

## War in Gaza

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Since October 7<sup>th</sup>, over 1,300 Israelis and 2,700 Palestinians have been killed, with figures changing daily. While Hamas' paramilitary, the Ezzeldin AlQassam Brigades have sent thousands of rockets into settlements and cities causing unprecedented damage, the Israeli Defense Forces have dropped thousands of munitions throughout Gaza, destroying residential, medical, and commercial districts on a larger scale. The casualties are primarily civilians. While observers focus on current events, a practical assessment necessitates reviewing a background that spans decades. The asymmetric nature of the conflict also cannot be ignored. Israel has a GDP larger than Japan's and the United States has provided it "\$158 billion (current, or noninflation-adjusted, dollars) in bilateral assistance and missile defense funding. At present, almost all U.S. bilateral aid to Israel is in the form of military assistance; from 1971 to 2007, Israel also received significant economic assistance," according to a March 2023 edition of the Congressional Research Service entitled "U.S. Foreign Aid to Israel." Conversely, Gaza has been under cordon for nearly 2 decades; and assistance has mainly been humanitarian in nature through the United Nations, non-governmental organizations (NGOs), and private charities with limited resources.

*The Palestinian – Israeli conflict has gone on for 75 years; and some argue even longer, dating back to 1897 when the First Zionist Congress held in Basel, Switzerland marked the first time the creation of a Jewish state took place at an organized event of this nature. The complexity of the issue is clouded by the deep emotional ties Palestinian and Israeli Jews, Christians, Muslims, and Druze have to the land. This analysis will focus on the events of October 7th, the causes, and their possible consequences. The National Interest Foundation does not endorse any partisan perspective; however, we expressly abhor the loss of innocent life. Furthermore, is the NIF's position that all parties must abide by international conventions governing rules of engagement and treatment of civilians.*

The Gaza Strip is roughly 140 square miles in size. It has 2.3 million inhabitants, making it one of the most densely populated regions in the world. An estimated 67% of the total population are refugees from lands the Israelis occupied during what Arabs call the Nakba (catastrophe) of 1948, the mass displacement of Palestinians after the United Nations passed a resolution for a partitioning Palestine. It was the culmination of the Balfour Declaration and the Sykes-Picot Agreement that laid out the framework for an eventual Jewish state in historic Palestine. War soon erupted and resulted in a diaspora. Refugees that could travel to Lebanon, Syria, Jordan, and Egypt and stayed in tents believing they would be only temporarily displaced. The remainder fled farther afield to other North African or Arabian Gulf states. The majority of these came from towns and cities like Jaffa, Haifa, Safad and others that terrorist groups like the Haganah, Stern or Irgun had overwhelmed. David Ben-Gurion, the first prime minister of the new state and a Polish immigrant, is credited with uniting groups the British classified as terrorists into an organized militia that eventually became the Israeli Defense Forces. He oversaw the expulsion of most Palestinians; however, those without the means to travel farther or who already lived there, settled in Gaza.

The territory was of little political significance to the overall Palestinian-Israeli relationship. With the Oslo Accords signed in 1993, the Palestine Liberation Organization set up its main political party, Fatah, in Ramallah. Hamas was, however, an annoyance; and pressure from Israeli governments eventually led to it being placed on the State Department's 1997 list of terrorist organizations. Its popularity remained high, however. Following the Second Intifada (uprising) in 2005, legislative elections were held, and Hamas won a majority despite a series of disruptive arrests that the Carter Center called detentions of people who "are guilty of nothing more than winning a parliamentary seat in an open and honest election." A few months later, Israeli forces invaded Gaza and the West Bank claiming the operation was the result of soldier Gilad Shalit's capture. In the ensuing months, Fatah loyalists were installed in the West Bank, but Hamas retained control in Gaza. Rather than risk ground troops in a prolonged operation, the Israelis decided to put the Strip under siege.

