

VOLUME 18 ISSUE 2 | SPRING 2024

# *in*FOCUS

QUARTERLY

## The War of Independence 2.0



**Michael Oren** on Israeli Resilience | **Elihu Richter** on Hamas Ideology | **Guermantes Lailari** on China-Hamas Ties | **Ariel Cohen** and **Rena Cohen** on Gaza's Future | **Harold Rhode** on Iranian Imperialism | **Richard D. Heideman** and **Joseph H. Tipograph** on the Failure of International Organizations | **Bassam Tawil** on Israeli Arabs | **Nicholas Rostow** on the Laws of War | **Shoshana Bryen** reviews *The War Of Return*

An Interview with Brig. Gen. (res.) **Amir Avivi**, IDF



# LETTER FROM THE PUBLISHER

Shortly after the Hamas massacre and hostage-taking of 10/7, the Israeli government defined its aims for the defensive war the country was about to undertake:

- toppling Hamas and destroying its military and governing capabilities,
- removing the terrorist threat from the Gaza Strip,
- creating conditions for the return of the hostages,
- defending the borders of the state and its citizens,
- leaving the IDF full freedom of action without restrictions on the use of force.

The war has continued longer than some might have thought it would, but the goals remain immutable. Only the elimination of Hamas as a military and a governing power – and the elimination of UNRWA as an adjunct to Hamas – will free Israelis and Palestinians alike to pursue a different future.

The Winter 2024 issue of *inFOCUS* Quarterly considered the awakening of the American Jewish community following the attack on 10/7. This issue, written while the Israeli counterattack continues, considers the impact of the war on aspects of Israeli life and international relations.

Two extraordinary representatives of Israel, Ambassador Michael Oren and

Brigadier General (res.) Amir Avivi, talked with JPC Senior Director Shoshana Bryen about the military and social impact of the war. Richard Heideman and Joseph Tipograph, and Nicholas Rostow cover international organizations and international rules of war. Bassam Tawil writes about Israel's Arab citizens, and Dr. Elihu Richter considers hatred as an epidemiological problem similar to asbestos or secondhand smoke. Rena Cohen and Ariel Cohen teamed up for a look at the potential of Gaza without Hamas. And, because the

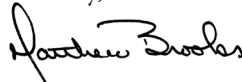


war did not happen in a vacuum, Harold Rhode and Guermantes Lailari write about Shi'ite Iran and China's support of Hamas, respectively.

Einat Wolf and Adi Schwartz's prescient book *The War for Return* was written in 2020. It is reviewed here. Buy this one.

If you appreciate what you've read, I encourage you to make a contribution to the JPC. You can use our secure site: <http://www.jewishpolicycenter.org/donate>

Sincerely,



Matthew Brooks  
Publisher

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## FEATURING

**MICHAEL OREN** is a former Israeli Ambassador to the US, historian, and novelist. (3)

**ELIHU RICHTER** is a retired head of the Unit of Occupational and Environmental Medicine at the Hebrew University. (8)

**GUERMANTES LAILARI**, USAF (ret.), is a member of the JPC Board of Fellows and a visiting Scholar at National Chengchi University. (11)

**ARIEL COHEN**, Ph.D., is a nonresident Senior Fellow at the Atlantic Council. **RENA COHEN** is the founder of the Books for Israel Project. (15)

**HAROLD RHODE**, Ph.D., is Distinguished Senior Fellow at Gatestone Institute and a former Pentagon official. (18)

Brig. Gen. (res.) **AMIR AVIVI** is the founder and chairman of Israel Defense and Security Forum and served as Director of the Office of the IDF Chief of Staff. (21)

**RICHARD D. HEIDEMAN** is Senior Counsel of Heideman Nudelman. **JOSEPH H. TIPOGRAPH** is an attorney at Heideman Nudelman & Kalik, PC. (26)

**BASSAM TAWIL** is a Muslim Arab writer based in the Middle East. (30)

**NICHOLAS ROSTOW** is a Senior Research Scholar at Yale University Law School. (33)

**SHOSHANA BRYEN** is the editor of *inFOCUS* Quarterly and the Senior Director of the Jewish Policy Center. (37)

# Israel at Home and Abroad

## An *in*FOCUS interview with Amb. MICHAEL OREN

Michael Oren is a diplomat, essayist, historian, novelist, and politician. Born in New Jersey, he immigrated to Israel in 1979. He has served as Israeli ambassador to the United States, a Member of Knesset, and Deputy Minister in the Prime Minister's Office. He has taught at Harvard, Yale, and Georgetown universities in the US and Ben-Gurion and Hebrew universities in Israel. You can find him on Substack. *in*FOCUS editor Shoshana Bryen spoke with him recently.

*in*FOCUS: LAST SUMMER, A LOT OF PEOPLE WERE WORRIED ABOUT SOCIETAL DISUNITY IN ISRAEL DURING THE PROTESTS. SINCE OCTOBER 7, THAT SEEMS TO HAVE CHANGED.

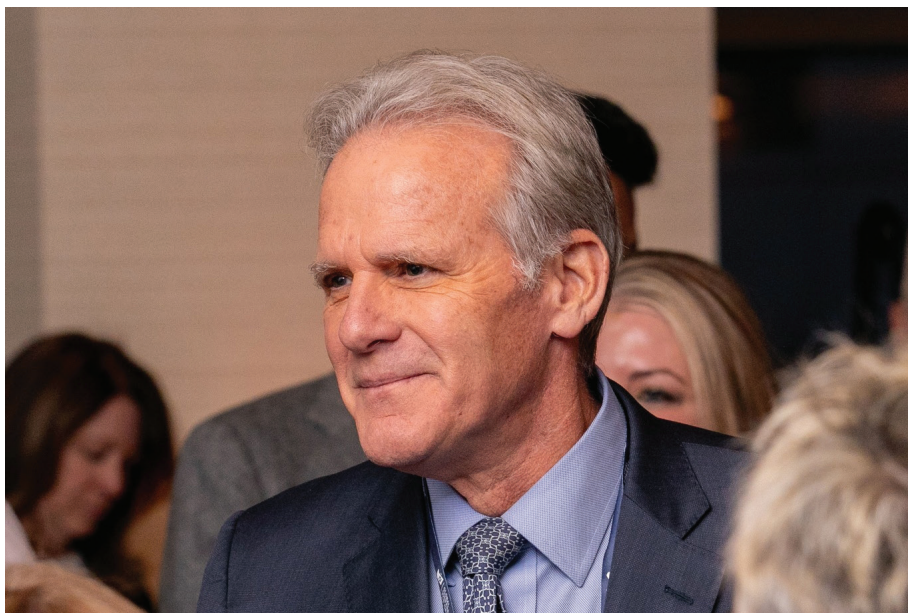
**Michael Oren:** The concept of unity can be broken down into unity about the war; unity about the hostages; and unity about the government.

Of the three, unity about the war is being maintained. You don't see any major movements against it. Israeli society is overwhelmingly committed to completing this war and destroying Hamas.

On the hostages, there are those who think Israel can't rescue the hostages, at least not most of them, and therefore should put its energy into saving the state and destroying Hamas. There are also those who believe that Israel should agree to pretty much any terms of Hamas to maintain the *raison d'être* of the state, which is redeeming hostages. There are divisions even within the hostage family community; not all hostage families agree. And if you've seen some of the letters that soldiers have written, letters that have been published after they have died in battle, they say, "Whatever you do, if I get captured, don't trade terrorists for me."

The third unity issue is around the government where very high percentage of Israelis think Prime Minister [Benjamin] Netanyahu should resign. He won't resign right now.

*iF:* YOU WROTE IN *THE REJUVENATED STATE* THAT, "UNIVERSAL MILITARY SERVICE IS NOT UNIVERSAL AND NOT ALL OF THE RESERVES PERFORM



*Michael Oren*

THEIR DUTY." YOU ALSO WROTE, "THE ROLE OF THE HAREDI (ULTRA-ORTHODOX) COMMUNITY HAS TO CHANGE." THERE WAS SOME CHANGE AFTER OCTOBER 7. COULD IT REPRESENT SOMETHING LONG-TERM?

**Oren:** It could continue, but I don't want to overemphasize it. Right now, it's very small. You're talking about hundreds of people coming to the IDF, not thousands. Longer term trends may point in that direction, the very rapid expansion of Internet service and usage among the Haredi community, for example. But right now, the issue of Haredi draft may actually bring down this government.

*iF:* YOU'VE ALSO WRITTEN THAT ISRAEL NEEDS A LARGER STANDING MILITARY. WILL OCTOBER 7 CHANGE

PEOPLE'S UNDERSTANDING ABOUT MILITARY REQUIREMENTS?

**Oren:** Yes. There was a trend before October 7 to reduce the length of military service. That's going to change. There was still some residual resistance to women serving in combat roles. That's going to change also. And the willingness of Israeli society to continue to countenance Haredi non-service is going to change.

There was also a de-emphasis on the reserves before October 7, and that's going to stop. A number that I cited in the book was that only about 25 percent of people who had served in the Army as conscripts continue to do reserve duty. That's going to change.

There's going to be a greater emphasis on reserve service, a greater emphasis

on women's combat roles, and a greater emphasis on Haredi service.

**iF: WE SEE ENORMOUS SUPPORT FOR INDIVIDUAL SOLDIERS, AMAZING SUPPORT FOR SOLDIERS. DOES THAT EXTEND TO HOW THE PEOPLE FEEL ABOUT MILITARY LEADERSHIP IN ISRAEL?**

**Oren:** Less so. There's going to be a reckoning. The Israeli army failed egregiously on October 7, and it was a failure of leadership, not of soldiers. Soldiers streamed to the front.

**iF: THE US IS OPPOSED TO ANY TERRITORIAL CHANGES IN GAZA. IT'S NEGATIVE ABOUT ISRAELI ACTION**

that. The fact is that if the Biden administration doesn't want to see any reduction in the territory of Gaza, Israel is just going to have to say, "I'm sorry, I don't see the United States giving up the Demilitarized Zone (DMZ) between North and South Korea. This is protecting our homes." That's the least price of this war – that nobody can get near that fence.

### ■ **Two States**

**iF: NO "TWO-STATE SOLUTION." BUT YOU WROTE ABOUT THE "TWO-STATE SITUATION." TELL US ABOUT IT.**

**Oren:** Let me preface by saying that harping on the two-state solution, which hasn't worked, patently hadn't worked for the last 31 years, and won't work in the

But an independent Palestinian state is not going to go anywhere. Moreover, the Palestinians don't want it. Someone's not getting the memo. They keep on saying "no" to two-state offers and no one seems to listen to them.

**iF: WHY DO THEY KEEP SAYING NO?**

**Oren:** Because the price of two states would be accepting our state and they don't want to do that. The only thing the Palestinians agree on, perhaps, is getting rid of us. Even those people who say they're in favor of a "two-state solution" never say they're willing to live side by side permanently and legitimately with us.

The Palestinians are unwilling to give us peace. They're unwilling to recognize that Jewish people even exists. According to the official Palestinian line, the First Temple didn't exist, the Second Temple didn't exist. All the artifacts we dig up in the State of Israel, the myriad evidence of Jewish inhabitants in the land of Israel over more than a thousand years, all of that is fabricated, according to Palestinian officials.

### ■ **Israel's Arab Citizens**

**iF: WHAT HAPPENS WHEN YOU LOOK INSIDE OF ISRAEL? HOW HAVE ISRAELI ARABS REACTED TO THE CURRENT WAR, AND DO YOU SEE THEM AS A LONG-TERM INTEGRAL PART OF THE STATE OF ISRAEL?**

**Oren:** Yes, I do. I do. And it has to be because they're 21 percent of the population, they are not going anywhere, and we have to make efforts to try to bring them into society. But it's based on mutual recognition.

Israel, the Jewish state, will fight discrimination in a Churchillian way, in the classroom, in the workplace, and in the media. But the quid pro quo must be recognition that Israeli Arabs are citizens of the State of Israel and they're loyal to a nation state, the Jewish nation state. Anglo-Jews can support, salute, and even fight and die for a flag that has not one, but three crosses

The Palestinians are unwilling to give us peace. They're unwilling to recognize that Jewish people even exists. According to the official Palestinian line, the First Temple didn't exist, the Second Temple didn't exist.

**IN LEBANON AND IS TALKING ABOUT A "TWO-STATE SOLUTION." IS THE US GOVERNMENT OUT OF SYNC WITH THE ISRAELI PEOPLE OR JUST THE ISRAELI GOVERNMENT?**

**Oren:** With the Israeli people. Totally.

Most Israelis never thought there was a "two-state solution." I'm one of them; let's start with that. But those people who were maybe leaning toward it in the past, they're not now, because they're going to ask a very simple question, "Who is going to lead that state? Who is going to prevent that state becoming a Hamas state?"

Isaac Herzog, our president, former head of the Labor Party is saying, "Anybody talking about a 'two-state' solution now is mad." And he's reflecting Israeli opinion.

As for the buffer zones in Gaza, I would say that 98 percent of Israelis favor

future, is not going to get us anywhere. It's tragic for the Palestinians. They're not going to get anywhere.

But there are other directions you can go if you think creatively. In fact, the whole question of two states/one state is kind of a misnomer because there are already two states. If you travel up Highway 6 going north in Israel, you'll see to your right Palestinian cities, they're flying the Palestinian flag. In those cities, there's Palestinian governance. They collect taxes. They could hold elections if they wanted to hold elections. There's a type of Palestinian state already, but the big question is what would be the extent of the sovereignty of that state?

It won't have a monopoly over the use of force and won't be able to control its airspace, but then the issue is what is the territorial and juridical extent of that sovereignty? You can build on that.



on it. Israeli Arabs can salute and fight for a flag that has the Star of David on it.

There are many models of nation states in the world that have loyal minorities in them, and the Palestinians should be one of them. But the poll taken immediately after October 7 showed that 77 percent of Israeli Arabs objected to the Hamas attacks, which is very good, but 23 percent didn't, which is disturbing.

**iF: LOOK AT THE ABRAHAM ACCORDS COUNTRIES. THE ACCORDS HAVEN'T BEEN ABROGATED, RELATIONS WITH ISRAEL HAVEN'T BEEN BROKEN. ARE THEY WAITING TO SEE HOW ISRAEL SUCCEEDS OR FAILS IN THIS WAR?**

**Oren:** Yes. Those countries made peace with us not because they love us. They made peace with us because we serve their interests and their interests are, beyond everything, strategic. They are facing two existential threats. Sunni extremism in the form of the Muslim Brotherhood, Hamas, ISIS, Al-Qaeda. And Shiite extremists in the form of Iran and Hezbollah. There's only one country in the Middle East that's standing up to both.

And that's us, that's Israel. If we prevail, they will continue to make peace with us and more of them will make peace with us. If we do not prevail, then peace will be jeopardized.

### ■ **The Essential Problem: Iran**

**iF: DID IRAN ENCOURAGE OR ORDER OR CREATE THE CONDITIONS FOR THE HAMAS INVASION BECAUSE IT WAS WORRIED ABOUT ISRAEL SUCCEEDING IN THE REGION?**

**Oren:** I gave a speech in Dallas on October 5, and I said, "I don't want to scare you, but Israel will soon be going to war."

The US was trying to broker a peace agreement between Saudi Arabia and Israel that had an economic component and a strategic component, but also a nuclear component. I said, "Anybody who thinks Iran is going to sit quietly and let this happen is fooling themselves. Iran

will precipitate a war."

That's the huge flaw in the Biden plan. They think they're going to make peace, make a Palestinian state, and then confront Iran. They have it exactly backwards. The United States will not have the leverage to do anything without confronting Iran first.

**iF: CAN ISRAEL CONFRONT IRAN WITHOUT STRONG AMERICAN PARTICIPATION?**

**Oren:** It can, but not to the same degree. America in a single night can change the entire balance of power, not just in the region, but in the entire world.

**iF: WILL IT?**

**Oren:** The US won't even retaliate for the killing of American soldiers. After the killing of the three American service people, I suggested online that America blow up the factory that had created the drone that killed them because that would be a blow not just to Iran, but also to Russia that is using those drones to kill Ukrainians. Nobody did that.

The way to prevent escalation into

the Gaza situation because Hamas wasn't going anywhere. Keep pounding it from the air and focus our military might on Hezbollah. There are many reasons for it. First, we had called up 360,000 reservists and it's not easy to do that.

At the time, we also had two US carrier strike forces in the region. But more importantly, Hamas, for all the damage that it had inflicted on us and all the pain, poses only a tactical threat to the State of Israel. Hezbollah poses a strategic threat. And the situation in the north, where much of northern Galilee is now uninhabitable, was an intolerable situation for any sovereign state. The return to that status quo ante of October 6 in the north is just not possible. If Israel wants to populate the Upper Galilee, again, it's going to have to come to blows with Hezbollah.

**iF: WHICH CONFLICTS OBVIOUSLY IMMEDIATELY AND DIRECTLY WITH US INTERESTS IN LEBANON.**

**Oren:** Indeed. It actually came to a vote in the Israeli government, where it turned out that the defense establishment was very much in favor of my position, but it was turned down by Netanyahu un-

Hamas, for all the damage that it had inflicted on us and all the pain, poses only a tactical threat to the State of Israel. Hezbollah poses a strategic threat.

a regional war and beyond is by standing up to Iran, not by backing away from Iran.

### ■ **Hezbollahland**

**iF: SPEAKING OF ESCALATION, HEZBOLLAH. IS THAT NEXT?**

**Oren:** Right now, it seems inevitable. Let's say it's highly probable; nothing's inevitable. In the first week of the war, I wrote in *Israel Hayom* that we were fighting the wrong war, that we should freeze

der pressure from the United States. The United States did not want Israel to open that front.

Meanwhile, they sent the special envoy to Lebanon to try to negotiate the retroactive implementation of UN Security Council Resolution 1701 from 2006, which calls on Hezbollah to withdraw its forces north of Litani River and establish a buffer zone.

I don't know what leverage the United States has to convince Hezbollah to withdraw from the border, or how

Hezbollah and Iran would explain that to the region, or why Hezbollah wouldn't simply violate it the next day, like they did with 1701.

We also have an even more fundamental disagreement with the US.

Washington believes there's a country called Lebanon; Israel does not. We believe there's a place called Hezbollahland. The United States believes there's an independent Lebanese Army; we do not. We think the Lebanese Army is a branch of Hezbollah. So, getting the Lebanese Army to enforce a security zone between us and Hezbollah for us is risible.

