

The Israeli-Palestinian Conflict and Ministry in Israel and the Palestinian Territories Issue 54 November 2023

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Here is another article I have written which deals with legal issues etc.

Understanding the Israel-Gaza war

Israel is far from perfect and may well have perpetrated some wrong action in the war with Gaza. But, the purpose of this article is to combat *unfair and antisemitic* criticisms of Israel. Such criticisms increase her vulnerability to military attacks.

What is behind the Israel-Gaza war?

We must never forget that the re-establishment of the State of Israel by the United Nations was a remarkable fulfilment of biblical prophecy about the End Times.

It is true that the re-establishment happened in very controversial circumstances resulting in the Palestinians rejecting the UN decision to set up a State of Palestine, and the surrounding Arab countries taking up arms to seek to destroy the new Jewish State. This, of course, forced Israel to take up arms as well, leading to many Palestinians fleeing their homes, so creating a refugee problem.

We must not forget that the prime motive for such attacks, which have recurred over the last 75 years, is to destroy Israel. But, more important, we should obey Jesus in keeping watch for the signs of the End Times. This will include seeing that the devil's intention through these conflicts is to hinder God's End Time purposes being fulfilled including turning to Jesus as Messiah. The scourge of antisemitism, which the Israel-Gaza war will increase, has a similar Satanic purpose. We can parallel this with the growing persecution of Christians in many countries, especially Muslim countries. The aim of this is to hinder the church fulfilling God's End Time purposes for her, alongside Israel and Jewish people who have come to accept Jesus as Messiah.

In view of the growing antagonism to Israel, and the huge growth of antisemitism, which is likely to last a long time, it is important to try to get an accurate, informed view of the moral and legal issues raised by the conflict. Israel and the Jewish people were, and still are, in serious danger. (Obviously, the people of Gaza have suffered a great deal too, and our hearts should go out to the innocent Palestinian victims of this war).

Israel experienced a horrific, inhuman attack from Hamas on October 7th, and they have every right to defend themselves. But were they right in the way they did it?

Palestinian support for Hamas

According to an average of polls conducted by the Palestinian Center for Policy and Survey Research (PCPSR) during 2022, approximately 60% of the Gaza Strip's residents on average supported the "armed struggle" (i.e. terrorist attacks) against Israel, compared to approximately 40%-50% of West Bank residents. In March 2023, support among Gaza residents for armed struggle rose to 68%.

Hamas actually depends upon tens of thousands of ordinary Gazans who assist it. These enablers feign innocence and ignorance.

Some members of the UN agency for Palestinian refugees have expressed praise for the atrocities committed by the Hamas, according to a report by the Institute for Monitoring Peace and Cultural Tolerance in School Education.

Palestinian children are indoctrinated about Hamas and its extreme Islamist philosophy. Hence Hamas enjoys the support of student unions at leading Palestinian universities.

Are Palestinian civilians in Gaza in favour of a two-state peace settlement?

Gallup reported in 2023 that only 24% of Palestinians support a two-state solution, down from 59% in 2012. Only one in six Palestinians between the ages of 15 and 25 said they support a two-state solution, compared with 34% of Palestinians aged 46 and older. Given that 69% of the population of the Palestinian territories is under the age of 29, this suggests a diplomatic solution to the conflict is very unlikely.

Before war broke out, 81% of Palestinians, including 84% living in the Gaza Strip, said they no longer believe that a permanent peace of any kind will ever prevail.

Hamas has imposed strict sharia law and education throughout Gaza during its 16 years in power. Its official charter defines its goal as “to raise the banner of Allah over every inch of Palestine” by “obliterating” Israel. It adds “There is no solution for the Palestine question except through Jihad. Initiatives, proposals, and international conferences are all a waste of time and vain endeavours. Palestine is an Islamic land.”

What is the legal position on the war in Gaza?

Having read what lawyers are saying I can point out that:

- Israel’s adheres to its military operations being governed by international law (the Geneva Convention) and overseen by the attorney general and the IDF’s military advocate general.
- The IDF itself provides its soldiers and commanders with education and training in international law.
- It is proven that Hamas deliberately uses civilians as shields. They put their military centres in, under or near hospitals and schools. This is to discourage Israeli attacks, or if civilians are killed, to gain powerful anti-Israel propaganda. From a legal point of view, any building used by Hamas becomes a legal target. (But morally, this surely should not include a hospital with patients in it.)
- Israeli troops found four underground launchers some five meters from a children’s swimming pool, and around 30 meters from residential homes in the northern Gaza Strip. Troops located a number of rocket launchers within a children’s playground and amusement park compound. Also, Hamas fires rockets at Israeli villages from rooftops of civilian apartment blocks
- However, armed conflict must be proportional, which means collateral damage to civilians and civilian property must not be excessive compared with the military advantage of the attack. So, for example, killing a Hamas commander or destroying a command and control centre justifies more collateral damage than killing a Hamas operative. One lawyer said “In my view, even if many civilians are killed, even in an excessive manner, it is not necessarily illegal.” Another lawyer said that assessment of proportionality must be on the basis of information available at the time of the attack, not hindsight. However, he did refer to the questions raised about whether all of the huge number of attacks Israel made were, in fact, lawful military objectives and whether the very widespread harm to civilians complied with the rule of proportionality. But he added that without the full information the Israel Defence Force had, it was impossible to know for certain.
- The previous lawyer pointed out that the Hamas attack was an existential threat to Israel, especially when the threats posed by Hezbollah and Iran are taken into account.
- This lawyer pointed out that Israel did warn the civilian population about planned attacks, which is legally required.
- A third lawyer responded to the criticism of Israel telling the population of Northern Gaza to move south. Amnesty International said it “may amount to forced displacement of the civilian population, a violation of international humanitarian law.” He said the fact is that those moving South would be safer. However, it was only after four weeks of war that 4-hour slots without military action were created by the Israelis for people in the North to use two routes to flee south. Also, what about those physically unable to move.
- However, two of the lawyers criticised Israel’s decision to drastically cut the water supply to Gaza as “indefensible.”

