

# *THE ISRAEL-HAMAS WAR IN CONTEXT*

6th Annual Alexander C. Cushing International Law  
Conference

15 MAY 2024

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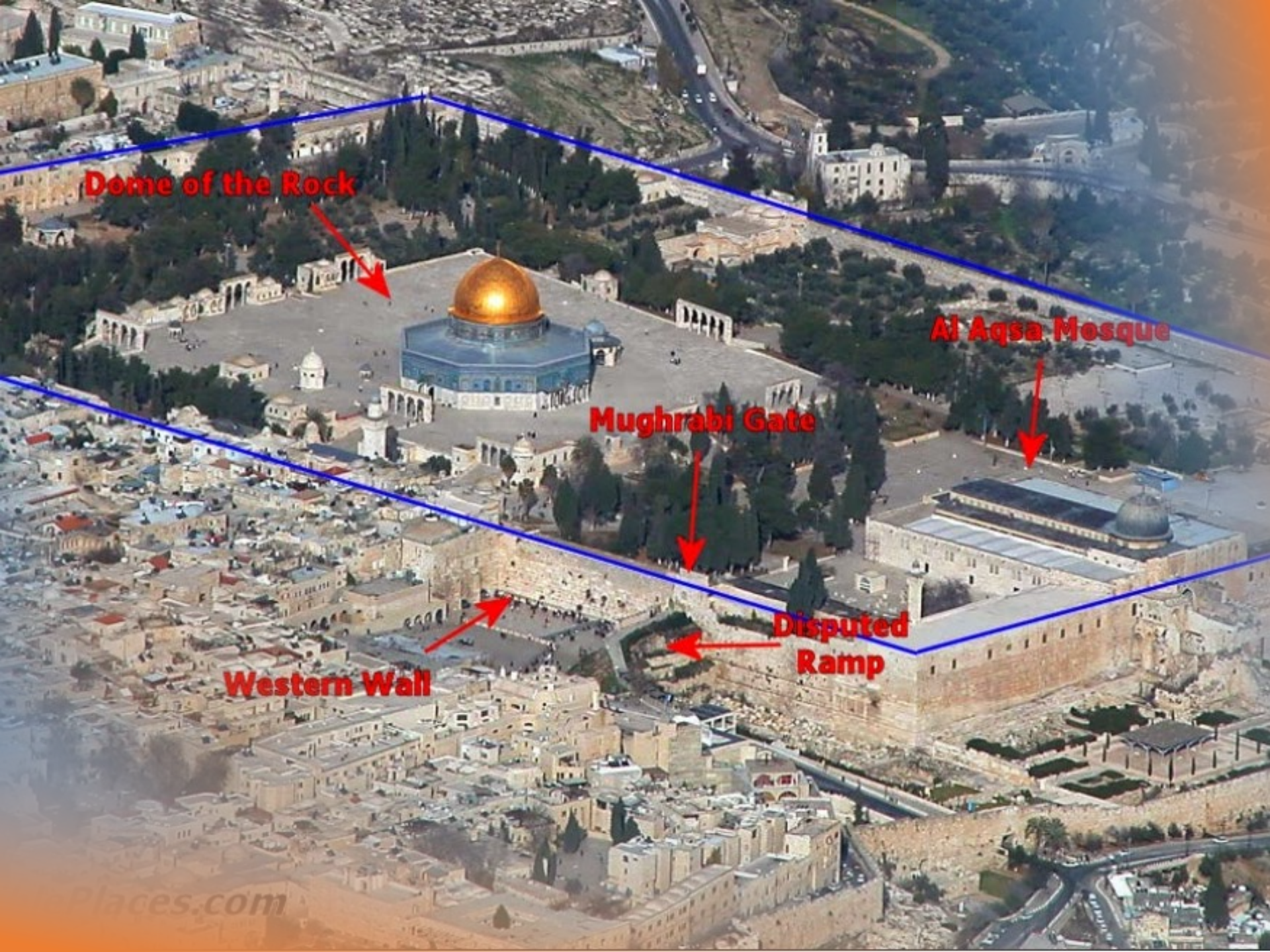


<https://www.teepublic.com/t-shirt/40747235-palestinian-right-of-return-is-sacred-arabic-calli>

<https://www.amazon.com/Hurriyyate-e-Palestine-Always-Inside-Customized/dp/B08ZDTK3DD?th=1>