## ■ *The America Israel Divide*

**iF: DOES ISRAEL HAVE TO CONSIDER ITS FUTURE AS A MILITARY PARTNER OF THE US, A FINANCIAL PARTNER, A TECHNOLOGY PARTNER? DOES ISRAEL HAVE TO BECOME MORE INDEPENDENT?**

**Oren:** Yes, of course. I was the first to write in *Tablet Magazine* about the need to wean ourselves off American military aid. I was the only member of the Israeli government in 2016-17 to oppose [President Barak] Obama's MOU (Memorandum of Understanding). There were many reasons, but one of them had to do with leverage and the impression it creates of Israeli dependency, and the vulnerability it creates to outside pressures, which is inconsistent with an affluent and strong military and state.

This war has only strengthened my convictions. But I didn't talk about cutting off the United States, I talked about entering a collaborative relationship where we would cooperate as partners in the central fields like cyber and laser defense, and not be on a sort of a philanthropic and recipient basis. So, changing the nature of that relationship is crucial for me.

**iF: THE BIDEN ADMINISTRATION HAS DONE SEVERAL THINGS TO IRRITATE ISRAEL ON THE SIDE OF THIS WAR – NASTY COMMENTS, DEMANDS,**

**SANCTIONS ON INDIVIDUAL ISRAELIS AND COMPANIES, AND MORE. WHAT IMPACT IS THIS HAVING?**

**Oren:** At the end of the day, what they're saying is not to Israel. They're saying something to the world about the reliability of the US. Go back to my memoir, *Ally: My Journey Across the American-Israeli Divide*, which was predicated on the belief that the US-Israel relationship is a barometer to measure America's steadfastness, America's dependability as an ally.

...the US-Israel relationship is a barometer to measure America's steadfastness, America's dependability as an ally.

What they said about Israel's judicial reform and sanctioning radical settlers says the US doesn't trust Israel's legal system. It creates a situation where those measures can be extrapolated and expanded upon to include hundreds of thousands of Israelis. They're contributing to the steady erosion of our legitimacy. And that's dangerous for us and it's dangerous for the United States because it calls into question America's dependability as an ally.

Do I sound adamant? And you know me, I'm a moderate.

## ■ *Gaza Casualties, Old Tropes*

**iF: RETURNING TO GAZA, YOU WROTE THAT THE RATIO OF NON-COMBATANT TO COMBATANT DEATHS IN ISRAEL'S WAR HAS BEEN LOW COMPARED TO, FOR EXAMPLE, US FORCES IN AFGHANISTAN. SO, WHY IS EVERYBODY JUMPING ON THIS, INCLUDING PRESIDENT BIDEN, SAYING THAT ISRAEL WAS "OVER THE TOP" AND DOING UNACCEPTABLE THINGS?**

**Oren:** For many reasons. One is simply

political, and that is the 2024 elections. I'm talking to you from Michigan. Michigan is a big issue.

Two, There's an obsession with Palestinians. Some of the same people who are tearing their hair out over the loss of the Palestinians didn't shed a public tear over the massacre of a half million Syrians or the abandonment of hundreds of thousands of Afghans and Afghan women; it's only Palestinians.

And at the end of the day, we can't forget that we are the Jewish state and we'll be treated as a Jewish state. We're up

against antisemitic tropes that are 2,500 years old. They predate Christianity. And among those tropes are the blood libel, "Jews kill children, Jews kill women, Jews enjoy it." These are classic anti-Semitic tropes.

It's amazing. They keep citing Hamas casualty numbers, which are always inflated, but okay. They also say that of the 30,000 Palestinians killed, 10,000 have been children. And if you deduct the 12,500 terrorists we've killed (by the way, the administration never questions the Hamas numbers, but always questions our numbers), you understand that the 10,000 children is statistically impossible. But nobody questions it because "Jews kill children."

**iF: YOU'RE REALLY LOOKING AT NOT JUST ANTI-ISRAELISM, ANTI-ZIONISM, ANTI-POLICY OF THE ISRAELI GOVERNMENT, YOU'RE LOOKING AT CLASSIC ANTISEMITISM.**

**Oren:** Of course, but now there are many people who are good, conscious Jews who have internalized it, don't understand that

it's antisemitic, but it is. And by the way, all of these comments about Israel acting over the top and bombing indiscriminately and killing too many Palestinians, not only is it factually untrue, but it is also strategically dangerous to the State of Israel. The next time we are hauled before an international court, all those pronouncements will be adduced as exhibit A, B, and C against us for the prosecution.

## ■ American Jews

**iF: HAVE AMERICAN JEWS CHANGED SINCE OCTOBER 7?**

**Oren:** Profoundly. I think October 7 answered two of the most pressing questions facing American Jewry: How do we define antisemitism? And once we define it, what do we do about it?

Before October 7, there was a debate about whether anti-Zionism was anti-semitism; that's largely been resolved by the pro-Hamas protesters calling to throw Jews into big ovens. And then, there was a debate about how to deal with it; whether Jews should fight it or see it as an educational moment to sit down with these antisemites and explain about the Holocaust, explain about the Inquisition and the pogroms.

I think today, the overwhelming majority of American Jews understand that the anti-Israel protests are antisemitic, and that the way to counter them is not to sit down with people who are saying, "From the river to the sea," but to fight them wherever they are.

**iF: THERE DOESN'T SEEM TO BE MUCH OF A PLAN FOR THIS.**

**Oren:** No, there isn't. I've now traveled to many American communities with a message; that American Jews can choose one of three courses of action. They can hide, take the mezuzahs off the door, close the door, not listen to the news; or they can move to Israel; or they can stay and fight.

And if they fight, there too, it should be Churchillian. They should fight in the legislatures, they should fight in the

media, they should fight in the classroom, and develop a plan of action, certainly.

For example, there was a horrible protest at Berkeley and the Chancellor of Berkeley put out a statement. Look at that statement, it talks about intolerance, "We won't put up with intolerance on our campus and violence on our campus." It goes on and on and on. There are two words missing from that statement, "Jewish" and "Israel."

I don't know why that chancellor is still in his job, or any job. That's a state-funded university. Why aren't the Jews of California going to the legislature and getting that chancellor fired? It doesn't have to be a large-scale protest; it has to be pinpointed. Why is that chancellor is still in the job? That is totally unacceptable.

I have had conversations the last couple of weeks with American Jewish leaders and my message to them is, "I don't understand why you're being quiet. Why are you letting them get away with delegitimizing us?" I think everyone's afraid that anything they say against Biden will be immediately interpreted as pro-Trump.

But what they're basically doing is forfeiting the political field to anti-Israel elements in Michigan who have no problem telling Biden he has a price to pay. Jews aren't doing that.

I would say it's unfortunate, but it's worse than that. It's dangerous for American Jews. If Israel's security is impaired, American Jewish security is impaired.

**iF: IN 2015, AN ATLANTIC MAGAZINE ARTICLE ASKED IF IT WAS TIME FOR JEWS TO LEAVE EUROPE. IN 2024, A COMMENTARY MAGAZINE STORY IS CALLED "THEY'RE COMING AFTER US." IS THERE A FUTURE FOR DIASPORA JEWRY?**

**Oren:** I think there's a future for diaspora Jewry, but the question is what kind of future?

**iF: WELL, IT'S NOT MUCH OF A FUTURE IF YOU HAVE TO TAKE YOUR MEZUZAH OFF THE DOOR.**

**Oren:** No, but you can also fight back.

**iF: PERHAPS. BUT I WOULD FEEL BETTER IF I THOUGHT WE HAD SOME ORGANIZATION AND A PLAN. AS YOU LOOK AT ISRAELIS, JEWS, CAPABILITIES, WESTERN DEMOCRACY ALL THOSE THINGS THAT WE HAVE GROWN UP TO TREASURE AND ALL OF WHICH ARE UNDER ATTACK RIGHT NOW, IS THERE AN OPTIMISTIC LINE?**

**Oren:** Yes, certainly there is, but in an aberrant, hideous way. We owe Hamas a measure of thanks. Hamas reminded us of who we are. Reminded us that we are a people, we're a nation, we're a state, we're a family. And it brought us together and made us see that the differences between us left, right, religious, secular are far less significant than we ever thought.

Israeli society has revealed itself as the strongest and most resilient society in the world. And Israeli society offers the West a model of how you can reconcile tradition with modernity, East and West, democracy with the nation at arms. There's a model there should people want to emulate it. And I think based on that strength, I'm quite confident we'll win.

**iF: YOU ARE CONFIDENT THAT THE JEWISH PEOPLE WILL WIN?**

**Oren:** Jewish people will always win. Again, there's always going to be a price. We're still here. If you define winning as surviving and thriving, the Jewish people is still alive and, in many places, thriving. That's a victory.

**iF: MICHAEL OREN, ON BEHALF OF THE MEMBERS OF THE JEWISH POLICY CENTER AND READERS OF inFOCUS QUARTERLY, THANK YOU.**

# The Epidemiological Disaster of the Hamas Ideology

by **ELIHU D. RICHTER, MD., MPH**

**A**s a doctor who spent a lifetime of work in epidemiology and environmental medicine, I have extensive experience thinking about how external factors drive public health outcomes – preventable disease and premature death.

I have studied and recommended reductions in pesticide use, the deployment of speed cameras, and removal of lead from contaminated flour mills, and household exposure to tobacco smoke in children among other areas of focus.

Much of this work occurred in the West Bank and Gaza Strip. That experience has much to say about the catastrophe we have witnessed in Israel and Gaza, and which we risk reoccurring, if we do not address the intergenerational incitement and murderous intent in the Palestinian world.

As an epidemiologist with significant work studying genocide and incitement, I see indoctrination in genocidal ideology as a form of hazardous exposure with toxic effects on all age groups, but with specifically dangerous impacts on the young. Exposure to such incitement can be likened to frequent and high-dosage exposure to poisons like lead, PCBs, asbestos, and tobacco smoke. The impacts are both immediate and long-lasting. We should act accordingly.

## ■ **October 7th**

It's critical that we see the Hamas attacks of October 7 and the resulting war in Gaza not just as a geostrategic milestone but also as an incident in environmental medicine with impacts on both Israeli and Palestinian lives.

The barbaric attacks on Israel were systematic. For one day, Hamas waged total war, raping, murdering and kidnapping, and setting out to make Israel's Gaza

envelope communities uninhabitable, which many now are.

Israel has responded by defending itself and seeking to defeat Hamas militarily. For Gaza, this has been an epidemiological catastrophe. Whatever Gaza once was, it no longer is – and more destruction is surely coming if Hamas does not surrender.

While some in the public health and humanitarian community blame Israel for this destruction, that would be a mistake.

The predicate for all of the public health losses – of life, medical infrastructure, safe water, homes – was the ideology which made Israel's military action inevitable.

## ■ **Poisoned Minds, Not Poisoned Wells**

In a disease model, we must look for the disease, not the symptoms of the disease, if we are to heal the patient. The same is true in epidemiology: We must identify the content and effect of toxic exposure. The most famous such epidemiological discovery came in 1854, when John Snow deduced that a cholera epidemic in London could be linked to a single water pump on Broad Street.

In this case, we are not looking for a contaminated well. We are looking for contaminated minds: The contaminant is the ideology of Hamas. Hamas and its enablers have indoctrinated all Gazans in this ideology, from cradle to grave. Many of the thousands who came across the border to murder, rape and loot on October 7 were not only uniformed and trained Hamas terrorists, but ordinary Gazans who joined in on the genocidal massacre.

They were motivated to commit murder and rape by what they were taught at home, at school, at mosques, in the streets and on social media. If they had no formal

training to kill, they didn't need any.

It is rare that a society becomes so sick to the core that mass murder becomes a socially acceptable norm. Hamas terrorists bragged to their parents. They were greeted as conquering heroes and were eligible for large cash awards and free apartments. This is a culture in which genocidal massacre is celebrated.

Critics of Israel's offensive into Gaza say it will only create more supporters for Hamas. That is absurd. Gaza already is dominated by intergenerational indoctrination of an extreme version of jihadist Islam.

It is critical that we recall Gregory Stanton's seminal "Ten Stages of Genocide" speaks to this issue specifically. Genocide follows a distinct pattern, from classification of the enemy to symbolization of the enemy, to discrimination, dehumanization, organization, polarization, preparation, persecution, extermination and finally, denial.

Just as Palestinian society has been shaped by an ideology of genocide, it is also not destined to serve the cause of genocide. This was not inevitable. There are many traditional and religious societies in the Arab world similar to Palestinian Arabs which do not engage in any of the kind of genocidal or pre-genocidal steps of Hamas.

## ■ **More than Hamas**

If the problem is man-made, then the solution will be man-made. First, let us dispense with the fiction that destroying Hamas's hardware, its fortifications above ground, and its tunnels underground is sufficient.

If Israel exits Gaza only having killed Hamas operatives and destroying Hamas infrastructure, it will have achieved very little of lasting value. It



must take on the hard work of removing genocide-indoctrination and incitement.

Like any epidemiological matter of any consequence, this will take many years. Most public health scourges of the previous two centuries – typhoid, cholera, H1N1 flu, HIV/AIDS – took many years, considerable resources and a generational commitment of the entire medical and policymaker community.

There is, however, a model for this process, and it comes from America and its allies as they sought to de-Nazify Germany and to pacify Japan after World War II. These efforts were comprehensive and driven by military dominance.

In Germany, the process included the Nuremberg trials, which did much to expose the world – and Germany – to the truths of the Nazi genocide program. But it wasn't enough.

The process was not perfect. Many former Nazis avoided punishment; some innocent Germans were unfairly accused. The Allied forces confiscated all media – including school textbooks – that would contribute to Nazism or militarism. Art extolling Nazism was similarly banned and shunted aside. This was not a libertarian exercise.

But it succeeded. Germany had, at that point, emerged from roughly a century of bellicose militarism and deep antisemitism. It had started two world wars and an industrial-scale program of genocide. Few believed it could ever be anything but a source of human misery in the heart of Europe.

The Germany of today – peaceful, global and prosperous – would have seemed to be a mirage. In fact, General Dwight Eisenhower, Allied commander in Europe, predicted the de-Nazification of Germany would take 50 years.

In Japan, too, the efforts were monumental. Japan had been a militant and bellicose society, with deep racial animus towards its neighbors and the West, for several centuries. Not only were its military and military industries disbanded, but outward signs of patriotism were banned in public life, including schools.



*Exchange of street signs in Trier, Germany shortly after the end of the Second World War in Europe, (Photo: U.S. Army)*

Massive other changes, including the introduction of a parliamentary democracy, the political rights of women and basic free speech rights, were enshrined in its new constitution. Again, as in Germany, textbooks were censored and control over schools was strictly regulated.

### ■ **Indoctrination**

Which brings us to Gaza in particular, and Palestinian nihilism in general. This work must begin first, and with Palestinian children both in Gaza and the West Bank. Hamas, like the Palestinian Authority, values its control over children, as does any culture of indoctrination because it needs a large ever-renewable pool of morally pliable recruits.

This was particularly valuable to Stalin's commissars, Mao's revolutionaries, Nazi Germany, and the Khmer Rouge in Cambodia. Schools, youth clubs, summer camps and other institutions of child-rearing become instruments of hate. Textbooks

signal what children are supposed to think. Other vectors of the genocide-pathology include children's television, social media, and children's songs and rhymes.

All of it is shaped and engineered to produce generations who see a specific enemy of the state as subhuman requiring eradication. Again, Stanton's model applies: In Palestinian textbooks, provided by the Palestinian Authority in both the West Bank and Gaza Strip, the citizens are already being prepared for genocide's first four steps. The Palestinian textbooks are as bad as ever, according to EU authorities.

### ■ **Incentivization**

Then, our attention must turn to civil society. All systems of genocide incitement create a culture of compliance. Personal space, freedom and autonomy are eliminated. Through coercion, direction, intimidation, and harsh systems of reward and punishment, messages of hate became ordinary thoughts and actions

that are criminal and immoral. This is Stanton's fifth, sixth and seventh stages.

In the case of Gaza, the ideology of Hamas has been enabled by UNRWA (UN Relief and Work Agency) schools, summer camps and a wide variety of social programs, including some tied to health care institutions. UNRWA is staffed by Hamas's sympathizers and enforcers who amplify hate. UNRWA schools adhere to jihadist indoctrination, employ Hamas members as commissars to enforce ideological conformity, and create each year a large cadre of students willing to sacrifice themselves in order to kill more Jews. As with Nazi Germany, Hamas has many willing executioners – as we saw on October 7.

The reward-and-punishment system enforced in Gaza and the West Bank includes stipends given to terrorists or their surviving families for attacks – stipends paid for through international aid to Palestinian organizations including the Palestinian Authority.

All those organizations and nations that are willing or unwitting parties to such “pay-for-slay” programs – Qatar, the United Nations, Canada, the United States, and several European nations and organizations – must confront the epidemiological implications. They are actually hurting the people they aim to help.

### ■ *Confronting the Foundations*

As with the de-Nazification of Germany after World War II, willing parties must take over Gaza's legal, educational, political, religious, and cultural institutions or reestablish them under new direction and with new governance.

Schools in particular will require substantial reform, with new textbooks and curricula free from Palestinian Authority control or oversight, rigorous programs focused on dignity and respect for the other in line with Muslim teachings focused on charity, kindness and self-improvement (rather than a suicidal ideology of martyrdom on behalf of a political entity).

The process for de-Hamasification must begin immediately. Convoys of

food, water and other necessary supplies have the perverse effect of resupplying not just Hamas but sustaining its ideological grip over Gaza and causing still more harm to the public. All relief aid that goes into Gaza must be linked to programs to change mindsets. That will require new humanitarian organizations who pledge to end incitement as a part of their public health mission.

Any program of de-Hamasification must be undertaken with special awareness of the character of the conservative and religious nature of Palestinian society. It would be foolish to expect a

ideologies. These programs have a solid record of restoring individuals to society. But Saudi efforts are not consistent; the nation's textbooks continue to promote intolerance and bigotry, especially towards Shia and Sufi Islamic traditions, as well as Christianity and Judaism.

