

## **GAZA: THE INEVITABLE CONFRONTATION**

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### **By way of introduction**

More than a week after the start of Operation ‘Cast Lead,’ an unprecedented confrontation between Hamas and the State of Israel which has already resulted in the death of more than 450 Gazans – mostly members of the Islamist movement and soldiers -, thousands of wounded and 5 deaths on the Israeli side – including one soldier – we look at this inevitable crisis on Sunday, January 4, at the moment when Israeli forces launched their ground offensive in Gaza.

In advance, the Israeli government approved the call-up of tens of thousands of reservists with a view to a crisis that would appear to be of long duration. In fact, the reinforcement of military manpower is not aimed solely at supporting the ground operation under way in Gaza but rather has the objective of reinforcing the regular units of Tsahal along the border with Lebanon in anticipation of Hezbollah opening a second front.

This is a crisis which has already gone beyond the boundaries of the Near East and whose consequences remain difficult to foresee.

### **A brief historical overview**

Since 2001 and, a fortiori, since the withdrawal of Israel from the Gaza Strip in September 2005, then the putsch of Hamas in June 2007, the firing of rockets and mortar shells, later of missiles onto Israeli towns (Sdérot, Ashqelon, Netivot, Ashdod, etc.) never really stopped. **According to Israeli sources, nearly 4,000 rockets and as many mortar shells have pounded their territories over these past 7 years.**

In June 2008, a 6 month truce negotiated by Egypt was expected to lead to calm, both for the inhabitants of the Negev and for the population of Gaza. As we know, this truce was not respected, since many rockets and missiles fired from Gaza continued to hit Israel. Meanwhile the truce enabled Hamas to restock its munitions and arms via tunnels dug between the Gaza Strip and Egypt. It is these tunnels that Israel tried to destroy in November when it killed 20 members of Hamas.

## **The dilemma of Operation "Cast Lead"**

For the Israeli Prime Minister, the military option was not his first choice: '*(...) the calm that we offered [editor's note : to Hamas] yielded bombardments as its only response (...) These past few days, it became clear that Hamas is looking for a conflict. Whoever has listened to the statements of Hamas will have understood that Hamas decided to increase its attacks on the Israeli population by firing rockets and mortar shells willy-nilly. Faced with this situation, we had no other choice but to respond (...).*'<sup>1</sup>

**Though it is incontestable that Hamas deliberately put an end to the truce, it is no less true that Israel was able to take advantage of the narrow window of opportunity to carry out an operation which, in its view, could no longer be postponed.** Indeed, Israel is in the midst of an electoral campaign for parliamentary elections scheduled to take place on 10 February 2009, and these are going to 'paralyse' a bit more the legislative and executive powers in the coming weeks. It was this relative instability and weakness of the Israeli government that led Hamas to believe Israel would not respond, at least not to such an extent.

The day after its decision to break the truce, Hamas distributed a tract in which it mocked the inability of Israel to counter its attacks and explained that the Jewish State was paralysed by its domestic politics: '*The enemy is in such a state of confusion that it does not know what to do (...) their fragile cabinet met in the context of a desperate attempt to find a response to the rockets while thousands of settlers have found refuge in shelters which, God willing, will become their tombs.*'<sup>2</sup>

**Hamas interpreted the wish of Israel to renew the truce as an acknowledgement of weakness that allowed it not only to continue to fire its projectiles with impunity but also to re-arm – notably by acquiring longer range rockets (+/- 40 km for the Grad model)<sup>3</sup>.**

Then many hundreds of thousands of Israeli civilians were in range of Hamas fire, and while Israel could more or less get along with short range rockets, the constant increase of field of action of the rockets finally left the Israeli government with no choice but to intervene, given the ever stronger pressure from public opinion.

Indeed, with its fingers still burnt from the setback of its confrontation with Hezbollah during the summer of 2006, Israel had to re-gain a sufficient deterrence power against Hamas which, encouraged by Syria and Iran to break its ties with the moderate Arab camp represented by Egypt and Saudi Arabia, took advantage of the relative 'truce' to reinforce its negotiating position with a view to hypothetical talks with the Jewish State.

