The People’s Perspectives: Civilian Involvement in Armed Conflict
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Armed Conflict
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GAZA: “WE ARE ALL CIVILIANS”

SUMMARY

This case study addresses civilian involvement in the conflict in Gaza, focusing on the escalation in hostilities between the Israel Defense Forces (IDF) and armed groups in the Gaza Strip from 2008–2009 and in 2012. The findings of this case study are particularly relevant for understanding conflicts that are long-standing, involve intermittent fighting and aerial warfare, and where civilians are confined within a small territory.

Four findings of this case study merit special consideration by those debating how to interpret and implement the concept of direct participation in hostilities. First, interviewees described being involved in the conflict in various ways. Their involvement ranged from periodic fighting, to providing ready-made food for fighters, to providing media coverage for armed groups. Almost every interviewee who reported being involved in the conflict—even where the involvement was limited in type or degree—expressed his or her belief that this involvement carried serious risks.

Second, interviewees reported that they became involved in the conflict for reasons they believed to be justified: they wanted to protect themselves or their families, they felt a sense of responsibility to their people or their homeland, or they wished to elevate their standing in society. Although these motivations were apparent in some other conflicts covered in the People’s Perspectives study, one additional motivation for involvement was cited by many Palestinians in Gaza: a desire to resist the Israeli occupation.

Third, the interviews suggest that Palestinians in Gaza have a particularly high level of awareness of the concept of the civilian and the protections that are afforded to civilians under international humanitarian law. Finally, the vast majority of interviewees believed that all Palestinians in Gaza should be classified as civilians, irrespective of their role in the conflict.

Methodology

This case study’s findings are based on interviews with 54 individuals in towns and cities in the Gaza Strip, including Beit Lahia, Deir al Balah, Khan Yunis, Rafah, and several neighborhoods in Gaza City. Research was conducted from October 1–18, 2013. To provide background on the conflict in Gaza, in-person and phone meetings were also conducted with 12 regional, legal, and civilian protection experts in September and October 2013.

CIVIC did not focus on a particular period of the conflict in the interviews. Nevertheless, the majority of interviewees centered their remarks on the escalation of hostilities from December 2008 to January 2009 and in November 2012. For reasons of confidentiality and security, interviewees are not referred to by name in this report.

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380 Please refer to the “Analytical Overview” for more information on the methodology for the People’s Perspectives study.
381 These meetings were conducted via phone and in person in September 2013, as well as in person in Jerusalem, Tel Aviv, and Ramallah from September 29–30 and October 16–18, 2013.
382 To protect their anonymity, interviewees were assigned numbers. For the majority of interviewees, CIVIC recorded some descriptive elements such as age or place of residence. The ages and professions of interviewees are accurate as of the date of the interview.
The Arabic translations of key terms used by the researcher are as follows:

- **Civilian:** medani
- **Combatant / fighter:** muqāṬal
- **Resistance:** muqāwama
- **Militant:** muselah
- **Soldier:** jundi
- **Involvement:** musharaka

**Factual Background**

The escalation of hostilities between armed groups in the Gaza Strip and the IDF from December 2008 to January 2009 and in November 2012 was a part of the longstanding Israeli-Palestinian conflict. Israel unilaterally withdrew its military and civilian settlements from the Gaza Strip in 2005; however, since Hamas seized control of the Gaza Strip in 2007, Israel has imposed an air, land, and sea blockade on Gaza, with few exceptions to the ban on movement of people and goods.

On December 27, 2008, the IDF launched an operation codenamed “Operation Cast Lead” (Cast Lead). The operation began with an Israeli air offensive leading up to the deployment of ground troops on January 3, 2009. IDF troops began to withdraw from Gaza around January 15, 2009. The operation officially ended on January 18, 2009, when Israel unilaterally declared a ceasefire in an announcement by then-Prime Minister Ehud Olmert, followed by a ceasefire announcement from Hamas 12 hours later. Over the course of the operation, roughly 1,400 Palestinians were killed, including civilians and militants. Estimates of the number of civilians killed range widely, with human rights groups estimating at least 773. An estimated 240 policemen were killed during Cast Lead, constituting over one sixth of the total casualties in Gaza. On the Israeli side, 13 people were killed, three of whom were civilians.

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383 The term *muqāwama*, or “resistance,” is a term used by Palestinians in Gaza to refer to fighters in any of the armed factions in Gaza, including the Gassam brigades of Hamas, the Al-Quds brigades of Islamic Jihad, the Abu Ali Mustafa Brigade of the Popular Front for the Liberation of Palestine, etc.

