

RESPONDING TO HAMAS' OCTOBER 7, 2023 ATTACK ON ISRAEL¹

When Hamas launched its invasion of Israel from Gaza on October 7, 2023, it was a day of doom as the inhabitants of southern Israel, including women and infants, trembled under thick darkness and gloom as terrorists streamed across the border in pickup trucks, on motorcycles, on foot, and even on paragliders. Once inside Israel, they abducted, murdered, beheaded, and burned people alive in the deadliest attack against Jews since the Holocaust.

While some compare Israel's 10/7 with the United States' 9/11, there is a marked difference in that the devastation of 10/7 was followed the next day by a different kind of catastrophe: "A moral and spiritual catastrophe ... was on full display throughout the West before the bodies" of victims—men, women, children, and infants who had been beaten, murdered, and savagely tortured—had been identified.

What was different about 10/7 was that people streamed into the streets of the world's capital cities to <u>celebrate the slaughter</u>. "In Sydney, crowds gathered at the Sydney Opera House cheering 'gas the Jews.' Rejoicing invaded the streets of Berlin, London, Toronto, New York, and Washington D.C. Celebratory events included BLM Chicago using the paraglider—a symbol of mass death—as a symbol of freedom."

Harvard University created safe space for pro-Hamas students, while ignoring photographs showing the spines of a mother and daughter fused together after being burned alive and other photographs showing Israelis machine-gunned to death and others, now dead, dragged back to Gaza to be paraded, beaten, and mutilated. The West's ongoing celebration of the slaughter of 10/7 is a symptom of a much deeper crisis of allowing educated globalist elites driven by wokeness to respond to acts of savagery not with a defense of civilization, but with a defense of barbarism.

While Western indifference toward Israel is a markedly new phenomenon, and while Hamas often declines to take responsibility for its work, readers should note that consistent with its charter, Hamas has spread terror in Israel and Palestine for generations.

HAMAS, THE ARCHITECT OF ETERNAL JIHAD AGAINST ISRAEL

Consider the following claim: "Our battle with the Jews is long and dangerous, requiring all dedicated efforts. It is a phase which must be followed by succeeding phases, a battalion which must be supported by battalion after battalion of the divided Arab and Islamic world until the enemy is overcome, and the victory of Allah descends."

—Hamas Charter, Preamble

¹Please note that some of the information contained herein reflects excerpts from ACLJ Chief Counsel Jay Sekulow's book, THE RISE OF ISIS: A THREAT WE CANNOT IGNORE (2014).

Consistent with its charter, Hamas has launched hundreds of attacks on Israel. These attacks have included suicide bombs and rocket attacks. For example, an attack on a pizza restaurant on August 9, 2001, killed 15 people—including seven children and one pregnant woman—and wounded 130 more, some with horrific injuries. Initially, Hamas denied responsibility, incredibly blaming Israel for murdering its own children. But it later praised the bomber, honoring him as a man who "gave the Zionists a taste of humiliation." In its so-called Second Intifada, Hamas carried out suicide bombing after suicide bombing, invariably targeting Israeli civilians— killing as many as it could, as often as it could. Its crimes are easy enough to chronicle, but who is Hamas? Why is it so relentless in its quest to kill Jews? A bit of history is necessary.

1. First, it is notable that the Israel-Palestine conflict represents a centuries-old struggle over a piece of tiny land about the size of New Jersey. As the Indian Express newspaper observes, modern Israel issues forth from Biblical times, Ottoman Rule, British Occupation, and Arab-Israeli wars. The modern State of Israel commenced with both the United Nations' (U.N.) mandate in 1947 and the Allied Supreme Council's draft decision of April 24, 1920. The nation of Israel existed for thousands of years before Prophet Muhammad created the religion of Islam. Consistent with this history, King David of Israel and Judah reigned in Jerusalem nearly 3,000 years ago. Indeed, the Supreme Muslim Council concedes that the now-contested Temple Mount's identity with the site of Solomon's Temple is beyond dispute, dating back as many as 3,000 years. The evidence shows that the Jewish people are tied Biblically, historically, and through various international law documents to the land now known as Palestine. Based on such evidence, Jews have been called Palestinians. The word Palestine derives from ancient Greek (Philistia). Equally true, ancient Egyptian, Assyrian, and Hebrew languages include similar-sounding words to describe the region or its people. After the 1918 fall of the Ottoman Empire during World War I, Palestine was a term that referred to the region between the Mediterranean Sea and the Jordan River. Today, much of what is known as Palestine is now part of present-day Israel. Historically, both Jews and Arabs were seen as ethnic groups who lived in Palestine.