Another factor which probably convinced the Israeli authorities to act without too much delay is the 'unknown' factor of the new American administration which takes office on 20 January 2009 and which already seems to be keeping some distance from the nearly unconditional support given to Israel by the Bush administration. One has to remember the emotion aroused in Israel by the statements made by candidate Barack Obama during the presidential electoral campaign with respect to Iran, when he said that he would like to bring the Islamic Republic into diplomatic dialogue. In March, the future American president said:

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<sup>1</sup> Statement of Ehud Olmert, December 27, 2008

<http://www.pmo.gov.il/PMOEng/Communication/PMSpeaks/spokegaza271208.htm>

<sup>2</sup> Khaled Abu Toameh, Hamas mocks Israel's non response to Kassams", *The Jerusalem Post*, December 2008.

<sup>3</sup> Two Grad type rockets slammed into the Israeli city of Beersheba on 31 December 2008 without causing any casualties.

*that no people has suffered more than the Palestinian people.*<sup>4</sup> All the same, one should not expect major changes in American foreign policy towards the Near East, a fortiori since we know that Hillary Clinton will carry out the duties of Secretary of State.

## **Modus operandi of the operation**

### ***a. A week of 'preparatory' air strikes'***

This operation was, in any case, prepared well in advance. **The Hamas targets were identified and 'marked' in minute detail by Israeli intelligence services in order to be able to carry out an operation that is as targeted and precise as possible. Operation 'Cast Lead' also prepared the ground for troops to move in because, after a week of attacks, the air strikes did not suffice to bring Hamas into line and their rockets did not stop firing ever since the start of the operation.**

Mentioned for the first time by an Army spokesman on Tuesday, 30 December, **the option of a ground operation is risky in the view of many, not only for the Israeli Army but also for the political establishment.** On the eve, new reinforcements were deployed at the edge of the Gaza Strip after the border area was decreed to be *a closed military zone*. From the words of the Israeli Prime Minister, the operation under way is *'the first phase among several others already approved by the security cabinet.'*<sup>5</sup> For Minister of Defence Ehud Barak: *'If the criminal firing against Israel and its citizens does not totally cease, Israel will have recourse to all the means and to all the types of legal actions which it controls to ensure that the enemy puts an end to its illegal aggression.'*<sup>6</sup>

According to Palestinian sources, nearly 15,000 armed men are ready for guerilla combat in the Gaza Strip. Though surprised by the extent of the Israeli attack, the Hamas militants quickly took shelter to protect themselves. ***'The Israeli Army has destroyed all the Hamas buildings, but it has not truly damaged its living forces,'***<sup>7</sup> explains Bilal Jadallah, a Palestinian journalist.

Meanwhile, several days before the start of the operation, various Palestinian factions took up positions near the border with a view to preventing special Israeli forces from entering the Gaza Strip. Mines were placed along the routes where tanks and other Israeli military vehicles were expected to pass; the training camps were evacuated and instructions were given to the militants that they should reduce as much as possible their travel by car.

### ***b. The land invasion***

**The main difficulty facing the Israeli Army on the first day of the invasion was to avoid the areas mined and booby-trapped by Hamas along the security barrier extending several hundred metres. This is the reason why the invasion – supported by combat helicopters – was preceded by heavy artillery fire which was aimed at neutralising the mines and other booby-traps set by Hamas. Earlier on Saturday, the aviation continued to knock out Hamas targets. In the coming days, one should expect that it will be guerillas who will likely cause numerous victims in one place or another. The forces of Tsahal know the risks of getting stuck in the small streets of the Gaza refugee camps while Hamas has largely taken advantage of these past few months to equip underground shelters and bunkers, as well as to reinforce its military arsenal. Moreover, though Israel has total control of the air space to support its troops on the ground, the configuration of the area and the**

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<sup>4</sup> CNN, 3 January 2009

<sup>5</sup> AFP, Tuesday, 30 December 2008

<sup>6</sup> *Le Monde*, 30 December 2008

<sup>7</sup> *Le Monde*, 30 December 2008

nature of the fighting itself pose security problems both for the IAF<sup>8</sup> and for the Israeli infantry.