# Historic Context





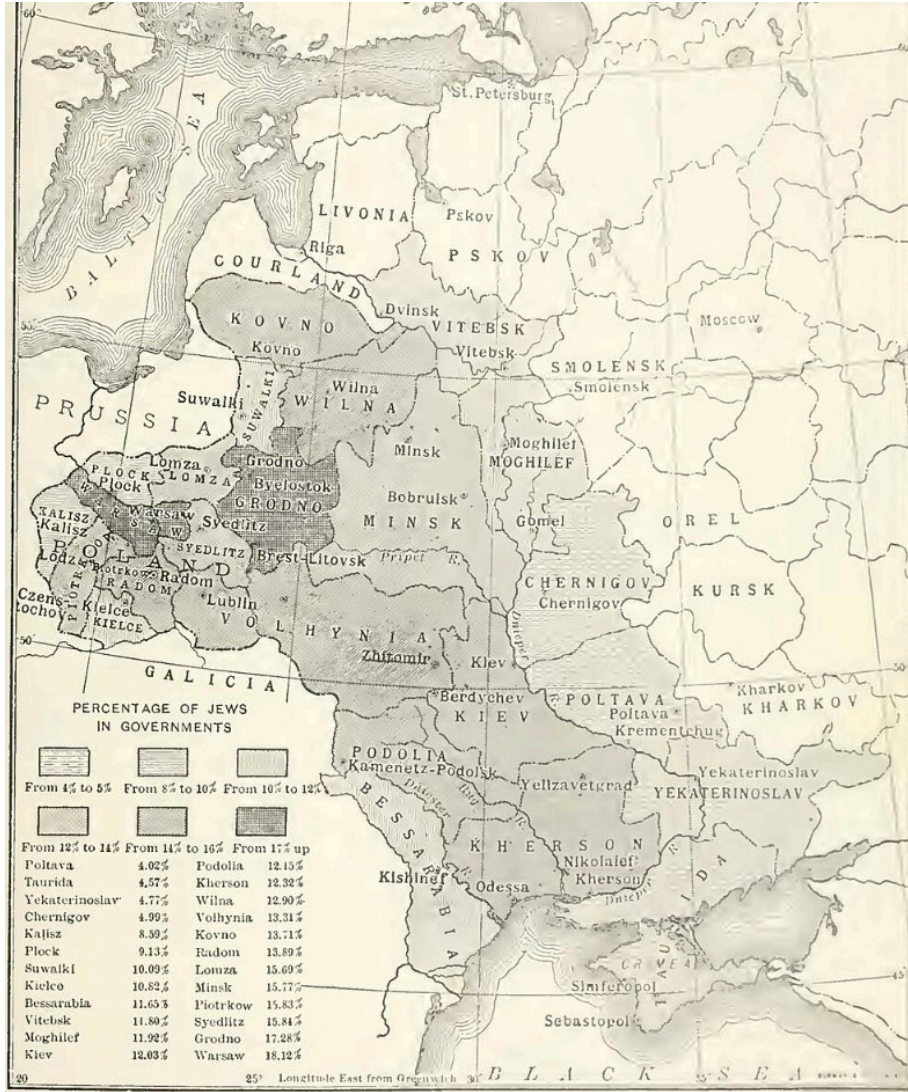
**Dome of the Rock**

**Al Aqsa Mosque**

**Mughrabi Gate**

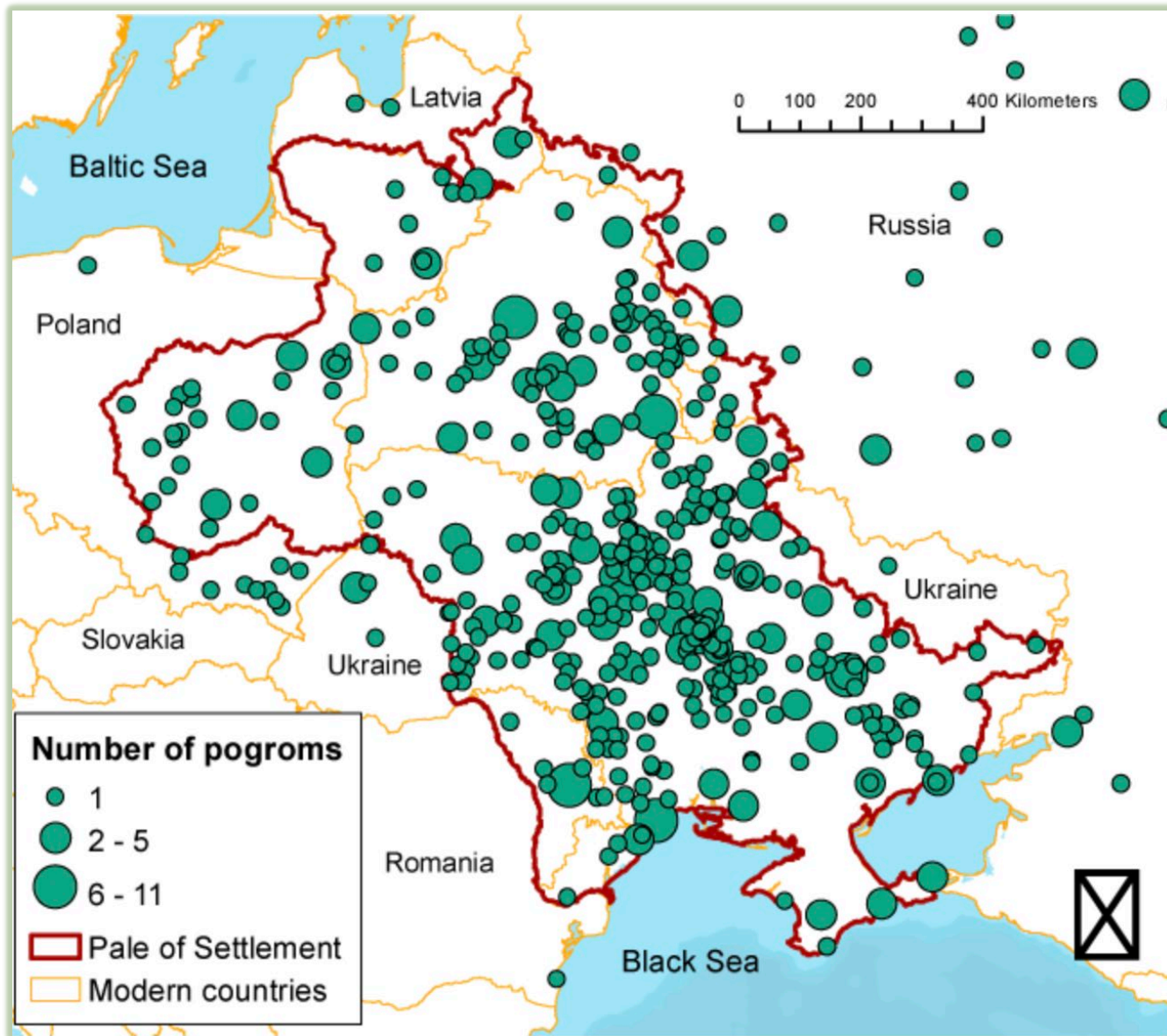
**Disputed Ramp**

**Western Wall**



MAP OF WESTERN RUSSIA SHOWING THE JEWISH PALE OF SETTLEMENT.  
 [The Jewish Encyclopedia, ed. Singer, Funk and Wagner, New York & London, 1901











L'AGITATION ANTISÉMITTE A PARIS  
A Montmartre, Mathieu Dreyfus est brûlé en effigie par des jeunes gens.



DER  
**JUDENSTAAT.**

—  
VERSUCH  
EINER  
MODERNEN LÖSUNG DER JUDENFRAGE

VON  
**THEODOR HERZL**  
DOCTOR DER RECHTE.



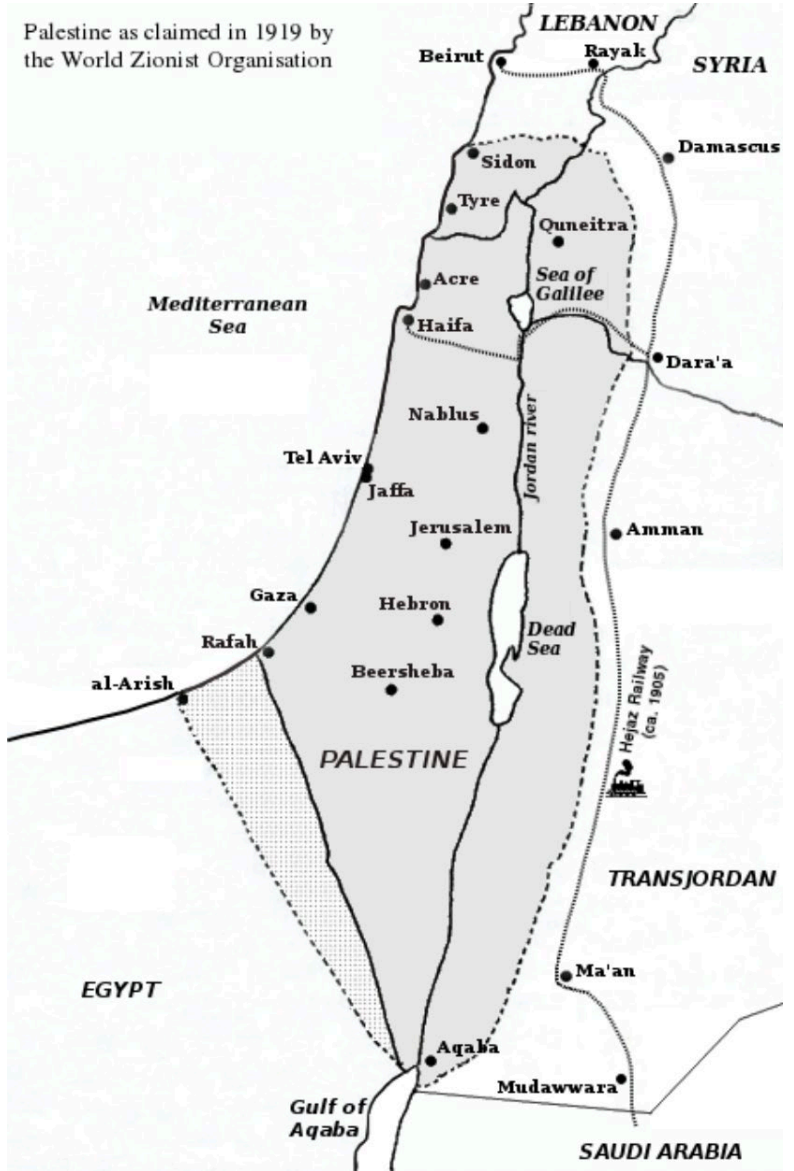
LEIPZIG und WIEN 1896.  
M. BREITENSTEIN'S VERLAGS-BUCHHANDLUNG  
WIEN, IX., WÄHRINGERSTRASSE 5.