Israel's dilemma in the light of the tactics of Hamas

My heart goes out to all those suffering in Gaza. But Israel is facing a very complex dilemma:

- Hamas has made it quite clear that, given the opportunity, they would repeat the horrific attack perpetrated on Israel on October 7th. It is obvious, therefore, that Israel needs to destroy Hamas, including where it is present in the south of Gaza, in order to prevent many horrific deaths **on both sides** in the future. It is the lesser of two evils. I therefore don't think a ceasefire is appropriate, apart from possibly a short-term humanitarian ceasefire.
- The Israelis found that a list of seriously wounded people booked to go into Egypt included numerous Hamas fighters. They also discovered oxygen concentrators for Hamas tunnels hidden in an aid truck from Egypt.
- Hamas is cynically using civilians, including hospital patients, as shields, to prevent Israel capturing the Hamas operatives. Hence Hamas has built its HQ under the Al-Ahli Hospital. This makes the hospital a legal target, but innocent, vulnerable civilians are in it and some couldn't move out. One BBC report said that Hamas was forcing Gazans, even at gunpoint, not to move down south.

It should also be remembered that Hamas propaganda is not to be trusted. I am not convinced by Hamas reports and statistics about civilian deaths. We must remember that Hamas is an evil organisation. Israel may not be responsible for the numbers of deaths, including of children, which Hamas has claimed. A BBC reporter claimed that some civilian deaths in Gaza were caused by rockets fired by Hamas.

What is Israel to do in this dilemma? They have to take the risk of harming or killing civilians to prevent worse suffering in the future.

However, they must be as careful as possible. It is difficult to see justification for:

- Continuing to use bombs, including in South Gaza, as opposed to soldiers who can be more precise in their attacks.
- Preventing power reaching the hospitals causing unnecessary deaths.
- Cutting off food and medical supplies from hospitals.
- Stopping supplies because Hamas can make some use of the supply vehicles to transport their military supplies or the power for its own purposes? Is this really the lesser of two evils.

On the other hand, Israel has now (as of the second week in November):

- Offered to assist the evacuation of babies from the Shifa Hospital.
- Briefly ceased military activities in certain areas to allow civilians to escape.
- Allowed some 14, 320 tons of humanitarian aid to enter Gaza (by Nov 12th).
- Offered fuel supplies to the Shifa Hospital on Nov 12th (but it was refused by Hamas).

Israel may have perpetrated some wrong actions, but it is possible that most of what it has done is justified. Perhaps we should also remember the military history of the UK in World War II. For example, a British Air Staff paper, stated on the 23rd of September 1941: "The ultimate aim of an attack on a town area is to break the morale of the population which occupies it. To ensure this, we must achieve two things: first, we must make the town physically uninhabitable and, secondly, we must make the people conscious of constant personal danger. The immediate aim, is therefore, twofold, namely, to produce (i) destruction and (ii) fear of death." This was written before the Geneva Conventions of 1949, but that doesn't justify what the UK and other countries did. A huge number of civilians were killed. That doesn't justify any wrong action Israel may have taken. But it should remind us that our country is not spotless, either.

Israel's treatment of Gazans before the October 7th attack

We are also hearing unrelenting condemnation of Israel's treatment of the Palestinians over the decades, and yes, there was maltreatment. But we need to remember the other side of the story. Israel was giving help to Gazans before the war. Many Palestinians from Gaza worked in Israel. In 2021, approximately 2,000-3,000 work permits were issued to Gazans. This number climbed to 5,000 and, during the Bennett-Lapid government, rose sharply to 10,000

Palestinians were given help from Israeli hospitals. Israel received Palestinian babies from Gaza and from other Palestine areas, like the West Bank, and brought them to Jewish hospitals for free medical care. In fact, for decades many serious cases have been given hospital care in Israel.

How should we respond?

We need to pray for Israel's protection

- **from a surge of antisemitism (which is increased by the false criticisms referred to above).** For example, The Community Security Trust, British Jewry's watchdog on antisemitism and security, documented a tenfold increase in antisemitic incidents in October 2023 over the same month the previous year, meaning a net increase of hundreds of cases, most of them non-physical.
- **from attacks from Hezbollah, backed by Iran.** The current activities of Hamas, Palestinian Islamic Jihad and Hezbollah are part of Iran's 'ring of fire' strategy. Their strategy is to develop a multi-front attack from Gaza, Lebanon, Syria and the West Bank. Israel may largely destroy Hamas in Gaza but that doesn't mean that other extremists will not revive the organisation, or something similar.
- **from the devil's aim to destroy Israel, through the extremists.** He is desperate to prevent the fulfilment of God's End Times purpose for Israel to turn to Jesus resulting in a profound spiritual effect on the whole world, alongside the church.

We do, of course, also need to pray for innocent Gazan civilians who are affected in terrible ways by the present crisis.

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