Outside of the Nation-State of Israel, two principal Palestinian groups representing the Arabs of Palestine exist. They include Fatah, the political arm of the Palestine Liberation Organization (PLO), and Hamas, the Islamic Resistance Movement, an offshoot of the Muslim Brotherhood. As of the last free Palestinian presidential election, Fatah's candidate for president, Mahmoud Abbas, was elected president of the Palestinian Authority, while Hamas candidates won a majority of the legislative seats in the 2006 parliamentary election.

As a result, for several years, Fatah and Hamas have been competitors whose respective

followers have attacked each other. In fact, in 2007, Hamas assumed total control in the Gaza Strip and has held total power there ever since. Moreover, while Fatah has publicly renounced resorting to violence in pursuit of an agreement with Israel, Hamas has refused to do so. In fact, the Hamas Charter declares violence to be a legitimate means to use against Israel.

Operationally, Hamas "is one of the wings of the Muslim Brotherhood." It was established on the eve of the intifada (also known as the "First Intifada") in December 1987 by Sheikh Ahmed Yassin and Mahmoud Zahar with one specific purpose—to eliminate Israel and return all of Palestine to Islamic control. They sought to raise "the banner of Allah over every inch of Palestine." Sheikh Yassin, a Muslim Brotherhood activist in Cairo, was a spiritual leader who founded the Islamic Center (al-Mujamma' al-Islami) in 1973 "to coordinate the Brotherhood's political activities in Gaza." In December 1987, Yassin founded Hamas "as the Brotherhood's local political arm." Shortly after its founding, the group published its covenant (also called the Hamas Charter) in 1988, stating its purpose in chilling detail.

The Hamas Charter opens with verses from the Quran, proclaiming the superiority of Islam, with Hamas' stated motto in Articles 5 and 8: "Allah is its goal, the Prophet its model to be followed, the Koran its constitution, Jihad its way, and death for the sake of Allah its loftiest desire." The charter proclaims: "Israel will exist, and will continue to exist, until Islam abolishes it." The entire Hamas Charter, from its preamble to the last article, pursues only one purpose: the violent elimination of Israel.

The charter proclaims that, "Palestine is an Islamic land. In it is the first of the two qiblas [directions of prayer] and the third most holy mosque, after the mosques of Mecca and Medina. It is the destination of the Prophet's nocturnal journey." Further, consistent with Sharia law, the Hamas Charter states that

[T]he land of Palestine is Waqf land given as endowment for all generations of Muslims until the Day of Resurrection. One should not neglect it or [even] a part of it, nor should one relinquish it or [even] a part of it. . . . This is the legal status of the land of Palestine according to Islamic law. In this respect, it is like any other land that the Muslims have conquered by force, because the Muslims consecrated it at the time of the conquest as a religious endowment for all generations of Muslims until the Day of Resurrection. . . . This Waqf will exist as long as the heaven and earth exist. Any measure which does not conform to this Islamic law regarding Palestine is null and void.

The Hamas Charter calls the existence of the State of Israel on the land that was formerly held by Muslims a "Zionist invasion." It therefore pledges to wage "jihad in the face of the oppressors, in order to deliver the land and the believers from their filth, impurity,

and evil" in order to "[return the homeland to its rightful owner] and "to raise the banner of Allah over every inch of Palestine" no matter how long it takes.

Hamas does not want "peace" with Israel, and it will not negotiate a permanent peace agreement with Israel. Instead, it will only agree to intermittent "truces" when its military capabilities have been so degraded that it needs time to recuperate and rearm.