In the evening of the first day of the invasion, the Minister of Defence addressed the nation during a televised press conference: *'The campaign will not be easy and will not be brief.'*<sup>9</sup> Ehud Barak also insisted that such an operation presented obvious risks for Israeli lives: *'I know very well the dangers inherent in an offensive and the high price to pay.'*<sup>10</sup> At the moment we write these lines, three divisions of the Israeli Army, i.e., around 26,000 men are participating in the operation.

***Al-Aqsa, the Hamas television channel taken over by Israel this Sunday has broadcast messages explaining to civilians how to protect themselves during the fighting and dissuading them from aiding the Hamas militia.*** Other messages broadcast by the television also invite the Gaza population to report places where arms and rocket launchers are stored by calling a telephone number that was especially put in place.

As we go to press, Israeli forces have closed off the southern border of the Gaza Strip, thereby de facto sealing off access to the tunnels into Egypt. According to Israeli sources, Tsahal has also "cut the Gaza Strip" in two across its entire width at the level of the Salah Eddine highway, while Gaza City is now encircled. Many dozens of Hamas militants have been killed during exchange of fire with Israeli troops.

Whatever happens, Israel cannot in any case allow itself to reoccupy Gaza, neither for long nor for a short term! And while the Minister of Defence has said that the Israeli population and Army should expect the operation to be "of long duration," one nonetheless may hope that it will be sufficiently strong and effective so as to actually be of short duration.

### **The proportionality of the operation**

Though most European capitals do not challenge the right of Israel to defend itself against attacks from Hamas, it is the 'disproportionate' nature of the response which is generally condemned. However, it has to be said that the actions carried out by the Israeli forces in Gaza, whether or not some people like them, are justified by international law; article 51 of the United Nations Charter reserves the right for every nation to defend itself against armed actions. The only restriction is that these actions should satisfy the principle of proportionality.

While it is incontestable that the Operation '**Cast Lead**' has killed more than just Hamas militants and, it is true, Palestinian civilians who did not make rockets for the Islamist group up to now, the law does not recognise an 'equivalence' between innocent civilian victims and elimination of armed combatants. As Alan Dershowitz explains: *'According to the laws of war, an indeterminate number of combatants can be eliminated to save even a single civilian.'*<sup>11</sup> The Harvard University professor explains to us that proportionality is not measured by the number of civilians killed but in relation to the risk imposed.

**Israel limits itself as much as possible to striking targets of Hamas but also issues warnings: the shellings are preceded by the dropping of thousands of tracts; the inhabitants are warned by telephone when civilian buildings used to hide arms are going to be bombarded and are 'asked' to evacuate the premises.**

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<sup>8</sup> IAF: Israeli Air Force

<sup>9</sup> *Haaretz*, 3 January 2009

<sup>10</sup> *Ibidem*.

<sup>11</sup> Alan Dershowitz, 'Israel's policy is perfectly 'proportionate'', *The Wall Street Journal*, January 2, 2009

**The building is only struck after evacuation. But Hamas has frequently tried to place the civilians on the roofs of these buildings to prevent the bombardment.**

Whether by warning shots, tracts or telephone calls, the Israeli forces seem to clearly want to keep losses among the Gaza population to a minimum. **For the rest, without going into the morbid accounting, the civilian losses - around 15% of total Palestinian losses – remain within acceptable limits given that the targets struck are located in an urban area. By way of comparison, in 1999, 78 days of Allied bombardment of Serbia caused more than 1,500 deaths, of which a majority were civilians...**

It is true that avoiding hitting civilians is a task made all the more complicated by the extremist policy of Hamas, which constitutes a small number of the citizens of Gaza. Before the launch of the operation now under way, on December 24 Hamas fired some mortar shells on the transfer points of Kerem Shalom and Erez which allowed the entry of basic goods from Israel to Gaza. Thus, the repeated attacks of Hamas on the transfer points make it a little more difficult still to bring in humanitarian aid and to send wounded Gazans to Israel or Egypt. The Egyptian Minister of Foreign Affairs made it clear on December 28 that Hamas prevented the entry of wounded Palestinians into Egypt.

