
Self-Defense

ON 29 NOVEMBER 1947, THE UN GENERAL ASSEMBLY approved a resolution partitioning British-mandated Palestine into a Jewish state incorporating 56 percent of Palestine, and an Arab state incorporating the remaining 44 percent.¹ In the war that ensued after passage of the resolution, the newly born State of Israel expanded its borders to incorporate nearly 80 percent of Palestine. The only areas of Palestine not conquered comprised the West Bank, which the Kingdom of Jordan subsequently annexed, and the Gaza Strip, which came under Egypt's administrative control.

The panhandle of the Sinai Peninsula, Gaza is bordered by Israel on the north and east, Egypt on the south, and the Mediterranean Sea on the west. Approximately 250,000 Palestinians driven out of their homes during the 1948 war fled to Gaza and overwhelmed the indigenous population of some 80,000. Today, more than 70 percent of Gaza's inhabitants consist of expellees from the 1948 war and their descendants, and more than half of this overwhelmingly refugee population is under 18 years of age; Gaza has the "second-highest share of people aged 0 to 14 worldwide." Its current 1.8 million inhabitants are squeezed into a sliver of land 25 miles long and 5 miles wide; it is among the most densely populated areas in the world, more crowded than even Tokyo. Between 1967, when the Israeli occupation began, and 2005, when Prime Minister Ariel Sharon redeployed Israeli troops from inside Gaza to its perimeter, Israel imposed on Gaza a uniquely exploitive regime of "de-development." In the words of Harvard political economist Sara Roy, it deprived "the native population of its most important economic

1. Less than one percent of Palestine was set aside for an international zone (*Corpus separatum*) incorporating Jerusalem.

resources—land, water, and labor—as well as the internal capacity and potential for developing those resources.”²

The road to modern Gaza’s desperate plight is strewn with multiple atrocities, most long forgotten or unknown outside Palestine. After the cessation of battlefield hostilities in 1949, Egypt kept a tight rein on the activity of *Fedayeen* (Palestinian guerrillas) in Gaza. But in early 1955, Israeli leaders plotted to lure Egypt into war in order to topple President Gamal Abdel Nasser. They launched a bloody cross-border raid into Gaza killing 40 Egyptian soldiers. The Gaza raid proved a near-perfect provocation, as armed border clashes escalated. In October 1956, Israel (in collusion with Great Britain and France) invaded the Egyptian Sinai and occupied Gaza, which it had long coveted. The prominent Israeli historian Benny Morris described what happened next:

Many *Fedayeen* and an estimated 4,000 Egyptian and Palestinian regulars were trapped in the Strip, identified, and rounded up by the IDF [Israel Defense Forces], GSS [General Security Service], and police. Dozens of these *Fedayeen* appear to have been summarily executed, without trial. Some were probably killed during two massacres by the IDF troops soon after the occupation of the Strip. On 3 November, the day Khan Yunis was conquered, IDF troops shot dead hundreds of Palestinian refugees and local inhabitants in the town. One UN report speaks of “some 135 local residents” and “140 refugees” killed as IDF troops moved through the town and its refugee camp “searching for people in possession of arms.”

In Rafah, which fell to the IDF on 1–2 November, Israeli troops killed between forty-eight and one hundred refugees and several local residents, and wounded another sixty-one during a massive screening operation on 12 November, in which they sought to identify former Egyptian and Palestinian soldiers and *Fedayeen* hiding among the local population. . . .

Another sixty-six Palestinians, probably *Fedayeen*, were executed in a number of other incidents during screening operations in the Gaza Strip between 2 and 20 November. . . .

The United Nations estimated that, all told, Israeli troops killed between 447 and 550 Arab civilians in the first three weeks of the occupation of the Strip.³

2. Sara Roy, *The Gaza Strip: The political economy of de-development*, expanded third edition (Washington, DC: 2016), pp. xxxii, 3–5; for the distinctiveness of Israel’s economic policy in Gaza, see *ibid.*, pp. 117–34. United Nations Country Team in the Occupied Palestinian Territory, “Gaza in 2020: A liveable place?” (2012) (“second-highest share”).