The Hamas Charter states that "so-called peace solutions" and "conferences are nothing but a way to give the infidels power of arbitration over Muslim land." The charter declares that "[t]here is no solution to the Palestinian problem except by jihad." As reflected in its charter and actions, jihad here does not mean spiritual struggle. In the preamble, Hamas commits to "join [] arms with all those who wage jihad for the liberation of Palestine." It states, "our fight with the Jews is very extensive and very grave, and it requires all the sincere efforts. . . . [B]rigades upon brigades from this vast Islamic world [must be reinforced], until the enemies are defeated, and Allah's victory is revealed." Section 170 of the Hamas Charter declares that "neglect[ing] any part of Palestine [means] neglect[ing] part of the Islamic faith."

From its inception, Hamas has relentlessly waged jihad and attacked Israel in accordance with its stated purpose and Islamic teachings. Through its military wing, the Izz al-Din al-Qassam Brigades, Hamas has conducted numerous suicide bombings, rocket attacks, and shootings against Israeli targets.

Western entities, including the United States, the European Union, and Canada, have declared Hamas to be a terrorist organization. The United States officially designated Hamas as a Foreign Terrorist Organization on October 8, 1997. On December 21, 2001, the European Union adopted a measure to combat terrorism that listed Hamas' military wing, Izz al-Din al-Qassam, among its recognized terrorist groups. In 2003, the European Union designated Hamas' political wing as a terrorist group.

2. Hamas' current power base is centered in the Gaza Strip, which borders the Mediterranean Sea, between Egypt and Israel. This area is slightly more than twice the size of Washington, D.C. As the Encyclopedia Britannica observes, after control by the Ottoman Empire ended during World War I (1914–18), the Gaza area became part of the League of Nations mandate of Palestine under British rule. In November 1947, the General Assembly of the United Nations accepted a plan for the Arab-Jewish partition of Palestine under which the town of Gaza and an area of surrounding territory were to be allotted to the Arabs.

In contrast with Hamas, Fatah is a secular group that was founded by Yasser Arafat and a small group of Palestinian nationalists in the late 1950s. Today, Fatah and its offshoots including the PLO, control the West Bank. The West Bank is an <u>"area of the former</u>

British-mandated (1920–47) territory of Palestine west of the Jordan River, claimed from 1949 to 1988 as part of the Hashemite Kingdom of Jordan but occupied from 1967 by Israel. The territory, excluding East Jerusalem, is also known within Israel by its Biblical names, Judaea and Samaria." The PLO's existence and purpose were a secular/political version of Hamas' quest to destroy Israel. The PLO is based on the ideas that "the Palestinian Arab people possess the legal right to their homeland" and that "armed struggle is the only way to liberate Palestine." In 1969, Arafat became chairman of the PLO's executive committee, an event that transformed Fatah from "a resistance group [in]to a legitimate political party and the largest faction within the PLO."

For decades, the PLO led the Palestinian fight to "liberate" Palestine from the "Zionist invasion" (in plain English, it meant the PLO was trying to destroy Israel entirely, not coexist with a Jewish state). Yet, once it determined that the military option was failing (after decades of war), the PLO in 1993 recognized Israel's right to exist in pursuit of a two-state solution with Israel. On the other hand, Hamas has refused to follow the PLO in recognizing Israel. Instead, Hamas has vowed to continue the "resistance." Simultaneously, Hamas has chastened the PLO in its charter:

Owing to the circumstances that surrounded the establishment of the PLO . . . the PLO has adopted the idea of the secular state. . . . Secularist ideology stands in total contradiction to the religious ideology, and it is ideas which are the basis of positions, behavior, and decisions. [On the other hand, Hamas] . . . cannot give up the Islamic identity of Palestine in the present and in the future to adopt the secularist ideology—for the Islamic identity of Palestine is part of our faith, and whoever is lax with his faith is lost.

Despite this history of conflict, Fatah and Hamas in recent years have engaged in periodic efforts to form a unified Palestinian government. Their hope was that political unity would benefit both parties and possibly result in the fringe benefit of having Egypt open its border for the passage of fuel and other necessities into Gaza. But these reconciliation efforts have had absolutely no effect on Hamas' conduct. In fact, since the latest round of "unity" talks and unity agreements, Hamas has stepped up attacks against Israel.

