

Is Hamas in the Wrong for Killing Israeli Civilians?

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11 October 2023

Following the recent daring operation by Hamas, there have been numerous accusations that Hamas has proven itself to be a terrorist organization rather than a group of well-organised and disciplined freedom fighters.

The primary basis of the accusations is that even though Hamas primarily targets military installations and personnel in its operations, media reports claim that during the most recent attack, many Israelis who were killed, injured or kidnapped were civilians. However, since Hamas claims to be a group motivated by religious teachings, why did its fighters abandon Islamic teachings, which forbid killing innocent civilians?

Before we answer the question, we must acknowledge evidence proving that Hamas fighters focused on killing military personnel in their recent operation. A long list of names of Israelis killed by Hamas fighters published by the Jerusalem Post on 11 October 2023 consisted almost entirely of military personnel. Other Israeli news portals also listed long lists of military personnel killed by Hamas fighters when they penetrated at least three Israeli military bases.

Evidence also showed that Hamas fighters refrained from killing non-military targets. For example, in one case in a Jewish settlement, one Israeli mother with two small children related to the Israeli Channel 12 TV station how Hamas fighters who broke into her house did not harm her. They told her not to be worried because, as Muslims, they would never kill her and her children. They left her unharmed after two hours. They only ate some bananas on the kitchen table, and that too, after getting her permission.

However, some may ask, what about the case of around 260 young people gunned down by Hamas fighters whilst attending a rave party near the border with Gaza? According to news reports, many of them were from a group of civilians referred to as military reservists. These Israeli residents have completed military service and are assigned to the Israel Defense Forces' military reserve to provide reinforcements during emergencies, including war, military operations or natural disasters. They routinely undergo military training and engage in ongoing security and other activities. Some reservists are assigned to the same units they served during their regular military service, and some are assigned to dedicated reserve units. Moreover, reserve service is mandatory in Israel and is considered part of the national ethos. All Israelis under the age of 40 who served in the IDF, unless otherwise exempt, are theoretically eligible for reserve duty.

As an illustration, one of the recent cases of an Israeli 'civilian' rave-party attendee kidnapped by Hamas fighters is 23-year-old American-born Hersh Golberg-Polin. Until April this year, he had been a tank driver in the 7th Armored Brigade. He is, therefore, among the reservists in Israel who can be called up at any time to commandeer a tank and carry out military operations against Palestinian targets. Understandably, Hamas considers him and others like him to be legitimate targets.

However, the most crucial premise underlying Hamas's military approach is the Palestinians' conviction that Israel and all its apparatus are not only an arch-enemy but also an illegal entity because it came into being directly through usurping Palestinian control over their homeland. Jewish historian Professor Ilan Pappé confirmed this in his book 'The Ethnic Cleansing of Palestine'. According to Pappé, the existence of Israel in 1948 was the direct result of criminal actions of Zionist Jewish paramilitary groups, consisting of individuals who came from Europe to the land of Palestine, who later carried out massacres of hundreds of innocent Palestinians, including women and children. The most heinous was the 'Deir Yassin massacre' in 1948 when hundreds of innocent Palestinian villagers were killed and their houses burned down.

As a direct result of these actions, around 750,000 Palestinians became refugees and have not been allowed to return to their homeland till now, even though this is their inalienable right under Resolution 194 of the United Nations (UN) adopted in 1948. For Palestinians, recognising the state of Israel is tantamount to giving legitimacy to the murders of their parents, grandparents and relatives. For the same reason, many Muslim scholars consider it 'Haram' (forbidden) for Muslim governments to recognize the state of Israel.

It is also important to note that both Western and non-western scholars of the Middle East, such as Professor Ilan Pappé, Joseph Massad, Rashid Khalidi, Noura Erakat, Hamid Dabashi and Robert Wolfe, consider Israel to be a settler-colonial project. They argue that Israel is an outcome of a Zionist project that involves a continuous process of land annexation that starts from the very beginning of its formation. The project involves removing Palestinians, the native inhabitants of the land, to make way for immigrant settlers from Europe and elsewhere. These foreign settlers then claimed sovereignty over land forcefully taken from the Palestinians. They further argue that Israel is just like any previous settler-colonial project, where the settler colony will claim its sovereignty by eradicating and erasing native sovereignty over their land, thus explaining Israel's continuous efforts to erase the Palestinian identity and sovereignty from Palestine, even to the point of changing the names of villages and replacing old Palestinian graveyards with new recreational parks.

The settler-colonial nature of Israel has become more evident since the re-appointment of Benjamin Netanyahu as prime minister in December 2022 with the support of the Zionist extremist factions. The Israeli government no longer felt it necessary to hide its true Zionist agenda to ensure that all Palestinian territories, including the West Bank and East Jerusalem, are one hundred per cent under The Israeli government no longer felt it necessary to hide its true Zionist agenda to ensure that all Palestinian territories, including the West Bank and East Jerusalem, are one hundred per cent under their control. The Palestinians in the West Bank will be driven out, and illegal Jewish settlers will take over their land. Hence, the apartheid policies being implemented by the Israeli government, the harshest being in the West Bank and the blockade of Gaza, as attested by well-known human rights bodies such as Human Rights Watch, Amnesty International and Israeli Human Rights Organization B'TSelem.

For this reason, Hamas and other Palestinian groups justifiably consider the whole of Israel (which they refer to as historic Palestine) to be a war zone where armed operations to liberate their land are considered legitimate. Any foreigners coming to Israel must understand that they will risk their lives by entering a war zone. Moreover, if they come and serve in the Israeli government and institutions, they will be considered complicit in the crime of colonising Palestinian land. In other words, they cannot claim to be 'innocent civilians'.

In conclusion, the term 'Israeli civilian' is misleading. People engaged in ethnic cleansing and genocidal actions against Palestinians cannot claim to be civilians who should not be harmed at all during the fight for liberation from colonisation by the Palestinians, who are the native inhabitants of the land.

Even though the Palestinian armed struggle to free their land is legitimate and lawful, there is another non-violent path that the international community can pursue to help the Palestinians achieve their freedom: by supporting the Palestinian-led Boycott, Divestment and Sanctions (BDS) movement. This movement calls for the total isolation of Israel until they meet three crucial demands:

1. Ending its occupation and colonization of all Arab lands and dismantling the Wall
2. Recognizing the fundamental rights of the Arab-Palestinian citizens of Israel to full equality
3. Respecting, protecting and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN Resolution 194.

Suppose the BDS movement successfully forces Israel to meet the above demands, abandon its apartheid and genocidal policies towards Palestinians and treat everybody equally regardless of race and religion. In that case, Hamas will no longer need to carry out armed operations against all Israelis, whether military or non-military personnel.