3. Benny Morris, *Israel’s Border Wars, 1949–1956* (Oxford: 1993), pp. 407–9. Morris documents that until the 1955 Israeli raid on Gaza, the “overriding concern” of Egypt “in its relations with Israel was to avoid sparking IDF attacks”; “Egypt generally sought tranquility

In March 1957, Israel was forced to withdraw from Gaza after US president Dwight Eisenhower exerted heavy diplomatic pressure and threatened economic sanctions. By the operation's end, more than a thousand Gazans had been killed. "The human cost of the four-month Israeli occupation of the Gaza Strip was alarmingly high," a historian recently observed. "If the figures for those wounded, imprisoned and tortured are added to the number who lost their lives, it would seem that one inhabitant in 100 had been physically harmed by the violence of the invaders."⁴

The etiology of Gaza's current afflictions traces back to the Israeli conquest. In the course of the 1967 war, Israel reoccupied the Gaza Strip (along with the West Bank) and has remained the occupying power ever since. As Morris narrated the story, "the overwhelming majority of West Bank and Gaza Arabs from the first hated the occupation"; "Israel intended to stay . . . and its rule would not be overthrown or ended through civil disobedience and civil resistance, which were easily crushed. The only real option was armed struggle"; "like all occupations, Israel's was founded on brute force, repression and fear, collaboration and treachery, beatings and torture chambers, and daily intimidation, humiliation, and manipulation"; the occupation "was always a brutal and mortifying experience for the occupied."⁵

From the start, Palestinians fought back against the Israeli occupation. Gazans put up particularly stiff unarmed and armed resistance, while Israeli repression proved equally unremitting. In 1969, Ariel Sharon became chief of the IDF Southern Command and not long after embarked on a campaign to crush the resistance in Gaza. A leading American academic specialist on Gaza recalled how Sharon

along its border with Israel." However, "from some point in 1954," IDF chief of staff Moshe Dayan "wanted war, and periodically, he hoped that a given retaliatory strike would embarrass or provoke the Arab state attacked into itself retaliating, giving Israel cause to escalate the shooting until war resulted." The "policy of trapping Nasser into war was hammered out between [David] Ben-Gurion and Dayan." The predicate of their indirect strategy of provocation was that "because Israel could not afford to be branded an aggressor, war would have to be reached by a process of gradual escalation, to be achieved through periodic, large-scale Israeli retaliatory attacks in response to Egyptian infractions of the armistice." When "Egypt refused to fall into the successive traps set by Dayan," Israel colluded with Great Britain and France to attack Egypt outright (*ibid.*, pp. 85, 178–79, 229–30, 271–72, 279–80, 427, 428).

4. Jean-Pierre Filiu, *Gaza: A history* (New York: 2014), p. 105.

5. Benny Morris, *Righteous Victims: A history of the Zionist-Arab conflict, 1881–2001* (New York: 2001), pp. 340–43, 568. See also Zeev Schiff and Ehud Ya'ari, *Intifada: The Palestinian uprising—Israel's third front* (New York: 1990).

placed refugee camps under twenty-four-hour curfews, during which troops conducted house-to-house searches and mustered all the men in the central square for questioning. Many men were forced to stand waist-deep in the Mediterranean Sea for hours during the searches. In addition, some twelve thousand members of families of suspected guerrillas were deported to detention camps . . . in Sinai. Within a few weeks, the Israeli press began to criticize the soldiers and border police for beating people, shooting into crowds, smashing belongings in houses, and imposing extreme restrictions during curfews. . . .

In July 1971, Sharon added the tactic of “thinning out” the refugee camps. The military uprooted more than thirteen thousand residents by the end of August. The army bulldozed wide roads through the camps and through some citrus groves, thus making it easier for mechanized units to operate and for the infantry to control the camps. . . . The army crackdown broke the back of the resistance.⁶

In December 1987, a traffic accident on the Gaza-Israel border that left four Palestinians dead triggered a mass rebellion, or intifada, against Israeli rule throughout the occupied territories. “It was not an armed rebellion,” Morris recalled, “but a massive, persistent campaign of civil resistance, with strikes and commercial shutdowns, accompanied by violent (though unarmed) demonstrations against the occupying forces. The stone and, occasionally, the Molotov cocktail and knife were its symbols and weapons, not guns and bombs.” It cannot be said, however, that Israel reacted in kind. Morris continued: “Almost everything was tried: shooting to kill, shooting to injure, beatings, mass arrests, torture, trials, administrative detention, and economic sanctions”; “A large proportion of the Palestinian dead were not shot in life-threatening situations, and a great many of these were children”; “Only a small minority of [IDF] malefactors were brought to book by the army’s legal machinery—and were almost always let off with ludicrously light sentences.”⁷

By the early 1990s, Israel had successfully repressed the first intifada. It subsequently entered into an agreement secretly negotiated in Oslo, Norway, with the Palestine Liberation Organization (PLO) and ratified in September 1993 on the White House lawn. Israel intended via the Oslo Accord to streamline the occupation by removing its troops from direct contact with Palestinians and supplanting them with Palestinian subcontractors. “One of

6. Ann Mosely Lesch, “Gaza: History and politics,” in Ann Mosely Lesch and Mark Tessler, *Israel, Egypt, and the Palestinians: From Camp David to intifada* (Bloomington: 1989), pp. 230–32.

