

Israel's War against Hamas and the Problem of Collective Punishment

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Sooner or later, Israel had to take defensive action to defend the lives of its citizen. If Mexico launched rockets into Texas, or Canada fired missiles into Michigan, we would all expect and demand that the United States government take decisive action to stop such attacks on the American population. Israel was provoked and had the right to respond.

The Torah is opposed to collective punishment. This is one reason why I strongly disagree with the hawks in the American Jewish community who have no sympathy for Palestinian suffering or the loss of innocent Palestinian life. They say that collective punishment is unavoidable in times of war. This is probably true and it underscores the point that there is no military solution to the conflict between Israel and the Palestinians. Both sides engage in collective punishment. If both sides want to stop the collective punishment of their own peoples, they must be willing to compromise.

Sooner or later, Israel had to take defensive action to defend the lives of its citizens. On December 19, Hamas unilaterally terminated a six-month ceasefire that Israel had been willing to extend. Since then, the population of southern Israel has come under an increasing barrage of rocket fire from Hamas-controlled Gaza. Between December 19 and December 27, Hamas and other militant groups fired almost 300 rockets into Israel, including 80 on one day. Moreover, these increasingly more sophisticated rockets are now able to land in Israeli cities that were previously out of range.

As Rabbi Michael Lerner appropriately points out, "No country in the world is going to ignore the provocation of rockets being launched from neighboring territory day after day." If Mexico launched rockets into Texas, or if Canada fired missiles into Michigan, we would all expect and demand that the United States government take decisive action to stop such attacks on the American population. Israel was provoked and had a right to respond.

To Israel's credit, the Israel Defense Force, just like the US armed forces, make every effort to minimize the loss of civilian life. Israel's defense minister, Ehud Barak, recently reiterated this commitment. Nevertheless, the death so far of 400 Palestinians, including many innocent women and children, is deeply upsetting. The TV images of dead children, crying women, and men buried in rubble, are deeply disturbing.

Many of Israel's critics say that Israel is once again engaged in the immoral practice of collective punishment and that its response to Hamas' provocations constitutes a disproportionate use of force.

We must address these moral considerations.

The issue of proportionality concerns the small number of Israelis who have been killed by Palestinian rocket fire vs. the many Palestinians who have been killed by Israeli aerial bombardments. I believe this is a false comparison. First of all, the purpose of Palestinian suicide bombers is to kill as many Israeli civilians as possible.

Secondly, just last week, a rocket fired by Palestinian militants landed on an elementary school in Beersheva. If the school had not been evacuated, more than 40 Israeli children would have been killed. Hamas does not care more about saving innocent life than Israel does. It just does not have the same capacity. If Hamas had the ability to inflict more death upon Israeli citizens it would do so, and without remorse. In this case the charge of disproportionality would become moot. Thankfully, Hamas does not possess such capacity.

But what about the moral issue of collective punishment? Is it morally right to take actions that will lead to the death of innocent civilians? The Torah actually addresses this issue. When God decides to destroy Sodom and Gemorrah, Abraham challenges God's decision. Abraham argues that it is not just for God to punish both the wicked and the innocent. God accepts Abraham's challenge and agrees not to destroy Sodom and Gemorrah as long as there is a minimum of ten innocent people living there. So the Torah opposes collective punishment.

This is one reason why I strongly disagree with the hawks in the American Jewish community who have no sympathy whatsoever for Palestinian suffering and the loss of innocent Palestinian life. They say that collective punishment is unavoidable in times of war. This is probably true. But what it does is to underscore the point that there is no military solution to the conflict between Israel and the Palestinians. Both sides engage in collective punishment. If both sides want to stop the collective punishment of their own peoples, then they must be willing to compromise.

As American Jews, should we support or not support Israel's military operation against Hamas? What do we want?

Here is what I believe our position should be: Having struck a decisive blow against Hamas, Israel has gained enough. Israel should hold its fire and refrain from a ground assault that would certainly lead to the death of more innocent Palestinians. Rather than risk the loss of American and international support, I think that Israel should now offer a temporary ceasefire and propose international intermediaries to mediate not just another ceasefire but an improved and long-term armistice.

In the terms of this new armistice, Hamas will agree to permanently stop all rocket attacks on Israel. In exchange, Israel will permanently end its economic blockade of Gaza and open its borders to allow Palestinians free access to food and water, gas and electricity. In addition, Hamas will release Corporal Gilad Shalit, held captive by Hamas since 2007. In exchange, Israel will release Palestinians imprisoned in Israeli jails, especially women and teenagers.

If Israel and Hamas would agree to these two conditions, Hamas would have no reason to fire rockets into Israel and Israel would have no reason to continue its economic blockade of Gaza. Such a compromise could then bring about an end to the collective punishment of both Palestinian and Israeli civilians which is such an anathema to us all.