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Gaza Common Questions - and how to answer them.

Isn't Israel just an apartheid state?

When people refer to Israel as a racist or apartheid state, they are deliberately trying to delegitimize Israel. Is there racism in Israel? Of course there's racism in Israel. There's racism in England, Australia, and everywhere else you'll find people.

But there is a discernable effort, particularly by the Boycott, Divestment, and Sanctions (BDS) movement, to associate Israel with the concept of apartheid, something that has no legitimacy and should not be recognized by the world or by people of conscience.

But even a small amount of effort to determine the truth proves that there is no systematic and institutionalized racism against Israel, and certainly nothing like the fundamental racism of South African apartheid.

There are Israeli-Arab members of Knesset. There are political parties promoting the interests of the Israeli-Arab community. Some are even Arab activists against Israeli policy, sometimes from those same Arab parties. There is a justice on the Israeli Supreme Court who is Arab. All Israeli citizens are equal under Israeli law.

Israel is not a racist country, and it is certainly not an apartheid state. That claim is promoted by people who seek to destroy Israel, and its legitimacy, by other means.

But what about Israel's administration of the West Bank, where Israel is exerting control over people who are not Israeli citizens?

Even if Israel wanted to grant Palestinians citizenship so that there would be one law in the West Bank - and there are movements on the Israeli Right and Left that advocate just that - it would be impossible to do it without annexing the West Bank to Israel. And who is most opposed to that? The Palestinians themselves, because the annexation would put an end to their aspirations for an independent Palestinian state.

Benjamin Pogrund, a leading expert on apartheid, dismissed the accusation that Israel is running an apartheid regime in the West Bank:

Intentionality is the key test. In South Africa, the white rulers deliberately set about forcing segregation and discrimination into every aspect of life; that was their intention from the start, with the aim of securing power and privilege for the white minority. That is not Israel on the West Bank. There is no ideological aim to discriminate against Palestinians.

When you hear the word apartheid used against Israel, recognize it for what it is - a deliberate attempt to smear Israel by associating it with a regime that was despised by the world and ultimately destroyed. And that's what people who use the term are trying to do to Israel.

Aren't Israel's settlements and its occupation of the West Bank the real reasons for the rockets being fired from Gaza?

You are totally right to assert that Hamas fires rockets to end occupation. But I would add, it is not the occupation of the West Bank they are concerned about, but the “occupation” of the whole of Israel. In other words, they are firing rockets with the aim of destroying Israel. Sure, they want Israel to leave the settlements, but there is not reason to believe the rocket fire would stop if Israel withdrew, just as it did not stop when Israel withdrew from Gaza in 2005. In fact, it increased substantially, as did the building of tunnels leading to areas inside Israel that could be used to launch devastating attacks on Israelis.

Of course, many Israelis also believe Israel should leave the West Bank and stop the building of settlements. That is a legitimate political argument. It cannot, however, justify the war crime of targeting the civilian population of Israel with rockets.

To really get to grips with the problem of Gaza, the suffering of innocent Palestinian civilians and the rocketing of Israel's south, we need to take a step back. Let's leave rhetoric aside and look at the facts on the ground.

To understand Hamas listen to their spokesman and read their literature. Hamas' charter calls for the destruction of the State of Israel and its replacement with a Palestinian Islamic state from the Jordan River to the Mediterranean Sea.

If you don't believe me, just listen to what they say:

The Islamic Resistance Movement believes that the land of Palestine is an Islamic Waqf consecrated for future Muslim generations until Judgement Day. It, or any part of it, should not be squandered: it, or any part of it, should not be given up. Neither a single Arab country nor all Arab countries, neither any king or president, nor all the kings and presidents, neither any organization nor all of them, be they Palestinian or Arab, possess the right to do that. Palestine is an Islamic Waqf land consecrated for Muslim generations until Judgement Day. This being so, who can presume to speak for all Islamic generations to the Day of Resurrection? This is the status [of the land] in Islamic Sharia (law), and the same goes for all lands conquered by Muslims by force, during the times of (Islamic) conquests, and made thereby Waqf lands upon their conquest, for all generations of Muslims until the Day of Resurrection.