HAMAS, ISRAEL'S MOST RELENTLESS ENEMY

Since Hamas was established in December 1987, it has opposed any political compromise with Israel and has continued to attack Israel with suicide bombings and rockets. In fact, there has not been a year since its founding that Hamas has been at peace with Israel. Hamas typically attacks Israel through its military wing, the Izz al-Din al-Qassam Brigades. Their attacks against Israelis in Gaza continued steadily until 2005. That is when Israel pulled out of the Gaza Strip as part of an effort to create a "two-state" solution to

the Israeli-Palestinian conflict in the absence of a permanent peace agreement.

After Hamas took over Gaza in 2006, the Brigades "transformed from an underground guerilla organization into a uniformed military force designed to protect Gaza from outside attack." In 2009, the International Crisis Group estimated the Brigades had between 7,000 and 10,000 full-time members, with more than 20,000 members in reserve. However, rather than protect Gaza from outside attack, Hamas' main military tactic since taking over Gaza "has been an increased firing of rockets and mortars from the territory" into Israel.

It is estimated that Hamas killed more than 400 Israelis between 1993 and 2010. Although such attacks have been separated by periods of temporary calm, Palestinian terrorist groups have persisted in launching rockets into Israel, often in spite of cease-fire agreements. Israel has recognized that groups other than Hamas have participated in the attacks, but Israeli prime minister Benjamin Netanyahu has stated that, because Hamas exercises full control of Gaza, "Israel holds Hamas responsible for all the attacks launched on [Israel]."

The worst of Hamas' attacks include the following:

- Rocket barrages: The IDF claims that terrorists in the Gaza Strip (including, but not limited to, Hamas) have fired more than "8,000 rockets into Israel, killing 44 Israelis and injuring more than 1,600" from 2005 to 2011.
- Suicide bombings: During a nine-day span in February and March 1996, Hamas carried out four separate suicide bombings that killed 61 Israeli citizens and injured 234 others.
- Mass-casualty suicide attacks: One of the deadliest attacks was on March 27, 2002, when a suicide bomber entered the dining room of the Park Hotel in Natanya, Israel, and detonated his explosives amid 227 guests who were eating their Seder meal. The Passover attack killed 30 Israelis and left 143 wounded.
- Coordinated suicide attacks: In 2003, Hamas suicide bombers attacked three separate buses, killing 56 and wounding more than 240, many of them students and children.
- Hamas is a savage terrorist organization, restrained from mass murder—until October 7, 2023—only by the power of the Israel Defense Forces. Nonetheless, despite its unquestioned terrorist identity, Hamas seeks and often obtains recognition and funding from the Western powers.

HAMAS CREATES A UNITY GOVERNMENT WITH FATAH, THEN LAUNCHES WAR

In June 2014, Hamas and Fatah announced they were forming a unity government.

This meant the secular Fatah would join with the jihadist Hamas to govern the Palestinian territories together under the banner of the Palestinian Authority. The Obama Administration, within days of this announcement, pledged that the United States would continue to provide hundreds of millions of American taxpayer dollars in aid to this new terrorist government. Notwithstanding this assistance, in June 2015, the unity government collapsed. Palestinian Authority president Mahmoud Abbas blamed this collapse on the fact that the unity government could not operate in Gaza, where Hamas is in firm control.

What is clear, however, is the short-lived creation of a new unity government did not moderate Hamas' commitment to terror. Inevitably, this commitment to terror led to the savage attacks on October 7, 2023, consistent with Hamas' claim that "the occupier will never have security."

Given this backdrop, it appears clear that Israel simply cannot negotiate with Palestinian officials who refuse to accept Israel's right to exist and who continue to support or mount attacks on Israel.

In the final analysis, until Hamas and its terrorist allies are defeated, there will be no peace with Israel. Instead, terrorist attacks directed against Israeli civilians—attacks that violate the international law of war and constitute war crimes—will continue. The Palestinian people will remain pawns in the hands of vicious terrorists.