Other models exist. The Carter Center in Atlanta has researched how to counter the indoctrination efforts of ISIS during its rise and years of control over schools in Syria, Iraq and elsewhere. ISIS, like Hamas, concentrated efforts on promoting its genocidal ideology in school curriculum. This curriculum has been studied by pub-

The predicate for all of the public health losses  
– of life, medical infrastructure, safe water,  
homes – was the ideology which made Israel's  
military action inevitable.

society that is deeply religious and traditional to embrace any of the conventions of a liberal Western secular nation like Germany or see it as a model.

In fact, the most difficult part of de-Hamasification will be to decouple Islamic theology and Muslim cultural norms from Hamas and its leadership. But it is possible. For leadership and guidance to promote basic tolerance and moderation, within the texts and the traditions of Islam, we must consult with moderate Islamic theologians and philosophers.

One good example is Wasatia, the movement founded by Professor Mohammad Dajani. The Abraham Accords can serve as the political framework for promoting de-Hamasification in Gaza and doing the same in the Palestinian Authority. And the US's own work in de-Baathification of Iraq may prove instructive.

Some Islamic nations, notably Saudi Arabia, have long sponsored and run counter-indoctrination programs of their own to reverse the effects of exposure to the toxic messages of radical Islamist

lic health experts who correctly appreciate its doctrinal character. The effort to remove ISIS ideology in Arab and Muslim nations is ongoing, but clearly is working – and we must include those nations and organizations in the effort to de-Hamasify Gaza. Their expertise will be critical.

There will be inevitable efforts to revivify Hamas in fresh garb. This must be resisted at every step. It must be stopped not only because of the danger Hamasism represents to Israel, but what it means to Palestinians. Every genocidal regime has been ruined by its own militancy and forced to confront the sources of its pain. This may happen in Gaza one day; but it will only happen if Gaza's Palestinians are allowed to break free from the industrial level of ideological contamination that Hamas and Iran's mullahs, who fund Hamas, have been emitting for decades.

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# China's Support of Hamas: Evidence and Actions

by GUERMANTES LAILARI

The October 7, 2023, Palestinian terror attack on Israel forced government officials and the public to ask a lot of questions about how this horrendous attack could have happened. The list of terrorist groups and their respective military wings in Gaza that committed the murderous attack are as follows:

- Hamas (military wing: Izz al-Din al-Qassam Brigades)
- Palestinian Islamic Jihad (Al-Quds Brigades)
- Fatah (Al-Aqsa Martyrs Brigade)
- Democratic Front for the Liberation of Palestine (National Resistance Brigades)
- Palestinian Mujahideen Movement (Mujahideen Brigades)

- Popular Resistance Committees (Al-Nasser Salah al-Deen Brigades)
- Popular Front for the Liberation of Palestine (Abu Ali Mustafa Brigades)

Most people realize that the Islamic Republic of Iran provides money, equipment, training, intelligence, and diplomatic support to Gaza terror groups (as well as Lebanese Hezbollah, Houthis, and Iraqi, Syrian, and Bahraini terrorist groups—see CRS graphic below.

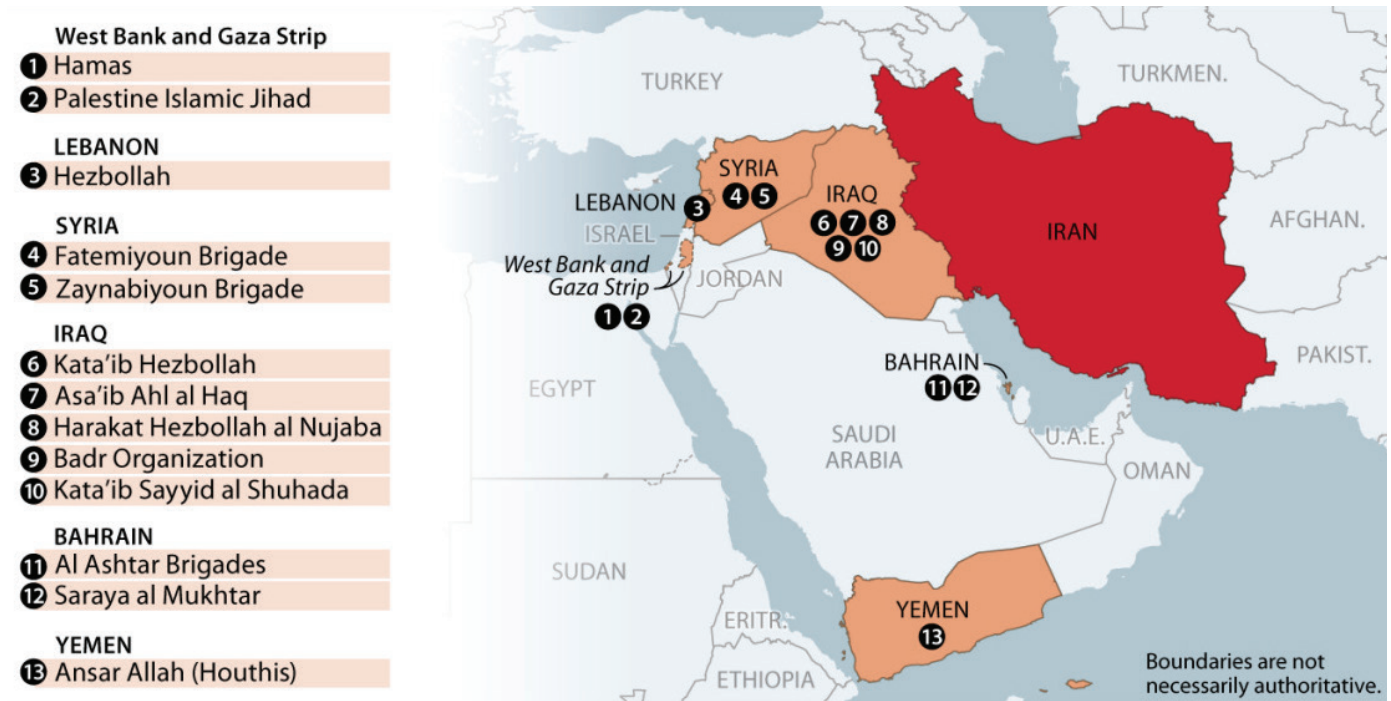
However, one connection that is rarely discussed in detail is the People's Republic of China (PRC) support for terrorist groups. This article will examine Communist China's support for Hamas and provide recommendations to counter China's subversive actions.

## Evidence

The combined evidence presented below regarding the PRC's contribution to global chaos is sufficient to present in a variety of international courts and in the court of public opinion to punish the PRC for the support it provided to Palestinian terror groups for harming (murdering, torturing, raping, and hostage-taking) citizens from more than 40 countries.

## Strategic Environment: Motivations

1. Middle Eastern observers knew that Saudi Arabia, the US, and Israel were going to announce an historic agreement in late September 2023. As early as



**Source:** Created by CRS, based on U.S. Department of State, *Country Reports on Terrorism* and other open sources.



March 2023, Saudi Arabia transmitted its conditions for Israeli recognition under the 2020 Abraham Accords framework. After intense negotiations, on September 22, Prime Minister Benjamin Netanyahu announced that Israel was close to a “dramatic breakthrough”—a peace deal between Israel and Saudi Arabia supported by the US.

In the peace deal, Saudi Arabia would benefit from US security guarantees (mutual defense treaty), fewer re-

Economic Corridor (IMEC) during the G20 meeting in India. IMEC would create a new trade route connecting India to the Middle East and Europe through railways and ports. IMEC’s goods and services would travel through the Saudi Arabia, UAE, Jordan, Israel, and Europe. Clearly, these countries negotiated this agreement months before the September 2023 announcement and this IMEC initiative is an alternative and competitor to Xi Jinping’s Belt and Road Initiative (BRI).

## Even if the Chinese military supplies discovered in Gaza were provided by Iran, PRC officials knew that Iran forwarded equipment to Hamas.

strictions on arms sales, civilian nuclear assistance including uranium reprocessing in the Kingdom, and concessions to the Palestinians. The US would benefit from the agreement by uniting two of its strongest allies in the Middle East, and by limiting Saudi Arabia’s relationship with China.

Consequently, the agreement would return Saudi to the US security umbrella and pull it away from the March 2023 PRC-brokered détente between Iran and Saudi Arabia. Recall that Saudi Arabia had also partially joined the Shanghai Cooperation Organization (SCO) in March 2023 and Iran is a full SCO member.

This explanation provides one major motivation for the PRC to interfere with any reconciliation between Saudi Arabia and Israel along with US security assurances to Saudi Arabia.

2. On September 10, 2023, President Biden and the leaders of India, Saudi Arabia, the United Arab Emirates, (UAE) and European Union (EU) announced the launch of the India–Middle East–Europe

The October 7 terror attack on Israel placed this IMEC plan on hold.

3. In March 2021, China and Iran signed a 25-year comprehensive strategic partnership agreement which came into effect in early 2022. The agreement includes security, intelligence, and defense sharing (joint military exercises and training, and research and weapons development) in exchange for a \$400 billion sale of oil and gas to China at reduced prices. This agreement helped Iran avoid consequences of severe sanctions.

### ■ *Chinese-Made Weapons*

Multiple sources noted that the IDF found in Gaza large caches of Chinese weapons, intelligence gathering equipment, and other military supplies. The IDF found Chinese military equipment in Hamas warehouses, including large numbers of assault rifles (QBZ assault rifles) and grenade launchers (QLZ87 automatic grenade launchers), telescopic sights for rifles and cartridges for M16s, high-end communications equipment,

listening devices, tactical military radios, and sophisticated explosives. The discovery of massive quantities of sophisticated Chinese explosives was alarming because Hamas only recently acquired such lethal explosives. Additionally, the IDF discovered Chinese rocket technology in one of Hamas’ laboratories.

In January 2024, the PRC denied providing Hamas with high-quality military equipment. Even if the Chinese military supplies discovered in Gaza were provided by Iran, PRC officials knew that Iran forwarded equipment to Hamas. Certainly Iran provided funding and training to use the equipment.

Chinese military technology is in missiles used by Iran-supported terror groups such as Hezbollah (Chinese-made C-802 anti-ship cruise missiles used by Hezbollah in the 2006 Israel-Hezbollah War), Houthis (anti-ship ballistic missile technology), and Iraqi militia groups.

### ■ *Hamas Training*

Prior to 2018, Hamas had collaborated with PIJ in attacks against Israel. After 2018, Hamas formed a larger coalition of 11 terrorist groups in Gaza.

Hamas conducted combined training four times with the ten other terrorist groups simulating parts of the October 7, 2023 attack on the following dates (code-named “Strong Pillar”): December 29, 2020, December 26, 2021, December 28, 2022, and finally on September 12, 2023 (September 10, Hamas and the other terrorist groups conducted surveillance of the Gaza border – almost a month before the attack). These drills were well-publicized by their respective media outlets such as Telegram.

The author suspects that the annual training schedule beginning in December 2020 was changed in 2023 because Hamas decided—or was directed—to prepare to attack Israel as soon as possible due to the looming strategic challenges of IMEC and reinvigorated US relations with Saudi Arabia described above.

## ■ *Deif's Training in China*

**Who is Mohammed Dief?** Deif was born in 1965 in a refugee camp in Khan Younis. Sometime in the 1980s, he was graduated from the Islamic University in Gaza with a degree in science. His curriculum included courses in physics, chemistry, and biology.

Mohammed Deif is Hamas' military wing leader; he planned and conducted the October 7 attack, also called "Al Aqsa Flood." Deif along with Yehya Sinwar, the leader of Hamas in Gaza, coordinated the training with the 10 other terrorist groups for almost four years prior to the attack

**What is Deif's connection to China?** In 1996, the PLO sent Deif to China, where he studied artillery and rocketry in the PLA General Armament Department's Ordnance Engineering College in Shijiazhuang, Hebei Province, which included courses on artillery, rocketry, and explosives. During his time there, he married two Chinese Muslim women from Sarta or Dongxiang ethnicity in Gansu (China) and brought them to Gaza in 2000 after he completed his studies. Reports indicate that one of the Chinese wives opened a channel to the Chinese Communist Party (CCP) leadership to maintain CCP and Hamas communications.

One source claims that Ismail Haniyeh studied at Renmin University in Beijing and, perhaps, received training on other security topics.

What private or secret training did the PLA provide Hamas and other terror groups in Gaza? Intelligence gathered while the IDF is mapping and destroying the Hamas tunnel network provides some clues.

## ■ *PLA Engineering Support*

The Israeli name for the network of tunnels under Gaza is "Metro." Construction of the Metro under Gaza (and into Israel and Egypt) is a massive undertaking; the tunnel network, if linked end-to-end, measures more than 350 miles. One source noted that PLA

military advisors and tunnel warfare specialists helped design and build these tunnels.

What other PLA personnel have helped Hamas and to what extent?

## ■ *PRC Ties Before October 7*

Several suspicious events might indicate that China knew about the Hamas plans to invade Israel on October 7. Prior to that date, several meetings occurred, possibly related to pre-attack discussions:

- April 17, 2023: PA President Mahmoud Abbas and Hamas politburo chief Ismail Haniyeh brought their respective delegations to Riyadh and met separately with the Saudi leadership. Haniyeh brought Saleh al-Arouri, his deputy, Mousa Abu Marzouk, a member of the Hamas political bureau, and Khaled Meshaal, the head of Hamas abroad. Haniyeh had not been to Saudi

General of the Iranian Expediency Discernment Council, Mohammad Bagher Zolghadr.

- September 27, 2023: Syrian President Assad left his three young adult children in China after the Asian Games on September, 27 2023. As Jennifer Zhang noted, an ancient Chinese tradition of leaving your children under the care of a ruler was a pledge of loyalty (trust) and a means of protecting them.

## ■ *After October 7*

Since October 7, PRC has followed the classic Chinese communist ploy of deny and counter-accuse. China has not condemned the Hamas (and other terrorist organizations') terror attack on Israel. In fact, Chinese Foreign Minister Wang Yi described Israel's response to the terrorist attacks on October 14 as being "beyond the scope of self-defense" and requested Israel to "cease its collec-

In 1996, the PLO sent Deif to China, where he studied artillery and rocketry in the PLA General Armament Department's Ordnance Engineering College in Shijiazhuang, Hebei Province...

Arabia in more than ten years.

- May 8-9, 2023: A senior Iranian delegation visited China and met with Liu Jianchao, the minister of the CCP's International Liaison Department, and Wang Yi, Director of the CCP's Central Foreign Affairs Office. They were feted in China with many other engagements.

- June 13-16, 2023: PA President Mahmoud Abbas met with Xi Jinping in Beijing and issued a Joint Statement between the PRC and the State of Palestine on the establishment of Strategic Partnership.

- July 17, 2023: Chinese Ambassador to Iran Chang Hua met with the Secretary

tive punishment of the people of Gaza."

Further comments by the PRC's Special Envoy to the Middle East, who travelled to many countries in the region during the war (but not to Israel), focused on the cessation of hostilities, condemned civilian deaths and injuries, and promoted the "two-state solution" to solve the Palestinian issue. The PRC has not acknowledged the brutal terror attack against Israel. PRC diplomats blame Israel for the war.

The PRC has continued blaming the victim in the UN and the UN Security Council. Internally, the PRC has allowed PRC citizens to use antisemitic tropes

and flagrant anti-Israel memes to reinforce bigotry in the social media and in news media. In a highly controlled communist media environment, what state officials say or do not say reflects the CCP's views on the conflict.

## ■ **Conclusions and Recommendations**

Some maintain that the PRC uses Russia, Hamas, the Houthis, and others to conduct proxy wars against the US and its allies, such as Israel. For example, Frank Gaffney, director of the Center for Security Policy and a former Assistant Secretary of Defense for International Security Policy during the Reagan Administration, claims that "The Chinese Communist Party was consulted about and quite possibly actually greenlighted the murderous Russian and jihadist invasions that now constitute two fronts in what may be heading the world into a larger conflict."

Western intelligence agencies and senior policymakers certainly are aware of the evidence described above. Citizens from these countries should demand that their government release more details of China's support of terror organizations, especially intelligence on the PRC's support of Palestinian terror organizations involved in the October 7 attack. This declassified information would help countries, and their respective populations, to understand the CCP's devious machinations around the world.

Governments, think tanks, organizations, companies, and individuals should challenge China's position in the world especially with respect to Israel and its involvement with Hamas and other terror organizations. Furthermore, this challenge should also include the PRC's relationship with Iran and Iran's terror organizations.

Israel should pause its PRC relationship until an investigation determines the full extent of China's involvement with Hamas' and other terrorist organizations' barbaric attack on October 7.

The US and other allies of Israel should investigate China's support for global terror organizations. China has replaced the USSR in supporting terror groups across the globe. Below is a list of recommended actions that can be taken to challenge China's support for terrorism:

- De-classify and publicize the evidence of China's support for terrorism, especially support to Hamas.
- Shame China in world public opinion for its support for terrorism.

Declare China as a state sponsor of terrorism. The PRC's actions supporting terrorism are like Iran, Cuba, Syria, and North Korea (which are currently on the US list).

- Conduct a boycott, divestment, and sanctions campaign against China for its support of terrorism (just as much of the world has done against Iran).

- Establish watch groups to continuously collect evidence and publicize China's support to terrorism.

- Declare China as a state sponsor of terrorism. The PRC's actions supporting terrorism are like Iran, Cuba, Syria, and North Korea (which are currently on the US list).

- o There are calls to add Russia to the US list of state sponsors of terrorism for its actions in Ukraine. China should not be exempt from the list just because of its superpower status.

- o The European Union already declared that Russia is a state sponsor of terrorism in 2022 and politicians in the US, UK, and other European countries are trying to get their individual countries to declare the same. This process should be duplicated against Communist China.

- Open cases against the PRC at the

United Nations International Criminal Court for conducting genocide, war crimes, crimes against humanity, and aggression due to its support of terrorist groups (regardless of whether the PRC signed the Rome Statute).

- Encourage all member states whose citizens fell victim to the October 7 terror attacks in Israel to submit evidence against the PRC to the International Court of Justice (ICJ) in the Hague. According to the ICJ web site: "(A) State may take up the case of one of its na-

tionals and invoke against another State the wrongs which its national claims to have suffered at the hands of the latter; the dispute then becomes one between States."

- o At least 35 countries should submit cases against China to the ICJ for the murder of their civilians and over 40 countries had their citizens taken hostage by a terrorist group supported by China. The four countries with the most murdered civilians are Israel (1,200), France (40 deaths), Thailand (39), and the US (34).

