

Understanding Gaza and Hamas

*Fact-sheet by JWE President Helena Cobban,
a long-time columnist for The Christian Science Monitor
who has studied and written about Gaza and Hamas for more than 30 years.*

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Since March 30, every Friday (and also on Mon., May 14) scores of thousands of Gaza Palestinians have mounted protests along the fence with Israel that have been intentionally and creatively nonviolent. These protests, named the **#GreatReturnMarch**, aim to stress to the world that Palestinians whose families were in 1947-48 ethnically cleansed from their homes and farms in what became Israel in '48 **still have the right to return to those homes that the U.N. has guaranteed them since 1948.**

The Gaza Strip has been the main location of these protests because 70% of its 2 million residents are refugees from the Arab-Israeli war of 1947-48, or the descendants of those refugees. Also, the socio-economic situation in the Strip is now catastrophic, due to the tight siege that Israel has imposed on it continuously since 2007 and the many large-scale military assaults Israel has waged against it in those same years. UN agencies have repeatedly warned that Gaza will be “unliveable” by 2020. For most Gaza Palestinians, it already is. (See the video that Bernie Sanders made recently, in which five Gaza Palestinians describe their lives. It's at: <http://bit.ly/2sRdZ0v>.)

The vast majority of participants in the #GreatReturnMarch have engaged only in nonviolent activities, many of them cultural. The most violent thing that some participants in the march have done is throw stones toward the fence with Israel or send over kites with burning rags attached.

From the beginning, Israel responded by stationing snipers at the fence with very “liberal” orders to shoot at protesters and to use tear-gas dispensed from drones. As of June 7, **Israeli snipers had killed 131 protesters and afflicted 3,778 with gunshot wounds, many very serious.** On the Israeli side, one soldier was reported injured, apparently lightly. (Source: UN-OCHA, at bit.ly/2LC0SHm.)

The Israeli government and its sympathizers in most of the US media have described these incidents as “violent clashes”, in which Palestinians have “lost their lives.” This is not true. **These are unarmed protesters killed in cold blood by Israel's US-supported military.** (Many means of non-lethal crowd control exist, but Israel has chosen not to use them here.)

This exculpatory myth about “violent clashes” is only one of many myths Prime Minister Netanyahu and his supporters have used to distract international attention from what has really been happening in Gaza. Here, we will examine some of these myths more closely.

Myth #1: “The line between Gaza and Israel is a border and any country has a right to defend its border.”

Facts:

- a. The “dashed” line on this map, which marks the boundaries between the Gaza Strip and Israel, is part of the temporary Armistice Line agreed between Israel and neighboring Arab states in 1949. The only border on this map is the one between Mandate-era Palestine and Egypt, drawn with dots and dashes.
- b. The UN's 1947 Partition Plan had allotted all the areas shown lighter grey to a Palestinian Arab state, and the areas shown darker grey to the Jewish state. In 1947-48, the Jewish/Israeli fighters took much more land than the UN



allotted them, and ethnically cleansed hundreds of thousands of Arab Palestinians from all the areas they controlled. Many of those expelled found refuge in Gaza.

- c. In 1948, the UN promised the Palestinian refugees they could return to their homes if they committed to live at peace with their neighbors, or could take compensation instead. Most refugees still want to return. For 70 years, Israel has prevented return and refused compensation.
- d. Meantime, all governments in Israel have refused to conclude a final peace treaty with the Palestinian Arabs and to demarcate any final border with them. (Note, though, that the Palestinians' Right of Return is not dependent on attainment of a peace treaty.)

Myth #2: "Israel left Gaza in 2005, so Gaza is not 'occupied territory'."