More concerning still is the blatant and open anti-Semitism of Hamas. I don't use the accusation of anti-Semitism lightly. Hamas is, however, a radical Islamic organization and unashamedly anti-Semitic. Again, don't believe me, believe Hamas. Let's read a little more of their charter:

Hamas is one of the links in the Chain of Jihad in the confrontation with the Zionist invasion....The Prophet, Allah bless him and grant him salvation, has said: "The time will not come until Muslims will fight the Jews (and kill them); until the Jews hide behind rocks and trees, which will cry: O Muslim! there is a Jew hiding behind me, come on and kill him! This will not apply to the Gharqad, which is a Jewish tree." (cited by al-Bukhari and Muslim).

If the removal of settlements was the major issue, we would have had peace a long time ago. Israel removed all of the settlements in Gush Katif (the settlement block in Gaza) when it withdrew unilaterally. In 1998 Israel offered a ninety six percent withdrawal from the West Bank to the Palestinians, it was rejected. We should work towards reconciliation and peace between Israelis and Palestinians, rather than justifying the violence of an anti-Semitic Jihadist group bent on the destruction of Israel.

Aren't West Bank settlements built illegally on Palestinian land?

In order to answer this question, we need to go back to 1967 and look at how the territory came under Israel's control in the first place.

Many people mistakenly believe that Israel is violating the Fourth Geneva Convention, which bars the transfer of citizens from an occupying power to occupied territory. That's because the West Bank is not occupied territory. It is disputed territory.

Did Israel fight a war with the Palestinians and conquer the West Bank? No, there was no country called Palestine in 1967. The territory previously known as Judea and Samaria was under the control of Jordan, which occupied the area during Israel's War of Independence in 1948.

So when the combined armies of Egypt, Syria, and Jordan set out to destroy Israel in 1967, Israel managed to defend itself, taking the West Bank from Jordan.

But was Jordan the legal owner of the territory when Israel won the land in a war of defense? No, the Jordanian occupation was never legally recognized by the international community.

So who has a legal claim to the West Bank? That's a matter of dispute, which is why the area should properly be referred to as disputed territory, not occupied territory.

The previous owner of the land had been the Ottoman Empire, which fell in WWI, leaving the territory in the hands of the victorious Allied forces. Shortly thereafter came the Balfour Declaration, which recognized Jewish historical claims to their ancient homeland and designated the area (along with sections that are now part of Jordan) for a Jewish state.

The original effort to form a Jewish state had been backed by the League of Nations, the precursor to the United Nations. Ultimately, the UN offered the non-binding resolution 181, which partitioned the area between the Mediterranean Sea and Jordan River into two states, one Jewish and one Arab.

The Jewish residents of the land accepted the compromise and formed the State of Israel. The Arabs rejected it, and launched a war to destroy the new state. The fighting ended in 1949, and the borders held until the war in 1967.

There are a number of key points to consider:

1. The Ottoman Empire controlled the territory until 1917.
2. The area was then administered by the British Mandate until 1948.
3. UN Partition Plan (Resolution 181) was non-binding and does not have the status of international law.
4. The de facto border established in 1949, today known as the 1967 border, was never designated as a permanent border.

Therefore, any honest discussion about the legal status of the settlements has to consider the West Bank disputed territory whose status will be resolved through negotiations.

Is it fair that so many years after the establishment of the State of Israel, there are still millions of Palestinians living in refugee camps?

The situation of Palestinian refugees is indeed one of the most vexing aspects of the conflict between Israel and the Palestinians, not only because of the human rights issues involved but also because of the impact millions of people could have on the demographics of the region.

However, to understand the refugee issue, it's vital to see it in its proper historical perspective. In 1948, half a million Arab refugees fled their homes. Today, the number of Arabs who hold refugee status has ballooned to 4.7 million. While the case of tens of millions of refugees from around the world - including 850,000 Jewish refugees from Arab lands - have been resolved, the number of Palestinian refugees continues to increase.

The question is whether Arab leaders truly desire to solve the refugee crisis for the Palestinians. Most of the refugee camps are located in Arab countries, and yet those Arab governments refuse to grant citizenship to the refugees or their children.

And Arab leaders have been blunt in their opposition to allowing Arab refugees to return to areas controlled by Israel. Others talked about the demographic issue. As early as 1949, Egyptian Foreign Minister Muhammad Salah al-Din said:

It is well-known and understood that the Arabs, in demanding the return of the refugees to Palestine, mean their return as masters of the Homeland and not as slaves. With a greater clarity, they mean the liquidation of the State of Israel.

There is also the special status of Palestinians in the United Nations. While all other refugees, such as those from Bosnia or Darfur, are served by the UN High Commissioner for Refugees, Palestinians alone are served by the UN Relief Works Agency.