384 In Gaza, the term *muselah*, or militant, is used to refer to an armed actor in one of the armed groups in Gaza.


388 B’Tselem, “Operation Cast Lead.”

389 Ibid. See also Lappin, “Casualty Numbers.”


391 Institute for Middle East Understanding, “Cast Lead.”
An Israeli operation codenamed “Operation Pillar of Defense” (Pillar of Defense) began on November 14, 2012. The conflict between the IDF and Hamas lasted for eight days. As a result of this operation, 174 Palestinians were killed and tens of thousands more were displaced. Additionally, six Israelis were killed, four of whom were civilians.

Civilian Involvement

This section discusses the case study’s key findings regarding civilian involvement in conflict. It first considers the fact that fewer interviewees reported being involved in the conflict in Gaza in comparison to the other case studies. It then examines various modes of involvement using accounts from CIVIC’s interviewees. In order to provide context, these accounts sometimes note the individuals’ motivations and views on their own status during conflict. The section then identifies and explores in more depth the primary motivations for involvement described by interviewees.

Definition of “Civilian Involvement” in CIVIC’s People’s Perspectives Study

In this study, “civilian involvement” refers broadly to all types of activities in which a civilian takes part during a conflict. By adopting this definition, the study aims to capture the experiences and perspectives of all those who fall somewhere between bystanders and combatants under Article 43 of the first Additional Protocol to the Geneva Conventions. In legal terms, the activities included under “involvement” in this case study could be classified as non-participation, indirect participation in hostilities, direct participation in hostilities, or exercising a continuous combat function. Because the parameters of these classifications are contested and can be controversial, the study intentionally avoids classifying modes of involvement.

Level of Involvement

In comparison to the other case studies conducted by CIVIC, fewer interviewees said they were involved in the conflict in Gaza. One explanation for this is that the fighting has been more intermittent in Gaza than in the other conflicts covered by this study. However, even when interviewees were asked specifically about their involvement during Cast Lead or Pillar of Defense, a lower proportion of them said that they were involved in the conflict than in the other case studies.

One possible explanation for this trend is the nature of the fighting in Gaza in 2008–2009 and in 2012, which often involved aerial warfare. Indeed, according to several interviewees, the majority of people spent the entirety of the fighting during Cast Lead and Pillar of Defense inside their own or others’ homes. For instance, the director of a women’s organization in Gaza City said, “There was no way to help [the fighters]. We were stuck inside. There were instances of calm, but still, it was too dangerous to go outside. One man I know went out to buy bread, and he and his family died on the way. . . . As civilians, we have . . .

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393 Ibid.
no opportunity to participate. You don’t meet the other side face to face.”
A journalist from Gaza City added, “[Cast Lead] was a remote control war. What can you do to help? Everyone just tried to hide. We were just sitting there, waiting for the tanks.”

Another possible explanation for why interviewees in Gaza reported less involvement is that the low-tempo conflict is still ongoing, and therefore, interviewees may believe that any admission of involvement with armed groups would put them at risk, both from Israel and parties in Gaza. Indeed, several interviewees discussed this fear. One interviewee explained, “The less you know about the military, the better off you are. This is how you survive for 20 years in a conflict zone. . . . We are thinking long term. As long as Hamas is strong, [a Hamas supporter] is not in trouble, but if the situation changes, he’s screwed.”

According to a 26-year-old English teacher from Gaza City, the secrecy is due to the fact that “the fighters want to maintain their personal security.” She explained, “If they are known to be Qassam, they will be targeted by Israel—and not just him, his whole family. This information can come through collaborators.” Accordingly, the identities of the members of armed groups are often shrouded in mystery. One interviewee described the atmosphere this secrecy creates. “You can see the results of what [the armed groups] do, but you don’t know where they are, who they are,” he said.

Similarly, an artist from Gaza City pointed out, “I don’t know, even in my own family, to what extent people are involved in the conflict.”

**Modes of Involvement**

The modes of involvement below range from active engagement in the fighting, to provision of support, such as feeding armed groups or providing shelter, to peripheral activities, including covering the conflict in the media or joining an institution or organization. Some modes of involvement are purely civilian and would not be considered clear or even possible examples of direct participation in hostilities. However, the study addresses the full spectrum of involvement to demonstrate the number and diversity of ways in which civilians can become involved in conflict.

