Laws of Armed Conflict in Gaza

August 14, 2018

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From the outset of ongoing fighting in March, Hamas’s attacks on Israel’s border were ostensibly peaceful protests declared to be the “Great March of Return.” These demonstrations, organized under the pretext of Palestinians exercising their “right” to return to ancestral homes in Israel, in reality [involved](http://www.high-level-military-group.org/pdf/hlmg-smoke-mirrors-six-weeks-violence-gaza-border.pdf#page=5) Hamas encouraging thousands of Gazans to storm and potentially break through Israel’s border fence en masse. Hamas implanted its military operatives within the onrushing crowds, effectively using civilians as human shields.

These “peaceful” demonstrations are a win-win for Hamas. However infinitesimal the odds, successfully overrunning the border could be portrayed as advancing the terrorist group’s goal – stated in its founding covenant – ultimately to eliminate Israel.

Hamas enjoys far more success, however, when the attacks fail. It can vilify Israel by creating situations where the Israeli Defense Forces (IDF) must fire on the attackers, which Hamas portrays as innocent civilians. In fact, many are combatants – after one mass demonstration in May, for example, Hamas [admitted](https://www.haaretz.com/middle-east-news/palestinians/50-of-dead-in-gaza-protest-were-hamas-activists-says-hamas-official-1.6094899) that 50 of the 62 dead “unarmed protestors” were members of terrorist groups.

This reflects the true purpose of these demonstrations. Hamas leadership [declared](https://www.dailywire.com/news/30638/hamas-planned-violence-gaza-border-media-act-their-ben-shapiro) “we will take down the border and tear out their hearts from their bodies.” Another Hamas leader admitted, in an Arabic [interview](https://twitter.com/MEMRIReports/status/996365500308492291) not intended for westerners, “When we talk about ‘peaceful resistance’ we are deceiving the public.” Cash helped: Hamas [paid rewards](https://twitter.com/rafsanchez/status/981809929798520832?lang=en) to those wounded, and large payouts to families of those killed.

Such tactics by Hamas have become standard. While they certainly are bad for Israel, they are worse for Arab civilians in Gaza and Lebanon who are enlisted in terror campaigns – and often killed – to generate bad headlines and international condemnation of Israel and its military operations.

During the 2006 Lebanon War, Hezbollah stockpiled missiles in civilian buildings and fired rockets from residential areas, confronting Israel with the terrible dilemma of protecting its citizens at the expense of Lebanese civilians. Hezbollah’s innovation was adopted by Hamas during three rounds of fighting it launched in 2008, 2012 and 2014, with identical results. It paid off in each conflict, as the media and international community reflexively accused Israel of massacring Arab civilians while largely ignoring the predicaments created by the illegal, cynical strategies of Hamas and Hezbollah.

Israel’s adversaries are doubling down on their success, as I saw recently when I visited the Gaza-Israel border as part of a delegation with the Jewish Institute for National Security of America. The night before, Hamas fired dozens of rockets into Israeli communities, including one that landed in front of a kindergarten. I also saw the widespread devastation to Israel in the form of mile after mile of cropland scorched by incendiaries launch from Gaza.

Yet, as with reporting of clashes since March, most headlines downplayed the indiscriminate use of incendiaries and rockets against Israel, in favor of portraying Israel’s retaliation against Hamas military targets as the largest “[pummeling](https://www.telegraph.co.uk/news/2018/07/14/violence-flares-israel-strikes-gaza-hamas-fires-rockets/)” of Gaza since 2014. As in weeks prior, no mention was made of Israel’s graduated responses to these provocations, including its [prioritization](http://www.high-level-military-group.org/pdf/hlmg-smoke-mirrors-six-weeks-violence-gaza-border.pdf#page=8) of non-lethal force whenever possible.

Unsurprisingly, an end to this conflict does not appear close at hand. Indeed, such irresponsible coverage of Israel influences the strategy of terrorist groups, who increasingly buttress their illegal tactics with sophisticated information operations to hypocritically delegitimize Israeli actions.

Israel will survive misperceptions and ill-informed reporting, though at the cost of increased and unnecessary pressure from the outside world to terminate lawful operations in self-defense. But sadly the same prospects for survival will not apply for Arab civilians unless perspectives on the radical differences in how Israel and its adversaries operate become dramatically more objective.