The only thing that separates the Jews of Israel from the fate of the Christians, Yazidis, and other religious minorities in Iraq and Syria during the period from 2013-2015 is the might of the Israel Defense Forces. Faced with murderous terrorists, Israelis are able to respond with F-16s, Merkava tanks, and one of the best-trained armies in the world. In Iraq, by contrast, Christians were defenseless; Yazidis were helpless.

If self-defense is all that separates Israel from defeat and genocide and if self-defense is all that prevents jihadists from killing American allies and striking America again and again, then the U.N. and our Western allies should support Israel and America.

But they often do not. Western European governments, in cooperation with the U.N. and the international Left, systematically seek to prevent Israel from defending itself and use legal arguments that would also apply to American soldiers.

And this brings us to the next troubling phase of our battle against ISIS-inspired jihad: our battle to save Israel, America, and Christians in the Middle East from destruction and death—the legal battle to preserve America's and Israel's right to protect themselves.

But establishing Israel's legal right to exist and defend itself in a challenging interna-

tional arena remains a difficult task for several reasons. First, as the events of October 8, 2023, show, Western activists have fled responsibility. They have failed to separate themselves—openly and decisively—from programs, regimes, and conduct that are predicated on violence and repression. Instead, social justice leaders and followers who, in the past, have routinely claimed that words are violence, now claim that violence, including the terror of October 7, 2023, committed by Hamas, is an actual necessity. They claim that rape is resistance on the road to liberation. Now more than ever, Israel and its supporters must face the reality that leaders of the international community—like more and more university students—have accepted the conclusion that Israel is the one country in the world that has no right to defend itself against Hamas or other terrorists.

Recently, Francesca Albanese, the <u>U.N. special rapporteur to the occupied Palestinian</u> territory, claimed that Israel does not have a right to self-defense against Hamas under international law and then accused Israel of committing "war crimes." She made these comments during an address to the National Press Club of Australia, asserting that Israel lacked the right of self-defense under international law because the Jewish nation-state is not under threat from another state.

More precisely, she argues that "Israel cannot claim the right of self-defense against a threat that emanates from a territory it occupies, from a territory that is under belligerent occupation." Albanese maintains this idiotic claim even though Israel achieved control of Gaza after capturing it as a result of the Six-Day War of 1967. To put it squarely in facts and numbers: "Israel (legitimately) gained a total of 26,178 square miles of territory in the defensive war of 1967. To date, it has ceded sovereignty over approximately 23,871 square miles or 87% of that territory. At various times in recent history (including deals proposed in 2000, 2008 and 2014), Israel has offered up to 99.3% of the remaining disputed territory in exchange for peace. Each time the Palestinians refused." Real solidarity with the Palestinian cause and any real hope for change must include being honest about the history of failed Palestinian leadership and must involve acknowledging the real-world consequences of decisions made that still affect the Middle East today. Because Albanese seems unwilling to examine the true picture, she ignores the fact that Israel, under the leadership of Ariel Sharon, gave up control of Gaza in 2005.

Moreover, it is important to note that Hamas' openly genocidal agenda calls for war against and the elimination of not only Israel but the entire Jewish people globally. Separate and apart from its call for the elimination of the Jewish state, the Hamas Charter also includes the following chilling paragraph quoting a hadith:

The Day of Judgement will not come about until Moslems fight the Jews (killing the Jews), when the Jew will hide behind stones and trees. The stones and trees will say O Moslems, O Abdulla, there is a Jew behind me, come and kill him. Only the Gharkad tree, (evidently a certain kind of tree) would not do that because it is one of the trees of the Jews." (related by al-Bukhari and Moslem).

Nevertheless, U.N. official Francesca Albanese continues to offer ill-informed and legally indefensible claims, which represent the opinion of elites throughout the West.

Consequently, Israel faces a two-front battle. First, Israel must confront the terror unleashed by Hamas on October 7, 2023. Second, it must confront the legally and morally indefensible claims launched by apologists for Hamas and those who seek to institute Holocaust 2.0. More likely than not, the second fight will be far longer than the first.

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