**Fighting**

A 34-year-old Imam and interior decorator served as member of the Qassam Brigades during Cast Lead. “I was a militant and not in the mosque,” he explained. “I was in the military planning room, in charge of 70 people. The front was divided into different parts, and we were each assigned a different area. So each group has a job to keep them [Israeli forces] out of that area.” Although he was based in the operation room, he described how he went to “the front” for 12-hour shifts “every few days.” Although he found the work stressful, he still wished his shifts were longer. “I wanted to stay more,” he said. “We all wanted to stay more.” He went through one year of training so that he became “as fit as a soldier,” yet he did not identify himself as a traditional combatant. He explained, “What’s interesting is that when

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395 Interviewee 25.
396 Interviewee 2.
397 Ibid. Also interviewee 19.
398 Ibid. The secrecy surrounding the armed groups in Gaza is typified by the balaclava-style masks worn by the members of the Izzedine al-Qassam Brigades (“Qassam Brigades”; the military wing of Hamas) during public appearances, as well as the fact that the identities of the members of the Qassam Brigades are generally kept secret.
399 Interviewee 42.
400 Interviewee 28.
401 Interviewee 9. According to one interviewee, this policy does not extend to the higher-ranking officials in Hamas, who are usually “known in the community” (Interviewee 47).
you introduce someone, all of the military introduce themselves as ‘Muhammad, shopkeeper,’ or ‘Raed, waiter.’ No one introduces himself as a Qassam soldier. We don’t identify ourselves this way... It’s like we are a civilian military.”

A 25-year-old man from Gaza City said that he became an active member of the rocket launching unit for Palestinian Islamic Jihad during any escalation in hostilities between armed groups in Gaza and the IDF. He was 15 years old when he first joined Islamic Jihad. At the age of 18, he started his training to become a rocket-launcher. “It’s not easy to find someone who can handle this,” he said. “We are at the top of the food chain for the Israelis. You don’t have a long life if you do this. Many people don’t have the heart that it takes.”

When asked about his own status, he declared himself a civilian. “All are civilians, all of us... An official army has special tasks, works full-time, and is paid. We only do our part when it’s needed,” he said. Although he said that he and his family are a “target all the time,” he has not disclosed his activities to his wife and children. “If my wife found out,” he said, “she would leave me the next day. She would be so angry!”

Logistical Support

Providing Medical Services
Another man from Gaza City worked primarily as a pharmacist, but during escalations of hostilities with the IDF, he served as a medic for armed groups. He worked with the “group that is the first line of defense,” and he stayed “very close to them, but not with the group” during their operations. Still, he said, “if they are in an advanced location, I am in an advanced location... Once I’m with the group, the [IDF] rockets come like rainfall.”

During Cast Lead, he said, “If the group wanted to launch an attack, I would go out with them and then stay in position. As a doctor, I would give them medical backup if they got wounded. I would stabilize their injuries until I reached the hospital, and I would try to reduce their pain.” As a result of this work, he feels he is “absolutely” more at risk. “We [the medics and fighters] face the same enemy, and we have the same result, which is death,” he said. Still, he considers himself a civilian. He explained, “I don’t carry a weapon, I am a civilian... I don’t dress in a military uniform, because I’m not military. I just wear civilian clothes.”

Providing Food
According to several interviewees in Gaza, armed groups do not usually employ cooks, whether during or outside of escalations in the fighting. Instead, they are provided with ready-made food, which is transferred to the fighting units by what one interviewee called “contractors.” A 38-year-old man from Beach Camp in Gaza City served as one of these contractors. He reported that armed groups prefer to interact with contractors like him because “they are afraid that the shopkeepers... will be afraid to deal with them.” Accordingly, he explained, there are several different contractors like him in Gaza, “one for each area.” He said that he usually buys the food from local markets and then stores it in warehouses, ready in case fighting breaks out. Providing food to armed groups is a risky endeavor, he explained, as men doing this had been targeted “many times” in the past. He continued, “Now I have certain ties to the group, and it’s dangerous. If the Israelis want to

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402 Interviewee 10.
403 Palestinian Islamic Jihad is an Islamic militant group active in Gaza; hereinafter the group is referred to as “Islamic Jihad.”
404 Interviewee 40.
405 Ibid.
406 Interviewee 45.
407 Ibid.
408 Interviewees 2, 10, 19.
409 Interviewee 39.
cut off the food, they will target me.” Still, he said that he will keep providing the food “as long as it’s needed. . . . I do it because of my religion, my nation. But also this is a business for me. I can make a living doing this.”\textsuperscript{410}

Driving
A 55-year-old taxi driver from Beit Lahia continued to drive his taxi during Pillar of Defense. Although he did not intend to provide services specifically for militants, he said that he was often unable to tell who was a “normal” passenger and who was a fighter. This was a problem, because if he accidently picked up a fighter, he said, “they [the IDF] would target me. . . . They would of course assume I’m resistance.”\textsuperscript{411}