Facts:

- a. In 2005, Israel evacuated Israeli settlers and soldiers from inside the territory of the Gaza Strip. But it retained total control over all of the Strip's land, sea, and air boundaries; over all movement of goods or people in or out of it; and over the population registry of its people. For these reasons, the U.N. and all major governments (including ours) judge that Israel is still "occupying" the Strip.
- b. As the "occupying power" in Gaza, Israel has important responsibilities under the 4th Geneva Convention for the welfare (or indeed, the flourishing) of the Strip's two million residents, as it has since this occupation started back in 1967.
- c. Some Israeli spokespeople claim that with the 1993 creation of the "Palestinian Authority", Israel passed responsibility for the welfare of the residents of Gaza and the West Bank to the PA. But under international law, Israel is still the "occupying power" in both territories, and thus has overall responsibility for the residents' welfare. It cannot pass the buck to the PA.
- d. One key provision of the 4th Geneva Convention is that the occupying power may not inflict collective punishment on residents of occupied territories. In Gaza, Israel has repeatedly and openly done so.
- e. Another provision of international law is that residents of an occupied territory have the right to resist a foreign military occupation in any legitimate way they choose, including through the appropriately targeted use of force. This makes the decision that the activists and political factions in Gaza took back in March to set aside their weapons and use nonviolent mass organizing all the more notable.

Myth #3: "Participants in the #GreatReturnMarch were incited or organized to be there by Hamas, so they could serve as its human shields."

Facts:

- a. The #GreatReturnMarch project was started by a non-Hamas civil society activist called Ahmed Abu Artema, who has written about his role in *The New York Times* and elsewhere. As the project gained momentum, Hamas and the other political factions in Gaza joined it.
- b. If the participants in the march were "human shields", what were they human shields for? The factions in Gaza have conducted almost no military activity since March 30. What they have conducted was nearly all done in response to attacks Israel launched on their bases-- which are far from the protests.
- c. In numerous interviews and articles, protest participants have stressed that their motivation in knowingly risking their lives by protesting has been a deep commitment to restoring the Palestinians' long-promised rights, including the Right to Return.
- d. The Israelis' attempt to besmirch the memory of young Palestinian EMT responder Razan al-Najjar (whom they'd killed on June 1) by editing a video of her and mistranslating her words was unacceptable defamation.

Myth #4: “Most of those killed by Israel in the protests have been Hamas members who are therefore legitimate targets.”

Facts:

- a. Israeli spokespeople have produced little or no credible evidence for this claim. If responsible journalists report the claim, they should also demand the evidence. Few do.
- b. But even if some of those killed were identified as Hamas supporters, activists, or even “fighters”, this would not make them valid military targets. The Geneva Conventions are clear that when a combatant is “*hors de combat*”, that is, when he or she takes off their uniform, puts down their weapon, and is no longer engaged in military activities, they are no longer a valid military target.
- c. (In Israel, many members of the military participate as reservists a few weeks a year, and while they’re serving they take regular weekly breaks from duty. When they take off their uniforms and are off-duty, they are similarly *hors de combat* and not legitimate targets.)

Myth #5: “Hamas is evil, violent, and oppressive to Palestinians and seeks the destruction of Israel and the genocide of Israeli Jews.”

Facts:

- a. Hamas has a complex history. During the 1990s it used suicide bombings against civilian targets in Israel—that is, terrorism—to try to end the “Oslo” peace process. (They failed.) But since its formation in 1987 Hamas has also always done a lot of civilian mass organizing, including by providing much-needed social services to Palestinians hard pressed by the Occupation.
- b. Over the years, Hamas’s political stance became more moderate. At the beginning, it called for the end of the Israeli state but by the mid-2000’s its leaders started to express acceptance of the “two-state solution” as part of a possibly lengthy “*hudna*” (truce) with Israel.
- c. On the basis of Hamas’s support of the *hudna*, in 2005 the Bush administration and the Israeli government agreed that it could take part in the elections scheduled for January 2006 for the PA’s Legislative Council, and negotiated the terms by which it could do so.
- d. Hamas’s decision to take part in the 2006 elections marked a turning point in its history. The peaceful and well-organized way in which it took part was noted by international observers. Then, it won the elections. (The campaign run by its major Palestinian opponent, Fateh, was very disorganized. But many voters also disapproved of the way Fateh had conducted the negotiations with Israel.)
- e. Hamas’s win in the 2006 elections brought forth the wrath of Washington and Israel. Israeli leaders threatened non-aligned Palestinian legislators they would be killed if they participated in a Hamas-led government. Washington, Israel, and Fateh also prepared to overthrow by force the Hamas-led government established in Gaza. This was documented by David Rose, in *Vanity Fair*, at: <http://bit.ly/2JJOF6c>.
- f. In June 2007, as the anti-Hamas plot neared its launch date, Hamas cracked down on the Fateh plotters inside Gaza, committing rights violations as it did so. Israel helped survivors of the failed plot to retreat to the West Bank—and started planning for a long-term siege of Gaza to “starve” its people into submission, instead. (Israel, the US, and Fateh have also committed grave rights violations...)
- g. The siege of Gaza that Israel has maintained since 2007, with full backing from Washington, is clearly a form of collective punishment against the Strip’s population, and thus illegal under international law.
- h. Since 2007, in addition to maintaining the siege of Gaza, Israel has launched three major military assaults and many smaller military forays against the Strip, killing more than 4,000 people, wounding thousands more, and destroying thousands of vital non-military facilities. Its goal seems to have been to turn the people of Gaza against the Hamas leaders. If so, it failed miserably.