These steps would mitigate the wrong done to the October 7 victims by China's support for Hamas and the other Palestinian terrorist groups in Gaza.

Recall the wisdom from Deuteronomy 16:20 "Justice, justice shall you pursue..."

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# Gaza – A Modest Proposal for The Day After

by **ARIEL COHEN** and **RENA COHEN**

*“For now, we see through a glass, darkly; but then face to face...” – 1 Corinthians 13:12*

**P**olitics, foreign and domestic, are based on interests – nothing new here. However, when the time horizon for calculating national interests collapses, such as under the pressure of impending presidential elections, decisions can be locked in with catastrophic consequences for the decades ahead.

As documented by Walter Russell Mead in *Arc of a Covenant: The United States, Israel, and the Fate of the Jewish People*, America’s willingness to stand with Israel primarily turns on US national interests, domestic politics, and presidential political agendas.

When it comes to the Israel-Hamas war, the United States is weaving like a drunken sailor, embracing its ally one moment and slapping it the next. This not only endangers the staunchest US ally in the Middle East, it undermines the trust of Egypt, Saudi Arabia, and the UAE. Frontline NATO members, from Finland to Romania, and Indo-Pacific allies, including India, Japan, Korea, the Philippines, and Taiwan are watching anxiously.

## ■ **Can Foreign Policy Be Local?**

President Biden had voiced early support of Israel’s right to self-defense in the wake of Hamas killings, rapes, and kidnappings on October 7. October 8 saw the start of an onslaught of pro-Hamas demonstrations on “woke” college campuses and in city squares of deep blue states. These were joined by large crowds in several European capitals, echoed by

anti-Israel and often blatantly anti-Jewish voices on social media. Even some in the Washington bureaucracy came out against Biden’s initial pro-Israel stance.

At first, the White House met these pressure tactics with a show of integrity and determination. However, Michigan is a key swing state, and Biden continues to do poorly in national polls. Threats like Rep. Rashida Tlaib’s (D-MI) call to vote “uncommitted” in the primaries were hitting home.

By mid-February, the US was pushing for UN support of a “temporary ceasefire” in Gaza that would oppose an assault on Rafah, the last Hamas stronghold in the Strip, thus basically seeking to hinder Israel from actually winning its defensive war.

## ■ **Mantras Galore**

In politics, a leadership decision often morphs into a mantra. Under the pressure of time and perceived threats or political opportunities, common sense and caveats get stripped away, resulting in a mess. For example, “Get out of Afghanistan.” That worked terribly – for the Afghans and also for America’s international standing.

The recent appearance of mantras concerning “Gaza – the Day After” must be examined before failures to think clearly and thoroughly lead to proxy victories for Tehran and produce further suffering, terrorism, and death.

## ■ **With Friends Like These ...**

On January 31, Secretary of State Antony Blinken instructed the State Department to prepare a report on the

unilateral recognition of a Palestinian state following the cessation of hostilities in Gaza.

On February 1, Britain’s top diplomat, Lord David Cameron (the architect of Brexit – how did that work out?) said that his country could officially recognize a Palestinian state after a cease-fire without waiting for Israeli consent. It is hard to believe that Britain would make such a move without consultations with Washington. Canada, Australia, and New Zealand followed suit, calling for an immediate ceasefire days before Israel announced its intent to enter Rafah in pursuit of murderous Hamas Gaza leaders Yahya Sinwar and Mohammed Deif.

In the meantime, signals are being sent via the news media (and undoubtedly other channels) that Israel’s time to conduct this campaign has run out. Fevered reports of Israeli “violations” of international law and the law of armed conflict, mostly unfounded and/or unconfirmed, inundate the left-leaning global media. US electoral politics may be dictating the timetable of this self-defense campaign.

Certainly, Saudi Arabia appears to have gotten the memo from Washington. On February 8, the Saudis hosted a consultative meeting with high-level representatives from Qatar, the UAE, Jordan, Egypt, and the Palestine Liberation Organization (PLO). Results:

- Demand for an immediate cease-fire.
- Support for “irreversible steps” toward a two-state solution.
  - Before October 7, Saudi Prime Minister Mohammed bin Salman had stopped pressing for this as a prerequisite

to normalizing ties with Israel.

o Returning to the 1967 borders would mean evacuation of Jerusalem's Old City, the Temple Mount, and the Western Wall; all of East Jerusalem, including French Hill and the Hebrew University's Mt. Scopus campus; and large settlement blocs, including the Jordan Valley, Ariel, and Gush Etzion.

• Support for the United Nations Relief and Works Agency for Palestine Refugees (UNWRA). To put this in context, the UN typically classifies refugees as those displaced in the first generation. UNWRA, however, classifies all Palestinians, even citizens of other countries, as refugees. If that were not

Any solution to the problems of Israeli security, Gaza, and the Palestinians must consider repeated Palestinian refusals to accept proposals for self-rule and statehood.

enough to discredit this bloated bureaucracy, Israel presented convincing evidence that UNWRA staff were directly involved in the October 7 attacks; there have been numerous discoveries of Hamas arms caches in UNWRA schools and classrooms; and a Hamas command center was discovered directly under the UNWRA headquarters in Gaza.

• Pressure against Israel going into Rafah, where there is some chance of finding the remaining Israeli hostages in the hands of Hamas and Hamas supporters (those who did not succumb due to insufficient food, rape, torture, and death threats).

Everyone seems to be singing off the same song sheet. Tehran, Moscow, Beijing, and Istanbul are all prepared to make their moves, as are jihadists everywhere. On February 16, with the world reeling from the news that Russian

opposition leader Alexei Navalny had “suddenly died” in the Siberian Arctic prison camp where he'd been frozen, starved, and kept in solitary confinement, Vladimir Putin invited Hamas and Hezbollah leaders for talks in Moscow.

### ■ “Good” and “Bad” Results

*“There Will Be Consequences” – Aunt Lydia, TV series A Handmaid's Tale, based on the novel by Margaret Atwood*

Foreign policy and strategy questions must be regularly re-examined given national interests. So why on earth should the United States press for premature Palestinian statehood in the wake of October 7? This would hand jihadi ter-

rorism a prize. Torture, maim, and kill, and you get what you want. Moreover, such a state would become “the base of holy war” against Israel, or in Arabic, “Al Qaeda al-Jihad.” Sound familiar?

One would hope that history has taught both the United States and the Saudis that terrorism is not a tiger one can either disregard or ride – ultimately, it bites. Hard.

Declaring a Palestinian state now would play directly into the late Yasser Arafat's so-called “multi-stage solution,” pushing Israel for concessions, repeatedly attacking, while every effort is made to isolate the Jewish state on the international scene.

Let's also note that neither the United States (nor the “deeply concerned” international community) moved to establish temporary shelter

outside Gaza for fleeing civilians, which Israel called for at the outset of the war.

To make real peace, a path to Palestinian permanent status must be prepared, so that a hastily arranged “state” doesn't simply trigger yet more bloodshed regionally – and on the global scene.

### ■ An Alternative Proposal

For decades, the world has obsessed about Palestinian “rights,” including the “need” for a Palestinian state. However, when routine policies and frameworks fail to solve a problem, it is time to think outside the box. Clearly, the existing diplomatic toolbox lacks the necessary tools to solve this crisis.

Past performance *is* predictive of future results. Any solution to the problems of Israeli security, Gaza, and the Palestinians must consider repeated Palestinian refusals to accept proposals for self-rule and statehood. The Peel Commission (1937), the 1947 UN Partition Plan, the 1993 Oslo Accords, the 2000 Camp David II proposal, the 2001 Taba talks, and the 2008 Olmert Peace Plan – Palestinian leaders rejected them all. They have also rejected all Israeli attempts for mutual recognition and peace, instead clinging to the dream of destroying Israel. They have also failed to demonstrate any ability for successful governance or economic development.

In 2005, Israel unilaterally withdrew from Gaza. After an election in which Hamas won a legislative majority and violently wrested control from its rival, Fatah, rocket fire and shelling from Gaza continued to rain on Israeli towns and cities. No sane government, no sane country, would tolerate repeated violations of its security.

The hollow arguments about whether a Palestinian state should be created now should stop in favor of finding a path forward. This must include:

- Recognizing the right of Israel to security and territorial integrity as the Jewish state.
- Demilitarizing all territories run by Palestinians.

- Changing K-12 and college curricula in Arab/Palestinian schools to include recognition of Israel, disavowing “armed struggle,” abandoning the “right of return,” ending delegitimization and anti-Zionist propaganda in Arabic and other languages, and renouncing BDS.

- Cease abusing mosques and Islam by glorifying Jew-hatred and terror in sermons and using mosques for weapons storage and terror.

- A commitment from Palestinian Arab organizations to cut all contact with Iran’s “Axis of Resistance.”

- Ending all claims for the return of 1948 refugees and their descendants to Israel. The 1948-49 Israeli War of Independence led to a population exchange – some 700,000 Palestinian Arabs and 850,00 Jews from Arab lands were displaced. The time has come to end multi-generational inherited “refugee” status, declaring all claims for abandoned properties null and void.

- Provision of relocation assistance and citizenship for Arab refugees and their descendants. It is time for neighboring Arab countries to grant citizenship to Palestinians within their borders.

- Disband UNRWA. Riddled with political/economic corruption, it has done tremendous damage to the people it claims to serve. Transfer all relief activities to the UN High Commissioner for Refugees (UNHCR).

Without enforceable commitments, any progress on a pathway to Palestinian autonomy, let alone statehood, will only contradict US and Israeli national interests and fuel future hostilities.

As a prerequisite to any claim to statehood in Gaza, Hamas and Palestinian Islamic Jihad must be eradicated, their leadership neutralized or allowed to relocate, ceasing all terror operations. The brutal Iranian regime wreaks violence through proxies such as Hamas, the Houthis, and Hezbollah in a relentless bid for regional hegemony. It is time for Israel, the US, and the West to hand the mullahs a resounding loss – anything less will only encourage Iran’s

very dangerous ambitions.

A new generation of Arabs must be educated for peace. Without this, terror will be perpetrated by the extant Palestinian leadership, be it nationalists in Ramallah or jihadis in Gaza and Doha.

### ■ *Develop Gaza’s Economy*

Contingent upon a Palestinian commitment to peace, a Gaza Reconstruction Authority (GRA) should be set up soon after active fighting with Hamas in Gaza ceases as a “coalition of the willing” to include UAE, Saudi, and Egyptian membership, with Israel, the EU, and the US participating. The GRA should first clean up and reconstruct Gaza and then work on turning it into a thriving hub of business, commerce, and tourism.

Whenever feasible, the Gazans should be employed in rebuilding efforts. After years of aid that turned into terror tunnels and schools teaching children jihad and martyrdom, Gazans should instead have jobs that restore self-respect, self-reliance, and an interest in preserving what they have built.

Immediately after hostilities cease, Israel must take a medium-term security role in Gaza, with help from Arab elements not involved with any terrorist organizations. After about two years, security responsibilities should be transferred to a Gaza Peace Force (GPF) headed by UAE, Egypt, and Saudi Arabia representatives. Israel should negotiate conditions for this transfer of authority, which must involve firm commitments that terrorist groups and the teaching of terrorism via mosques or schools will not be allowed to return. Israel should reserve the right to re-enter Gaza to root out terror if there is any evidence of re-emergence.

Businesses built in Gaza could include:

- A port and an airport, developed and managed by Dubai Ports and the UAE airport authority

- An oil port to serve as the Mediterranean terminal for a new Saudi-owned and administered pipeline

crossing the Gulf of Aqaba and running parallel to the Eilat-Ashkelon pipeline

- Light industries, such as electronic assembly, textiles, and footwear

- High tech

- Education

- Medical services

- Agriculture and food processing

- Tourism

Freed from the twin plagues of hatred and terrorism, with its location and climate, Gaza could attract significant reconstruction funds and provide jobs. The enclave could be transformed from a welfare-supported hell of terror tunnels, oppression, and cruelty to a viable going concern.

This is a unique chance for the Arab world, the West, and the rest to turn the tide on terrorism. Billions of dollars must be raised and allocated over 7-10 years, with stringent international auditing to supervise bidding processes and disbursements, rendering the flow of funds transparent.

If this chance is lost, the scourge of radical Islamism will spill beyond the borders of the Middle East and attack the West and the rest.

Israelis and Arabs can jointly create peace and prosperity, but attempts to re-fight 1948 must end, and all must accept that the future lies in coexistence, not in trying to destroy Israel.

An unflinching commitment to fighting jihadism, opposing the Iranian dictatorship, securing Israel’s multi-ethnic democracy, and holding to hope for a better day is the only way to resolve the Gaza post-war conundrum.

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# Misunderstanding Iran

by HAROLD RHODE

Periodically, the United States or Israel makes a concession to an adversary, planning – or hoping – for reciprocity. The underlying assumption is that, as the stronger party, they can afford to be generous and even, on occasion, to miscalculate. This is a fundamental misreading, not of the strength of the American or Israeli position, but of how the Muslim world will understand the concession. In the Muslim world, only weak people make concessions. An offer to compromise is a sign of weakness, encouraging those receiving one not only NOT to reciprocate, but to increase the pressure against their adversaries.

The frameworks are different.

For the US, the Cold War had a lot to do with the Western presumption of superiority. After decades of conflict with the Soviet Union around the globe, the balance of the West and its allies against

the surface it seems admirable/positive, but the idea of bringing Iran into a balanced relationship with its adversaries is not how things work in the Middle East.

Sadly, we don't understand how people in that part of the world think. And more importantly, we seem almost never interested in learning. And in this case, our policy is based on a misunderstanding of how Iran sees itself.

## Iran's View

(Shiite) Iran doesn't want a "balanced" policy with its neighbors, nor with us. It is pursuing a policy aimed at defeating and humiliating its Sunni Arab neighbors. And America is helping Iran do so.

How do we know? If we knew how to listen to and understand Iran's subtle propaganda and nuances toward its Arab neighbors, we would realize that what concerns Iran most of all is to prove that

Iran doesn't want a "balanced" policy with its neighbors, nor with us. It is pursuing a policy aimed at defeating and humiliating its Sunni Arab neighbors. And America is helping Iran do so.

the USSR and its allies tipped in favor of the West. The nuclear war everyone feared never happened, the Soviet Union collapsed, the "Captive Nations" were freed, and Russia became an acceptable trade and political interlocutor. For a while.

The US now seeks a balance with Iran, making the Islamic Republic an acceptable interlocutor in the region rather than an enemy of America and its allies. This sometimes is referred to as Security Architecture (whatever that means). On

its version of Islam – Shi'ism – is the correct one and to eviscerate Sunnism.

This battle may seem unimportant, even marginal to Westerners—that is, to us—but it is paramount to Iran and its Arab neighbors.

(Shiite) Iranians and their Arab (mostly Sunni) adversaries/enemies have been fighting this battle since their Prophet Muhammad died in 531 CE. We ask ourselves: Why can't they sit down and find a compromise they can live with?

## They Don't Do Compromise

The Western concept of compromise does not exist in the Middle East. In that part of the world, giving in on issues before defeating one's enemy means the person offering the compromise is humiliating/shaming himself. For those rooted in this culture, humiliation is worse than death. This, along with the historical enmity between Arabs and Persians, looms large in the background and percolates up to the surface, often to explode into the open when one side perceives a weakness in the other. This is all predicated on a tremendous sense of history and memory.

The Western concept of history is to bury it. "Let bygones be bygones." Abraham Lincoln tried to set aside the raging emotions of the American Civil War in his second Inaugural Address, saying, "With malice toward none, with charity for all..." Americans often say, "that's history" meaning something that happened in the past is of no importance.

This is alien to the Middle Eastern way of thinking. In that region, people have long memories.

Take, for example, President Joe Biden's public berating of Saudi Crown Prince Mohammed bin Sultan (MbS), holding him personally responsible for the murder of a Saudi journalist in Turkey. Almost two years later, Biden went to Saudi Arabia to beg MbS to increase oil production.

The Saudis knew exactly why Biden was coming. So, before the president arrived, MbS publicly announced the Kingdom would not increase oil output. The Saudis were humiliating Biden, who either didn't understand why MbS announced this before his arrival—because to the American administration, Biden's blistering accusation against the Saudi leader was "in the past"—i.e., "that's history" – and therefore of no importance.



US Secretary of State John Kerry shakes hands with Foreign Minister Javad Zarif of Iran in Vienna, Austria in 2014. (Photo: US State Department)

Saudis, like Iranians, harbor grudges and wait for the appropriate time to get even. And that is exactly why the Saudis who loathed Biden waited to get back and humiliate him for what Biden had said before he became president.

Another incident, this one involving Iran, comes to mind. From an Iranian perspective, the United States had been pro-Saudi for decades. So, when in 1988 the USS Vincennes mistakenly shot down an Iranian airliner carrying more than 200 civilian passengers flying from the Arab side of the Gulf to Iran, the Iranians “knew” America shot it down intentionally. They “knew” because they “knew” America loathed the Iranian regime. The US government went out of its way to apologize profusely and wanted to pay restitution, but Iran never believed Washington’s sincerity.

### ■ **Broken Mirror-Imaging**

Despite America’s protestations, some years later then-Iranian President Hashemi Rafsanjani in an interview

mentioned that Iran knew for sure that America had intentionally shot down the plane. Some Iran specialists in the US government were flabbergasted by Rafsanjani’s claim. Some even had no memory of the incident. After all, it was “history.”

It is essential for us to understand the Iranian regime as it sees itself. How we define Iran’s interests is secondary. Iran has a long sense of history dating back more than 2600 years of which it is extremely proud. This is meaningless to us.

On the other hand, the Iranian government is filled with senior officials who do know Western/American culture and have learned to use it to their advantage. One of Iran’s former foreign ministers – Javad Zarif – was intimately familiar with American culture. Zarif “negotiated” with then-Secretary of State John Kerry and President Barak Obama in 2015 for the Iranian nuclear weapons deal, the Joint Comprehensive Plan of Action (JCPOA). Zarif wrapped Kerry around his little finger and wrote about how he did it in a

“tell-all” book in Persian.

Kerry, during part of the talks, had injured his leg and was walking with crutches. Crutches are a sign of weakness in Middle Eastern culture, though certainly not in America’s. And Iranians love cynical cartoon caricatures. The more Kerry submitted to Iran’s demands, the larger Kerry’s crutches grew in the cartoons. And we were clueless.