Media Coverage
Several people described how they covered the fighting through traditional or social media. For instance, according to a 24-year-old man who works directly with Islamic Jihad, “I cover both the military and the civilian aspects of Islamic Jihad’s activities. I’m the group’s journalist. . . . [It] is my duty, not only to help the group, but to cover the activities and document our actions, to add to the exposure of our actions against Israel.”\textsuperscript{412} He continued, “I film these activities, and then I sometimes give it to contacts in the media, sometimes I distribute it to all of the satellite channels, or I post it directly on YouTube.” He noted that he belongs to Islamic Jihad’s political wing. “My work is different than the fighters—I don’t carry a weapon,” he said. “None of my activities are related to the military. All I do is cover what they do. I only go out with them when there is a mission, and otherwise I’m not with them. I’m not in their usual loop of communication.” When asked what he considered his own status, he stated, “During the day, I am 100 percent civilian. At night, I do this work.”\textsuperscript{413}

Two “social media activists,” as they called themselves, described their roles. The first, a 25-year-old man from Gaza City, described how he covered “the human story, the voices in the streets. We already have the coverage in the media of the blood, the politics, but what we’re missing is the personal story.”\textsuperscript{414} While he is proud of his work, he reported that it brings added risks for him. “Shabak [Israel’s intelligence agency] called the other day, and now I’m a little afraid. My parents are not happy at all,” he explained.\textsuperscript{415} The second, a 24-year-old woman from Beach Camp in Gaza City, spoke about her activities during Pillar of Defense:

We were using social media and Facebook, and this was an effective way to spread the story. We might have even had an influence on the outcome of the conflict. . . . We started spreading daily life, events, what we saw. . . . Every piece of information can help others. . . . I’m now a part of this battle. I focus all of my energy to spread the news, to post ideas. I guess we are “electronic militants.”\textsuperscript{416}

She believes her activities have put her at greater risk and noted, “The main problem is that if I join this electronic resistance, maybe the Israelis will attack my home. But for me, why

\begin{itemize}
  \item \textsuperscript{410} Ibid.
  \item \textsuperscript{411} Interviewee 24.
  \item \textsuperscript{412} Interviewee 53.
  \item \textsuperscript{413} Ibid.
  \item \textsuperscript{414} Interviewee 18.
  \item \textsuperscript{415} Ibid.
  \item \textsuperscript{416} Interviewee 22.
\end{itemize}
should I get scared by them? Israeli activists are crying and shouting all the day. Why should I allow them to dominate the Internet?” Her mother, in particular, was concerned about her activities. She explained, “My mom would say, ‘Please stop!’ She thought my brother [also a social media activist] and I were making us all unsafe. I tried to calm her down, to tell her about the other activists, and that we were all doing this together.”

**Involvement with Institutions or Groups**

Interviewees in Gaza reported being involved with state institutions or other groups, including political parties, community groups, civil defense organizations, and police forces. According to several individuals, the line that divides these political or civil groups from armed actors can be blurred during conflict.

**Police Forces**

Several men who served as police officers during Cast Lead were interviewed. A 35-year-old man, who does public relations work for the police, described the structure of the police in Gaza: “We have internal security, civil police, civil defense—including firemen and emergency response—criminal investigation, narcotics/anti-drugs, anti-riot, an administrative division for planning, logistics and information, university security, and a division for policewomen. We have a new specialization in traffic policing. And we have a central command, in charge of everything.” When asked about the police’s role during Cast Lead, he said:

> We managed to maintain internal security. [We were] an internal front. We used to send police to the places where they gave out bread, to make sure people were being treated fairly. We were accompanying the ambulances. We were providing security for those in the hospital. Sometimes the families would attack the doctors, so that their family member would get care. . . . We didn’t want the people to panic, to engage in violence.

Seven of the eight policemen interviewed for this study considered themselves civilians. When a member of the traffic control unit was asked for his definition of a “civilian,” he answered, “We are civilians. We are the civil police, [so] our job is to protect the civilians.” According to another policeman from Gaza City, “Police should be classified as civilians—everywhere in the world, the army has different tasks than the police. We are responsible for the same things that every police unit does anywhere.”

A 50-year-old man from the special security unit of the police was the only policeman interviewed who did not consider himself a civilian. He explained how his unit, which he described as the “equivalent of a SWAT team,” has around 300 people and undergoes a ten-month training, in contrast to the three-month training of the other units. “Of all of the police divisions, we are the closest to the military. . . . I feel I am more like a military person, not a civilian,” he said. “I’m the last option for the government. When all of the civilian procedures have been gone through, we are ready. We are the last resort. When everything has been tried, we will be called to fight.”

