Understanding the Israel-Hamas War: Context, Complexity, and the Truth Behind the Headlines

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Introduction

The ongoing conflict between Israel and Hamas in Gaza is one of the most polarising and emotionally charged issues in global politics. As misinformation and emotionally-driven narratives flood social media, it's vital to approach the topic with context, historical understanding, and a commitment to truth.

A New Kind of War — Fought in Public Discourse

This is one of the first major conflicts to play out so heavily on social media. Platforms like X (formerly Twitter) are flooded with videos, posts, and claims — many of them unverified or manipulated. Much of the outrage comes from younger generations who have little historical perspective and no memory of past conflicts in the region.

Those of us who remember watching reporters broadcasting from Beirut with bombs falling in the background know that war is never clean — and never simple. Today, that chaos has been replaced by a digital war of words, much of it driven by a false narrative propagated by Hamas and echoed by sympathisers who often have little idea what real war entails.

October 7: The Catalyst

On October 7, 2023, Hamas — a proscribed terrorist group — launched a brutal surprise attack on Israel. Over 1,200 civilians were murdered, women were raped, babies were butchered, and more than 200 hostages were taken. The attack was proudly documented and claimed by Hamas itself.

This was not a border skirmish. It was a calculated act of mass terror — and it marked the beginning of the current war.

A Long History of Terror

The roots of the Israeli-Palestinian conflict stretch back decades — even centuries. Both Jews and Arabs have historical and religious ties to the land. For Jews, the region represents their ancient homeland, with continuous presence and cultural heritage going back millennia. For Palestinians, it is the land of their ancestors, many of whom lived there for generations prior to the founding of the State of Israel.

The 20th century saw a series of events that fuelled tension, including the Balfour Declaration, the British Mandate, the Holocaust, and ultimately the United Nations Partition Plan of 1947, which proposed a two-state solution. The Arab rejection of this plan and the subsequent wars laid the groundwork for decades of hostility.

However, as legal scholar Natasha Hausdorff has often emphasised, the key point today is not ancient history — but the most recent and binding agreements under international law. Israel was recognised as a sovereign state in 1948, and has been defending its borders and citizens from terrorist threats ever since. The legitimacy of the State of Israel is a matter of international law — not opinion.

Hausdorff is not alone. International law experts like Professor Geoffrey Corn, a former U.S. Army military lawyer, and Michael Schmitt, professor of public international law at the University of Reading, have similarly argued that Israel's military responses must be judged within the legal framework of proportionality and distinction — not emotional rhetoric. Both stress that the laws of armed conflict recognise the complexities of fighting enemies embedded in civilian areas and place the legal and moral burden on those who deliberately endanger civilians by using them as shields.

Colonel Richard Kemp, former commander of British forces in Afghanistan, has also defended the legality and morality of Israel's conduct, highlighting the unprecedented steps taken to warn civilians before strikes — including phone calls, leaflet drops, and roof-knocking techniques — which go far beyond what most Western forces have done in similar situations.

The Gaza Withdrawal of 2005

Contrary to what some believe, Israel does not occupy Gaza. In 2005, Israel *unilaterally* withdrew from the Strip, removing every single Israeli citizen — including the dead — in the hope of peace.

What followed was not peace, but escalation. Hamas took over, and Gaza became a launchpad for rockets and terror. Rather than build a peaceful state, Hamas dug tunnels, stockpiled weapons, and planned attacks.

When claims of "occupation" are made today, they are often referring not to Gaza, but to the West Bank — particularly Areas A and B. These areas are under the administrative control of the Palestinian Authority. While Israel retains a security presence in some areas to prevent terrorism, the notion that the entire Palestinian population is under Israeli occupation is a distortion of current governance structures. This important nuance is often lost in media narratives.

Hamas's Use of Human Shields

Hamas deliberately operates from civilian areas — including schools, hospitals, and refugee camps. This is not speculation; it's a documented and repeated violation of international law.

By embedding military infrastructure among civilians, Hamas not only commits war crimes, it also increases the likelihood that any Israeli response will cause tragic collateral damage — and then uses that outcome as propaganda. Critics often claim there are "other ways" to respond. Yet few offer realistic alternatives when faced with a terrorist group deeply embedded within civilian populations. Until such alternatives are credibly outlined, Israel's actions must be judged in the real-world context of asymmetric warfare, not abstract hypotheticals.

Combatant-to-Civilian Ratio

Despite the devastation, military and legal scholars like Natasha Hausdorff point out that the overall combatant-to-civilian casualty ratio in this conflict is notably low compared to other modern wars. In fact, some estimates suggest a near 1:1 ratio — an extraordinary figure given the nature of urban combat and Hamas's

strategy of using human shields.

This assessment is backed by analysts like John Spencer, chair of Urban Warfare Studies at West Point's Modern War Institute, who noted that Israel's civilian harm mitigation efforts are more advanced than those of any army he has studied. Similarly, legal scholars like Emanuele Castano and Matthew Waxman have highlighted that the international media often fails to appreciate the tactical difficulty and legal scrutiny placed on democracies fighting irregular forces.

This stands in stark contrast to conflicts like Iraq or Syria, where civilian casualties have vastly outnumbered combatants. While tragic, the level of restraint shown in high-intensity urban combat is notable — and rarely acknowledged by critics.