7. Morris, *Righteous Victims*, pp. 561, 580, 587, 591, 599.

the meanings of Oslo,” former Israeli foreign minister Shlomo Ben-Ami observed, “was that the PLO was . . . Israel’s collaborator in the task of stifling the intifada and cutting short . . . an authentically democratic struggle for Palestinian independence.”⁸ In particular, Israel contrived to reassign to Palestinian surrogates the sordid tasks of occupation. “The idea of Oslo,” former Israeli minister Natan Sharansky acknowledged, “was to find a strong dictator to . . . keep the Palestinians under control.”⁹ “The Palestinians will be better at establishing internal security than we were,” Israeli prime minister Yitzhak Rabin told skeptics in his ranks, “because they will not allow appeals to the Supreme Court and will prevent the Association for Civil Rights in Israel from criticizing the conditions there. . . . They will rule by their own methods, freeing, and this is most important, the Israeli soldiers from having to do what they will do.”¹⁰

In July 2000, PLO head Yasser Arafat and Israeli prime minister Ehud Barak joined US president Bill Clinton at Camp David to negotiate a final settlement of the conflict. The summit collapsed in mutual recrimination. But which side bore primary culpability for the aborted talks? “If I were a Palestinian,” Ben-Ami, one of Israel’s chief negotiators at Camp David, later commented, “I would have rejected Camp David as well,” while Israeli strategic analyst Zeev Maoz concluded that the “substantial concessions” Israel demanded of Palestinians at Camp David “were not acceptable and could not be acceptable.”¹¹ Subsequent negotiations also failed to achieve a breakthrough. In December 2000, President Clinton unfurled his “parameters” for resolving the conflict; both sides accepted them with reservations.¹² In January 2001, parleys resumed in Taba, Egypt. Although both parties

8. Shlomo Ben-Ami, *Scars of War, Wounds of Peace: The Israeli-Arab tragedy* (New York: 2006), pp. 191, 211.

9. Andy Levy-Ajzenkopf, “Sharansky on Tour Promoting Identity, Freedom,” *Canadian Jewish News* (1 July 2008). Sharansky held several ministerial positions between 1996 and 2005.

10. Graham Usher, “The Politics of Internal Security: The PA’s new intelligence services,” *Journal of Palestine Studies* (Winter 1996), p. 28; *The B’Tselem Human Rights Report* (Spring 1994).

11. Shlomo Ben-Ami, interview on *Democracy Now!* (14 February 2006); Zeev Maoz, *Defending the Holy Land: A critical analysis of Israel’s security and foreign policy* (Ann Arbor: 2006), p. 476 (see also p. 493).

12. Yossi Beilin, *The Path to Geneva: The quest for a permanent agreement, 1996–2004* (New York: 2004), pp. 52–53, 219–26; Clayton E. Swisher, *The Truth about Camp David* (New York: 2004), p. 402. For detailed analysis of the various phases in the 2000–2001 negotiations, see Norman G. Finkelstein, *Knowing Too Much: Why the American Jewish romance with Israel is coming to an end* (New York: 2012), pp. 229–48.

affirmed that “significant progress had been made” and they had “never been closer to agreement,” Prime Minister Barak unilaterally “called a halt” to these negotiations, and as a result “the Israeli-Palestinian peace process had ground to an indefinite halt.”¹³