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417 Ibid.
418 Interviewee 9.
419 Ibid.
420 Interviewee 13.
421 Interviewee 37.
422 Interviewee 15. This interviewee’s differentiation between the special security unit and the other divisions was also noted by a high-ranking police officer in Gaza. According to this officer, “We are a civilian entity, a civilian organization. . . . The only division among the police that is highly trained, and more military, is the SWAT [informal name for the special security unit]” (Interviewee 29).
All of the policemen interviewed by CIVIC reported that they were more at risk due to their positions. As a 35-year-old policeman from Gaza City explained, “We are always in danger. Every day, I kiss my wife and my children goodbye, because I don’t know that I’ll see them again. We have to deal with the knowledge that we will be killed, and we expect our families will be killed as well.”423 A high-ranking police officer from Gaza City added, “When I go to work, I know that I could be killed at any moment.”424

Civil Defense
A 38-year-old man from a small village in the north of the Gaza Strip enlisted in the civil defense, a division of the Ministry of the Interior, which he explained includes the firemen, paramedics, and health and safety inspectors.425 This man was a paramedic who regularly conducted rescue operations during escalations in hostilities, until he was injured in the course of an evacuation during Cast Lead. When asked what he considered his status, he said, “I’m a part of the group that provides security for the country and under Geneva [Convention] IV we are protected. . . . A lot of people who work in the field—journalists, ambulances, civil defense—all of these should be considered civilians.” Regardless of this, he said, “Everyone is a target [in Gaza]. Everyone.”426

Political Parties
A 41-year-old man from Gaza City serves the secretary of the board of a major political party in Gaza. When asked whether he feels at more risk because of his political activities, he answered, “Yes, for sure. You have to understand, they could target this building, right now. But I’m not afraid.”427 His house was bombed on January 5, 2009, but he reported that he and his family had left the house because “we knew that they might target us because of my position.” Of his own status, he said, “I am a civilian. Yet the policy of the Israelis . . . is to kill the biggest number of us. The more they kill, the more they can be successful. For us, we accept that we can be killed at any time. They target people even if they have nothing to do with politics, so why should I stay away from it?”428

Government
CIVIC spoke to an employee of the Ministry of the Interior who is responsible for giving “moral and political guidance on behalf of the Hamas government.”429 He explained that there are 100 others in his division. During Cast Lead, he said, “We were bringing up the morals and spirit of those in the police, as they are our first line of defense,” he said. “We help them spread the spirit of calm among the people, so they will be able to deal with the crisis in an organized way. . . . We also go and visit hospitals, and we visit the injured.” Of his status, he said, “We are civilians. We don’t carry arms.”

Popular Committees
Interviewees also discussed the “Popular Committees” that were present in several communities in Gaza during Cast Lead. According to the “moral guidance” trainer, these committees were responsible for “help[ing] out those who were in a bad situation, those whose homes were demolished. . . . [They] bring food to some of the people, anything that makes them feel better.”430 Indeed, even if an official committee was not formed, he said, the community would usually appoint its own spokesperson and liaison. These leaders are not usually given official duties. Instead, “they are just the people who facilitate and make things better” during any escalation of hostilities.431
Motivations for Involvement

Many interviewees in Gaza discussed different ways of being involved in the conflict. When asked why they or others made the decision to become involved, interviewees in Gaza offered a variety of explanations. Four motivations emerged as the most common: to protect themselves or their families, to fulfill their civic duty, to resist the occupation, and to elevate their social standing.

Protection of Self or Family

A large number of interviewees said that they and others became involved in the conflict to defend themselves or their families. In these instances, interviewees sometimes explained their decisions by describing situations people might face. For instance, an assistant professor at a university in Rafah said, “If you were in your home, and if I came in the middle of the night and threatened you, what would you do? You will use anything to protect yourself. It’s not that complex of a situation.” A police officer from Gaza City offered a similar example. “If you are a cat, and you are sleeping, and you are attacked, you will scratch back. Humans cannot go without defending themselves, especially when their own children are killed in front of them,” he said. Several other interviewees offered variations of this theme. For example, one interviewee said, “If you go and hit a man, at some point in time, he will hit you back. . . . Whenever there’s a big attack from Israel, then everyone is engaged in self-defense.”

According to several interviewees, they or others became involved in the conflict to keep the IDF away from themselves and their families. “[In Gaza, we have people who defend themselves,” a 44-year-old doctor explained. “[We have] no air force, no marines. All young people are defending their own people, trying to prevent outsiders from reaching our families and children.” According to the man who works as a pharmacist and a medic for armed groups, “The enemy is violating your rights all the time. The more he comes in, the more your rights will be violated. . . . This is why you have to take action, to protect yourself and your family.”