According to former Israeli Ambassador to the US, Danny Ayalon, the different agencies apply different criteria, helping perpetuate the refugee status of Palestinians:

For example, refugees lose their status after receiving citizenship from a recognized country; Palestinian refugees do not. Refugees cannot transmit their status from generation to generation; Palestinian refugees can. Refugees are encouraged to resettle in other countries or integrate in their host countries; UNRWA avoids such policies. The United Nations spends on a single Palestinian refugee almost 3 times more than on a non-Palestinian refugees and employs over 30 times the staff.

So as long as Arab leaders continue to see Palestinian refugees as bargaining chips in negotiations with Israel, their numbers, sadly, will continue to rise.

Doesn't Israel's stranglehold on Gaza, and its blockade of access by sea leave the Gazans with no choice but to resort to violence?

I don't think anybody is happy with the position of innocent civilians in Gaza. Any long term solution will have to include building an economy for Gaza that is independent and sustainable. We look forward to a day when Israel will be able to import goods labeled, "Made in Gaza," and when Hamas will use its resources for the benefit of the people of Gaza.

However the claim that an Israeli "blockade" of Gaza has lead Gaza's

Palestinians to violence is a fallacy. Israel withdrew from Gaza in 2005 with the true intention that a successful disengagement would lead to peace for all. Ariel Sharon, the iconic leader of Israel's right wing, made the most dramatic political move of his life by leaving Gush Katif, destroying the settlements and forcing some 9,000 Jews from their homes.

It is often overlooked that after leaving Gaza, Israel signed an Agreement on Movement and Access with the Palestinian Authority which gave the Palestinians control over their own borders for the first time in history, allowed for imports and exports. The agreement and even approved construction of a seaport and discussions over an airport.

It is also important to remember who and what Hamas really is. It's a radical group that threatens Israel, its political opponents and even its own civilians. In 2007, Hamas took over the Gaza Strip in a political coup that threw Fatah from office.

As a result of this violent coup by Islamic Jihadists, both Israel and Egypt placed restriction on its borders and imposed a legal maritime blockade. As the UN Palmer report concluded in 2011:

There is a real threat to its security from militant groups in Gaza. The naval blockade was imposed as a legitimate security measure in order to prevent weapons from entering Gaza by sea and its implementation complied with the requirements of international law.

There have been continual attempts to smuggle weapons into Gaza. Even in March 2014, Iran sent a ship with a cargo of weapons.

The word blockade also gives the impression that Gaza is hermetically sealed. But this is not true. In the first two weeks of the 2014 Gaza war, 1,154 trucks entered Gaza Strip via the Kerem Shalom crossing, carrying food, medicines and medical equipment.

Since the beginning of the operation the following amounts were provided to the Palestinians via the Kerem Shalom crossing:

4.11 million liters of diesel for the power station in Gaza Strip, including 344,000 liters for the United Nations Relief Works Agency (UNRWA)

2.64 million liters of fuel

550,000 liters of gasoline for transportation, including 1,431 tons of gas for domestic needs

Let's compare this to how Hamas spends its money. The graphic below reveals the harsh reality of Hamas's exploitation of its own people. We need to fight the injustices of Hamas for the people of Gaza.

Even if Israel has a legitimate right to defend itself against rocket attacks from Gaza, doesn't the disproportionate death toll of Palestinians, compared to the number of Israeli casualties, indicate a disproportionate response on the part of Israel?

The death of every woman or child, Palestinian or Israeli is a tragedy. War must be avoided as much as possible. But if the claim is that that Israel's response to Palestinian violence is disproportionate, what would be considered a proportionate response?

Would it be that every time Hamas targets Israeli towns, schools, or nurseries - Israel should aim at Palestinian towns, schools and nurseries? Obviously no one would advocate that.

Israel has been targeting the terror tunnels built by Hamas, arms caches, and other military targets. Israel uses its weapons to defend its people, the problem is that Hamas uses its people to defend its weapons.

And we have witnessed an unprecedented use of weapons being fired at Israel from schools, hospitals, and cemeteries in Gaza. Hamas not only launches rockets at Israel from civilian areas but also encourages residents of Gaza to remain in their houses and ignore Israel's warnings to evacuate.

By using human shields and ensuring the largest number of civilians casualties, Hamas seeks to increase political pressure on Israel. The international community simply cannot ignore the subsequent humanitarian disaster.