When some Westerners, steeped in Iranian culture, tried to explain what these cartoons meant to our “negotiating partners,” the people dealing with the Iranians either responded that they are “only cartoons,” or belittled those who tried to warn our side.

Even worse for the US, Iranian culture sees lighter/whiter skin color as a sign of beauty. Darker skin, on the other hand, is a sign of inferiority. Interestingly, the depiction of President Obama’s skin color darkened in these disgusting cartoons the more we conceded to Iranian demands.

Clearly, we cannot stoop to the level of Iranian indignities, nor should we.

## ■ *Understanding the Shiite-Sunni Rift*

There are things we can do to make life difficult for Tehran by using Iranian culture to create discord within the senior levels of the regime. And that requires an understanding of the different forces at play, which seem not to be understood in the West. The US instead appears adamant about its “rightness” and declines to understand how the Shiite religious establishment works. It seems esoteric to Westerners and is therefore ignored.

An important – crucial, even – example is as follows: In Iranian Shi’ism, there is a question of when and how the return of their messiah (the 12th Imam – the *Mahdi*, descended directly from their prophet Muhammad), will reappear. The *Mahdi* is the only true leader of the Shiite world, which is to say the Islamic world from their perspective. He disappeared (went into occultation) in 870 CE. These Shiites “know” he will reappear, but the overwhelming majority of senior clerics have historically believed that they cannot do anything to hasten his return. Until then, for them, all political rule is illegitimate. The senior clerics, therefore, cannot rule.

The most senior Grand Ayatollah – Ali al-Sistani – who has been living in Najaf, Iraq (one of Shiism’s two most important holy cities) since 1951, strongly supports the view that clerics should NOT hold political power. Their job, he believes, is to tend the spiritual and related needs of his flock.

## ■ *After the Revolution*

From time to time throughout history, a tiny group within the Shiite clerical establishment had argued that a cleric could rule until the *Mahdi* returns.

Grand Ayatollah Ruhollah Khomeini, the founder of the Islamic Republic, was one of them. He believed in the concept of Velayat-e Faqih (the Rule of the Jurisprudent) which almost all of the Shi’ite 12er religious establishment opposed. But Khomeini had power, military and political, so the Shiite establishment

(called Quietists) remained silent. History had taught them that it is dangerous to publicly confront power.

But then, an even tinier, even more extreme group emerged from within this small clerical class. They argued that if they provoked a conflagration, they could force their awaited 12th Imam to come down and save them, and thus show the rest of the Muslims world that their view of Islam was correct.

Khomeini strongly opposed them, believing that if they provoked a conflict, the reaction from the outside world could be so violent that Iran would not survive. He therefore did his utmost to keep them constrained and out of power.

But when Khomeini died in 1989, this extremist group managed to wrest power

understand how the Shi’ite clerical establishment functions, to learn about its internal disagreements, etc., which are totally alien to our way of thinking.

These fissures might hold the key to aiding those Iranian Shiite figures who believe that the Iranian regime has seriously damaged the survival of their beloved Shiite 12er Islam. Yes, Iranians are overwhelming Shiite, but from what we can tell, they by and large seem to want all their clerics to return to their seminaries and worry only about the spiritual and economic needs for their flock.

We might think about using these internal and potential dangers of descent into an apocalyptic war to our advantage, and thus help the Iranian people liberate themselves from their tyranny

Iran has a long sense of history dating back more than 2600 years of which it is extremely proud. This is meaningless to us.

from those who had Khomeini’s view. Which is why the late Prof. Bernard Lewis often said that MAD (Mutually Assured Destruction, a Cold War concept) might very well not work with the Iranian regime. As he stated, “a conflagration might be an incentive, not a deterrent.”

To Westerners, and to most Shi’ites, and Sunnis as well, this might sound preposterous – even absurd, but that’s how Iran’s present rulers see things.

## ■ *A Western Response*

Could we use this dispute to our advantage, just as Zarif used American culture to his advantage against us?

From time to time, internal differences among the senior clerical establishment has led to violence – sometimes serious violence. Surely, we could use these fissures to our advantage, but it would require us to study and

and re-join the international community as a member of the forces of good, where the Iranian passport is again respected, and its holders welcomed throughout the world.

But here in the West, almost no one thinks about using these fissures to our advantage. Perhaps this is because we don’t take our own religions seriously anymore, and don’t take Islam seriously either.

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# “United; Focused on Victory”

## An inFOCUS interview with Brig. Gen. (res.) AMIR AVIVI

Brig. Gen. (res.) Amir Avivi is the founder and chairman of Israel Defense and Security Forum, a group of more than 22,000 reserve officers and operatives from all branches of the Israeli security forces dedicated to ensuring that Israel's security in the homeland of the Jewish people is never taken for granted. BG Avivi's service in the IDF included Deputy Comptroller of the Security Forces, Director of the Office of the Chief of Staff, Deputy Commander of the Gaza Division, Commander of the Sagi Division, Commander of Battalion 605, and Commander of the School of Combat Engineering. JPC Senior Director Shoshana Bryen spoke with him recently.

**inFOCUS:** YOU SPOKE TO THE JEWISH POLICY CENTER LAST SUMMER, AND YOU WERE CONCERNED ABOUT HOW THE PEOPLE OF ISRAEL STICK TOGETHER. SINCE OCTOBER 7, THERE'S BEEN A BIG CHANGE. TELL US HOW THE PEOPLE SEE THE THINGS THAT DIVIDE THEM AND THE THINGS THAT UNITE THEM.

**BG (res.) Amir Avivi:** We can see a big change since October 7, and I think it is part of our DNA. When the people of Israel are at risk, they join together and fight. And there is a strong sense in the Israeli society, and not only Israeli society, but in the Jewish world, that we are fighting an existential threat; that it's them or us, and we need to win decisively. On October 7, we really saw the nation united. Hundreds of thousands of reservists went and joined their units to fight against Hamas and in the north. And since then, most of Israeli society remains united.

Unfortunately, we still see some forces that are divisive, talk politics, want to have elections, and things that are inconceivable in the middle of such a big war. But overall, especially on the battlefield, soldiers from all backgrounds joined together and really focused on victory – defeating Hamas and bringing back our hostages. Israeli forces are going at it every day on the battlefield.

**iF:** A NUMBER OF YOUNG HAREDI (ULTRA-RELIGIOUS) MEN CAME TO ENLIST IN THE IDF AFTER OCTOBER 7. AND PART OF THE DEMONSTRATIONS

WAS ABOUT THE ROLE OF HAREDIM IN ISRAELI SOCIETY. DID THOSE YOUNG MEN VOLUNTEERING FOR THE STATE MAKE AN IMPACT ON SOCIETY AND IT WILL LAST?

**Avivi:** We definitely see a change, and looking at the long term, we definitely need a society that joins together. The challenges are huge, and we need everybody to be part of this mission of defending the state of Israel. And among the ultra-Orthodox community, the Haredim, there are many people who understand the need to serve the military or other missions like Magen David Adom (Red Star of David) or ZAKA (search and recovery teams). The Haredim did a very important job on October 7 and the days after with ZAKA and with MADA, and many of them went to the Army and asked to join the Reserves.

But this is just the beginning. The challenge is with the leadership of these groups, which is not changing at the pace society is changing. It's a challenge because I see a young generation among the Haredi communities that is different from the old generation that is leading them.

Social change takes time and cannot be done by force or by changes in the law. It's really a matter of discussion in society to bring this change gradually to the place where the vast majority of the Jewish people serve in the Army, and also having people contribute to society in other ways. Being in the Army is not the only way to contribute, but it's the main way, and the most needed one.

**iF:** TO BE CLEAR, THERE ARE WAYS TO SERVE THAT ARE NOT IN THE IDF.

**Avivi:** Yes. We are in the process, for example, of building a National Guard; we need a much, much bigger police and border patrol. We need to be able to defend the towns and the cities. And this is for example, a good solution for many Haredi who can join the National Guard and not just do military service.

By the way, it is important to say that the problem of people not serving is not just the ultra-Orthodox; there are other groups who are not contributing fully. So really, it's about educating the whole Israeli society to be part of the contribution to the security of the State of Israel.

**iF:** HAMAS SAID THEY WON'T GIVE YOU A LIST OF THE HOSTAGES. THAT'S IT. I'M NOT SURE THE UNITED STATES WON'T ACCEPT THAT. WILL ISRAEL ACCEPT THAT?

**Avivi:** I would like to address the issue of the hostages in a broader way and not specifically about the talks we're having now.

We set very clear goals for this war. The complete destruction of Hamas as a government and military entity and to bring back all our hostages. And the State of Israel means that. We're going to bring back every single hostage. And the way to do it is military pressure. What made Hamas release more than 100 hostages was the ground incursion in the northern part of Gaza. They desperately

needed a few days of ceasefire. We'll have to continue pressuring them until where they say, "Okay, that's it. Please stop. Take the hostages."

And maybe even bargain for their own lives.

We are operating and moving forward. We'll have opportunities to release hostages militarily. This is going to happen. And I think that controlling humanitarian aid would help.

As long as there are hostages in Gaza, our two goals complement each other. Many people think that winning against Hamas and the return of the hostages are two different things. No, they are the same thing. By beating Hamas, we're going to release the hostages. Maybe Hamas will be pressured enough to negotiate a deal and get a few weeks of ceasefire and maybe not. And if not, we'll go into Rafah and we're going to release the hostages eventually.

Everybody in Israel understands it must happen, it must be done. We have to reach both goals, to destroy Hamas and to bring back all the hostages.

**iF: WHAT'S HAPPENING IN THE NORTH OF ISRAEL WHERE PEOPLE HAVE BEEN FORCED OUT OF THEIR HOMES BY HEZBOLLAH? WHAT IS ISRAEL'S PLAN FOR HEZBOLLAH AND FOR THE NORTHERN COMMUNITIES SO THEY'RE SAFE?**

**Avivi:** When the war began, we didn't know whether there would be a full-scale war in Lebanon as well. So, at the beginning, we sent forces to the north and also evacuated a large part of the population living along the northern border, almost a hundred thousand people, including the whole city of Kiryat Shemona; they're all displaced. They are now in hotels, not at home. There is a clear understanding that we cannot live with the current reality on our borders.

And there are only two ways to take them out.

It's either going to be diplomatically by implementing UN Security Council Resolution 1701 – for which we need



*Amir Avivi*

American leadership to build a coalition to pose a credible military threat to Iran and Hezbollah. Without that, we probably will see Israel making a ground incursion into South Lebanon (and maybe beyond that), destroying Hezbollah's forces, and forcing them north.

**iF: THE US AND THE ISRAELI MILITARIES HAVE GOTTEN ALONG EXTREMELY WELL FOR A LONG TIME, AND ISRAEL'S ENTRY INTO CENTCOM WAS A BIG DEAL. HAVE YOU SEEN A CHANGE IN THE MILITARY RELATIONS SINCE OCTOBER 7?**

**Avivi:** Military relations are very, very good. There is a very good understanding among the militaries about the enemy and the challenges we face. If it was for CENTCOM to decide, it would probably advise the American government to deal with Iran – to pose a credible military threat as Iran moves toward nuclear capabilities.

CENTCOM is very closely following the war in Gaza, wanting to learn how the IDF operates and seeing that it is doing an amazing job in Gaza, destroying Hamas, killing between 50 and 100 terrorists every day. The IDF operates in an urban environment in a way

that no army in the world had ever operated – both above and underground.

The challenge is more at the political level.

The American administration, over the past few years, has done everything to avoid confronting Iran. It's all about appeasement. It's all about talks. And Iran sees appeasement as weakness. They understand force, and they need somebody to really pose a credible military threat to them to understand that they need to stop the aggression all over the Middle East and in the Red Sea and Hezbollah in Lebanon.

### **Ground Incursion**

**iF: SOME AMERICANS BELIEVE THE IDF HAS KILLED 30,000 PEOPLE, 29,000 OF WHOM WERE CHILDREN. WE KNOW THAT'S NOT TRUE. AND I IMAGINE THAT THE AMERICAN MILITARY UNDERSTANDS THAT'S NOT TRUE. BUT PEOPLE ARE GETTING A VERY EMOTIONAL LOOK AT GAZA.**

**Avivi:** I would have expected the world to be emotional about the raping, the beheading, the torturing, the people who were kidnapped from their homes, from the kibbutzim, from the hometowns, by Hamas. These are crimes.

When the IDF started the ground incursion, we encouraged the Palestinians to move out of the areas in which we were operating. More than a million Palestinians left Gaza City and moved south. Basically, we launched the attack in the northern part of Gaza after evacuating most of the people. And most of the fighting was against terrorists.

It's important to say that all the numbers you hear are numbers Hamas is giving the world. And they are a bunch of liars. There is no army in the world that could have fought so precisely, and with pinpoint operations, as the IDF.

Now, it is a war; it is not zero casualties, but we encourage civilians all the time to move, and we help them move. We create humanitarian routes for the people to leave the war zone. This is what happened in the north of Gaza. This is exactly what happened also around Khan Yunis and in the central camps. And it comes as no surprise that almost all the Gazans now are in the city of Rafah. This means that they really went into the one place we were not attacking.

But now we are at the next step. When we enter Rafah, we'll have to move them.

## ■ Egypt's Role

The amazing thing to me is that people want to get out of the war zone, but Egypt is blocking the way. No one can get out to the south, and nobody is saying anything about that. Where is the world? Where are all these people who care about humanitarian issues when babies and women cannot get out of a war zone because Egypt is not willing to open the border? Imagine in Ukraine, if these 10 million Ukrainians who left since the war began had been blocked by the countries around them.

**iF: THE NEW YORK TIMES REPORTED THAT EGYPT WAS IN FACT BUILDING A TEMPORARY CAMP IN NORTHERN SINAI FOR REFUGEES.**

**Avivi:** The fact is that Egypt has completely fortified the border. They brought two

armored battalions – it looks like the border between North and South Korea now, and they're not letting anybody out. And this is outrageous because the only way to really make sure that people are not in danger is taking them out of the war zone to the northern part of the Sinai Peninsula, at least for now. Then they can go back.

**iF: HUMANITARIAN AID IS A BIG DEAL IN THE UNITED STATES. PEOPLE ARE FIGURING OUT THAT HAMAS IS STEALING IT, BUT IT HASN'T CHANGED OUR POLICIES.**

**Avivi:** People have to decide whether they really care about Palestinians and what's going on there because anybody who really cares should do one thing, pressure Egypt to open the border and let them go out into a safe zone while war is being waged in Gaza.

## ■ The Aid

**iF: WE HAVE SEEN AIRLIFTS, SOME COMING FROM JORDAN AND SOME FROM ISRAEL AND MAYBE FROM EGYPT, TOO. IS THAT A REASONABLE WAY TO DO THIS?**

**Avivi:** A few weeks ago, we in IDSF met with the leaders of the army and the government, including the prime minister, and we said, "The time has come for you to take full responsibility for the humanitarian aid. You cannot continue to just let trucks go into Rafah; a minute later, Hamas takes control of them. Or people storm the trucks to try to steal food and they get shot by Hamas. This is not the way to deal with this."

When you take over an area, especially if you want to bring down the existing government, which is Hamas, there's only one way. You must take care of the humanitarian issues and you must distribute the food to the Palestinians. The Israeli Army needs to do that. It didn't happen; Hamas stole the food, and when there is no food, there is chaos.

So, Jordan and the US intervened.

To me, this is a sign of Israel's failure

– we should have done that weeks ago and we still can do it. We need to take responsibility. Also, this is the way to signal to the people that the reign of Hamas is over. You want food, it's we who are feeding you, not Hamas. And then you can get intelligence. Then you can get the Palestinians to understand that it's game over for Hamas.

## ■ The Future

**iF: ARE THE PEOPLE OF GAZA STILL COMMITTED TO THE IDEA THAT HAMAS OR PERHAPS THE PALESTINIAN AUTHORITY (PA) WILL RULE THEM?**

**Avivi:** The people of Gaza overwhelmingly support Hamas. They're all a product of Hamas. And to change that is a long-term process.

I will remind you that after the Second World War, when the Allies defeated Germany, they had military control for four years. And during these four years, they created the Marshall Plan and the process of de-Nazification of Germany.

The only way to really change the mentality of the society in the long term is to control the education, change the books, change the way the people talk in the mosques. This is being done in the United Arab Emirates; this is being done today in Saudi Arabia. They're trying to change the mentality of the society through education. And Israel needs to do this. If we don't do it, nobody else is going to do it. And Israel already said the day after, there is not going to be not Hamas, not Palestinian Islamic Jihad.

And not PA because the PA is as much a terrorist organization as Hamas. They want to eliminate Israel. They paid billions to terrorists; their schools are not much different. And we need, along the way, after we bring down Hamas, to build a new bureaucratic leadership base, probably through the local clans of the cities. This is a process. It's not going to happen in one day. But if this works, then we might look at the West Bank – Judea



and Samaria – and say, “You know what? It works in Gaza; we can probably implement it also there.”

**iF: THERE YOU CROSS WIRES WITH THE UNITED STATES. IS IT POSSIBLE FOR ISRAEL TO MANAGE THE CHANGE IN GAZA, OR DO YOU NEED SOME OUTSIDE PARTNER?**

**Avivi:** I don't see anybody volunteering to come and help.

The Palestinians themselves detest the PA. The PA doesn't even have 5 percent support in the West Bank – the Palestinians see them as corrupt; they're fed up with them. The American administration needs to answer the question, “Forget about what Israel thinks. If the Palestinians don't want them, and they want something else, what's the alternative?”

I believe the day after [Palestinian leader Mahmoud] Abbas goes, the most likely scenario is that the PA will dissolve in one way or another. The US has no answer for that.

Gaza is going to be one big experiment in which we have to do everything differently than was done before.

I'm a big believer that it is Israel that needs to put forward a vision, a viable plan to secure Israel for generations to come and offer solutions that ensure the prosperity and security of the Jewish people. And once we're united behind the vision, I believe that we'll always find the right administration to put our vision forward. So first we need to decide what we want. And then I'm sure, 100 percent sure that we'll find the administration that supports our vision, especially if we are united.