Civic Duty

Several Palestinians in Gaza reported that they became involved in the conflict because of their civic duty, or their sense of responsibility to their people or their homeland. For instance, a member of the armed group Islamic Jihad explained his motivation for becoming involved in the conflict: “I give my life for the sake of my homeland. What motivates me is my duty to Palestine, my duty to defend the country.” A journalist from Gaza City added, “We are ‘combatants on demand.’ When there is fighting, somebody will open his doors to fighters, and he will have never been involved before that. On days like this, he fulfills his duty to the country. If there is fighting from the outside, then everyone must fulfill his duty to Palestine.” An Imam and part-time rocket-launcher for the Qassam Brigades added, “In wartime, everyone does his duty for the country. My duty [then] is to be a militant—and the whole population will help me out.” The pharmacist and medic for armed groups offered a similar explanation for his decision to become involved. “I feel gratitude for the resistance,”

432 Interviewee 11.
433 Interviewee 29.
434 Interviewee 42.
435 Interviewee 44.
436 Interviewee 45.
437 Interviewee 40.
438 Interviewee 2.
439 Interviewee 10.
he said. “People I know are part of these groups. The smallest thing could have saved them—something small that I can do. . . . This is my cause. This is my duty. To do my part, I am a medic.”

**Desire to Resist Occupation**

Many Palestinians in Gaza said they or others became involved in the conflict as a way to resist the occupation. According to a 41-year-old man from Rafah, those who become involved in the conflict “only want to be liberated.” He explained, “If there was another way to be liberated without blood, we would take it. . . . Give me my rights and then you can get your peace.”

A taxi driver from Beit Lahia said, “The whole nation is made up just of normal civilians who need to resist. In other places, they run away from the war. Here, we run to it. This is the circumstance of a nation under occupation. We must stand together. We must help.”

Several other interviewees emphasized their “right” to resist the occupation. For instance, a man from Gaza City said, “Under occupation, you have a right to resist, with weapons. This is why we call them the ‘resistance’ fighters.”

A 22-year-old office worker’s remarks were representative of this sentiment:

> We have the right to resist, and this is not terrorism. Some people say we are terrorists, but you always consider your own path as resistance. Their resistance is the golden history, [while] our resistance is called terrorism. . . . To stay strong, you must have your own voice. We have to stand up for our rights and not stay silent.

**Desire to Elevate Social Standing**

Some interviewees explained that they or others chose to become involved in the conflict because they wished to increase their standing in society or because they saw it as an honorable thing to do. For instance, a journalist from Gaza City described why a young man might choose to enter the Qassam Brigades:

> In other countries, when you have a normal life, there are a lot of things you want to be. But here, the only thing you want to be is Qassam. They are the elite. If you can’t make it into Qassam, then you go into Islamic Jihad. The highest pride is among those in Qassam. It takes a very long time to join them.

Remarks from a member of the Qassam Brigades supported this assertion. He said, “I applied many times to be Qassam before I was accepted. . . . They look for the one who is brave, who is committed, and then choose them to join. I was selected. I was picked out from all of the people.”

**Understanding and Application of Legal Concepts**

In this section, the case study explores interviewees’ understanding and application of legal concepts related to the principle of distinction. It first examines views on the concepts of civilian and combatant status. It then considers the challenges outlined by interviewees when they applied the principle of distinction to the conflict in Gaza.

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440 Interviewee 45.  
441 Interviewee 11.  
442 Interviewee 24.  
443 Interviewee 2.  
444 Interviewee 22.  
445 Interviewee 2.  
446 Interviewee 10.
The interviews suggest that Palestinians in Gaza have a widespread familiarity with the term "civilian" and the protections accompanying civilian status under international law. A possible explanation for this broad understanding was noted by an employee at a human rights organization, who said that his own and other local organizations had been conducting community-awareness campaigns on civilian protection in recent years. An official in the Ministry of the Interior added that training on IHL was included in her "textbook learning" in secondary school. Moreover, she said, "The circumstances here make it something that everyone knows."

When asked how they understood the word *medani*, the Arabic translation of the word civilian, interviewees offered two primary interpretations. First, Palestinians in Gaza identified a civilian as having nothing to do with any military force. For example, a taxi driver from Beit Lahia said, "A civilian wants to live in dignity in his house. He doesn't have anything to do with the military. He just wants to live his own life." Second, several individuals said that a civilian is someone who is unassociated not only with the military, but also with politics and political parties. A farmer living in the buffer zone in Gaza said, "A civilian has nothing to do with politics or war. He cares only for his life, his children.

According to a police officer from Gaza City, any person who is somehow associated with politics is a likely target. "For the Americans and the Israelis," he said, "a civilian is the one who has a donkey cart—a peasant with a donkey cart. If [someone] knows anything about politics, he is a threat, and he deserves to be killed."

