish the Jewish people and have them stripped of their socio-political freedoms? This point is usually considered a factual proposition, which is not amenable to any scrutiny or debate. The answer to this question may come as a surprise to some readers, for the fact of the matter is that Hamas does not oppose the state of Israel due to its Jewish character; it justifies its resistance activities due to Israel's use of Zionist thought as a colonial ideology and its continued occupation of the Palestinian Territories. However, it does not oppose the people of Israel due to their Jewish faith. In its 2017 charter, Hamas explicitly states that it does not oppose the Jewish people either in religious or cultural terms. Instead, its resistance is strictly opposed to the occupying force of Israel. Articles 16 and 17 of the 2017 Hamas Charter read "16. Hamas affirms that its conflict is with the Zionist project not with the Jews because of their religion. Hamas does not wage a struggle against the Jews because they are Jewish but wages a struggle against the Zionists who occupy Palestine. Yet, it is the Zionists who constantly identify Judaism and the Jews with their own colonial project and illegal entity. 17. Hamas rejects the persecution of any human being or the undermining of his or her rights on nationalist, religious or sectarian grounds..."²⁴⁴ Considering these articles, it becomes abundantly clear that the primary cause of Hamas' resistance activities is the occupier itself, not its espoused faith or religious identity; indeed, Hamas would have opposed and fought against Israel even if it was a Christian or Buddhist state. Put in another way, "Palestinians, of course, do not care what religion their occupiers are. Like all occupied people, they will resist whoever is occupying them."²⁴⁵

243 Al Jazeera, "Israel Bombs Greek Orthodox Gaza Church Sheltering Displaced People," Al Jazeera Media Network, 20 October 2023, <<https://www.aljazeera.com/news/2023/10/20/war-crime-israel-bombs-gaza-church-sheltering-displaced-people>> accessed 4 November 2023.

244 Middle East Eye Staff, "Hamas in 2017: The Document in Full," Middle East Eye, 1 May 2017, <<https://www.middleeasteye.net/news/hamas-announce-new-chief-coming-days>> accessed 29 November 2023.

245 Anna Baltzer, "Hamas Didn't Attack Israelis Because They Are Jewish," Common Dreams, 12 November 2023, <<https://www.commondreams.org/opinion/hamas-attacks-not-antisemitic>> accessed 29 November 2023.

SECTION FIVE

Conclusion

The 70-year history of Palestine is horrific and demonstrates that much of the world has lost its moral compass and currently lacks the courage and resilience to stand up for the truth. However, there is still time to make a paradigmatic change on the international front, provided that the impetus for justice is restored once more. This momentous undertaking can be achieved through a bottom-up process, whereby individuals empathise with the plight of the Palestinian people and then inspire change through their engagements with their local civil society actors and governing bodies. The purpose of this book was to provide a series of arguments and thought arguments to demonstrate that the Palestinian people have been victims of a brutal and illegal military occupation, an apartheid regime, arbitrary detention and imprisonment, extrajudicial attacks and assassinations, and expropriatory land seizures for several decades. This current crisis has one sole primary cause, which is the occupying and tyrannical force of Israel. For a just and sustainable peace to be achieved in the region, Israel must once and for all cease its ongoing Nakba of the Palestinian people by ending the blockade of the Palestinian Territories, unfettering its regime of settler-colonialism, and dismantling the system of apartheid. The latter proposition is a *sine qua non* since peace and justice cannot be found in a state that assigns absolute superiority to one race while dehumanising the other. Peace and justice can never be the features of a political entity that subjects the indigenous inhabitants of a land to a brutal blockade and oppression. Throughout its century-long existence, Zionism has proven to be a racist and supremacist ideology that has relegated the Palestinians to the status of subhumans. If a philosophy of fairness and equality is to flourish in the world we currently live in, such a repulsive philosophy must be renounced and thrown into the dustbin of history.

Of course, by no means does this call translate to the expulsion of the Jewish population living in Palestine proper. Islam is a religion of fairness and assigns value to every human being. This is especially the case for Jews and Christians; throughout history, the two religious communities were honoured with the titles of Ahl al-Kitāb (lit. the People of the Book) and Ahl al-Dhimmah (lit. the People of the Covenant) in Islamic prose and granted special rights as minorities. It was this ethos of tolerance embedded in the Islamic model of governance that allowed Muslims, Jews, and Christians to live in peace for centuries in the Holy Land. Furthermore, if there is a willingness to do away with the unjust status quo and restore a moral balance in the region, there is no reason why this same model cannot be reinstated again. If we all set our hearts and minds towards this end, genuine and structural changes may be realised in this current generation.