It has remained under a land, air, and sea blockade since 2007 at both the Israeli and Egypt access points (Egypt's reasons for limiting movement requires separate analysis) with a robust, dual protection system. The Iron Dome which America funded with \$1.6 billion up to 2021 designed to detect and destroy rockets; and the Iron Wall, a billion-dollar barrier that consists of radar systems, remote-controlled machine guns overlooking cages that funnel above ground pedestrian traffic, underground sensors to detect tunnels, and barbed wire atop 60-kilometer concrete fence. The system was theoretically impenetrable and provided around-the-clock military surveillance.

Isolated from the outside world, hardship became prevalent. An estimated 54% of Palestinians live in "extreme poverty" and 43% are unemployed. Earlier this year, the United Nations reported that over half the population need humanitarian aid. Sympathizers cite a desire to draw attention to the Gaza Strip's rapidly deteriorating humanitarian situation as the rationale for the AlQassam Brigade attack – one where thousands of rockets were launched over the Iron Wall providing cover for militants entered the buffer zone around Gaza by land, air, and sea. On October 8, Israeli Prime Minister Benjamin Netanyahu declared war with a military campaign that has had devastating results so far.

The militants took up to 150 hostages from the kibbutz settlements as bargaining chips, believing it gives them leverage to free what they believe are Palestinian hostages in Israeli detention. Palestinians refer to civilians held in Israeli jails for political purposes as *asraa*, or hostages. These are either jailed for "security" violations or under "administrative detention," a term coined to prolong civilian incarceration without the need for due process, with some held up to eight years without trial. Roughly 5,000 people are incarcerated for security reasons in Israeli jails according to human rights group B'Tselem, a quarter of whom are held without charge.

Nevertheless, people taken against their will are protected individuals under international law; and forcing them to a conflict zone makes them human shields. Several have died as a direct result of the Israeli bombing, according to unverified Hamas sources. Prosecuting the perpetrators in international courts will prove challenging when the remaining captives are freed, however, as lawyers will claim the practice of using human shields has been undertaken by Israeli Defense Forces throughout the occupation. It is a common practice to tie hostages to the hoods of jeeps when entering Palestinian neighborhoods in the West Bank or Gaza; and as recently as May 2023 Defense for Children International reported that five children between the ages of 2 and 16 were used as human shields by Israeli special forces. Still, prosecutors will need to identify those who carried out the orders as well as those who gave the instructions with witness testimony to prosecute either the Israeli or Hamas militants involved in these illegal practices.

It is even more difficult for the Israelis to rescue the hostages given the siege. Although they have maintained tight controls over water, electricity, fuel, and food supplies for decades, with some villages accessing running water only once every three weeks, October 13<sup>th</sup> was the first time it completely sealed off all resources to the entire Gaza Strip at once and threatened to bomb any humanitarian convoys coming from Egypt. While the action is a response to the Hamas incursion, observers note it is the definition of collective punishment, which contravenes international law. The Fourth Geneva Convention states "[n]o protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited." Undeterred, Defense Minister Yoav Gallant said there will be a "complete siege" with no "electricity, no food, no fuel, everything will be closed" because they are "fighting against human animals"; and Netanyahu told the Israelis to prepare for a long war, forming an emergency unity government with the opposition. His stated goal is to ensure that every Hamas member is "a dead man."

While Israelis and their Western partners are enraged, Palestinians and popular opinion in the Arab world believe Hamas has reignited the flames of resistance. Still, there is a concern over the role Hezbollah and Iran may be playing in the process; and this could serve Netanyahu well. A senior Hamas official has stated that Hezbollah had no role in the initial attack but that they would get involved in the conflict if Israel continued its campaign of violence. Hezbollah has confirmed this in public statements; and missiles have been launched over the northern border of Israel.