**iF: THAT'S THE OPTIMIST VIEW.**

**Avivi:** I'm an optimist.

## ■ *The Investigation*

**iF: BEFORE OCTOBER 7, A LOT OF PEOPLE THOUGHT THEY KNEW A LOT OF THINGS ABOUT WHAT WAS**

**HAPPENING IN GAZA. WHAT WAS THE FAILURE IN ISRAEL BETWEEN OCTOBER 6 AND OCTOBER 7?**

**Avivi:** First, I must say we don't know exactly what happened that night. There will be a thorough investigation after the war.

But I think that what happened on October 7 was the outcome of a worldview that said Hamas wanted economic incentives. We have to give them money. We have to let them work. They won't fight us.

No matter how many times they started operations against us and attacked us, no matter how many rockets they produced and all the military capability, and no matter that they told us what they were going to do, the security forces really didn't want to believe it would happen. Two years ago, we, in IDSF, presented the government and all the security forces with a very, very in-depth national security assessment saying, “War is imminent.”

We are going to war, we said, and we have only two choices. It's either going to be Six-Day War scenario or Yom

organized. We need to prepare the society we are going to war.”

We were very clear, but our politicians wouldn't listen. The army, the Mossad [foreign intelligence], the Shabak [domestic intelligence] wouldn't change their preconceptions and that was a terrible mistake.

And this is why we found ourselves with the 7th of October.

## ■ *Iran and China*

**iF: IT SEEMS ONE REASON IRAN WAS IN FAVOR OF ATTACKS ON ISRAEL, IS BECAUSE THE ABRAHAM ACCORDS CHANGED ISRAEL'S POSITION IN THE REGION. ARE THOSE COUNTRIES NOW THINKING THEY NEED TO FIND A WAY TO LIVE WITH IRAN? OR DO THEY HAVE FAITH IN YOUR ABILITY TO PULL IT OUT?**

**Avivi:** This is not a local war between Israel and Hamas; it's a regional and a global war.

In March 2023, we sent a delegation of IDSF to Washington. We met with congressmen and senators and with the Senate Foreign Relations Committee. We

For three years, Saudi Arabia was probably the most detested country on the planet. Suddenly out of nowhere, the American administration started pushing a peace agreement between Israel and Saudi Arabia, which is not just about another Abraham Accord country. This is the leader of the Sunni world.

Kippur War scenario. Either we're going to be proactive and attack fast, or they're going to attack us and it's going to be a complete surprise. We knew that. I talked about it. “You need to stop everything. You need to unite. You need to prepare the army for war. We need to weaponize. We need more munitions. We need to get

told them, “There is a Chinese/Russian/Iranian front in the Middle East, and it is going to take over. The US needs to be proactive. You need to build a coalition; you need to bring forces. We need to build a coalition that will side with the West because without that, the East is organized, and more and more countries

will side with them.”

We talked at length about it. And then we came back to Israel and two weeks later, China brokered a deal between Saudi Arabia and Iran.

Suddenly, the administration realized that something big was going on. They phoned us and said, “How did you know?” We said, “What do you mean? We live in the Middle East, and we see what’s going on.” And at that moment, you saw a complete change of policy of the Biden administration in the Middle East.

For three years, Saudi Arabia was probably the most detested country on the planet. Suddenly out of nowhere, the American administration started pushing a peace agreement between Israel and Saudi Arabia, which is not just about another Abraham Accord country. This is the leader of the Sunni world.

A peace agreement with Saudi Arabia means normalizing relations with the whole Sunni world: Indonesia, Malaysia, Pakistan, Oman. This is a huge alliance extending from the Pacific to the Middle East to the West to stand and really be able to deal with this Chinese/Russian/Iranian front that has emerged not only in the region but also in Africa and in other places.

And when Iran saw the administration moving very fast with Israel and Saudi Arabia, they said, “Okay, it’s not going to happen. We’re going to stop this.” They decided to stop the process by launching Hamas to disrupt the buildup of this alliance. They didn’t also launch Hezbollah because Hamas was enough. They knew this would be enough to disrupt the process, and they need Hezbollah intact in order to defend themselves.

On October 7, the first question I asked myself was, “Okay, why isn’t Hezbollah fighting?” The second question was, “What is Hamas thinking?”

They surprised us – it was a terrible attack. But as a general, I was sure that it would take us a day, two days, three days. We would stop them, kill them, push them back. We brought the whole army.

And what exactly did Hamas think would happen? The sad truth is that THEY were sure that they would launch such a murderous attack and THEY would survive. Why? Because they looked at Israel in the past year. They saw insubordination, they saw riots. In their

2002, it took us a month and a half to take over all the Palestinian cities. It took us five years to stabilize the area.

The same happened with the US in Iraq. It didn’t take much time to take down Saddam Hussein, but then dealing with controlling Iraq afterwards,

First, we’re going to win decisively. It’s going to be long, but we are going to really win decisively on all fronts. ... The bigger the golden age of Israel and the Jewish people will be after.

eyes Israel had no air force, the army was not functioning, the government was not functioning. Society was torn apart. This is how they viewed Israel. And they thought in this version of reality, “We can really, really attack, hit hard, maybe get the whole Arab society to revolt.”

But none of this happened. And we united and we’re going to destroy them completely.

### ■ **The Long War**

**iF: WAS THE IDF THINKING, OR PREPARED FOR, AS LONG A WAR AS THIS IS BECOMING? THE ‘67 WAR WAS SHORT, AND THE ‘73 WAR WAS SHORT, AND THE ROCKET WARS WERE SHORT BECAUSE YOU MADE CEASEFIRES. IS THE IDF READY TO KEEP THIS WAR GOING FOR AS LONG AS IT LOOKS LIKE IT HAS TO?**

**Avivi:** This war can go on for years. Start with Gaza. We can reach the goal of destroying Hamas as a governmental and military entity in a short time, let’s say in a few months. The prime minister talked about weeks. I’m saying months. All we need to do is launch the attack on Rafah, take over Rafah and its game over.

Hamas will be destroyed. But conquering an area is one thing. Clearing it is a completely different thing. In Operation Defensive Shield in Judea and Samaria in

that was a big deal.

Also, it’s very hard to see how we avoid a big war with Hezbollah, which probably will be much bigger than the war with Hamas. But we will deal with it. And this is before talking about nuclear Iran, which also must be dealt with. And there is the future of the Palestinian cities in Judea and Samaria, the West Bank. We have a lot of work to do.

### ■ **The Golden Age**

But I’ll tell you something, since I’m an optimist: I really believe what I’m saying now. First, we’re going to win decisively. It’s going to be long, but we are going to really win decisively on all fronts. And the bigger the win is, the more decisive it will be. The bigger the golden age of Israel and the Jewish people will be after. There will be peace agreements. Our economy will bloom, and there will also be a baby boom, and there will be massive Aliyah to Israel. Many good things will happen.

But first, we need to win the war. We need to stay united, focus on one thing, on victory.

**iF: GEN. AVIVI, ON BEHALF OF THE JEWISH POLICY CENTER AND THE READERS OF inFOCUS QUARTERLY, THANK YOU FOR AN OUTSTANDING OVERVIEW OF ISRAEL’S WAR IN GAZA.**

# The Failure of International Organizations

by **RICHARD D. HEIDEMAN** and **JOSEPH H. TIPOGRAPH**

**T**he failure of international organizations today mirrors the failure of the League of Nations, as assessed by Samuel Flag Bemis, the esteemed, two-time Pulitzer Prize winning American diplomatic historian whose career spanned the League's 1920 creation and 1946 dissolution:

*The League of Nations has been a disappointing failure. ... because the great powers have been unwilling to apply sanctions except where it suited their individual national interests to do so, and because Democracy, on which the original concepts of the League rested for support, has collapsed over half the world.*

Today, 70 percent of the world reportedly lives under dictatorships, which have joined forces to leverage the power of democracy that they themselves deny their people—to aid, abet, enable, and manipulate the UN into permitting, perpetuating, and even participating in acts of human rights violations and violent conflict, the antithesis of the United Nations' mandate.

Under the guise of promoting peace, the conduct of these countries at the UN works to harm the marginalized people the UN claims to protect and serve; as well as the UN's peace-loving, human-rights respecting, democratic benefactors, including the United States. Decade after decade, countries such as the Islamic Republic of Iran, the former Qaddafi-controlled Libyan regime and others band together to castigate good and work to control the one-country

one-vote outcomes at the UN General Assembly (UNGA), permitting bias and prejudice to control the voice and pronounced "accomplishments" of the UN. Except through the exercise of vetoes by the permanent members of the UN Security Council (UNSC) on issues of particular concern to those countries, Western powers have been unable to remedy the failures of the international organization's machinery or provide justice to citizens of non-democratic UN members.

Compounding the issue, propaganda generated by international organizations and funded by UN arms and organs works to influence public opinion and voters in democratic countries to be more sympathetic to the whims of enemy authoritarian regimes and more hostile to their own freer systems of government. Consequently, the sympathies of well-minded people seeking to empower the downtrodden develop a bias against the wrong countries, deepening the suffering of those in need in an endless downward spiral.

## ■ **Failure at the United Nations**

International organizations trace their origins back to Immanuel Kant's 1795 book, *Perpetual Peace*. At that time, all of Europe was consumed by war. In 1815, the Concert of Europe was launched as the first international co-operative effort to promote collective security. After a century and with the outbreak of World War I, the Concert dissolved, subsequently followed by the establishment of the League of Nations and, at the end of World War II, the United Nations.

One major failure of the UN's international organization network is the deafening silence regarding the most egregious human suffering wrought by the world's most flagrant human rights abusers and militant aggressors such as the dictators controlling Russia, China, Iran, Syria, North Korea, Cuba, and elsewhere. These authoritarian regimes lack incentive to sanction each other for crimes against humanity similar to what they themselves are committing; and use their accusations against other countries, particularly Israel, at least in part to divert attention from their own malfeasance.

According to data from the non-profit UN Watch, dictators enjoy majority voting on the UNHRC (Human Rights Council, 64 percent), the UN Commission on the Status of Women (57 percent), Committee on NGOs (non-governmental organizations, with the power to grant and suspend NGO's UN credentials, 74 percent), UN Women Executive Board (56 percent), and UNESCO (Educational, Social and Cultural Organization, 61 percent).

Dictators have masterfully leveraged these bodies, their collective voting power in other organs, and their willingness to exploit their countries limited resources, to direct the bulk of international organizational sanctioning at the lone democracy in the Middle East, the Jewish State of Israel.

Israel was admitted to the UN as a fully accredited member-state in 1949 by a two-thirds majority of the then-members of the UNGA. A flood of Arab, Islamic, and other totalitarian regimes admitted after Israel, seized control and





Human Rights Council session in 2018 in Geneva, Switzerland. (Photo: UN Photo / Elma Okic)

forever changed the UN from an organization that could effectively advance the interests of peace into a tool for pronouncing destructive propaganda disguised as international policy.

This practice started with the Arab League, established in 1944, whose 22 members, in 1975, sponsored the first anti-Israel resolution (the Zionism=Racism resolution). The League enjoys special status at the UN, as does the Organization of Islamic Cooperation (OIC), which touts itself as the “second largest [international] organization after the [UN] with a membership of 57 states spread over four continents.” While the OIC purports to represent the unified Muslim voice on a range of issues, its activity at the UN, where its members comprise approximately 30 percent of UNGA votes, appears singularly focused on promoting the Palestinian narrative through the demonization of Israel on all Palestinian-Israeli matters.

This critical mass of votes was leveraged to also exclude Israel from the Asian Pacific Regional Group, thereby denying Israel eligibility to be elected to a rotating UN Security Council seat, which are allocated by regional groupings. It was not until 2004 that Israel found a permanent home in the Western Europe and Other States group, accepted with conditions; and it was not until recently that any Israeli diplomat was elected to serve in a UN leadership role.

### ■ **Embedded Anti-Israel Bias**

The UN system includes bodies such as the Committee on the Exercise of the Inalienable Rights of the Palestinian People, funded from within the UN budget, that are specifically focused on the promotion of Palestinian issues, which includes castigating Israel at every turn.

Today, Israel remains uniquely targeted by discriminatory voting. Data

compiled by UN Watch shows the following prevalence of resolutions condemning Israel.

UNGA	Since 2015	67.75%
UNHRC	Since 2006	51.2%
WHO	Since 2015	100%

*Percent resolutions condemning a single country which specifically target and condemn the State of Israel.*

The UN Charter does nothing to prevent such discrimination, nor to ensure resolutions focus on the more flagrant threats to world peace and human rights. Thus, UN policy documents simply reflect the will of an undemocratic plurality of countries acting out of their own self-interest. NGOs seeking UN credentials adopt the picture these resolutions wrongly paint of Israel, as the ultimate global villain: a racist, apartheid criminal state always allegedly acting in

violation of international law. The accusations have been effective in manipulating the body of nations, the press and the court of public opinion to advance the discriminatory focus upon Israel.

The International Court of Justice (ICJ), the UN's world court has repeatedly accepted jurisdiction over requests for Advisory Opinions and other proceedings initiated against Israel, to then substitute the biased findings of the UN policy documents in place of the evidence-based fact-finding that stands as a fundamental characteristic of a democratic tribunal.

### ■ ***The October 7 Massacre***

On October 7, 2023 Hamas, the acronym for the Palestinian Islamic Resistance Movement, a US-designated Foreign Terror Organization, committed the most heinous, barbaric, brutal

laden-resolutions and rulings. At the ICJ, South Africa launched a meritless case acting as a shill for Hamas and accusing Israel of genocide.

Every country in the world has the primary right and obligation to protect its citizens and cannot tolerate acts of brutality, or the raining of missiles into its territory from across its border. Every world leader should ask themselves: what would they do if Hamas, ISIS, or the Nazis invaded and brutalized their population? Would the unfortunate likelihood of civilian casualties, bolstered by the use of human shields, deter them from striking back?

Like never before, Israel's re-entry into the Gaza Strip, from which it unilaterally withdrew in 2005, has uncovered evidence of malignant conduct by UNRWA (United Nations Relief and Works Agency), which purports to serve

Every country in the world has the primary right and obligation to protect its citizens and cannot tolerate acts of brutality, or the raining of missiles into its territory from across its border.

and evil attack upon citizens, civilians, police, and soldiers guarding the border between the Gaza Strip and the sovereign State of Israel. Thousands were massacred or maimed, with many burned in their homes, beheaded, and raped; and more than 240 children, women, and men of various nationalities were taken hostage. At this writing, 134 hostages remain in the hands of Hamas, many believed to have been raped and murdered in captivity.

The world's momentary expression of profound disgust was quickly drowned out by proclamations that the terrorist invasion was caused by – and is the fault of – Israel itself, attributed to various issues ranging from where Israeli Jewish people live to how the country defends them. UN bodies are again passing propaganda

Palestinian refugees with education and aid, but in practice seems primarily to serve Hamas.

### ■ ***UNRWA on October 7***

Among other things, UNRWA employees were found to have aided, encouraged, and/or participated in the October 7 atrocities, including kidnappings, transfers of dead bodies and weapons, and rampages on some of the 22 Israeli communities across southern Israel, including in Kibbutz Be'eri, and the Nova Music Festival where civilians were gunned down or murdered in their cars, in fields, in safe rooms, and on the roads.

Israel estimates that about ten percent of UNRWA's 13,000 employees in the Gaza Strip are themselves members of Hamas or other Islamist terrorist groups,

and 50 percent have immediate family members in terrorist organizations. As UNRWA and the terror groups combined comprise less than three percent of Gaza's population of more than 2.2 million, the statistically significant overlap between them is staggering and is not a coincidence.

Since the news of UNRWA workers' misconduct broke, the United States and other countries announced they would suspend funding pending an investigation into the accusations and circumvent UNRWA in the provision of humanitarian assistance to Gaza in the meantime, although sentiment is increasing to resume funding for UNRWA from various political and governmental quarters.

While nine UNRWA employees have thus far been terminated for participating in the grotesquely violent unprovoked Hamas attack on Israel, this is but a drop in the bucket.

Israel security forces have reportedly found military drones in UNRWA donations to the region, and Hamas terrorist tunnels and weapons under and in UNRWA buildings. The food, fuel and construction materials given to UNRWA as humanitarian aid for the Gazan population is frequently redirected to Hamas for its own terrorist use.

### ■ ***The Broader Problem***

As a UN organ, UNRWA must promote international peace and security, but much of its unusual function of serving only Palestinian refugees is clearly disruptive to these ends, particularly when contrasted with the UN High Commissioner for Refugees (UNHCR), which serves the rest of the world's refugees.

Where UNHCR's budget is primarily dedicated to supporting infrastructure and employment, more than half of UNRWA's budget goes to its schools, which indoctrinate students to hate Jews and Israel. UNHCR operates in 130 countries with a staff of 11,000 and has resettled well over 1 million refugees in the last 20 years. By contrast, UNRWA



operates in 4 countries, employs 30,000 people, reports to no one, and has not resettled any Palestinian refugees in its 70+ year existence. UNRWA's very definition of refugee prevents resettlement.

## UN policy documents simply reflect the will of an undemocratic plurality ... acting out of its own self-interest.

Unlike the children of refugees resettled by UNHCR – who enjoy citizenship of their birth countries – children of Palestinian refugees inherit their parents' refugee status and later pass it on to their children. In preserving Palestinian refugee status, UNRWA has asserted that each of these intergenerational refugees and only these refugees enjoy a "right of return," not just to Palestinian Arab majority territories in the West Bank and Gaza Strip but also to all of Israel proper. Their home countries, namely Jordan, Lebanon, Egypt and Syria discriminatorily deny them citizenship, prohibit them from engaging in many different professions, and keep them marginalized.

This unique and problematic dictation of a UN member state's immigration policy is an intentional design of the UN, and until it is properly addressed, it will only continue to fuel increasingly violent wars. Through the inclusion of lineal descendants, the number of Palestinian refugees—committed to the destruction of Israel and maintained in a perpetual state of victimhood—has exploded, growing from an estimated 650,000 in 1948 to a claimed 5.2 million today.

UNRWA's annual budget exceeds \$1 billion and is supported by other programs mandated by UNGA to shape public opinion around the world in support of the conflict-perpetuating status that UNRWA uniquely confers on Palestinian Arabs. The promoted narrative is that Israel is the oppressor of the

Palestinian people, despite everything Israel has done over the generations to help improve their security, stability, growth, employment, educational opportunities, and standard of living.