Hamas has long understood very well the utility of civilians, who can serve when alive as human shields or when dead as propaganda tools to prove the 'blind cruelty of the Jewish State towards the Palestinian population.'

## **The consequences of the operation for the main actors present**

### **a. Hamas**

Up to now, there is no doubt that the military and civilian infrastructures of Hamas – and of the other terrorist factions – have been severely damaged. According to the Israeli command, prior to the land offensive nearly one third of the arsenal that Hamas possessed was destroyed, as well as the trenches that sheltered their rocket launchers, but it is difficult to evaluate with precision the extent of the losses inflicted on Hamas. **The death of many political and military leaders of Hamas including in particular Dr. Nizar al-Rayyan (the initiator of the human shields and of many suicide attacks in Israel) has just a weak effect on the motivation of the Islamist groups. On the contrary, it exacerbates it, because martyrdom remains a leitmotiv for the Palestinian factions. The military capability of the Islamist movement to carry out urban guerilla warfare remains largely sufficient to inflict a severe humiliation on the Jewish State. It would be a sufficient humiliation for Hamas to claim victory!**

**Moreover, Hamas is relatively confident of its ability to cause heavy losses among the Israeli forces. The men of Hamas, trained and equipped both by Hezbollah and by Iran, have long prepared for this scenario, especially by constructing multiple fortifications and refuges where they are presently sheltering.**

On January 2, Khaled Mechal, the political leader of Hamas who lives in exile in Damascus, said during a televised interview: '*We are ready for the challenge [editor's note: the ground invasion]; this battle has been imposed on us, but we are confident of our victory because we are ready.*'<sup>12</sup> He also threatened to kidnap more Israeli soldiers if the forces of Tsahal invade Gaza.

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<sup>12</sup> *Haaretz*, 3 January 2009

After the beginning of the land invasion, the Hamas spokesman said during an appearance on the television channel *Al-Aqsa* that Gaza ‘*would become the cemetery*’ of Israeli soldiers. In another message, the Izz al-Din al-Qassam Brigades declared: ‘*our people will fight to the last drop of blood and will not give up. We have prepared hundreds of kamikazes who will kill and capture dozens of Israeli soldiers who are taking part in the ground offensive.*’ These are threats that Israel must take seriously because Hamas knows the exchange value that Israeli soldiers have<sup>13</sup>.

**But it is on the diplomatic terrain that Hamas may carry off victory. By enrolling public opinion via the media, by organising demonstrations and by creating sufficient pressure of international public opinion, Hamas and its allies might pull off a cease-fire without having requested it and thereby ‘win’ the war. The day after the ground invasion, anti-Israeli demonstrations that became more and more violent broke out here and there all over the world. Messages calling upon Muslims to ‘strike against Jewish interests and against Jews’<sup>14</sup> were disseminated over many Islamic sites.**

### ***b. Israel***

After the setback of the war against Hezbollah in the summer of 2006, the Israeli soldiers promised: ‘never again!’ General Gabi Ashkenazi said several months after being nominated as Chief of Staff of Tsahal: ‘*Next time at the end of the war no one will have to ask who won.*’<sup>15</sup> This question of ‘knowing who is going to win’ is what the moderate Arabs have asked Israel these past few days. Their message is clearly different from their official condemnations of the Jewish State: ‘***Go ahead, if you must, but don’t fail.***’

As we have mentioned, **the chances of an open success, however extensive the ground invasion may be, remain limited.** For Israel, it is now no longer a question of knowing whether its Army can carry off a victory over Hamas but rather to minimise the disastrous consequences of either a cease-fire imposed by the international community and supported by the United States, or of an occupation of the Gaza Strip which would have to last for a long time. A victory of Hamas, whatever its nature, would undoubtedly have dramatic long term effects. Meanwhile, Israel cannot for very long concentrate its forces – and the attention of its General Staff – on Hamas and/or Hezbollah at a time when the threat from Iran remains more resonant than ever before.