### Concept of the Combatant / Non-Civilian

The factor most often referred to by interviewees to distinguish combatants from civilians was the presence of a weapon. Other factors included the presence of a uniform and the nature of the person’s involvement in the military. Indeed, according to several people, if an individual received formal training and was serving full-time, he was a combatant. The remarks of a government official are representative on this point: "The military is an organized army with an education given at military schools. . . . Their job is to be the army—that’s their full-time job." Finally, interviewees cited proximity to civilians as a distinguishing factor: the closer an individual was to civilians, the less likely he was to be a soldier.

According to a police officer from Gaza City, "The soldier has tasks outside of the city. He is fighting an outside enemy. He doesn't do his tasks among the population." Another man from Gaza City agreed that the military "has positions far away from the cities."

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447 *The People’s Perspectives* study attempted to capture interviewee perceptions of the word “civilian” across the four conflicts. Therefore, in this case study, the researcher attempted to discern the interviewee’s understanding of *medani*, the Arabic word for civilian.
448 Interviewees 20 and 43.
449 Interviewee 43.
450 Interviewee 15.
451 Interviewee 24.
452 Interviewee 26. The “buffer zone” between Israel and the Gaza Strip is a military "no-go" area that extends along the entire northern and eastern perimeter of the Gaza Strip adjacent to Israel, but inside Palestinian territory. The precise areas designated by Israel as the buffer zone are unknown; in some areas the area extends beyond one kilometer. For more details, see Diakonia, “Buffer Zone.”
453 Interviewee 15.
454 Interviewees 10, 23, 24, 35, 38, 39, 41, 43, 45, 50, 51 53.
455 Interviewee 41. Also interviewees 29 and 37.
456 Interviewee 29.
457 Interviewee 41. Also interviewee 30.
Challenges of Classification: Civilians or Combatants

The “Resistance” Differs from a Traditional Military

Although many interviewees saw a difference between civilians and combatants, the vast majority of interviewees felt that Gaza’s “resistance” is not a traditional military and therefore its members are not traditional soldiers or combatants. The reasons behind this view included several of the factors just noted. For instance, a former member of an armed group from Gaza City cited the fact that the resistance does not work “full-time,” as he put it. He said, “I don’t classify the resistance as military, as soldiers. We are not full time, and we don’t do the job to earn a living. We are in the army part-time—the resistance was not working when the first strike hit [in Cast Lead]. When the bombing happened, the resistance was at work and was studying at the university.” A member of Islamic Jihad pointed to the lack of hierarchy in the resistance, explaining, “We don’t have an army—we have no ranks, no chain of command. We’re not even close to a regular military. Even the police have more hierarchy than us. . . . We don’t even know who is in a higher position or a lower position in the group.” A man from Beach Camp in Gaza City pointed to the location of the resistance as a distinguishing factor. “A regular army has military bases,” he said, “but the resistance is in the streets.”

The factor most often cited by interviewees for why the “resistance” differs from a traditional military was that it was formed only in response to Israel’s aggression. A doctor from Gaza City explained, “They are young, the resistance, and they defend their community but are not qualified as an army. All what they are doing is defending their land and their existence.” A police officer from Gaza City echoed this point. “Here in Gaza . . . there are those who resist when they [the Israeli armed forces] come. That’s resistance. And actually, that’s just civilians with guns,” he said. According to a government official in the Ministry of the Interior, civilians and members of the resistance should be put into one category. “We don’t have a military,” he said. “Even those who carry weapons, who have been obliged to carry weapons for self-defense—the minute the occupation is over they will give up their weapons.” He continued, “[The resistance] never graduated from military schools, and they have no real training. All of the people who work [as the resistance] have day jobs—they are doctors, engineers—not soldiers, not military. They are just part of the civilians who organized themselves.

All Palestinians in Gaza Are Civilians

As is evident above (especially in "Modes of Involvement"), interviewees overwhelmingly described themselves as civilians, irrespective of their role in the conflict. Indeed, many interviewees defined a civilian as, simply, themselves. For instance, a man from a small village just outside of Gaza City said, “Civilians are the ones like me . . . [The] Geneva [Convention] protects us.” The vast majority of interviewees also expressed the view that all Palestinians in Gaza are civilians. According to a man from Gaza City, “The police is a civil police, and the defense is a civil defense, and the medical services are civil too. We are all civilians. There is not an army here—there is only a resistance faction.”

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458 “Resistance” is a term used by Palestinians in Gaza to refer to fighters in any of the armed factions in Gaza, such as the Qassam brigades of Hamas, the Al-Quds brigades of Islamic Jihad, and the Abu Ali Mustafa Brigade of the Popular Front for the Liberation of Palestine.