### ■ *Evasion of Accountability*

Consistent with this framework, a recipe for perpetuated conflict, UN staff and beneficiaries have killed, injured, or taken hostage dozens of American and other Western civilians, and their governments have done little about it.

UNRWA should be held accountable for its support of Hamas. Obstacles, however, abound. Typically, US federal courts hold liable foreign governments

The leaders of the free world must more fully acknowledge and more forcefully address this gross defect: the tacit encouragement of and support for the facilitation of terrorism committed under the guise of freedom fighting.

and non-state entities that provide similar, and in some cases, much less support for terrorist acts to the American victims of those acts and their American family members. But the UN and UNRWA itself surely will claim to be shielded from such liability, as US federal courts have found in certain cases that the UN enjoys absolute immunity, citing a series of UN treaties to which the US has acceded.

Challenges to such immunity claims, however, are expected to be undertaken.

A solution to this robust immunity claim could also develop in the form of a waiver by and consent of those entities, including at the UN and/or its organs,

which could be as a condition of future funding. Additionally, Congress might undertake a legislative fix akin to the terrorism exception under the Foreign Sovereign Immunities Act. In order to help facilitate litigation against international organizations which provide material support to, or aid and abet the commission of acts of international terror, it permits the designation of Foreign Terror Organizations.

The failure of international organizations today is no different than what brought about the 1946 failure of the League of Nations as identified by Bemis: a world that mostly rejects democracy sanctioning only out of self-interest.

The leaders of the free world must more fully acknowledge and more forcefully address this gross defect: the tacit encouragement of and support for the facilitation of terrorism committed under the guise of freedom fighting.

Unless and until they do, the UN and their own citizens can and will continue to be manipulated by authori-

tarian regimes, to the detriment, harm and denial of justice of innocent people everywhere.

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# “Like...wtf”: Israel’s Arab Citizens Feel Lucky

by **BASSAM TAWIL**

DF Sergeant First Class (Res.) Ahmed Abu Latif, 26, a husband and father to a one-year-old baby, was killed on January 22 during the fighting between Israel and Hamas in the Gaza Strip. Abu Latif, a Muslim citizen of Israel, embodied the spirit of unity and patriotism in Israel in the aftermath of Hamas’s October 7 massacre of Israelis. He also represented a shining example of coexistence and unwavering love for Israel.

In a message on Facebook at the beginning of the war, Abu Latif, who was working as a security guard at Ben-Gurion University of the Negev, wrote:

*As a Bedouin-Israeli, serving in the IDF Bedouin Gadsar (Desert Reconnaissance Battalion) was an honor that revealed my strengths and introduced me to lifelong friends. I love connecting with people and bridging cultures, whether it’s hosting friends for a meal or visiting friends from Kibbutz Shovel and playing guitar songs by Yehudit Ravitz.*

*On October 9 at 8 p.m., accompanied by my brother-in-law, I embarked on a mission to distribute food to soldiers. En route, our attention was drawn to a police car, and simultaneously, we received alarming messages about terrorists infiltrating the Mishmar Hanegev area near Rahat. As armed and professional security guards, we immediately joined the police forces, assisting in the search for the terrorists. The adrenaline-fueled mission was both intense and fulfilling, highlighting the importance of safeguarding our home. Thankfully,*

*the terrorists were swiftly located and dealt with by the police.*

*In the backdrop of the ongoing war, we often hear about the involvement of Arab citizens. It’s disheartening to know that among the fallen heroes are Bedouin and Druze soldiers, Muslims, and Christians who courageously defended our country. The Bedouin community mourns all civilian victims, regardless of their background—Jews, Christians, or Muslims. This brings me to a crucial point: we all share the same destiny, and our strength lies in unity. Unfortunately, there are those who seek to undermine cooperation between different sectors, sowing seeds of mistrust. I urge you not to be swayed by such attempts and to stand strong in our shared commitment to unity.*

Abu Latif had also filmed a video to encourage enlistment to the IDF’s Desert Reconnaissance Unit. He was not the only member of Israel’s predominantly Arab minority to die in the war, and not the only Arab to serve in the IDF and Israel Police. Thousands of Arab Muslims, Christians and members of the Druze community have long been serving or volunteering in various branches of the Israeli security forces.

Major Jamal Abbas, 23, a company commander in the 101st Battalion of the Paratroopers Brigade, was killed in combat in the southern Gaza Strip on November 18, 2023. Abbas was born into a family of high-ranking military officers from the Druze village of Peki’in in northern Israel. His grandfather, retired

Colonel Gideon Abbas, is among the first Druze soldiers to attain the rank of brigade commander in the IDF. Jamal’s father, Col. Anan Abbas, followed suit.

Another Druze officer, Lt. Col. Salman Habaka, 35, was also killed during the fighting with Hamas last November. Habaka is the most senior officer to have been killed since the beginning of the war. On October 7, when Hamas invaded Israel, he was one of the first IDF soldiers to enter Kibbutz Be’eri, where dozens of terrorists had barricaded themselves. He was responsible for neutralizing dozens of terrorists and rescuing residents holed up in their homes and shelters. “The scene at Be’eri was very bad,” he said later. “But we saw we had one main mission: To save the remaining residents and kill as many terrorists as possible. We went house-to-house and cleared out [the terrorists].”

Nisreen Yousef, a Druze woman who has been living with her husband Iyad and four children in the village of Yated, near the Gaza Strip, over the past 15 years, is credited for saving the lives of dozens of her Jewish neighbors on October 7. On that day, her husband was among the first to rush with Yated’s civilian security squad and confront the Hamas terrorists who entered their community, leaving his wife and children at home. He and the other (Jewish guards) captured two terrorists. That is when Nisreen decided to leave her home and interrogate the terrorists to get information from them about the invasion. “I caught one of them by the neck and asked him in Arabic who sent him,” she recalled.

“I told him to look me in the eye, that I’m not afraid of him. I asked him how many more terrorists were there and



A delegation of leaders from the Druze community joins an the IDF's Navy ceremony. (Photo: IDF)

where are they located. He told me there are many more in the field located 100 meters from my home.”

Thanks to the information she obtained from the terrorists, Israeli security forces were dispatched to the field, where they captured 20 terrorists. Asked whether they thought they would never return to their home, Nisreen and her husband replied:

*Yes. It was scary, but this is our country, this is our home. We must not show them [the terrorists] that we are weak. We must not give them the feeling that they won despite the fear, pain and the disaster we experienced.*

The stories of these Israeli Muslims and Druze are a good example of how Jews and non-Jews have long been living in peace and harmony inside Israel. They are also a sign of how a growing number of the Muslim, Christian and Druze communities remain loyal to Israel. Hamas's October 7 atrocities did not distinguish between Jew and Arab, old

and young, male and female, black and white. At least 20 Arab Israeli citizens were murdered by Hamas terrorists during the attack on that day or by Hamas rocket attacks in the ensuing days. Most of the victims were Bedouin residents living in the south of Israel. Moreover, several Bedouin men and women were abducted by Hamas.

It is no wonder, then, that an overwhelming majority of the Israeli-Arab public opposed the Hamas attack. A study conducted by Nimrod Nir of the Adam Institute and Dr. Mohammed Khalaily among the Arab public showed that most Israeli Arabs support Israel's right to defend itself and even expressed a willingness to volunteer to help civilians who were harmed during the Hamas attack. The study showed that almost 80 percent of Israeli Arabs opposed the Hamas attack, and 85 percent opposed the kidnapping of civilians.

Two days after the massacre, Israeli Arab blogger Nuseir Yassin, popularly known as “Nas Daily,” posted the following on X (formerly Twitter):

*For the longest time, I struggled with my identity. A Palestinian kid born inside Israel. Like ... wtf. Many of my friends refuse to this day to say the word 'Israel' and call themselves 'Palestinian' only. But since I was 12, that did not make sense to me. So, I decided to mix the two and become a 'Palestinian-Israeli.' I thought this term reflected who I was: Palestinian first, Israeli second. But after recent events, I started to think. And think. And think. And then my thoughts turned to anger. I realized that if Israel were to be 'invaded' like that again, we would not be safe. To a terrorist invading Israel, all citizens are targets. ... And I do not want to live under a Palestinian government. Which means I only have one home, even if I'm not Jewish: Israel...*

Another survey, conducted by the Israel Democracy Institute, found that most Arab citizens of Israel feel a strong connection to the state in the aftermath of the October 7 carnage. Some 74 percent of

respondents reported good relations with Jews, and 56 percent said that the Hamas massacre does not represent Arab society, Palestinians, or the Islamic community. The survey indicated that 70 percent of Arabs in Israel identify with the state.

Commenting on the results of the survey, Prof. Mouna Maroun, vice president and dean of research at University of Haifa and the former head of the Sagol Department of Neurobiology, the first Arab woman to hold a senior faculty position in natural sciences, said:

*I'm an Israeli Arab... I'm embarrassed. And Hamas is to blame...*

*For the sake of humanity, I implore the Arab community to move forward and to cleverly and responsibly understand the Jewish narrative, as we have been asking them to understand ours for 75 years. For the first time, as an Arab minority we are requested to stand with empathy and understand the majority's narrative...*

*In the city of Haifa, there are mixed neighborhoods and mixed apartment buildings. At the university, Jews and Arabs learn and grow together. This is the paradigm that Israel must replicate in order to move on from the tragedy of October 7.*

*This [Arabs identifying with Israel] demonstrates that the Arab community in Israel aspires to further integrate into society and distance itself from bad faith actors like Hamas...*

*Israeli Arabs and Jews are like salt and pepper: They both belong on the table, and once they're sprinkled into a dish it's almost impossible to distinguish between them. We must embrace and cherish our shared destiny by working with each other, engaging in meaningful dialogue, and understanding that when it comes to coexistence and shared life, there's nothing to fear.*

Maroun is among other Arab women who hold senior positions in Israeli universities. In 2021, the Board of Governors of the Hebrew University in Jerusalem

announced that Prof. Mona Khoury-Kassabri had been elected vice president of strategy and diversity at the university. It was the first time that a member of the Arab community was appointed to a senior position of vice president. "I am deeply honored to be the first Arab to serve as a Hebrew University vice president," Khoury-Kassabri said.

"I feel confident that my experience both inside the classroom and in senior

roles at the university will serve me well in promoting the strategic goals and inclusionary values of this great institution."

In addition to education, Israel's medical field has always served as a model of Jewish-Arab equality and coexistence. Jewish and Arab patients often share the same room in Israeli hospitals, where Jewish and Arab doctors and nurses work together.

The percentage of Arab Israeli physicians in Israel has been on the increase. By the end of 2021, Arab physicians constituted 24 percent of Israeli doctors aged 67 and younger. That same year, 43 percent of new licenses for physicians were awarded to Arab and Druze doctors. The share of Arab citizens in other healthcare professions is also considerable.

"Hospitals, the places in which so many individuals experience pain and illness, are also the places of cooperation between Jewish and Arab physicians," noted Fahima Abbas, a researcher at Adva Center, an Israeli progressive think-tank that monitors social and economic developments. "It is incumbent upon us to remember that and to strengthen that cooperation in ordinary times as well as in emergencies. It is an important element of a democratic state."

In 2022, Judge Khaled Kabub became the first Muslim appointed to Israel's Supreme Court. All previous Arab Israeli justices on the 15-member court have been Christians, another example of how Israel's Arab citizens have access to senior positions in the public sector.

In 2019, Samer Haj Yehia became the first Arab head of a major bank in Israel when he was appointed chairman of the board of directors of Bank Leumi.

...most Arab citizens of Israel feel a strong connection to the state in the aftermath of the October 7 carnage. Some 74 percent of respondents reported good relations with Jews...

Since 1948, more than 80 Arab citizens have been elected as members of Israel's parliament, the Knesset. In 2020, the Knesset had 17 Arab members out of 120.

Hamas was undoubtedly hoping that the massacre its members committed on October 7 would sabotage relations not only between Israel and the Palestinians, but also between Jews and Arabs inside Israel. Fortunately, however, Hamas has been unsuccessful in pitting Israeli Jews and Israeli Arabs against each other. Despite the Israel-Hamas war, the vast majority of Jews and Arabs inside Israel continue to work together and live in peace and security next to each other, and often in the same neighborhoods and buildings.

The Palestinians living under the corrupt Palestinian Authority in the West Bank and the Hamas terrorist group in the Gaza Strip can only envy Israeli-Arab citizens for living in Israel, where they enjoy democracy, freedom of expression, access to superb healthcare, educational institutions and careers, as well as a thriving economy.

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BASSAM TAWIL is a Muslim Arab based in the Middle East. A version of this article first appeared at Gatestone Institute and is reprinted with permission.



# Revisiting International Law in the Gaza Context

by **NICHOLAS ROSTOW**

**Author's Note:** *There are three points I would add to the original article:*

1. *The 2004 Advisory Opinion of the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Palestinian Occupied Territory: Apart from the fact that the question prejudices title to the territory, its paragraph 139 states that the international law right of self-defense arises only in the case of an armed attack by one state against another state. Not only is there no textual support in the UN Charter, which notes that "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations..." for the Court's statement, myriad UN General Assembly and Security Council resolutions have condemned international terrorist attacks as a threat to international peace and security and have affirmed that the international law right of self-defense is triggered by such attacks.*

2. *Commentators on international humanitarian law (the laws of war) often overlook the fact that the use of force has lawful purposes and objectives. Militaries have missions to accomplish. International humanitarian law (IHL) provides guidance on how lawfully to accomplish the mission; it does not prevent mission accomplishment or render military operations unlawful per se. Like all law, IHL is not a suicide pact.*

3. *War has an enormous impact on social mores, usually of a most negative kind. The affect on behavior forms part of the context of war.*

**W**hen it comes to the laws of war, a substantial number of commentators can play the notes but not the music. This essay examines the Hamas-Israel War in light of this ever-evolving body of law.

The set of rules has grown from wars and conflict over the last 500 years and is at least partly reflected in codification efforts in the last century. This history explains why little in the Hague or Geneva Conventions (or Protocols) is absolute. The laws of war reflect the unsolvable tension between military necessity and the need to limit engagement with civilian populations. In no conflict has urban warfare been pretty or quick. It is with both feet in this reality that one should consider what the law is and how to apply it.

The laws of war reflect the unsolvable tension between military necessity and the need to limit engagement with civilian populations. In no conflict has urban warfare been pretty or quick.

Our verified knowledge of the situation and fighting in Gaza is limited. The starkly different Israeli and South African accounts of the source of much of the infrastructure damage in Gaza and the identity of the known dead before the International Court of Justice on Jan. 11 and 12, 2024, drive this point home.

## ■ **Relevant International Law**

Israel's authority to use force and conduct military operations is rooted in international law. Hamas is an armed band and has no legal authority under international or any other law to engage in attacks against Israel and Israelis, including specifically the kind of attacks it favors—missiles launched at civilian targets, terrorist attacks on civilians, and other efforts using force to destroy the State of Israel. Article 51 of the UN Charter states:

*Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken mea-*

*asures necessary to maintain international peace and security ...*

The relevant international law has two parts—the law governing the resort to force (*jus ad bellum*) and the law governing military operations during the conflict (*jus in bello*). Both use similar terms to summarize their requirements



IDF soldiers operating in Gaza following Hamas's October 7, 2023 attack against Israel. (Photo: IDF)

— “necessity” and “proportionality”—but with different meanings. The *jus ad bellum* requires that a state’s use of force in self-defense be necessary: “necessity” means that there is no reasonable alternative to a use of force to achieve the goals of self-defense, namely, the termination of the situation giving rise to the right to use force in self-defense in the first place. It is the last reasonable resort.

Terms including “international humanitarian law” (IHL) introduce unnecessary confusion about the boundary between international human rights law and the laws of war.

“Proportionality” in this context flows naturally from “necessity.” It is the minimum force reasonably required to bring an end to the situation giving rise to the right of self-defense and to prevent its recurrence. The ideal of “economy of force” is embedded in notions of proportionality.

The lawful purposes encapsulated in the right to use force in self-defense inescapably influence the conduct of military operations and the application of the *jus in bello*. Under the *jus in bello*, necessity means military necessity—the advantage to be attained by attacking a particular military target.

The *jus in bello* standard to which everybody points is set forth in Article 57 of the 1977 Protocol I Additional to the 1949 Geneva Conventions:

*Those who plan or decide upon an attack shall ... refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated. [Emphasis added]*

States, even those states such as Israel and the United States that are not parties to the Protocol, accept this statement as accurately reflecting customary international law binding on all states. Proportionality means that commanders must weigh the advantage from attacking the target against possible or reasonably foreseeable civilian or other collateral damage. At the same time, the selection of military targets and the determination of their importance are made in the context of efforts to achieve the lawful purposes of the use of force.

### ■ October 7, 2023

Hamas has waged war against Israel almost continuously since Palestinian elections in the West Bank and Gaza Strip in 2006 culminated in it becoming the governing authority in Gaza. To celebrate its election victory, Hamas

launched missiles against Israel, captured Gilad Shalit, an Israeli soldier, and attacked Israeli civilians. Hamas has repeated such attacks almost continuously since then. Substantial conflict erupted on four occasions before Oct. 7, 2023: 2008, 2012, 2014, and 2021. In each case, Israel's strategic choices were difficult, and the use of force against Hamas was one lawful option.

Hamas's stated goals include the elimination of Israel. In context, that is a genocidal goal, completely at odds with, and in violation of, international law. On Oct. 7, 2023, Hamas forces invaded Israel and launched barrages of missiles at Israel from sites within highly populated urban areas of the Gaza Strip.

Hamas instructed its fighters, literally, "Kill as many people and take as many hostages as possible." Hamas directed the attacks from a system of subterranean tunnels under cities, mosques, hospitals, schools, and other civilian centers in the Gaza Strip. With or without the consent of the governed, Hamas already had turned the Gaza Strip into an urbanized fortress, which could not be attacked without causing substantial destruction and casualties. In fact, the purpose of Hamas's actions on October 7 was to ensure that Israel would attack Hamas fighters in the urban context of Gaza.

This Hamas strategic decision itself violated *jus in bello* prohibitions on locating military installations in or near civilian infrastructure of whatever kind. The continuing attacks confronted Israel with no alternative to a use of force against Hamas with the object of putting an end to the attacks.