### ***c. The Palestinian Authority***

Although the PA has officially displayed without any ambiguity its solidarity with the Islamist movement and while Mahmud Abbas has ‘*had urgent contacts with many Arab countries and others to stop the cowardly aggression and the massacres in the Gaza Strip*’<sup>16</sup>, it nonetheless remains true that the **Palestinian President, like many other officials of Fatah and the PLO,<sup>17</sup> considers Hamas responsible for unleashing the Israeli operation.** A close adviser of Mahmud Abbas, Nimr Hammad, explained at the start of the operation that: ‘***The one responsible for the massacres is Hamas and not the Zionist entity, which has reacted to the Palestinian rocket launchings. Hamas must stop taking the blood of Palestinians lightly. They must not give the Israelis a pretext.***’<sup>18</sup>

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<sup>13</sup> Ynet, January 3

<sup>14</sup> ESISC Flash, AQIM calls to target « Jewish interests and the Jews », January 4, 2009, [www.esisc.org](http://www.esisc.org)

<sup>15</sup> *Haaretz*, January 3, 2009

<sup>16</sup> *Le Figaro*, December 31, 2008

<sup>17</sup> Organisation of the Liberation of Palestine

<sup>18</sup> *Al-Ahhbar*, 28 December 2008.

A victory by Hamas would destroy in the near term any opportunity for a peaceful settlement of the conflict. It would also weaken for a long time what remains of the moderate Palestinians, including, of course, Mahmud Abbas, who is already perceived as a 'traitor' in the pay of the Israelis. Abbas comes to the end of his term on January 9. Beyond this date, Hamas has made it known that it would no longer recognise the authority of the Palestinian President. Meanwhile, the President has to perform a balancing act to contain the discontent of public opinion and juggle the violent demonstrations on the West Bank against the Israeli offensive, particularly in Hebron, where Hamas has a large number of sympathisers. In this context, **it would be safe to bet that if the legislative and presidential elections took place in the Palestinian territories, Hamas would carry off a victory.**

#### ***d. Hezbollah***

Two days before the start of the Israeli operation, the Lebanese Army discovered near Nakura, in the South of the country, 8 rockets equipped with a delayed firing system, but it was not possible to determine who had installed these rockets. Although certain reports have been made these past few days on the threat of the opening of a front at the northern border of Israel by Hezbollah – the Lebanese Army and the forces of the FINUL<sup>19</sup> have increased the level of their alert– this eventuality seems nonetheless to be rather improbable. To be sure, the leader of the Hezbollah, Hassan Nasrallah, maintains his propaganda and denounces Egypt for having organised '*an Arab partnership in this plot*'<sup>20</sup> and the pro-Iranian Shiite movement also organised mass demonstrations in support of Gaza, but a new open confrontation with Israel in Southern Lebanon would not a priori serve its interests. However, on Saturday, some Iranian deputies threatened Israel with the opening of a second front via Hezbollah. These threats were later repeated by Hassan Nasrallah.

#### **By way of conclusion**

The situation remains more explosive than ever before in the Near East but also everywhere in the world where demonstrations in support of the Palestinians and of Hamas have spread. One may fear more serious incidents not only in the Arab countries but also in Europe if the Israeli operation should continue for a long time.

In the next few days, the ground invasion of the Gaza Strip will continue to cause many losses in the ranks of Tsahal, of Hamas and of the Gazan civilian population. Israel, unfortunately, has no interest in letting up the pressure so long as Hamas resistance has not been eradicated and the American administration continues to support the ground operation.

President Nicolas Sarkozy will travel to Egypt, the West Bank and Israel on Monday, January 5 before continuing his consultations in Syria and in Lebanon. This is a tour which was preceded by visits of the Ministers of Foreign Affairs of France, the Czech Republic and Sweden. But, whatever the results may be of these meetings and of the mediation efforts undertaken by the international community, Israel cannot allow a return to the status quo ante or, worse, a victory of Hamas. This would be a catastrophic scenario which would weaken not only Israel for the long term but which would plunge the whole region into a period of unprecedented chaos and which would strengthen the conviction of Islamist extremists – including, of course, Iran – that Israel can be defeated.

Israel is clearly writing an important page of its history and of that of the Near East.

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<sup>19</sup> Interim Force of the United Nations in Lebanon

<sup>20</sup> *Al-Manar*, 28 December 2008.