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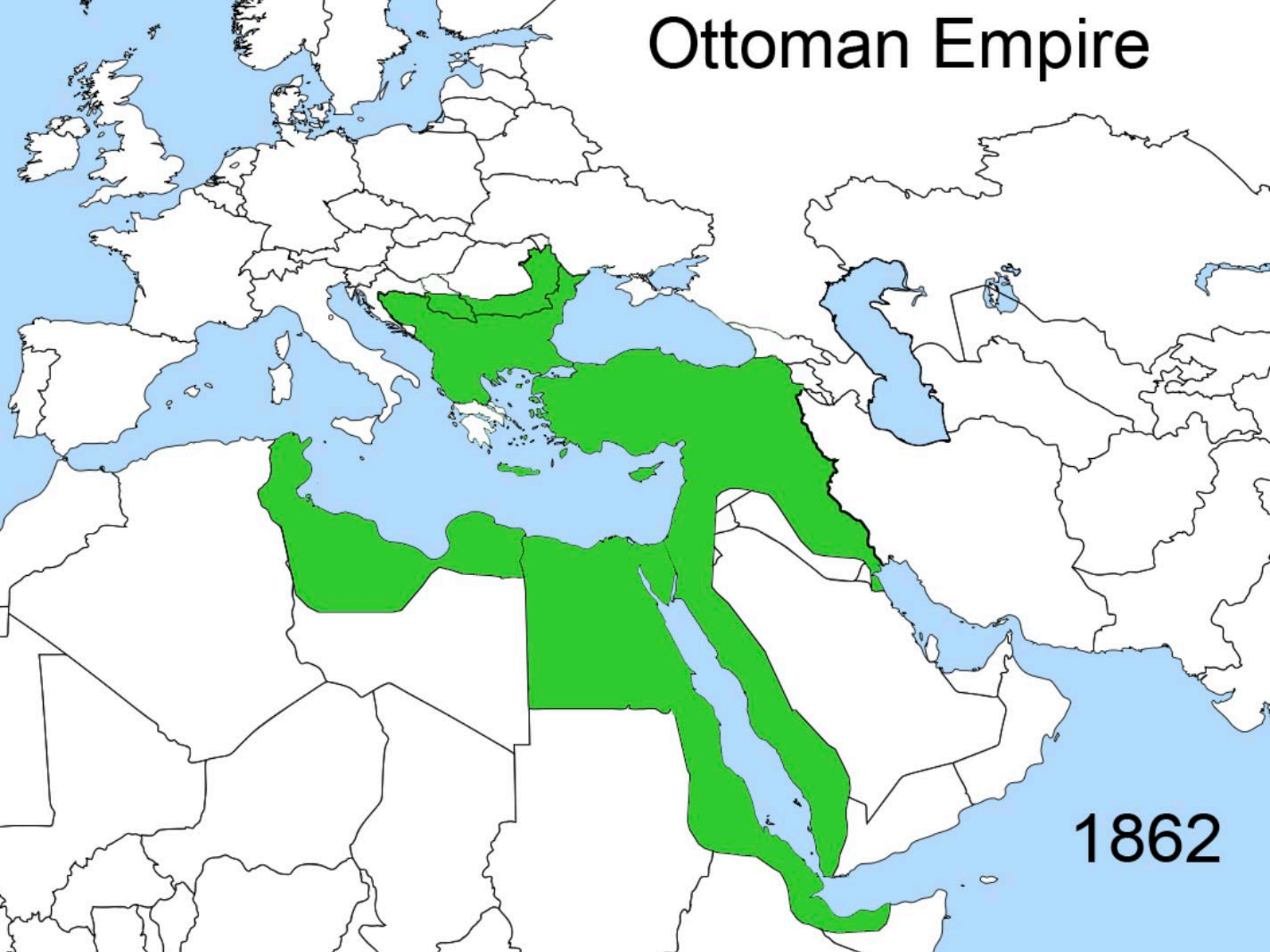


אבגדהוזהחטי  
כךלמסנסע  
פףצץקשת

פלאגלאנהט  
כלזרחק



# Ottoman Empire



1862



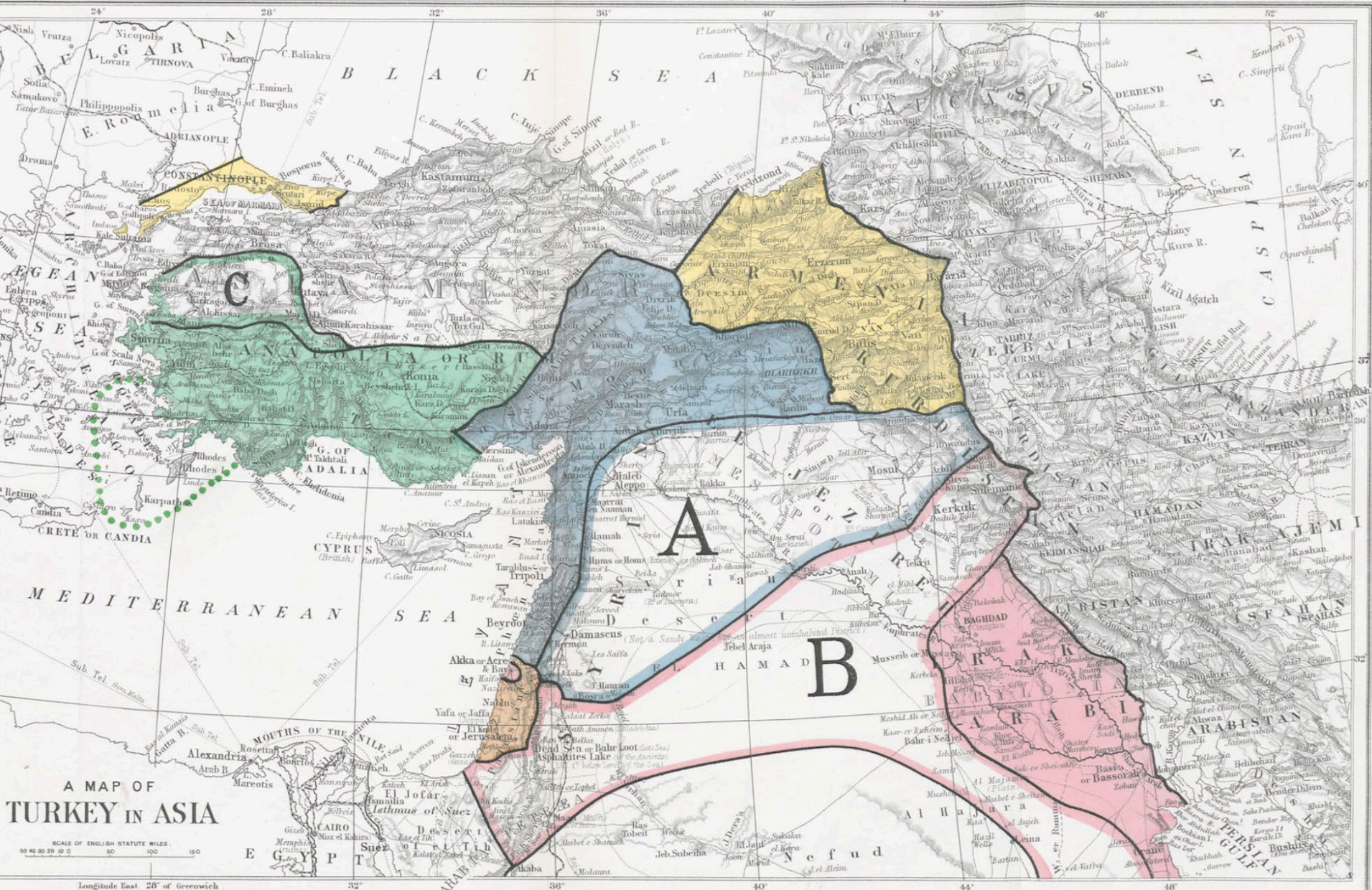






MAP TO ILLUSTRATE THE AGREEMENTS OF 1916 IN REGARD TO ASIA MINOR, MESOPOTAMIA, &c.

