

Gaza Blockade an Act of War

Gary Fields

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The refrain used by the Israeli Government, American lawmakers, and many major media outlets to describe current events in Gaza conceals two important truths that, when brought to light, change the calculation of responsibility for this terrible tragedy.

Israel, we are told in this refrain, has to defend itself from rockets launched by Hamas, and that no country can permit its citizens to endure such attacks. This discourse presents a very simple picture of Hamas as an implacable aggressor, and the state of Israel as an innocent victim of terror.

Missing from this simplistic calculus is any serious discussion of the so-called Israeli “disengagement” from Gaza in 2005, and the nature of the Israeli blockade imposed on Gaza since 2007. When these two issues are rendered visible, the question of victims and responsibility takes on a different hue.

According to a vast body of International Humanitarian Law, occupied territory refers to territory under *effective control* of a foreign entity. In 2005, when it “left” Gaza, Israel did not relinquish its control over the territory simply because it removed its settlements and withdrew the soldiers protecting them. Instead, Israel exerted its control over Gaza in a different way.

Israel controls what comes into Gaza, and what can go out by land, sea, and air. Because of this control, the people of Gaza do not have the basic human right of free movement which is why Gaza is often likened to the world’s largest outdoor prison. In my four trips to Gaza since 2005, the authorities controlling my entry were not from Gaza. Israeli border police control passports and entry. This is not disengagement.

When Israel warns Gazans that they are about to be killed if they do not vacate their homes, the occupying power is able to do this because it controls Gaza’s “population registry,” a fundamental tool of governmental power. Control of the population registry enables Israel to know the phone numbers and addresses of Gaza’s residents as well as other critical information about the Strip’s inhabitants. Such knowledge, along with control of people and goods moving in and out of the territory, and the power to bring in armed force at its discretion, gives Israel effective control over Gaza. Gaza is occupied territory.

Since 2007, Israel has imposed a blockade on Gaza. In international law, a blockade is an act of war, a principle recognized by the US and the state of Israel itself.

Consequently, in 2007 Israel effectively declared war on Gaza. Moreover, the blockade constitutes collective punishment of the people of Gaza which is illegal under Article 33 of the Fourth Geneva Convention.

When Israel says that no country would tolerate missiles being fired at its citizens, it conceals its blockade over Gaza for the past seven years, and the *de facto* declaration of war represented in this aggressive act. This fact, alongside the continued occupation of Gaza, changes the simplistic designation of victim and aggressor used to describe the situation there.

This is not a conflict in the true sense because a conflict implies some degree of symmetry between belligerents. This is a cold-blooded slaughter of the innocents, a modern day “Guernica” as depicted by Picasso in which deadly weaponry from one of the world’s most powerful militaries is rain down upon people unable to defend themselves.

Israel seems to believe that its blockade and occupation should carry no consequences, and that it is the hapless victim of irrational aggression. What does Israel -- and the US -- expect from the people of Gaza living under the conditions of a blockade that has made their life intolerable for seven years? Do they expect the Gazans to be well-behaved blockaded people?

The world would do well to awaken to what is missing in the dominant refrain about aggressor and victim in Gaza. In this case, the truth is more complicated than the simplistic reduction of Hamas as terrorist aggressor and Israel as hapless victim.

On another level, however, the truth is more obvious. This is not a conflict in the true sense because a conflict implies some degree of symmetry between belligerents. This is a cold-blooded slaughter of the innocents, a modern day “Guernica” as depicted by Picasso in which deadly weaponry from one of world’s most powerful militaries is raining down upon people unable to defend themselves.

Israel and the US are constantly asking the world: what nation would not defend itself from rocket attacks? The question needs to be turned around. What nation would accept being imprisoned, blockaded, and starved for seven years? Only when occupation and blockade are part of the negotiation can there be any hope of ending this murderous siege.