459 Interviewee 37.

460 Interviewee 53.

461 Interviewee 39.

462 Interviewee 45.

463 Interviewee 9.

464 Interviewee 41.

465 Ibid.

466 Interviewee 38.

467 Interviewee 41.
Gaza City expressed a sentiment that was representative of this view: “I'm not a legalist, but I think that all Palestinians, no matter the shape, size, color, or religion, are civilians. And he carries a weapon only when he is obliged to do so. No one should be allowed to treat us as a target. No one wants to be killed here.”

468 Interviewee 35.
Annex 1: Baseline Questionnaire

Civilian Involvement

1. Did you find that (civilians / non-fighters) are becoming involved with armed groups in X country? Which groups? [SKIP if the person can speak about his/her own involvement instead]
   a. Details: In what ways did people become involved with armed groups? [How often? How do you know they did this?]
   b. Motivation: As far as you know, what were their reasons for choosing to support them?
   c. Perceptions: When they started supporting the armed group in that way, did people consider them fighters / soldiers / combatants?
      i. If not, what did people consider them?
   d. Risk: Did their involvement put them at greater risk?

2. Now we would like to ask you about your own role in the conflict. Have you become involved with any of the armed groups? [Which ones?]
   a. Details: In what ways were you involved?
      i. Can you name specific activities?
         1. How often? Every day, once a week, only once?
         2. Did you do this alone or with others?
         3. Can you describe any specific incidents of involvement?
   b. Motivation: Why did you decide to become involved?
      i. Was there any specific event that triggered your participation?
   c. Perception: How did/do you see yourself as a result of this involvement—(civilian), (soldier / fighter), something else? Why?
   d. Risk: Given your activities, did you feel at risk of being attacked and/or detained by other armed groups? Why / why not?
      i. What could you do to make yourself safer (if anything)?
      ii. Did any armed group do any harm to you or your family or house?
         1. Do you think this happened because of the activities you engaged in? (If appropriate)
         2. Details: type of harm, when, who was involved, outcome, current status (detention, property, injury, death)

3. Do you feel you had a choice on whether you become / became involved in the conflict?
   a. Does everyone become involved?
   b. If not, who does not become involved? Why? How are the people who did become involved perceived by others?
Key Actors

1. Which armed groups would you see in your neighborhood during the conflict?

2. How did you recognize the armed groups here?
   a. How would you categorize them—civilians, combatants / fighters, something in between?

Understanding and Application of Legal Concepts

1. What does the word (civilian) mean to you?

2. What does the word (soldier / fighter) mean to you?

3. How do you tell the difference between the two groups? Is it possible?

4. Do you think those concepts apply in the conflict in X?

5. There is a rule in the laws of war that says that civilians should be protected from being purposefully hurt or killed during war
   a. Are you aware of this rule?
   b. Do you think this rule should apply in X?

6. Do you think any of the parties we’ve discussed in this interview could do more to protect those who are not participating in hostilities from harm?
   a. If so, what and how?
About the report

The laws of war prohibit the intentional targeting of civilians. This principle, known as civilian immunity, is the cornerstone of international humanitarian law. Yet this immunity is not absolute: civilians are immune from being targeted unless and for such time as they take a direct part in hostilities. Thus, a civilian may be lawfully targeted while directly participating in hostilities.

Military commanders, government officials, lawyers, humanitarians, and academics have engaged in a heated debate over how this rule should be implemented. In their debates—primarily focused on definitions, legal obligations, and criteria for targeting—they have argued about such key questions as which activities should qualify as direct participation and when a civilian should lose and regain legal immunity from direct attack.

In all of these discussions, the views of one group have been largely absent: civilians in conflict-affected countries. For these civilians, the issues of participation and protection during war are not abstract problems, but instead are a matter of life and death. As a step toward addressing this gap in the discourse, Center for Civilians in Conflict carried out the People’s Perspectives study on civilian involvement in armed conflict. This study is based on more than 250 interviews with individuals who have lived through conflict in Bosnia, Libya, Gaza, and Somalia. By shedding light on their perspectives and experiences, this study endeavors to inject civilian voices into this conversation about “the civilian” — and to ensure that this critical debate about warfare in the 21st century is inclusive of those most likely to be affected by its outcomes.

About Center for Civilians in Conflict

Center for Civilians in Conflict (CIVIC) works to make warring parties more responsible to civilians before, during, and after armed conflict. We are advocates who believe no civilian caught in conflict should be ignored, and advisors who provide practical solutions to prevent and respond to civilian harm.

The organization was founded as The Campaign for Innocent Victims in Conflict in 2003 by Marla Ruzicka, a courageous humanitarian killed by a suicide bomber in 2005 while advocating for Iraqi families.