MAP 1



A MAP OF TURKEY IN ASIA

SCALE OF ENGLISH STATUTE MILES  
0 40 80 120 160

- FRENCH SPHERE.
- BRITISH SPHERE.
- ITALIAN SPHERE.
- INTERNATIONAL SPHERE.

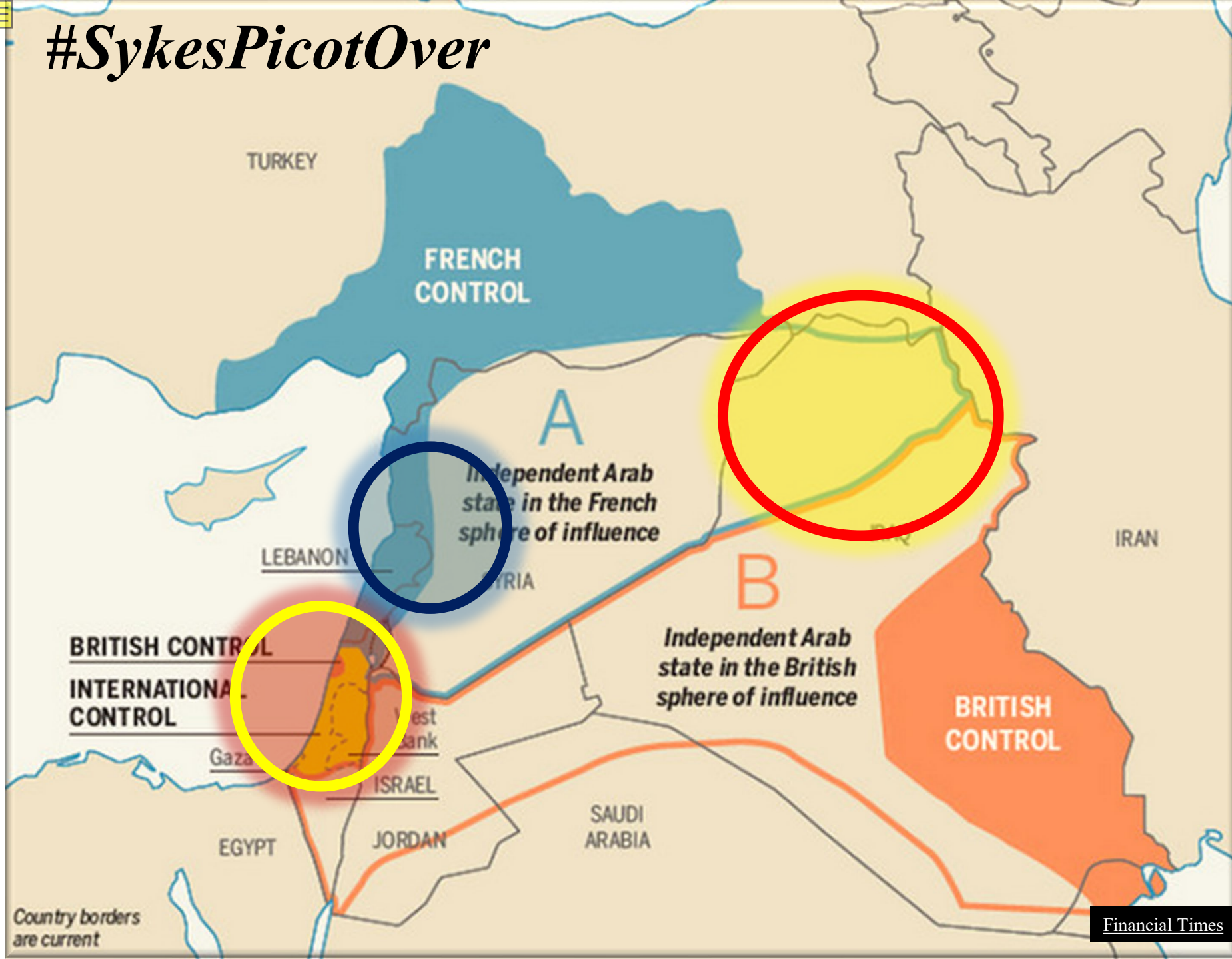
London: Edward Stanford, 12, 13 & 14, Long Acre, W.C.

C = Italian sphere of influence.

A & B = INDEPENDENT ARAB STATE,  
A being in the French, and B in the British, sphere of influence.

Stanford's Geog. Dept. London.

# #SykesPicotOver



# 1948

Israel is formed



# After the Six Day War

■ Occupied by Israel in 1967

100 miles



# PALESTINIAN LOSS OF LAND 1946 TO PRESENT

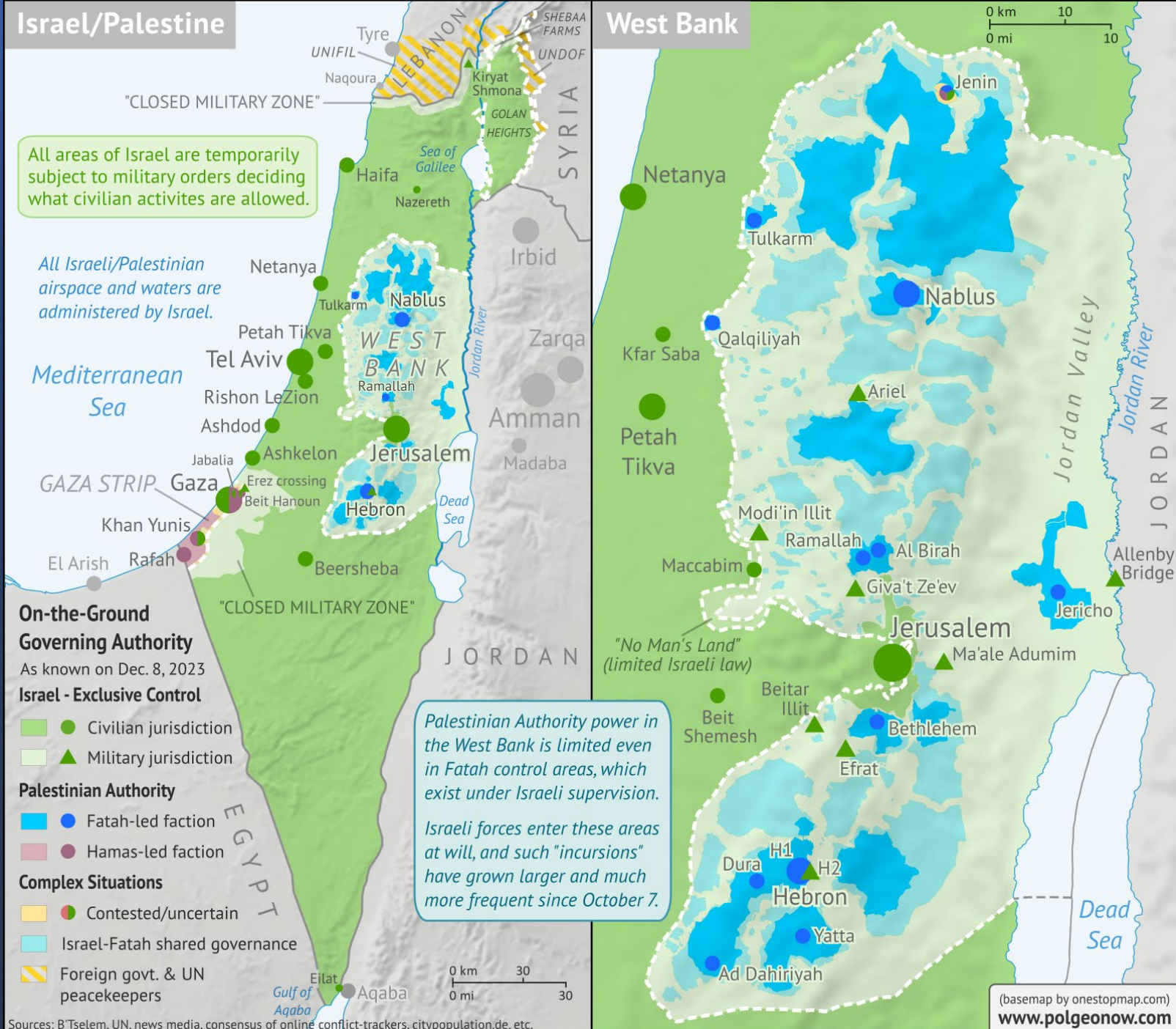
www.auphr.org/mapcard.html



التكبة

# Israel/Palestine

# West Bank



All areas of Israel are temporarily subject to military orders deciding what civilian activities are allowed.