Why the Accusations of Genocide Fall Short

The term **"genocide"** carries immense emotional weight — and rightly so. But its increasing use in reference to Israel's actions in Gaza demands closer scrutiny, particularly in light of legal definitions and the facts on the ground.

The ICJ's Provisional Ruling — A Misunderstood Moment

The current narrative shift began when **South Africa brought a case before the International Court of Justice (ICJ)** in January 2024, accusing Israel of violating the **Genocide Convention**. However, contrary to popular interpretation, the ICJ did **not** conclude that genocide is taking place. Instead, it issued a **provisional ruling** — a procedural step, not a verdict.

The Court stated only that:

> *"…some of the acts alleged by South Africa are capable of falling within the provisions of the Genocide Convention,"*
> *and therefore Israel must* ***take measures to prevent genocidal acts.***

This ruling was widely misrepresented. **Legal caution was spun into certainty.**

A speculative warning — rooted in the ICJ's obligation to protect potential victims before judgment — was distorted into a headline: *"Israel is committing genocide."*

Political Origins and Legal Ambiguity

It's also important to consider **who brought the case**. South Africa's government has long aligned itself with anti-Israel blocs internationally and has expressed clear political bias in its foreign policy positions. Their framing of the case was as much **ideological** as it was **legal**, and this coloured the entire discourse.

By exploiting the ICJ's procedural neutrality, activists and media outlets took advantage of the moment to **insert the term "genocide" into mainstream discussion**, even though:

- The Court has not made any final finding of genocidal intent;
- No evidence has yet met the legal threshold required for such a conclusion;
- Israel continues to assert that its military actions target Hamas — a non-state terrorist group — not any ethnic or religious population.

The Risk of Diluting a Powerful Term

The legal definition of genocide is precise: it requires **specific intent to destroy, in whole or in part, a national, ethnical, racial, or religious group**. That intent — the defining feature of genocide — is precisely what is lacking in the case against Israel.

To apply the term casually, or politically, **diminishes its power**. We must be able to distinguish between the tragic consequences of war and the horrors of deliberate extermination — such as the **Holocaust**, **Rwanda**, or **Srebrenica**. Conflating them helps no one — and risks turning *genocide* into a catch-all term for *any civilian deaths in conflict*, which it is not.

Reference: Definition of Genocide (UN Genocide Convention, 1948)
According to Article II of the **Convention on the Prevention and Punishment of the Crime of Genocide**, genocide means:
"Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:
(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group to another group."
 Key legal threshold: *Intent to destroy* the group — not simply harm, collateral damage, or even recklessness.
 Civilian deaths, while deeply tragic, do not constitute genocide unless this specific, targeted intent is clearly proven.

The Role of Western Naivety and Political Virtue-Signalling

Calls by some MPs to create a visa scheme for Gazans, akin to Ukraine, ignore the total absence of a secure vetting process. Hamas was democratically elected in Gaza and continues to enjoy support from sections of the population.

Without robust checks, such proposals risk importing antisemitism and extremism directly into Western nations.

The Proscription of Palestine Action: Activism or Treason?

In July 2024, the UK Government officially **proscribed Palestine Action as a terrorist organisation** under the Terrorism Act 2000, following a string of disruptive and destructive activities — the most serious being the **sabotage of a military transport aircraft at RAF Brize Norton**, causing an estimated **£7 million in damage**. This act temporarily disabled a vital defence asset used for operational deployments, medical evacuations, and humanitarian logistics.

While some continue to defend Palestine Action as a protest group, their **deliberate targeting of national defence infrastructure** steps far beyond the boundaries of legitimate protest.

 In **wartime**, such an act would be considered a **direct attack on the State** — functionally, an act of war on behalf of an enemy.

 In **peacetime**, it constitutes a **terrorist offence**, endangering national security and undermining the UK's sovereign right to defend itself.

It could also be argued that this crosses into the territory of **Treason**, under the **Treason Act 1351**, which remains in force to this day. The act criminalises behaviour "*adhering to the King's enemies, giving them aid and comfort in the realm or elsewhere*." While prosecutions under this law are rare, the **principle still applies**: wilfully degrading the UK's defence capability to the benefit of hostile actors like Hamas — a proscribed terrorist group — may amount to exactly that.

As the conflict in the Middle East continues, **actions carried out in the name of "solidarity" must be scrutinised with a clear legal lens**, not an emotional or ideological one. We must uphold the distinction between **free expression** and **material support for terrorism**.

Conclusion

This is a war. A tragic, horrifying war — but a war nonetheless. Israel did not start it, but it has every right — and indeed a responsibility — to end it by removing the threat posed by Hamas.

Emotional outrage is understandable. But if we want peace, we must start with truth.

Sources & Further Reading:

- Jewish Virtual Library: Comprehensive List of Terror Attacks
- UN Definition of Genocide

- Hausdorff, Natasha – Legal Commentary on Israel-Hamas Conflict (YouTube, Legal Conferences)
- Corn, Geoffrey – Military Legal Analysis of IDF Conduct (Articles & Commentary)
- Spencer, John – Urban Warfare and Civilian Mitigation Analysis (Modern War Institute)
- Kemp, Richard – Public Commentary on Israel's Military Ethics (Interviews and Op-Eds)
- Schmitt, Michael – Legal Perspective on Laws of Armed Conflict (Academic Publications)

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