That's why it's absurd to compare the numbers killed on each side. It implies that if more Israelis had been killed, the war would be more proportional. If Hamas could have killed more Israeli civilians they would have. Their rockets were aimed at Israeli civilian, not military targets. Luckily Israel has developed the Iron dome, an anti-ballistic defense capability. And it has invested in a huge number of bomb shelters, including a safe room in every home. Without the

Iron Dome and the shelters, all of Israel's major cities would have sustained major casualties.

The intention of Hamas is clear and is explicitly stated in their covenant:

The Day of Judgment will not come about until Muslims fight the Jews [killing the Jews], when the Jew will hide behind stones and trees. The stones and trees will say O Muslims, O Abdulla, there is a Jew behind me, come and kill him. Only the Gharkad tree would not do that because it is one of the trees of the Jews.

How can Israel claim that it is not waging a war against the people of Gaza and that it is doing everything in its power to avoid the death of innocent civilians when so many of those civilians, particularly children, have been killed?

The death of children is a tragedy. No parent should have to bury their child. Gaza is particularly vulnerable to high death rates of children as it has a uniquely high proportion of children. Over 43% of the 1.7 million Palestinians living in Gaza are under the age of fourteen. Another 20.9% are between the ages of fifteen and twenty four.

When you realize the reality of Gaza, the use of children as human shields becomes even more cynical. Hamas has used schools in Gaza to both hide its rockets and to store them. UNWRA has expressed horror at Hamas's exploitation of its schools.

From the UNWRA webpage:

UNRWA strongly and unequivocally condemns the group or groups responsible for this flagrant violation of the inviolability of its premises under international law. Palestinian civilians in Gaza rely on UNRWA to provide humanitarian assistance and shelter. At all times, and especially during escalations of violence, the sanctity and integrity of UN installations must be respected.

Hamas must stop the use of human shields, and provide the children of Gaza with hope for the future.

At the same time, Israel seeks to minimize harm to Palestinian civilians during its military operations. The Israeli army drops leaflets warning of planned

military operations and even phones people living near potential targets to warn them. The IDF has called off airstrikes after identifying civilians gathering as human shields in the vicinity of the military objective.

It is, of course, ironic that Hamas uses children's welfare to criticize Israel. Hamas used children to help them dig numerous tunnels into Israel and Egypt, a 2012 paper written for the Journal of Palestine Studies reported.

Why does Israel believe the tunnels pose such a serious threat? More than 30 have been discovered but not one of them was used to launch a successful attack on Israel's civilian population?

Israel has successfully prevented attacks before they happened. With the capture of many Hamas fighters we know today much more than we did prior to the campaign. Had Israel had not initiated Operation Protective Edge there might have been a mega attack through these tunnels during the High holidays.

There are five types of tunnels. Hamas uses its tunnels to infiltrate Israel, hide and fire rockets, smuggle arms, store weapons, and serve as command centers.

Throughout the campaign in Gaza, Israel discovered large amounts of armaments, and uncovered plans for bigger and more frightening attacks. From the detention of Hamas fighters we now know,

Hamas had been planning a surprise attack where 200 fighters would have been dispatched through the dozens of tunnels dug by Hamas under the border from Gaza to Israel. The terror organization aimed to seize kibbutzim and other communities while killing and kidnapping Israeli civilians.

Israel was surprised by the extent of the tunnels. Many of the tunnels had avoided detection because Hamas hid the piles of sand removed from the tunnels. Thankfully Israeli acted and prevented a mega attack.

Isn't the cycle of violence that Israel and Hamas are currently caught up in evidence that one side is as much to blame as the other?

Saying that both sides are equally responsible for the violence is effectively blaming the victim. Israel is a country that has sought to protect its people against destruction and attack. Hamas places its people in peril.

Israel withdrew from Gaza and hoped for peace. Hamas made Gaza into an underground tunneled fortress to attack Israel.

Hamas kills its opponents, Israel has freedom of expression for women, gays and minorities.

There are victims of violence and perpetrators. Blaming Israel is blaming the victim. The perpetrator is Hamas a genocidal, anti-Semitic group that threatens all who oppose it.

Israel is seeking peace with its neighbors, Hamas seeks to destroy Israel and replace it with a Sunni state. If we believe in justice, liberty and peace we must make sure that Hamas doesn't threaten the chances that Gaza will have a better future.