All Israeli/Palestinian airspace and waters are administered by Israel.

Palestinian Authority power in the West Bank is limited even in Fatah control areas, which exist under Israeli supervision. Israeli forces enter these areas at will, and such "incursions" have grown larger and much more frequent since October 7.

### On-the-Ground Governing Authority

As known on Dec. 8, 2023

### Israel - Exclusive Control

- Civilian jurisdiction
- ▲ Military jurisdiction

### Palestinian Authority

- Fatah-led faction
- Hamas-led faction

### Complex Situations

- Contested/uncertain
- Israel-Fatah shared governance
- Foreign govt. & UN peacekeepers

Sources: B'Tselem, UN, news media, consensus of online conflict-trackers, citypopulation.de, etc.

CAUSES  
&  
CONSTRAINTS





# Right of Return

*From the  
River to the  
Sea*





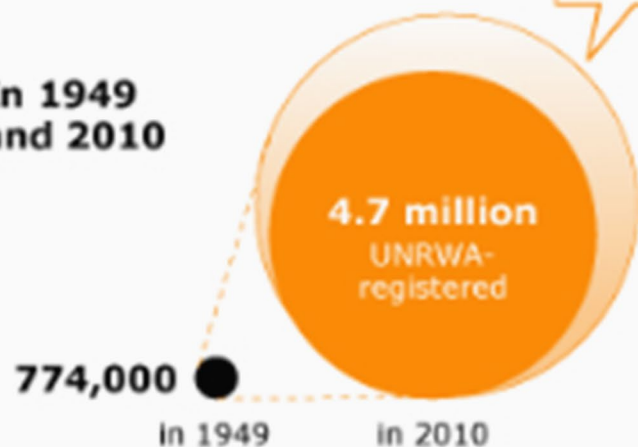
## Palestinian refugees

In September 1949



Source: First Interim Report of UN Survey Mission for Middle East UN Document A/1106, 17 Nov. 1949, p.18.

In 1949 and 2010



Source: UNRWA

Destroyed Palestinian villages in 1949





**الأمم المتحدة**  
**الائوننروا**

# Mondoweiss

News & Opinion About Palestine, Israel & the United States

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## The key of return

Farrah Akbik learned the story of Palestine from a friend's family who lived it firsthand when they were forced out of Safed in 1948, and still had the key to their house hanging on the wall of their small apartment in Damascus.

BY [FARRAH AKBIK](#) · MAY 23, 2021 · 4



A PALESTINIAN REFUGEE HOLDS THE KEYS TO THE HOUSE HE WAS FORCED FROM IN 1948, IN THE AL JALAZOUN REFUGEE CAMP IN THE WEST BANK CITY OF RAMALLAH ON MAY 14 2012. (PHOTO: ISSAM RIMAWI/APA IMAGES)

# CATCH-67

THE LEFT, THE RIGHT,  
AND THE LEGACY OF  
THE SIX-DAY WAR



MICAH GOODMAN



**1. END OCCUPATION**

**2. END APARTHEID**

**3. REFUGEES' RIGHT OF RETURN**

**BDS**  
MOVEMENT  
FREEDOM JUSTICE EQUALITY





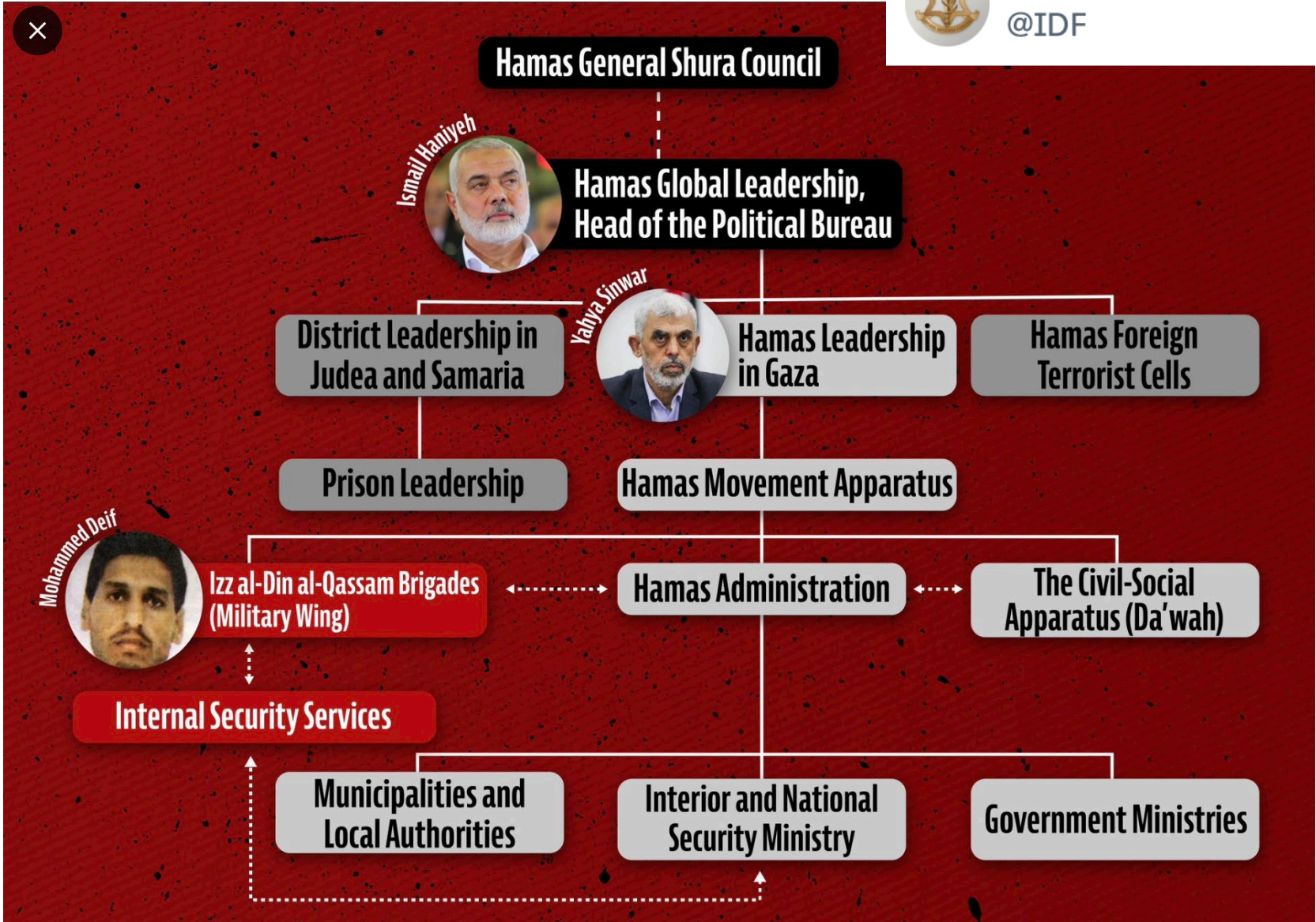
**729 = MADE IN ISRAEL**





Israel Defense Forces

@IDF







GLOBAL

# Understanding Hamas's Genocidal Ideology




A close read of Hamas's founding documents clearly shows its intentions.