- i. Hamas has a resilient leadership and a disciplined cadre of fighters and civilian members. That discipline has been evident during the #GreatReturnMarch. But Hamas is not the only political force in Gaza. At funerals for people whom Israel has killed during the recent protests, the flags of Fateh, Palestinian Islamic Jihad, the PFLP, and other factions are seen alongside Hamas flags. (In the tent camps that support the march, it is mainly Palestinian flags that are displayed.)
- j. Meantime, until now, Hamas leaders have maintained their support for the two-state goal, though they—like many other Palestinian political leaders—have become impatient to see implementation of the Palestinians’ Right of Return.
- k. It is now very hard to see how a two-state solution could be implemented, given that Israel has planted > 650,000 settlers in the West Bank, and has diced the Palestinian areas there into tiny cantons. So opinion among Palestinians is now swinging back toward support for an older Palestinian goal: creation of a single democratic state in all of pre-1948 Palestine with equal civil status for all.
- l. A “one-state” outcome would mean the end of Israel, constituted as it currently is as a state that grants institutional privilege to Jewish people from anywhere in the world at the expense of the rights of the indigenous Palestinians. But, as with the end of Apartheid in South Africa, ending Israel’s system of institutionalized privilege would not mean a genocide of Israel’s current Jewish population. It would mean the end of their institutionalized privilege.
- m. Intellectuals in Hamas and the other Palestinian movements discuss these questions about “two-state” or “one-state” goals. But the Hamas leadership still supports the *hudna* version of the two-state goal.

Myth #6: “Hamas is backward and oppresses women, gays, and others.”

Facts:

- a. Hamas is a political movement motivated by people of religious belief, like the Christian Democratic Party in Germany. Within Islam, Hamas adopts a generally modernizing position—very different from that of the Al-Qaeda or ISIS-affiliated movements active in various countries..
- b. In Gaza, the West Bank, and Israel, personal and family law is administered by state-authorized religious bodies that are very socially conservative. Most Gaza Palestinians are Sunni Muslims. Within this social/political context, Hamas has always paid attention to the social and political development of women. Four of the Hamas legislators elected in 2006 were women. One of them, Jamila Shanty, has long been active in organizing women’s participation in nonviolent protests.
- c. Throughout the time Hamas has been in charge in Gaza, it has given special protection to key Christian sites like the ancient church of St. Porphyrius, and to Gaza’s small Christian community.
- d. Hamas has not been tolerant of homosexuality. (But most US jurisdictions retained anti-gay legislation until recently, and Israel’s laws and much of its society are also very oppressive of gay people.)

Myth #7: “Palestinians in Gaza deserve to be punished because they voted for or otherwise supported Hamas.”

Facts:

- a. This argument is just plain un-democratic! Nobody deserves to be punished simply because of their political views or voting record! Hamas’s participation in the 2006 elections was actively encouraged by the US administration. Why should the people who voted for it then be “punished”?
- b. It is also not the case that all Gaza Palestinians support Hamas! Many other parties are publicly active in Gaza, and many Gaza Palestinians are sick of all the parties and don’t support any of them.
- c. Remember, too, that in the West Bank Israel has incarcerated many of the legislators elected in 2006 (from Hamas and other parties) for long periods. Israel cannot hide its hostility to all forms of Palestinian democracy.