In September 2000, amid the diplomatic stalemate and after Israeli provocation, Palestinians in the occupied territories once again entered into open revolt. Like its 1987 precursor, this second intifada was at its inception overwhelmingly nonviolent. However, in Ben-Ami’s words, “Israel’s disproportionate response to what had started as a popular uprising, with young, unarmed men confronting Israeli soldiers armed with lethal weapons, fueled the [second] intifada beyond control and turned it into an all-out war.”¹⁴ It is largely forgotten that the first Hamas suicide bombing of the second intifada did not occur until five months into Israel’s relentless bloodletting. Israeli forces had fired one million rounds of ammunition in just the first few days of the uprising, while the ratio of Palestinians to Israelis killed during the first weeks was 20:1.¹⁵ In the course of the spiraling violence triggered by its “disproportionate response,” Israel struck Gaza with special vengeance. In a cruel reworking of Ecclesiastes, each turn of season presaged yet another Israeli attack on Gaza that left scores dead and fragile infrastructure destroyed: “Operation Rainbow” (2004), “Operation Days of Penitence” (2004), “Operation Summer Rains” (2006), “Operation Autumn Clouds” (2006), “Operation Hot Winter” (2008).¹⁶ In the warped memory of Israeli president and Nobel Peace Prize laureate Shimon Peres, however, this period was “another mistake—we restrained ourselves for eight years and allowed [Gazans] to shoot thousands of rockets at us . . . restraint was a mistake.”¹⁷

13. Morris, *Righteous Victims*, p. 671.

14. Ben-Ami, *Scars of War*, p. 267; see also Idith Zertal and Akiva Eldar, *Lords of the Land: The war over Israel’s settlements in the occupied territories, 1967–2007* (New York: 2007), pp. 412–15.

15. Norman G. Finkelstein, *Beyond Chutzpah: On the misuse of anti-Semitism and the abuse of history*, expanded paperback edition (Berkeley: 2008), ch. 4. The first suicide attack during the second intifada occurred in March 2001.

16. More than 400 Palestinians (including 85 children) were killed, while five Israeli soldiers were killed, during “Summer Rains” and “Autumn Clouds.” Fully 33 Palestinian children were killed, while one Israeli civilian was killed, in just five days during “Hot Winter.” Al Mezan Center for Human Rights, *Bearing the Brunt Again: Child rights violations during Operation Cast Lead* (September 2009), pp. 8, 18–19.

17. Benny Morris, “Israeli President Shimon Peres Reflects on His Mentor, His Peace Partner, and Whether the State of Israel Will Survive,” *Tablet* (26 July 2010).

Despite continual Israeli assaults, Gaza continued to roil. Already at the time of the Oslo Accord its intractability caused Israel to sour on the Strip. “If only it would just sink into the sea,” Rabin despaired.¹⁸ In April 2004, Prime Minister Sharon announced that Israel would “disengage” from Gaza, and by September 2005 both Israeli troops and Jewish settlers had been pulled out. Dov Weisglass, a key advisor to Sharon, laid out the rationale behind the disengagement: it would relieve international (in particular American) pressure on Israel, in turn “freezing . . . the political process. And when you freeze that process you prevent the establishment of a Palestinian state.”¹⁹ Israel subsequently purported that it was no longer the occupying power in Gaza. However, human rights organizations and international institutions rejected this contention; the fact was, in myriad ways Israel still preserved near-total dominance of the Strip. “Whether the Israeli army is inside Gaza or redeployed around its periphery,” Human Rights Watch concluded, “it remains in control.”²⁰ Israel’s own leading authority on international law, Yoram Dinstein, aligned himself with the “prevalent opinion” that the Israeli occupation of Gaza was not over.²¹

The received wisdom is that the process initiated at Oslo must be reckoned a failure because it did not yield a lasting peace. But such a verdict misconstrues

18. Amira Hass, *Drinking the Sea at Gaza: Days and nights in a land under siege* (New York: 1996), p. 9.

19. Sara Roy, *Failing Peace: Gaza and the Palestinian-Israeli conflict* (London: 2007), pp. 327–28. See also Roy, *Gaza Strip*, pp. xxiii–xxv; and Galia Golan, *Israel and Palestine: Peace plans from Oslo to disengagement* (Princeton: 2007).

20. Human Rights Watch, “Disengagement’ Will Not End Gaza Occupation” (29 October 2004). HRW’s *World Report 2006* reiterated this position:

In August and September 2005, Israel unilaterally withdrew approximately eight thousand settlers, along with military personnel and installations, from the Gaza Strip and four small settlements in the northern West Bank near Jenin. While Israel has since declared the Gaza Strip a “foreign territory” and the crossings between Gaza and Israel “international borders,” under international humanitarian law (IHL), Gaza remains occupied, and Israel retains its responsibilities for the welfare of Gaza residents. Israel maintains effective control over Gaza by regulating movement in and out of the Strip as well as the airspace, sea space, public utilities and population registry. In addition, Israel declared the right to re-enter Gaza militarily at any time in its “Disengagement Plan.” Since the withdrawal, Israel has carried out aerial bombardments, including targeted killings, and has fired artillery into the northeastern corner of Gaza.