The involvement of Hezbollah may herald a wider conflict; but the question remains what compelled Hamas to act now? They claim their goals are securing the release of Palestinian prisoners, a "return to the project of establishing a state," and stopping "Israeli violations." The last a reference to far-right Israeli government policies which have led to emboldened settlers that attack Palestinian civilians and encroach on the Dome of the Rock, as well as unfettered Israeli raids and a *de facto* annexation of the West Bank. The broader regional dynamic may also have influenced the decision. Saudi-Israeli normalization negotiations on the heels of the Abrahamic Accords involve a request for concessions to the Palestinian Authority, Hamas's political rival. If the deal succeeds, it will deepen the Palestinian divide and further diminish the likelihood

of a two-state solution. The deal threatens Iran as well; and some observers have posited that Hamas may have been pressured to act to deter such an agreement.

If Iran did play a role in the timing, they would appear to have achieved their goal, as normalization talks have been put on hold. Although Saudi Arabia has not explicitly endorsed Hamas, it has also not condemned it. In fact, in a statement they cited Israel's "occupation, the deprivation of the Palestinian people of their legitimate rights, and the repetition of systematic provocations" as the cause of the conflict. Although this may be purely for public consumption, any return to talks is unlikely while there is an active war in progress.

A further cause for concern is the potential for the conflict to spill over farther afield. So far, Iran and Iranian-backed groups in the Levant, Iraq and Yemen are the only groups that have done any saber rattling. Iran's Foreign Minister Hossein Amir-Abdollahian said the "continuation of crimes" against Palestinians will receive a response from "the rest of the Axis," a reference to the "Axis of Resistance, the grouping of Palestinian militant groups, the Syrian Regime, Hezbollah, and other factions. The only group that has actively engaged in fighting, however, is Hezbollah; but so far even that has been restrained.

Given Netanyahu's extreme right-wing coalition, there is also the risk of a preemptive strike against Iran provoking a more dangerous missile response. Many in the Israeli government have claimed Iran assisted in planning and funding Hamas's assault albeit with no evidence. Yet rallying citizens around a larger enemy, real or fabricated, is a real possibility given Netanyahu's unpopularity.

Netanyahu and his allies have faced a backlash because of judicial reform policies they want to implement which liberals see as a way to disempower them. Whether he was aware of the impending attack and allowed it as a distraction or was caught by surprise, he will face a reckoning when matters settle – unless he draws Iran into a broader conflict with the Gulf Arab states and Western allies that have already sent battleships to the area. This would give him time to reposition himself as a savior to the Israelis. One view is that he was incompetent and underestimated his tactic of allowing Hamas to grow and undermine President Abbas and the Palestinian Authority. An extension of this view is that he knowingly allowed the AlQassam Brigades to come through the Iron Wall to legitimize a response. Yet even if this is true, he will face scrutiny for the failures of Israeli intelligence as well as the slow reaction to the attack. The Iranians appear to be the best scapegoat; but Netanyahu is skilled at maneuvering out of difficult situations and may find an alternative patsy.

This will be a long, drawn-out conflict lasting months without the intervention of the United States. So far, the Americans do not appear inclined to deescalate. An attack of this scale is unprecedented and indicates that Hamas planned for a drawn-out conflict; and the worst of the fighting is likely yet to come. This war may become regional; and the human and economic costs would be significant. It is unclear if the United States is willing to pay that price for finally destabilizing Iran.

American foreign policy is not necessarily driven by any one administration. During the 1990s, the United States had a policy of "dual containment" which involved keeping Ba'athist Iraq and Revolutionary Iran in constant conflict with each other which helped keep oil producing nations tethered. When Iraq started its illegal occupation of Kuwait, this triggered a plan to re-contain it. The outcome, whether by design or inadvertently, was significantly broadened Iranian influence with a Russian alliance. Given that Iran is a gateway to Asia and it has expanded its reach across the Levant; and the Gulf Arab states are flirting with China and Russia (even if Russia is doing the same with Iran), it could be reasonably assumed that America has as much of an interest as the Israelis in reigning in the Iranians either under their sphere of influence or to replace them with a more malleable regime. The stakes are high; and Gaza, while appearing to be an inconsequential sliver, could conceivably trigger a far broader, more devastating conflict.