No diplomatic, international effort has been successful in trying to persuade Hamas to give up its goals and determination to fight and destroy the State of Israel and its Jewish inhabitants (notwithstanding the 2017 Hamas Charter statement that Hamas's "conflict is with the Zionist project not with the Jews because of their religion"). No such diplomatic effort today has a reasonable

chance of success. The most international diplomacy has achieved with respect to the series of Hamas-Israel conflicts since 2006 has been ceasefires, which, rather than being a prelude to peace, only have allowed Hamas to rebuild its forces and attack once again.

Israel's use of force against Hamas has had a number of related objectives and characteristics. The foremost goal has been the elimination of Hamas as a demonstrated, continuing, lethal threat to Israel and innocent Israeli civilians. Hamas does not regard such Israelis

As a matter of law, any civilian facility that is repurposed for military use, whether an apartment building, a house of worship, a hospital, or a school, loses its civilian status and becomes a lawful target if its importance warrants targeting.

as innocent. That is the message of the Hamas Charter as a whole. In this long Hamas-Israel conflict, tunnels have proved essential to Hamas's ability in secret to arm itself, manufacture weapons and maintain weapons caches, establish command and control centers, and hide and launch missiles at Israel. Destruction or at least neutralization of those tunnels is a reasonable and lawful military objective.

### ■ **Civilian Cover**

Hamas has raised the use of civilian cover for military operations to a high art. The tunnels run throughout the Strip, beneath civilian population centers, below mosques and other religious structures, beneath hospitals and schools. Often, entrances are built into those structures. As one report put it, the tunnels compound "the immense difficulties of fighting in a dense urban environment."

As a matter of law, any civilian facility that is repurposed for military use, whether an apartment building, a house of worship, a hospital, or a school, loses

its civilian status and becomes a lawful target if its importance warrants targeting. Proportionality constraints operate but the enemy force has put remaining non-combatant civilians at risk.

In the present conflict, Hamas has used all of these and other civilian structures to advance its military goals. The most notorious example is the case of the al-Shifa hospital, now recognized by US declassified intelligence and other sources as linked to the tunnel system and used as an Hamas command center until only "shortly before" the Israeli

military went in. (In the 2014 conflict, Amnesty International reported that "Hamas forces used the abandoned areas of al-Shifa hospital in Gaza City, including the outpatients' clinic area, to detain, interrogate, torture and otherwise ill-treat suspects.")

The use of civilian structures for military operations transforms them into military objects that lawfully can be attacked. Civilians who volunteer to assist military operations from such repurposed structures lose their civilian status. (Militaries tend to identify people as combatants or non-combatants, which clarifies status for operational purposes.) Using civilian structures for military purposes inevitably puts all other civilians at risk because the military purpose makes the structure, as in the case of Israel's conflict with Hamas, a lawful and important military target.

In the urban warfare being conducted in Gaza, Israel's use of force necessarily involves destruction of infrastructure as part of attacks on Hamas's tunnel system and, as a matter



of international law, depending on the circumstances that would make an attack reasonable or unreasonable, would not be “excessive in relation to the concrete and direct military advantage” that Israel anticipates. The fact that a commander may not be certain about the actions of civilians that were civilian but have now become legitimate mili-

to ensure that targets are not civilian and to protect the civilian population. Israel’s efforts in this regard are public. The problem is that Gazans have few options with respect to leaving the scene of battle because Hamas has so constructed its military infrastructure as to be almost inseparable from the civilian population of Gaza itself.

By turning so much of Gaza into a fortress, laced with tunnels containing command centers and weapons and through which troops move on their attack vectors, Hamas intentionally has put civilians at risk.

tary targets compounds the difficulty of battlefield decision-making. As General James Wolfe, the victor on the Plains of Abraham, wrote in the eighteenth century, war “is an option of difficulties.”

### ■ *The Damage*

In its effort to destroy Hamas’s tunnel system and structures, Israel has inflicted enormous physical damage on the Gaza Strip. While not even Israel disputes that there also have been substantial numbers of civilian casualties, claims by Hamas that Israel has killed more than 30,000 civilians and fighters are impossible to verify at this time. In past Israel clashes with Palestinians, casualty claims made during the course of operations have not been substantiated by subsequent investigation.

The 2002 Jenin battle is a cautionary tale. Israel was accused of causing at least 1,000 Palestinian deaths. The reality turned out to be fewer than 60.

Documentation is widespread of Israeli efforts to warn Gazans of impending attacks, urging them to leave specific areas and otherwise take cover. Such warnings comply with customary international law requirements to distinguish between civilian and military targets and to take all “feasible” steps

to ensure that targets are not civilian and to protect the civilian population. It is hard to escape the conclusion that maximizing civilian casualties among Gazans so as to make Israel appear legally and morally culpable is a Hamas strategic goal. Multiple statements by the group’s senior officials support that assessment. One of the most

notorious was by the group’s leader Ayman Shanaa in a television interview in late November. He said, “Let us examine history. Let us look at Algeria, Vietnam, and other countries that we liberated. How many did they sacrifice? Millions of martyrs. Therefore, I am saying that there is a high price to pay on the path of resistance, and we will bear this price.” In addition, since 1948, successive Egyptian governments have insisted that the Gaza Strip is not part of Egypt even while they administered it and refused to allow Gazans to move to Egypt.

### ■ *Conclusion*

Urban warfare makes especially difficult the process of evaluating costs and benefits and reaching reasonable conclusions about target selection. Efforts to notify inhabitants of an area for targeting so that they can move out of the way are characteristic of Israeli methods of warfare and consistent with contemporary international law set forth in treaties that accurately reflect customary international law. In the case of the current Hamas-Israel conflict, Israel has told civilians to move out of harm’s way; at the same time, Hamas and to some extent Egypt have impeded the ability of such civilians to move.

By turning so much of Gaza into a fortress, laced with tunnels containing command centers and weapons and through which troops move on their attack vectors, Hamas intentionally has put civilians at risk. Doing so does not mean Israel’s use of force against Hamas is disproportionate, much less, as the South African submission to the International Court of Justice claims, genocide. Hamas’s celebration of

Israel warn[s] Gazans of impending attacks, urging them to leave specific areas and otherwise take cover. Such warnings comply with customary international law requirements to distinguish between civilian and military targets.

Palestinian casualties and calculated acceptance of physical destruction in Gaza brought on by its own actions against Israel, make clear than any alternative to Israel’s campaign must protect Israelis and Palestinians from Hamas.

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# “Increasingly Doubting our Basic Assumptions”

review by **SHOSHANA BRYEN**

There are two morals in this excellent book:

- For the Arabs, both states and non-state actors: if you encourage, venerate, exalt, hallow, stoke, reinforce, arm, and pour accelerant on violence, when you actually go into battle, you'd better win. When you don't, responsibility for the destruction is yours and only yours.

- o Submoral for the West: When the Arabs tell you they are different; they don't have to do what other people do; their refugees are different from other refugees; and Israel is responsible for everything, don't believe them. Certainly, don't subsidize them.

- For the rest of the world: make sure the problem you are working to solve is the right one and can, in fact, be solved.

- o Second submoral for the West: “peace” is a non-negotiable property. Peace is what emerges after the war – it can be a cold peace, a warm peace or the peace of the dead, but it can't be achieved while the war goes on.

The first applies to the perpetrators of October 7, but also to the Arabs who tried to destroy the *Yishuv* before 1948 and the Jewish state when it came into being.

For the second, Western governments – including Israel's government at various points – have been determined to negotiate peace between Israelis and Arabs and solve “the Palestinian problem.” The latter, in their minds, is that Palestinians are “stateless.” So, the “two-state solution” is appealing. If you give Palestinians a state, problem solved.

But what if that isn't the actual problem? What if the submorals are the

problem – the Arab states and organizations have made it perfectly clear that the war will continue no matter how many defeats they suffer, there is no negotiation possible to achieve “peace,” and so the refugees are an element of warfare against Israel, not a problem looking for a resolution.

This is where *The War of Return* by Adi Schwartz and Einat Wilf becomes a great guidebook.

The problem, they posit, is NOT the absence of a Palestinian State, or even the fact of inter-generational Palestinian refugees. It is the existence of the State of Israel. That is not the conclusion they wanted to draw – both are from Israel's political left. Schwartz was a journalist for the very left-wing Israeli newspaper *Ha'aretz*, and Wilf was a Labor member of Parliament, allied with Shimon Peres and Yossi Beilin. But this is where they find themselves.

They start with the proposition that population transfers are, historically, common and very brutal. Post-WWII, nearly 20 million Europeans, including 12 million Germans and 5 million Poles, moved between 1944-1951. “The idea was to make more ethnically homogeneous countries. Winston Churchill described the transfer as a ‘clean sweep’ after which there would ‘be no more mixture of populations to cause endless trouble.’” The separation of Pakistan from India involved about 16 million people.

And there were post-Holocaust Jews. Why are Palestinians different?

## ■ **Waging War**

Chapter One (zero refugees at this time) is a meticulous review of the

## THE WAR OF RETURN

HOW WESTERN INDULGENCE OF  
THE PALESTINIAN DREAM  
HAS OBSTRUCTED THE  
PATH TO PEACE



ADI SCHWARTZ  
EINAT WILF

Mandatory period and the establishment of the State of Israel. Regional Arabs were unified in their rejection of a Jewish state in even a tiny part of the Ottoman Empire. “Had the Jewish people been allocated their fair share of the lands... based on their population, the land allocated to them would have been more than seven times larger.”

The Arabs, however, considered even this small space “a blow to natural justice.” And they were determined to defeat it.

Even before Israel’s War of Independence, Arab attacks on Jewish civilians and communities were common, and the descriptions here sound disgustingly like the events of October 7.

In 1948, five Arab armies invaded the nascent state, but marauding attacks on civilians still characterized the fighting. Whether the Arab population fled because Arab leadership told them to (true) or because they feared for their lives if the Arabs lost (reasonable, because they were planning to kill as many Jews as possible, so thinking the Jews would do the same to them isn’t out of the question) – the fact is if there had been no war inflicted on Israel by the Arab states, there would have been no reason for Arab residents of Palestine/Israel to flee.

The Arabs failed in 1948. They failed in 1967. They failed in 1973. Changing tactics to rocket wars and terrorism, they continue to fail.

## ■ **Demanding Return**

Chapter Two (726,000 refugees at this time) starts with the determination of the Arabs not to concede defeat when, in fact, they were defeated.

A series of stories and citations of Arab leaders at the time as well as refugees who were determined to return to their homes only as a result of the destruction of Israel dominates the chapter.

Nothing about the Arab attitude or Arab behavior suggests that peace was in the offing. The UN knew that, and, in the first of a series of Western

missteps, created a “peace conference” in Lausanne, Switzerland in 1949. The Arabs were clear. Azzam Pasha told Abba Eban:

*We have a secret weapon which we can use better than guns, and this is time. As long as we don’t make peace with the Zionists, the war is not over and as long as the war is not over, there is neither victor nor vanquished. As soon as we recognize the existence of Israel, we shall have admitted by this very act that we are vanquished.*

Knowing that, it is unsurprising that this chapter goes into great detail

Even before Israel’s War of Independence, Arab attacks on Jewish civilians and communities were common and the descriptions here sound disgustingly like the events of October 7.

about the propaganda element of the plan for ongoing war. How Arab leadership thought and spoke, how refugee children were raised and taught, how Arab intellectuals focused on the future as they saw it. “As THEY saw it” is key. Edward Said wrote, “The reason for the flight of the Palestinians is irrelevant. What matters is that they are entitled to return.”

No. Actually, there is no right for refugees to return to places they fled. Nor, in fact, can they be forced to return to those places – making an interesting counterpoint to Arab demands. What about Palestinians who don’t WANT to “return” to what is now Israel, in which they have never lived or even visited – what if they WANT to go to new destinations as a million Vietnamese boat people did in the 1970s and 1980s?

Imprisoning them in camps across the region for generations is abusive. Before October 7, Gazans – primarily young men – were paying thousands of dollars to buy exit permits from Egypt to allow them to go to Europe.

The irridentists won that battle – the Arabs moved the conversation from the war they started to Israel’s responsibility for the result. Winning made Israel culpable. At some point, the US and the West generally just stopped insisting on the truth, finding it easier to insist that, while Israel has a “right to exist,” it REALLY ought to do more to induce the Palestinians to cooperate.

In February, the Biden administration threatened to sanction Israel if it

brought foreign workers in to fill jobs that had been filled by Palestinian workers both from Gaza and from Judea and Samaria until October 7. For them, it is Israel’s responsibility to employ people who openly threaten to kill them – and do kill them.

## ■ **The Positive Side of UNRWA**

Really. See Chapter Three (894,000 refugees) “Rejecting Integration.”

There is an important story to tell of UN and American officials who believed that resettling Palestinians around the region, the same way refugees from WWII and the Korean War were resettled, was a better idea than keeping them in camps “idle and destitute.” If you don’t know about UNKRA, buy the book.

Score a point for Musa Alami, the Palestinian patriot who tried to make



life better for his people. He was rejected. Violently.

A point too for the forgotten American George McGhee, assistant secretary of state for Near Eastern Affairs. And another for Gordon Clapp, sent to the region by President Harry Truman as head of an economic commission to examine how to rehabilitate Palestinian refugees in Arab countries by enhancing water resources around the region – a key to development.

As Clapp went to work, "The Arab states' strategic decision was to accept the West's humanitarian aid while politicizing it and exploiting it for their own political interests...The West was con-

because the Eisenhower administration thought the loss of Arab world support for the US would be more than it wanted to bear. (It wasn't Eisenhower's first or last misunderstanding; see *Ike's Gamble* by Michael Doran, reviewed by *inFOCUS Quarterly*, Winter 2017.) UNRWA became an "education and training" institute, run entirely by Palestinians.

Israel's war in Gaza proves the folly of the UN and the West in acquiescing to these demands.

### ■ **Terror**

Chapter Four (1,120,889 registered refugees in 1960) is about the turn from state warfare to terror training. There

not knowing and not reacting. But neither Israel nor the West reacted.

The gruesome rhetoric became louder, right up to the present:

- Ahmad Bahr, former Deputy Speaker, Hamas Parliament: "Kill them all without leaving a single one." (2012)
- Fathi Hamad, Senior Hamas official: "You have Jews everywhere and we must attack every Jew on the globe by way of slaughter and killing." (2019)
- Sheikh Hamad al-Regeb: "Bring annihilation upon the Jews. Paralyze them, destroy their entity." (2023) and,
- Yaya Sinwar, at this writing crawling through sewers in Gaza, announcing that Hamas is winning the war: "We'll take down the border and tear their hearts from their bodies." (2018)

### ■ **Moving Forward**

Chapter Five (5,442,947 registered refugees) is the best chapter. Written in 2020, Schwartz and Wilf could/should stand before any and every international body claiming to want peace, justice, and prosperity and make these points:

1. The war must end; peace is not negotiable.
2. There is no "right of return." This is a great review of what international law actually says about refugees, return, and resettlement.
3. Abandon UNRWA's system of refugee registration.
4. Dismantle UNRWA: Why? This has been answered.
5. Dismantle UNRWA: How?

Some of these points have been overtaken by events; some have not. But if the Gaza war makes anything clear, it is that Schwartz and Wilf have presented a history and a blueprint for progress not only for Israel, but for the Palestinian people.

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UNRWA is born – created to resettle the Palestinians across the Arab world. The story is important first because UNRWA is today the cause of misery, mayhem, and death for both Arabs and Israelis, because the Arabs manipulated it into something it was not intended to be.

vinced that it had managed to maneuver the Arab countries into taking the path it had set for them, [but the Arabs] had no intention of arriving where the West had hoped to lead them."

This is where UNRWA is born – created to resettle the Palestinians across the Arab world. The story is important first because UNRWA is today a cause of misery, mayhem, and death for both Arabs and Israelis, but also because the Arabs manipulated it into something it was not intended to be. You might jump here to Chapter Five, "Moving Forward" for a look at how to get rid of the terror-supporting, hate-promoting pit.

In 1958, after a decade in which millions were spent with no appreciable resettlement having taken place, the US proposed closing UNRWA. Ultimately, Washington agreed to continue funding

were still two large wars to come (1967 and 1973) but the Arab states needed something closer to the ground – which was also a way to divert Palestinian attention from the political failures of Arab diplomacy and warfare to an inter-generational command to die.

The description of the Munich Massacre is important – as is the fact that most of the perpetrators were children of original refugees. The chapter covers the indoctrination and warping of generations of children and the morphing of UNRWA in the 1960s from an aid agency to an Arab/Palestinian-run dictatorial government. No deviation from the plan.

In 1970, a cover story in *Life Magazine* was about the terror summer camps the PLO was running for children in Gaza. There was no excuse for

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## ■ *The Last Word ...*

# The Wrong Answer

It is impossible to create a safe, prosperous civil society when the levers of power are in the hands of terrorists. This is the conclusion Israel has reached—not only regarding Hamas in Gaza but with the Palestinian Authority in Judea and Samaria.

Yet, American diplomacy is still wedded to the “two-state solution,” suggesting — no, insisting — that there cannot be peace in the Middle East until the Palestinians have an independent state, but without consideration of what happens if you give more power to terror organizations. And the PA is no less a terror organization than Hamas.

It is well known that the PA pays “salaries” to Palestinians who commit acts of terror against Israelis, or to their families if the terrorists don’t survive. Less well known is that the PA also rewards terrorists who have served time in Israeli prisons with jobs in the PA governing authority. The more heinous the crime, the longer the sentence and the higher the position the terrorist will receive in the PA. Which means that if you’re looking for a professional civil servant class, you won’t find one there.

The Biden administration is encouraging—no,

insisting—that the PA become the government of territories on both sides of the State of Israel. Now. And if not now, then tomorrow or the day after.

The administration’s position empowers Iran and the chain of puppet governments surrounding Israel. Tehran has swallowed Iraq (where American troops are under attack by Iranian-controlled militias), Syria, Lebanon, Gaza and Yemen (where American troops are under attack off-shore). Adding Judea and Samaria would complete the circle to the east of Israel.

The president and the secretary of state posit that the Middle East would be a more calm, peaceful, and prosperous place with a split, rump Palestinian state on both sides of the State of Israel, all of which the Palestinians consider their territory. The western side of the split state would be smooshed between a hostile Israel and an equally or more hostile Egypt; the eastern side smooshed between a hostile Israel and an equally or more hostile Jordan.

There is no viewfinder in which this produces a calm and productive region.