

Opinion

Opinion | Israelis Must Maintain Their Humanity Even When Their Blood Boils

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On Saturday, Hamas committed an abominable war crime for which there can be no forgiveness. Our eyes see but our hearts refuse to believe that human beings can be capable of such cruelty – an inconceivable slaughter of hundreds of civilians in their own homes and at the scene of a party, the abduction of civilians, the abduction of children and the elderly, and sadistic psychological abuse of families whose loved ones have disappeared.

The truth is that this is a crime against humanity, a crime against everything human. Each of us knows someone who was murdered, or abducted, or whose relatives were wounded. Tens of thousands of Israelis will walk around in the coming years with severe psychological wounds, some from shell shock and some from post-traumatic stress.

The atrocity is impossible to grasp. And if any online content can reflect an utter loss of humanity, the video clips streaming from communities near the Gaza Strip do so powerfully.

And yet. And yet, the laws of war weren't designed only for situations in which our blood is cool, in which there is no justified anger or understandable desire for revenge. The laws of war constitute humanity's renunciation of the idea

of a complete prohibition on the use of force, its renunciation of the pacifist worldview, in exchange for an approach that sets rules of basic humanity and boundaries on the harm to civilians.

But. But in the days since the massacre in southern Israel, statements have piled up from the country's leaders indicating that Israel has officially adopted a combat policy whose essence is extensive violations of the laws of war regarding millions of Gazans. Israel has both the right and the duty to defend itself and its citizens. It was brutally attacked and it is obligated to do what is necessary to restore security – but within the confines of international law.

Defense Minister Yoav Gallant said: “We’ve imposed a full blockade on Gaza City. No water, no food, no gas, everything is closed.” That statement, and its tone, suggest that Gallant has ordered the Israel Defense Forces to adopt a method of warfare that includes starving Gazans and letting them go thirsty.

In no context could such a move be legal or moral. Even a siege, a military strategy that can be legal under certain conditions, cannot include depriving civilians in the besieged area the necessities of survival. They must also be allowed to leave it.

Regarding the hundreds of tons of explosives that have already been dropped on Gaza, IDF spokesman Daniel Hagari was quoted as saying that “the emphasis is on damage, not on precision.” Under international law, combatants are obligated, when engaged in warfare, especially in civilian areas, to take precautions that will prevent harm to civilians and civilian objects insofar as possible.

If the emphasis, as Hagari said, is on doing maximum damage even at the expense of precision, the orders clearly didn't comply with the obligation to take precautions. The difference will be reflected in hundreds of dead civilians in Gaza – women, children and elderly people – who aren't involved in the fighting and live under Hamas' dictatorial rule.

The UN Office for the Coordination of Humanitarian Affairs reported this week that 130,000 Gazans have been displaced from their homes and around 400,000 are living in areas where there is no running water due to infrastructure damage. Within a day or two, millions of people may find themselves in a similar situation. I can't imagine what will happen in Gaza if Israel's leadership sticks to its decision to ignore the prohibitions set by the laws of war.

Indeed, war crimes could be committed not only by people with Kalashnikovs riding Toyota trucks. They can also be committed from defense headquarters in Tel Aviv, or from the pilot's seat in a fighter plane or helicopter. Our grasp of cruelty might differ when the attacker isn't looking his victim in the eye, but the pain of losing a mother, father, child, sibling or spouse is quite the same.

In the past, organizations like Breaking the Silence argued that Israel's rules of engagement in Gaza are too permissive and allow widespread harm to civilians. (Full disclosure: I'm the organization's legal adviser.) Breaking the Silence didn't accuse the army of intentionally harming civilians but of indifference and an absolute prioritization of its soldiers' safety over that of civilians in areas where combat occurred.

Those accusations were vehemently denied, and the people who made them were accused of being Israel haters and traitors. My impression now is that what was denied in the past has become official policy.

It's not easy for Israelis to think about Gazans' rights in a week when Hamas committed crimes that are still impossible to digest and our whole society is mourning and crying. But Gaza's catastrophe won't wait for the end of our seven-day shivah.

Consequently, this needs to be said: Israel has held millions of people under a brutal blockade for more than 15 years with the support of the entire Western world. That is inhumane and inconceivable, and every solution to this bloody conflict ultimately includes respecting the rights of all people, both in Gaza and Sderot, to live with security and human dignity. And that begins with respecting the most basic rules as set down in the international laws of war, which are designed to reduce the harm to civilians.

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