By Bruce Hoffman



Mahmud Hams / AFP / Getty

OCTOBER 10, 2023

SHARE & GIFT  SAVED STORIES  SAVE 



AP / The Atlantic

GLOBAL

## WHAT ISIS REALLY WANTS

The Islamic State is no mere collection of psychopaths. It is a religious group with carefully considered beliefs, among them that it is a key agent of the coming apocalypse. Here's what that means for its strategy—and for how to stop it.

By Graeme Wood

**“The most relevant of the document’s 36 articles can be summarized as falling within four main themes:**

**1. The complete destruction of Israel as an essential condition for the liberation of Palestine and the establishment of a theocratic state based on Islamic law (Sharia),**

**2. The need for both unrestrained and unceasing holy war (jihad) to attain the above objective,**

**3. The deliberate disdain for, and dismissal of, any negotiated resolution or political settlement of Jewish and Muslim claims to the Holy Land, and**

**4. The reinforcement of historical anti-Semitic tropes and calumnies married to sinister conspiracy theories.”**



Adolf Hitler talking to Grand Mufti Haj Amin el Husseini Keystone / Getty Images

<https://time.com/4084301/hitler-grand-mufti-1941/>

[https://isgap.org/flashpoint/from-hitler-to-hamas-a-genealogy-of-evil/#\\_ednref19](https://isgap.org/flashpoint/from-hitler-to-hamas-a-genealogy-of-evil/#_ednref19)

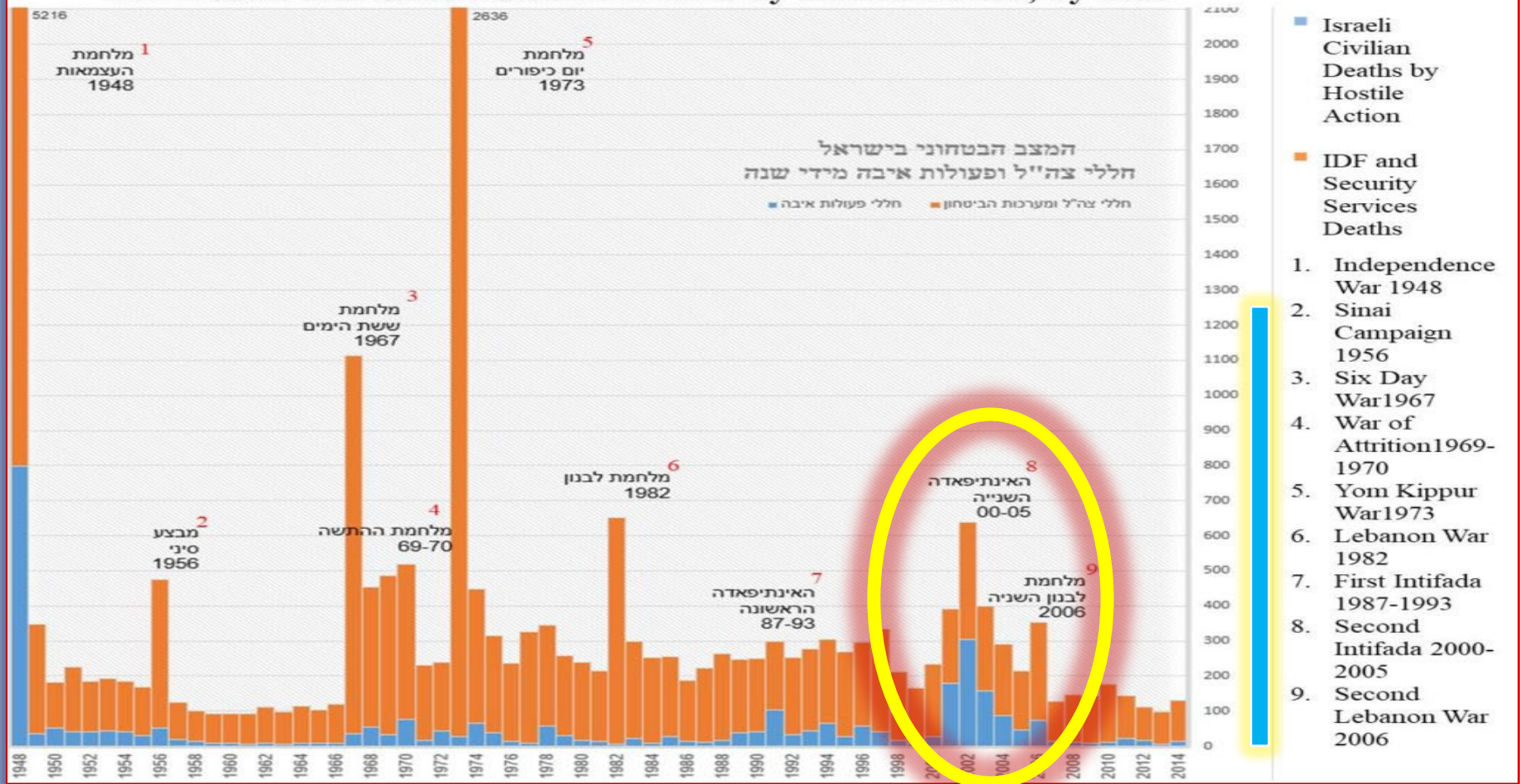
THE WAR





# The Security Situation in Israel

## IDF Deaths and Israeli Civilian Deaths by Hostile Action, by Year



- Israeli Civilian Deaths by Hostile Action
  - IDF and Security Services Deaths
1. Independence War 1948
  2. Sinai Campaign 1956
  3. Six Day War 1967
  4. War of Attrition 1969-1970
  5. Yom Kippur War 1973
  6. Lebanon War 1982
  7. First Intifada 1987-1993
  8. Second Intifada 2000-2005
  9. Second Lebanon War 2006

# Israel– Hamas war

- Gaza Strip under Palestinian control
- Claimed extent of the Israeli control of Gaza Strip
- Evacuated areas inside Israel
- - - Areas inside Gaza Strip ordered to be evacuated by Israel
- - - Maximum extent of Palestinian advance



By Ecrused, influenced by user Rr016. - Own work, Israeli military presence in Gaza Strip citing Institute for the Study of War & Critical Threats Project. Maximum Palestinian advance citing NYT & WSI. Made using OpenTopoMap data., CC BY-SA 4.0, <https://commons.wikimedia.org/w/index.php?curid=138592589>



# ISRAEL'S WAR ON GAZA

Latest figures | October 7-May 9, 10:00 GMT

ISRAEL

PALESTINE

GAZA

OCCUPIED WEST BANK

KILLED

AT LEAST  
**1,139**

AT LEAST  
**34,904**

AT LEAST  
**498**

including more than 14,500 children  
More than 8,000 missing

including 124 children

INJURED

AT LEAST  
**8,730**

AT LEAST  
**78,514**

MORE THAN  
**4,950**



Source: Al Jazeera, Palestinian Ministry of Health, Palestine Red Crescent Society, Israeli army, Israel's social security agency | May 9, 2024 | 10:00 GMT



@AJLabs ALJAZEERA



(Photo Credit: X)