For detailed legal analysis, see Gisha (Legal Center for Freedom of Movement), *Disengaged Occupiers: The legal status of Gaza* (Tel Aviv: January 2007).

21. Yoram Dinstein, *The International Law of Belligerent Occupation* (Cambridge: 2009), p. 277.

its actual objective. If Israel's goal was, as Ben-Ami pointed out, to groom a class of Palestinian collaborators, then Oslo was a stunning success for Israelis. Indeed, not just for them. A look at the Oslo II Accord, signed in September 1995 and spelling out in detail the mutual rights and duties of the contracting parties to the 1993 agreement, suggests what loomed largest in the minds of Palestinian negotiators: whereas four full pages are devoted to "Passage of [Palestinian] VIPs" (the section is subdivided into "Category 1 VIPs," "Category 2 VIPs," "Category 3 VIPs," and "Secondary VIPs"), less than one page—the very last—is devoted to "Release of Palestinian Prisoners and Detainees," who numbered in the many thousands.²²

In a telling anomaly, the Oslo Accord stipulated a five-year interim period for so-called confidence building between the former foes. Contrariwise, when and where Israel genuinely sought peace, the reconciliation process unfolded at a rapid clip. Thus, for decades Egypt was Israel's chief nemesis in the Arab world, and it was Egypt that launched a surprise attack in 1973, in the course of which thousands of Israeli soldiers perished. Nevertheless, only a half year separated the 1978 Camp David summit convened by US president Jimmy Carter, which produced the Israeli-Egyptian "Framework for Peace," and the 1979 "Treaty of Peace," which formally terminated hostilities; and only three more years elapsed before Israel evacuated (in 1982) the whole of the Egyptian Sinai.²³ A half decade of confidence building did not insert itself in the Israeli-Egyptian negotiations.

The barely disguised purpose of Oslo's protracted interim period was not confidence building to facilitate an Israeli-Palestinian peace but collaboration building to facilitate a burden-free Israeli occupation. The operative premise was that after growing accustomed to the emoluments of power and privilege, the stratum of Palestinian beneficiaries would be averse to parting with them; however reluctantly, they would do the bidding of the power that meted out the largesse and "afforded them significant perquisites."²⁴ The transition period also enabled Israel to gauge the dependability of these Palestinian sub-

22. *Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip* (Washington, DC: 1995), pp. 92–96, 314. For analysis of Oslo II, see Norman G. Finkelstein, *Image and Reality of the Israel-Palestine Conflict*, expanded second paperback edition (New York: 2003), pp. 172–83.

23. A border dispute over a tiny triangle of land was resolved later in Egypt's favor by international arbitration.

24. International Crisis Group, *Tipping Point? Palestinians and the search for a new strategy* (April 2010), p. 2.

contractors, as crises periodically erupted that tested their loyalty. By the end of the Oslo “peace process,” Israel could count among its many blessings that the number of Israeli troops serving in the occupied Palestinian territories was at the lowest level since the start of the first intifada.²⁵ The only holdout in the Palestinian leadership was its chairman. Notwithstanding his legendary opportunism, Arafat carried in him a residue of his nationalist past and would not settle for presiding over a South Africa–like Bantustan. Once he passed from the scene in 2004, however, all the pieces were in place for the “Palestinian Authority” implanted in the occupied territories to reach a *modus vivendi* with Israel. Except that it was too late.

In 2006, disgusted by years of official corruption and fruitless negotiations, Palestinians voted into office the Islamic movement Hamas, in an election that was widely heralded as “completely honest and fair” (Jimmy Carter).²⁶ Privately, Senator Hillary Clinton rued that the United States didn’t rig the outcome: “we should have made sure that we did something to determine who was going to win.”²⁷ Since its establishment in 1988, Hamas had formally rejected the internationally endorsed terms for resolving the Israel-Palestine conflict. However, its participation in the electoral contest signaled the possibility that the Islamic movement “was evolving and could evolve still more.”²⁸ But Israel immediately tightened its siege, and “economic activity in Gaza came to a standstill, moving into survival mode.”²⁹ The United States and European Union followed suit, as they inflicted “devastating” financial sanctions.³⁰ If the

25. “Israel Army’s West Bank Presence ‘Lowest in 20 Years,’” *Agence France-Presse* (28 November 2010).

