

Gaza: “It’s not Really Violence, It’s a Massacre”

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Some people have suggested that instead of writing up my analyses I use video in order to convey what I think is going on in the current Israeli massacre in Gaza. And so this will be my first attempt, and we’ll see how successful it is. I’ll try each time I go on the web to focus on one particular issue, and today I would like to look at the proposals that Secretary of State Kerry has been putting forth, the various proposals for ending the current round of violence. (It’s not really violence, it’s a massacre.)

There have been many versions of this Kerry proposal that are circulating on the web, and it’s impossible to determine—for an outsider to determine—which is the accurate version of the proposal Kerry put to the Israeli cabinet.

But in fact it’s pretty much beside the point, because the bottom line of all the proposals is the same. The bottom line is the *quid pro quo*: in order for Israel to lift the blockade of Gaza, basically the Palestinians have been told they have to—the current language usage is—“address Israel’s security concerns,” which is just a euphemism for “the Palestinians have to disarm.” So I want to look first at the issue of the blockade, and then look at the issue of whether the Palestinians have to disarm.

On the question of the blockade, it’s pretty straightforward under international law. The blockade of Gaza constitutes a form of collective punishment, and therefore is illegal under international law. That seems to be the legal consensus (with the exception, of course of Israel and its apologists): the blockade is illegal, and so there can’t be any qualifications, any caveats, any ifs, ands or buts. The blockade, being a form of collective punishment, has to be lifted.

It’s important to keep in mind that in prior agreements—the ceasefire agreement in June 2008, the ceasefire agreement in November 2012—in both of the ceasefire agreements, it was never demanded of the Palestinians that they had to disarm in exchange for the end of the blockade. Each of the agreements did stipulate that the blockade of Gaza was supposed to end gradually. As it happens, in both cases, Israel reneged on that condition. But neither of the ceasefire agreements, either in June 2008 or in November 2012, neither of those agreements called on the Palestinians to disarm as a condition for ending the blockade.

So this condition that’s now been entered—“addressing all Israel’s security concerns,” which is separate from a ceasefire; “addressing all Israel’s security concerns,” which in effect means the Palestinians must disarm—that’s unprecedented and obviously has no basis in international law, because the blockade is illegal and the blockade has to be lifted regardless of Israel’s security concerns.

Let's now turn to this issue of Israel's security concerns. Does Israel have the right to demand of the Palestinians of Hamas, of the Palestinian militant groups, does Israel have the right to demand of them that they have to disarm?

The international law is perfectly clear at this point. Under international law, a people engaged in struggle for self-determination is not legally bound not to use force. Under international law, people struggling for self-determination—either the law is neutral on the subject, or it says that those struggling for self-determination have [the right] to use force. But what's clear is that under international law it is *not* illegal for those struggling for self-determination to use force.

On the other side, under international law, a state that's trying to suppress the struggle for self-determination, in this case Israel, a state trying to suppress a self-determination struggle, they're not allowed to use force. So what you have here is exactly and precisely an inversion of international law. Those struggling for self-determination are in effect being told that as a condition for lifting the blockade they have to renounce force, but no such demand is being made on the power which is suppressing the struggle for self-determination.

In effect, this euphemism, "addressing all Israel's security concerns," what that's actually saying is "Israel has the right to secure the occupation," and that's a contradiction in terms, literally. Because under international law the most fundamental characteristic, most fundamental trait of an occupation—when you open any textbook of international law, the first thing it says—is, an occupation is supposed to be temporary. In a word, an occupation is supposed to end. If the occupation does not end, it's not an occupation, it's an annexation, and annexation under international law is illegal. So when Israel talks about its right to have all its security concerns addressed, it's not talking about the right to protect its country, it's talking about its right to secure its occupation.

Now concretely, what does that mean? Let's just look at the last round of negotiations that occurred just prior to the outbreak of the current hostilities—or the outbreak of Israel's launching of its latest massacre. Let's look at the negotiations. The record is not crystal-clear, but it's pretty clear. The Palestinian side, the Palestinian Authority, was willing to concede all of Israel's major demands. It was willing to concede to Israel the settlement blocks; it was willing to concede to Israel the nullification of the Palestinian right of return.

So in effect the Palestinians were offering Israel, not a settlement on the basis of international law, Palestinians were offering Israel a surrender—and the Israelis refused a Palestinian surrender, determined to maintain the occupation through eternity. That was obvious even from the statements of Secretary of State Kerry: when Secretary of State Kerry spoke before the congressional committee, he said, "Poof!" It was the Israelis who, in effect, ended the negotiations and made a settlement of the conflict impossible.

So one thing can be established I think with what one might call almost scientific certainty: under no circumstances will Israel end the occupation. So when Israel says it demands that all its security concerns be addressed, that means Israel's demanding its right to maintain the occupation through eternity, *and* it's demanding simultaneously that the Palestinians disarm themselves, and the Palestinians cease to resist the occupation, the Palestinians cease their struggle for self-determination.

That's the real meaning when Israel says it wants all its security concerns addressed, because Israel conceives any expression of Palestinian struggling for self-determination, it

conceives any expression of a self-determination struggle, it conceives that as threatening its security, or its “security concerns.” So, what’s in effect being said now is, Israel will lift the blockade of Gaza if and when the Palestinians cease struggling for self-determination, cease struggling for independence, cease struggling for statehood, and the Palestinians accept that the occupation will go on through eternity.

Leaving aside the moral issue, as a legal question it makes no sense. If Israel is demanding that all its security concerns be addressed, and that all its security concerns include any Palestinian manifestation of its struggle for self-determination, and if that means the occupation will go on through eternity, that means it’s not an occupation. It’s an annexation, and annexation is flagrantly, blatantly, incontrovertibly illegal under international law. It’s the most elementary principle of the UN Charter as it was expressed in UN Resolution 242: it’s inadmissible for a country to acquire territory by war. Israel acquired the West Bank and Gaza and East Jerusalem in a war; it has no title to that territory. If in effect it’s demanding its right to annex that territory, then it’s clearly, blatantly, and flagrantly violating international law.

Transcription by Michael Keefer. The video from which this transcription was made is available at <http://normanfinkelstein.com>, and also at <http://rt.com/news/176372-israel-racist-chant-gaza/>.

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