# Character of this war....

**Brutality + Coverage = Globalized conflict**

**Armor + Space + Airpower + SOF = Overwhelming  
IDF advantage on a battlefield HAMAS chose**

**Int'l Organizations = Ineffective/De-legitimized**

**HAMAS = Vanguard Strategy**

# ISRAELI DEFENSE SHIELD



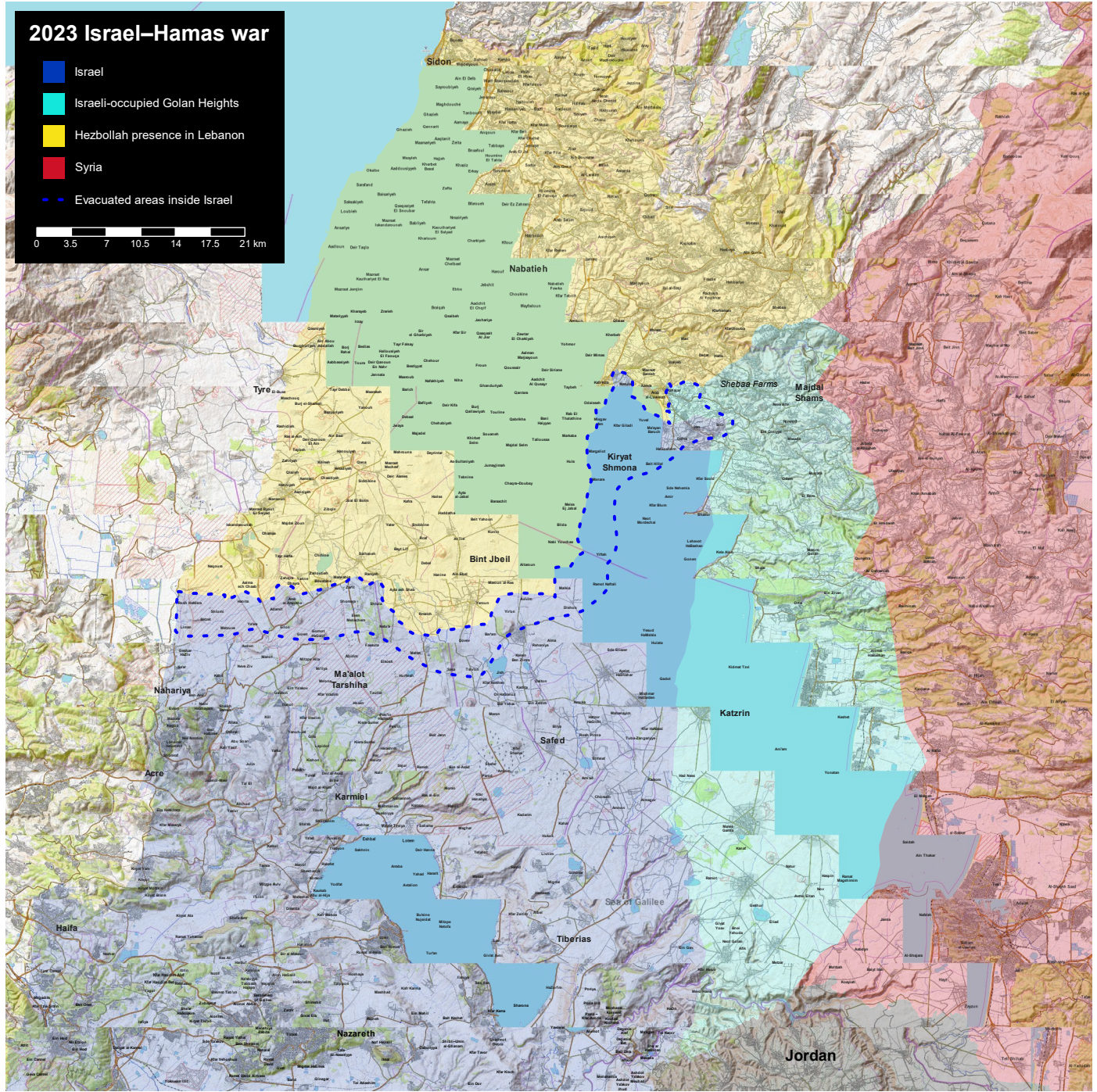
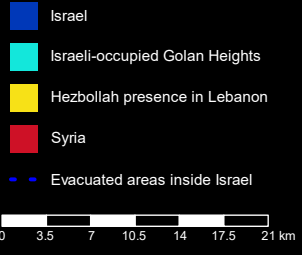
# HAMAS DEFENSE SHIELD



WHAT'S  
NEXT?



# 2023 Israel– Hamas war





Prime Minister Benjamin Netanyahu (L) meets with Defense Minister Yoav Gallant (C) and military chiefs at IDF headquarters in Tel Aviv for a security assessment on October 8, 2023. (GPO)



Protestors in Jerusalem hold up portraits of Israeli hostages held in Gaza at a rally on Jan. 22, 2024 to demand their release. Photo: Ahmad Gharabli/AFP via Getty Images



Where does  
this leave  
Israel?

Bottom Line: This *is* an  
existential fight for Israel because  
it's trapped. It can either  
annihilate HAMAS and assume  
control of Gaza *or*

It can stop the war, let HAMAS  
survive, and have a Nazi regime  
on its border, waiting for another  
attack.

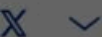
ICTS | ISRAEL

# West Bank: EU could sanction violent Israeli settlers

er in Brussels

go

European Union has expressed concern over an increase in clashes in the West Bank. Here, what  
ial sanctions on individuals known for "violent activities" could mean.