26. “Opening Remarks by Former US President Jimmy Carter to the 2006 Human Rights Defenders Policy Forum” (23 May 2006). See also Pamela Scholey, “Palestine: Hamas’s unfinished transformation,” in Jeroen de Zeeuw, ed., *From Soldiers to Politicians: Transforming rebel movements after civil war* (Boulder, CO: 2008), which describes the election as a “model of democratic reform” (p. 138).

27. Ken Kurson, “2006 Audio Emerges of Hillary Clinton Proposing Rigging Palestine Election,” *Observer* (28 October 2016).

28. Álvaro de Soto, *End of Mission Report* (2007), para. 44. De Soto was “United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority Envoy to the Quartet” between 2005 and 2007. His report is the single most authoritative and revealing document on the period running from Israel’s redeployment in Gaza to Hamas’s electoral victory and its aftermath. On Hamas’s political trajectory prior to the 2006 elections toward acceptance of the State of Israel, see International Crisis Group, *Enter Hamas: The challenges of political integration* (January 2006), pp. 2, 19–22.

29. De Soto, *End of Mission Report*, paras. 25, 52.

30. *Ibid.*, para. 51.

noose was tightened around Hamas alongside the people of Gaza, it was because they did as told: they participated in democratic elections. The unstated subtext, ignorance of which cost Gaza dearly, was that Hamas was obliged to lose. The UN special rapporteur on human rights in the occupied Palestinian territories noted other anomalies of this punitive response:

In effect, the Palestinian people have been subjected to economic sanctions—the first time an occupied people have been so treated. This is difficult to understand. Israel is in violation of major Security Council and General Assembly resolutions dealing with unlawful territorial change and the violation of human rights and has failed to implement the 2004 advisory opinion of the International Court of Justice, yet it escapes the imposition of sanctions. Instead the Palestinian people . . . have been subjected to possibly the most rigorous form of international sanctions imposed in modern times.³¹

The impetus behind this ruthless economic warfare targeting “a freely elected government of a people under occupation” was to ensure Hamas’s failure so as to discredit it as a governing body.³² The Islamic movement was called upon simultaneously by Washington and Brussels to renounce violence, and recognize Israel as well as prior Israeli-Palestinian agreements.³³ These preconditions for international engagement were unilateral: Israel wasn’t compelled to renounce violence; Israel wasn’t compelled to recognize the reciprocal Palestinian right to statehood along the 1967 border; and whereas Hamas was compelled to recognize prior agreements, such as the Oslo Accord, which legitimated the occupation and enabled Israel to vastly increase its illegal settlements, Israel was free to eviscerate prior agreements, such as the Bush administration’s 2003 *Road Map*.³⁴ In effect, Western powers were “setting unattainable preconditions for dialogue” with the Islamic

31. John Dugard, *Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967* (A/HRC/2/5) (5 September 2006). The special rapporteur continued: “It is interesting to recall that the Western States refused to impose meaningful economic sanctions on South Africa to compel it to abandon apartheid on the grounds that this would harm the black people of South Africa. No such sympathy is extended to the Palestinian people or their human rights.”

32. De Soto, *End of Mission Report*, paras. 50, 53.

33. Although many of the hostile initiatives against Hamas formally emanated from the Middle East Quartet—US, EU, Russia, UN secretary-general—in reality, this grouping was the playing of the United States, often in concert with the European Union (*ibid.*, paras. 63, 69, 78–79).

34. Jimmy Carter, *Palestine Peace Not Apartheid* (New York: 2006), pp. 159–60; Golan, *Israel and Palestine*, p. 90; de Soto, *End of Mission Report*, paras. 30, 81n6, 131.

movement.³⁵ “ Hamas’s success in the Palestinian elections of January 2006,” a 2014 study concludes, could have augured a peaceful political evolution, “but only if the active interference of the United States and the passivity of the European Union had not sabotaged this experiment in government.”³⁶

