SOUTH AFRICAN MEDICAL JOURNAL – FIRST PUBLISHED JANUARY 1884

March 2009, Vol. 99, No. 3 SAMJ

A jaw for a tooth – the human rights cost of the Gaza invasion

'Operation Cast Lead', Israel's 'shock and awe' military offensive into Gaza in December 2008, must have seemed like hell on earth for the 1.5 million inhabitants of that wretched, densely populated and poverty-stricken scrap of territory. Trapped in what is in essence a fenced-in enclave with all exits sealed off by both Israel and Egypt, the people of Gaza became sitting ducks with no place to hide from the seismic aerial bombardment and relentless artillery fire from the ground.

The ferocity of the bombing defies the imagination. Altogether, according to Jimmy Carter in a recent interview with Larry King, over 22 000 buildings including homes, hospitals, broadcast houses and power stations, were destroyed in a space of 3 weeks. By the UN's reckoning, 1 380 Palestinians were killed, about a third of them women and children, and 5 380 injured. Those who died included health care workers, rescuers and ambulance staff. The Israeli army lost 13 soldiers, four of them to friendly fire.

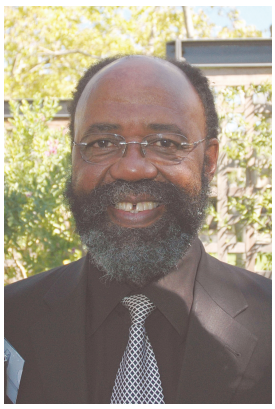
The world reacted with a torrent of indignation to what was seen as viciousness and vindictiveness of the military action. In one of many instances of alleged brutality prompting the International Committee of the Red Cross to lodge a formal complaint, the Israeli army is said to have herded a Palestinian family into a building which it then shelled, killing 30 people. 'The surviving children clung to the bodies of their dead mothers for four days while the army blocked rescuers from reaching the wounded.' That the Israeli army systematically hindered the evacuation of severely injured Gazans and frequently shot at rescuers and ambulances has been documented by aid and human rights organisations, including Israel's own Physicians for Human Rights (PHR-I). Commenting on one incident that 'appears to have all the elements of war crimes', Navi Pillay, UN high commissioner for human rights, has called for 'credible, independent and transparent' investigations into possible human rights violations by the Israeli military. So has the PHR-I.

Hamas also conducted a low-level terror campaign of its own. According to the Palestinian Center for Human Rights, Hamas killed and maimed some Fatah members and, as a Hamas operative boasted, 'tracked (down) collaborators and hit them hard' with arrests, maimings and executions. Amnesty International has accused Hamas gunmen of using civilians as human shields in contravention of international law. It is common cause that Hamas rockets are routinely fired from within Palestinian civilian populated areas, and targeted at Israeli communities with the intention deliberately to cause civilian death and destruction. This is clearly unacceptable.

Why is all this happening? Put this question to a protagonist from either side of the conflict, and you are likely to get a long and emotional history lesson. But as we stated in this column on this subject in April of 2003, that history is convoluted and politically complex. 'At heart,' avers the *Economist* of 10 January 2009, 'this is a struggle of two peoples for the same patch of land. It is not the sort of dispute in which enemies push back and forth across a line until they grow tired. It is much less tractable than that, because it is also about the periodic claim of each side that the other is not a people at all – at least not a people deserving of sovereign statehood in the Middle East.' The conflict has raged for 100 years and seen 7 wars punctuated by bombs, raids, uprisings and atrocities.

That said, Operation Cast Lead was an unequal contest characterised by an extreme asymmetry of power between the invader and the invaded, with Israel's apparent indiscriminate use of that power extending well beyond the biblical injunction on proportionality: 'an eye for an eye, a tooth for a tooth'. Protest against human rights abuses in Gaza has mainly come from the larger world. However, within Israel itself a small but robust voice, consisting of a coalition of nine human rights organisations including B'Tselem and PHR-I, has served as the national conscience. The group issued daily bulletins on human rights infractions during the campaign, and kept up the pressure on the military and political establishments. Amira Hass, daughter of Holocaust survivors and a correspondent for the daily newspaper *Haaretz*, who has had run-ins with both Hamas and the Israeli authorities for her human rights activism, bravely kept up her advocacy in her daily columns.

This voice – particularly the PHR-I, founded in 1988 with the goal of 'struggling for human rights, in particular the right to health in Israel and the Occupied Territories' – deserves the support and encouragement of the of the global medical fraternity, premised not on the question of Israel's right to exist and to defend itself – this is axiomatic – but rather on the corresponding right to life of the people of Gaza.



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