## Israeli Extremists

© Mamoun Wazwaz

ed concern about mounting violence toward Palestinians in the occupied West Bank

Image: Mamoun Wazwaz/APA Images

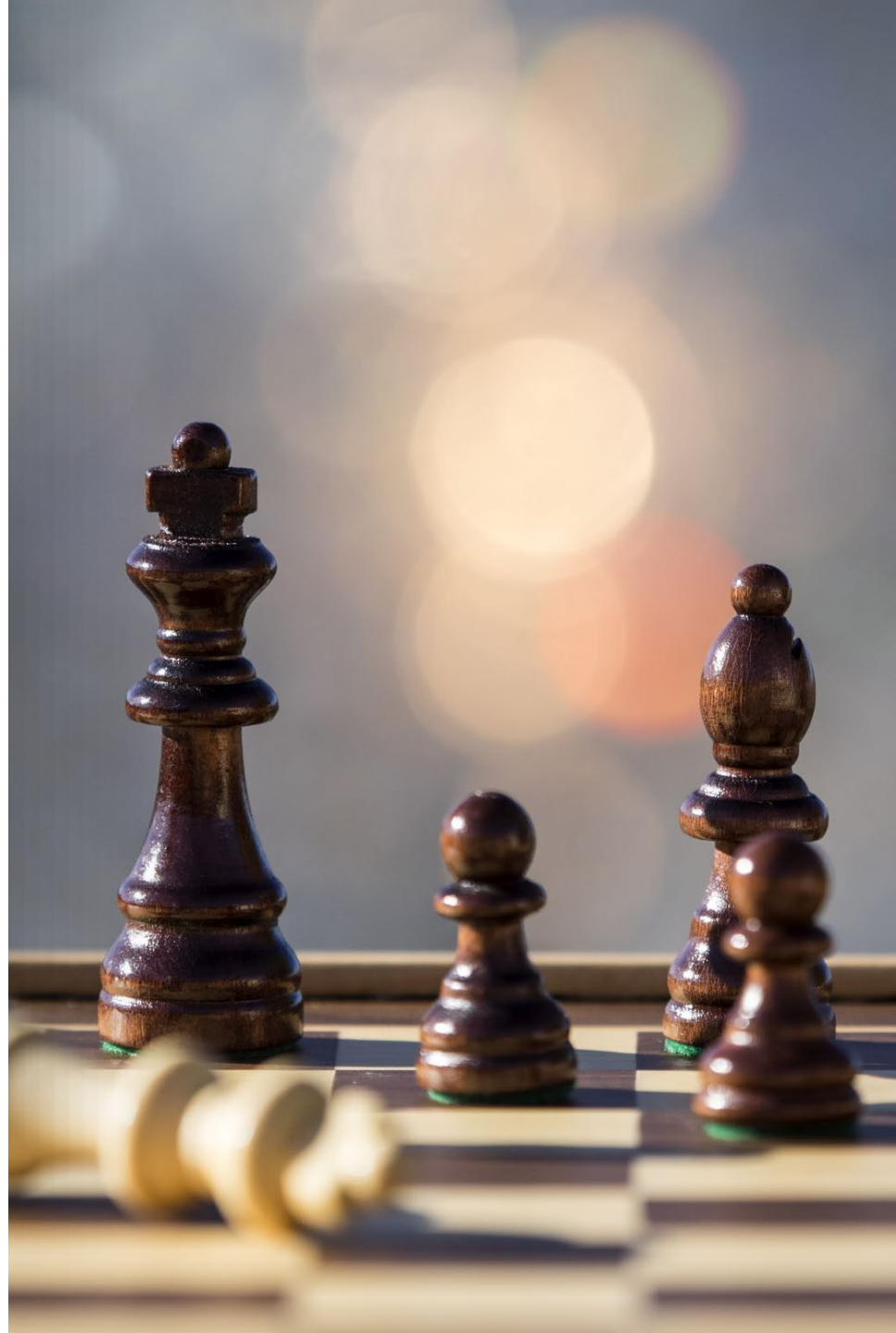


# Is Israel Trapped?

There is no visible off-ramp right now. Israel plans to fight the war to its destination—annihilation of HAMAS in Gaza.

But...Israel doesn't know what to do when it gets there; and

HAMAS' ideology will be picked-up by someone else, likely just as committed to Israel's destruction.



# Are the Palestinians trapped?

- Further than ever from a  
Palestinian state?
- Abandoned?
- Exploited by HAMAS
- More aligned with  
extremists



# What's Next?

THE TIMES OF ISRAEL ISRAEL AT WAR - DAY 68

LIVE UPDATE / FROM THE LIVEBLOG OF WEDNESDAY, DECEMBER 13, 2023

## Palestinian poll: Support for Hamas has tripled in West Bank, 88% want Abbas to resign

By AGENCIES and TOI STAFF

Today, 4:18 pm | 3



Palestinian Authority President Mahmoud Abbas, right, and then Palestinian Prime Minister Ismail Haniyeh of Hamas, left, speak as they head the first cabinet meeting of the new coalition government at Abbas' office in Gaza City, March 18, 2007. (AP Photo/Khalil Hamra)

The polls shows 57% of respondents in Gaza and 82% in the West Bank believe Hamas was correct in launching its October 7 onslaught, in which some 1,200 people in Israel, mostly civilians, were murdered and over 240 were taken hostage. A large majority believes Hamas's claims that it acted to "defend" the Al Aqsa Mosque in Jerusalem and win the release of Palestinian security prisoners. Only 10% say they believed Hamas has committed war crimes, with a large majority saying they did not see videos showing the terrorists committing atrocities.

# European Domestic Context



1 of 4 | Geert Wilders, leader of the far-right party PVV, or Party for Freedom, talks to the media after a meeting with speaker of the House Vera Bergkamp, two days after Wilders won the most votes in a general election, in The Hague, Netherlands, Friday Nov. 24, 2023. (AP Photo/Peter Dejong)



By Jrryjude - Own work, CC BY-SA 4.0, <https://commons.wikimedia.org/w/index.php?curid=93752215>

# U.S. Domestic Context



Demonstrators march in support of the Palestinian people on October 8, 2023, in New York City. (Adam Gray/Getty Images)

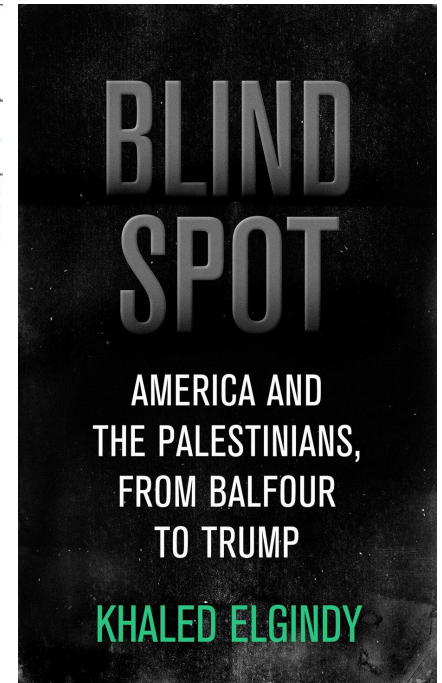
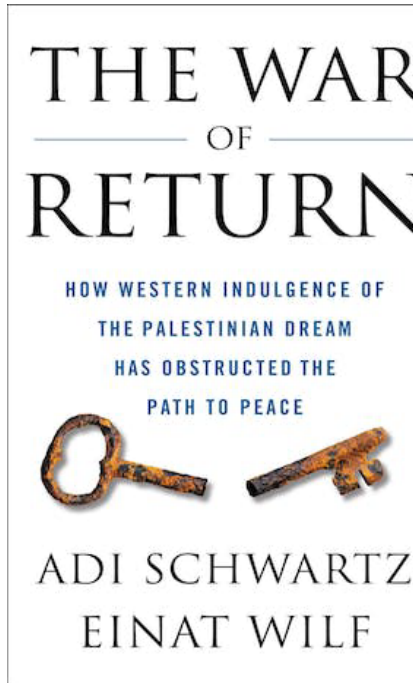
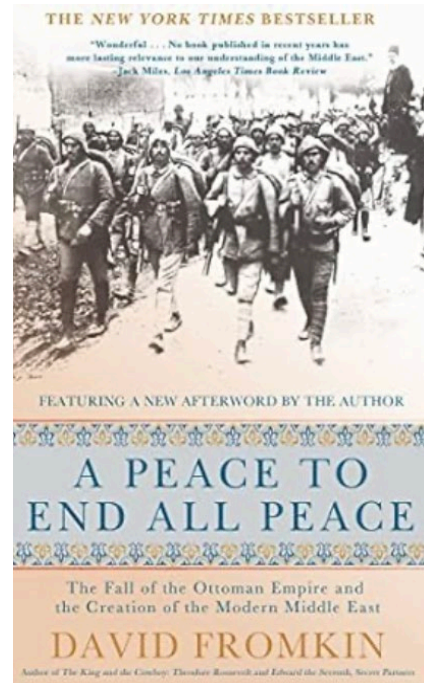
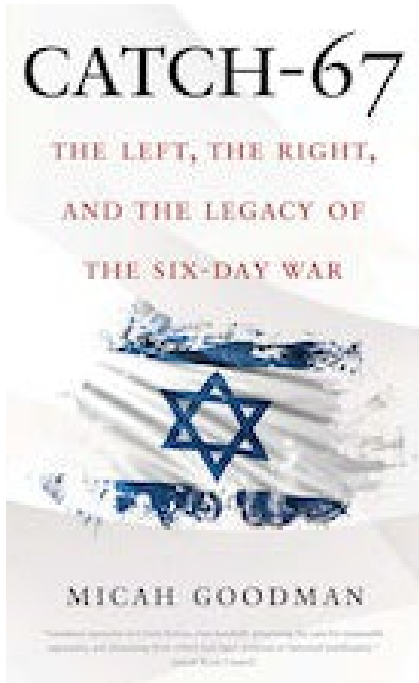


# “Kriegsraison geht vor Kriegsmanier”

*Necessity in war overrules the manner of  
warfare*

“What leader would ever allow his  
country to be destroyed for the sake of  
international law?”





# Suggested Readings

A large, classical building with many columns, illuminated at night under a dark sky with a full moon. The building is the central focus, with its facade lit up, showing the details of the columns and the entrance. The sky is dark with some clouds, and a bright full moon is visible in the upper right. The overall mood is serene and majestic.

QUESTIONS  
PLEASE