In 2007, Hamas consolidated its control of Gaza after foiling a coup attempt orchestrated by Washington in league with Israel and elements of the Palestinian old guard.³⁷ “When Hamas preempts [a putsch],” a senior Israeli intelligence figure later scoffed, “everyone cries foul, claiming it’s a military putsch by Hamas—but who did the putsch?”³⁸ Although reviling Hamas as “cruel, disgusting and hate-filled,” an editor of Israel’s largest circulation newspaper echoed this heterodox take on what had transpired: “Hamas did not ‘seize control’ of Gaza. It took the action needed to enforce its authority, disarming and destroying a militia that refused to bow to its authority.”³⁹ The United States and Israel reacted promptly to Hamas’s rejection of this “democracy promotion” bid (i.e., the coup attempt) by further tightening the screws on Gaza.⁴⁰ In June 2008, Hamas and Israel entered into a cease-fire brokered by Egypt, but in November of that year Israel violated the cease-fire. It carried out a lethal border raid on Gaza reminiscent of its 1955 cross-border attack. Then and now, the objective was to provoke retaliation and thus provide the pretext for a massive assault.

Indeed, the border raid proved to be the preamble to a bloody invasion. On 27 December 2008, Israel launched “Operation Cast Lead.”⁴¹ It began with an aerial blitz that was followed by a combined aerial and ground assault. Piloting the most advanced combat aircraft in the world, the Israeli air force flew nearly three thousand sorties over Gaza and dropped one thousand tons of explosives, while the Israeli army deployed several brigades equipped with

35. De Soto, *End of Mission Report*, para. 50.

36. Filiu, *Gaza*, p. 306; see also de Soto, *End of Mission Report*, paras. 50, 52.

37. David Rose, “The Gaza Bombshell,” *Vanity Fair* (April 2008); International Institute for Strategic Studies, “Hamas Coup in Gaza” (2007); Björn Brenner, *Gaza under Hamas: From Islamic democracy to Islamist governance* (London: 2017), pp. 35–40. The preemptive strike was launched by Hamas’s military wing, and subsequently endorsed by Hamas political leaders. For Washington’s machinations to foment a civil war in Gaza prior to the coup attempt, and the complicity of senior officials in the Palestinian Authority, see de Soto, *End of Mission Report*, paras. 55–57, 123, 127.

38. Paul McGeough, *Kill Khalid: The failed Mossad assassination of Khalid Mishal and the rise of Hamas* (New York: 2009), p. 377.

39. Ed O’Loughlin, “Hopeless in Gaza,” *Sydney Morning Herald* (23 June 2007).

40. The ballyhooed centerpiece of Bush’s foreign policy was “democracy promotion.”

41. “Cast Lead” referred to a line in a Hanukkah song.

sophisticated intelligence-gathering systems, and weaponry such as robotic and TV-aided remote-controlled guns. On the other side, Hamas⁴² launched several hundred rudimentary rockets and mortar shells into Israel. On 18 January 2009, Israel declared a unilateral cease-fire, “apparently at the behest of Barack Obama, whose presidential investiture was to take place two days later.”⁴³ However, the siege of Gaza persisted. The Bush administration and the US Congress lent Israel unqualified support during the attack. A resolution laying full culpability on Hamas for the ensuing death and destruction passed unanimously in the Senate and 390 to 5 in the House.⁴⁴ But overwhelmingly, international public opinion (including wide swaths of Jewish public opinion) recoiled at Israel’s assault on a defenseless civilian population.⁴⁵ In 2009, a United Nations Human Rights Council Fact-Finding Mission, chaired by the respected South African jurist Richard Goldstone, released a voluminous report documenting Israel’s commission of massive war crimes and possible crimes against humanity. The report accused Hamas of committing cognate crimes but on a scale that paled by comparison. It was clear that, in the words of Israeli columnist Gideon Levy, “this time we went too far.”⁴⁶

Israel officially justified Operation Cast Lead on the grounds of self-defense against Hamas rocket attacks.⁴⁷ Such a rationale did not, however, withstand even superficial scrutiny. If Israel wanted to avert Hamas rocket attacks, it would not have triggered them by breaching the 2008 cease-fire.⁴⁸ It could also have opted for renewing—and for a change, honoring—the cease-fire. In fact, as a former Israeli intelligence officer told the Crisis Group, “The cease-fire options on the table after the war were in place there before it.”⁴⁹ If the goal of Cast Lead was to destroy the “infrastructure of terrorism,”

42. When referring to Palestinian military actions and capabilities, *Hamas* is used as shorthand for all Palestinian armed groups operating in Gaza.

43. Filiu, *Gaza*, p. 316.

44. Stephen Zunes, “Virtually the Entire Dem-Controlled Congress Supports Israel’s War Crimes in Gaza,” *Alternet* (13 January 2009).

45. Norman G. Finkelstein, “*This Time We Went Too Far*: Truth and consequences of the Gaza invasion, expanded paperback edition (New York: 2011), pp. 107–29.

46. Gideon Levy, “Goldstone’s Gaza Probe Did Israel a Favor,” *Haaretz* (2 October 2009).

47. Mouin Rabbani, “Birth Pangs of a New Palestine,” *Middle East Report Online* (7 January 2009).

48. See Chapter 2.

49. International Crisis Group, *Gaza’s Unfinished Business* (April 2009), p. 21; see *ibid.*, pp. 27–28, for the postinvasion cease-fire terms. See also “Israeli Leaders ‘To Topple Hamas,’” *BBC News* (22 December 2008); Zvi Bar’el, “Delusions of Victory in Gaza,” *Haaretz* (28 December 2008).

then Israel's alibi of self-defense appeared even less credible after the invasion. Overwhelmingly, Israel targeted not Hamas strongholds but "decidedly 'non-terrorist,' non-Hamas" sites.⁵⁰

The human rights context further undermined Israel's claim of self-defense. The 2008 annual report of B'Tselem (Israeli Information Center for Human Rights in the Occupied Territories) documented that between 1 January and 26 December 2008, Israeli security forces killed 455 Palestinians, of whom at least 175 were civilians, while Palestinians killed 31 Israelis, of whom 21 were civilians. Hence, on the eve of Israel's so-called war of self-defense, the ratio of total Palestinians to Israelis killed stood at almost 15:1, while the ratio of Palestinian civilians to Israeli civilians killed was at least 8:1. In Gaza alone, Israel killed at least 158 noncombatants in 2008, while Hamas rocket attacks killed 7 Israeli civilians, a ratio of more than 22:1. Israel deplored the detention by Hamas of one Israeli combatant captured in 2006, yet Israel detained some 8,000 Palestinian "political prisoners," including 60 women and 390 children, of whom 548 were held in administrative detention without charge or trial (42 of them for more than two years).⁵¹ Its ever-tightening noose around Gaza compounded Israel's disproportionate breach of Palestinian human rights. The blockade amounted to "collective punishment, a serious violation of international humanitarian law."⁵² In September 2008, the World Bank described Gaza as "starkly transform[ed] from a potential trade route to a walled hub of humanitarian donations."⁵³ In mid-December, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reported that Israel's "18-month-long blockade has created a profound human dignity crisis, leading to a widespread erosion of livelihoods and a significant deterioration in infrastructure and essential

50. *Report of the Independent Fact-Finding Committee on Gaza: No safe place*. Presented to the League of Arab States (2009), para. 411(3). The committee was chaired by eminent South African jurist John Dugard. On a related note, the committee observed:

Had the IDF wanted to completely destroy the tunnels [under the southern border of Gaza] this would have been relatively easy to achieve. They are easily discernible and given the IDF's aerial surveillance capability, they must have been aware of the exact location of the tunnels. However, it was clear to the Committee they had not all been destroyed during the conflict. In the Committee's view this raises questions about the Israeli claim that it acted in self-defense against the smuggling of weapons through the tunnels. (ibid., para. 394)

51. B'Tselem (Israeli Information Center for Human Rights in the Occupied Territories), *Human Rights in the Occupied Territories: 2008 annual report* (Jerusalem: 2009).

52. Human Rights Watch, "Donors Should Press Israel to End Blockade" (1 March 2009).

53. Roy, *Gaza Strip*, p. xxxi.

services.”⁵⁴ If Gazans lacked electricity for as many as 16 hours each day; if Gazans received water only once a week for a few hours, and 80 percent of the water was unfit for human consumption; if one of every two Gazans was unemployed and “food insecure”; if 20 percent of “essential drugs” in Gaza were “at zero level” and more than 20 percent of patients suffering from cancer, heart disease, and other severe conditions were unable to get permits for medical care abroad—if Gazans clung to life by the thinnest of threads, it traced back, ultimately, to the Israeli siege. The people of Gaza, OCHA concluded, felt “a growing sense of being trapped, physically, intellectually and emotionally.” To judge by the human rights balance sheet at the end of 2008, and setting aside that the cease-fire was broken by Israel, didn’t Palestinians have a much stronger case than Israel for resorting to armed self-defense?

54. United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Gaza Humanitarian Situation Report—The Impact of the Blockade on the Gaza Strip: A human dignity crisis* (15 December 2008).