Israeli Assault
on
Gaza Aid Flotilla

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Author Background

Hans Staffelbach is a Lieutenant Commander in the US Coast Guard. He has worked on the management of deployable specialized forces, expeditionary logistics, intelligence, and has experience as a deck watch officer and watch center officer. LCDR Staffelbach attended Oregon State University and holds a bachelors degree in Applied Visual Arts, and a Masters in Security Management.

Introduction by Karen Kaya

Relations between Turkey and Israel hit a critical low during the "flotilla crisis" of 31 May 2010, when a flotilla led by a Turkish Islamic charity organization, which challenged Israel's blockage of Gaza, was met by an Israeli raid on international waters, killing nine Turks and injuring dozens on both sides.

Following the incident, dozens of articles in the Western press focused on the political outcomes of the issue, discussing the impact of the raid on Turkish-Israeli relations, military cooperation and trade, and the impact on the Middle East.

Turkish and Israeli sources reported the issue from their own political perspective.

However, the initial force that dealt with the flotilla was the Shayetet 13 (Flotilla 13) - the elite naval commando unit of the Israeli Navy, one of the primary special forces units of the Israel Defense Forces (IDF) and the specialized unit for responding to threats from the sea. It was at that initial point of contact between the Israeli Navy commandos and the flotilla activists that the crisis erupted, a detail that has not been analyzed from a coast guard point of view.

There are many underlying issues that helped create a deadly confrontation. Some answers may be in the rules and mindsets of the organizations involved. For instance, how does the IDF conduct searches on approaching boats and how can they order one to stop? What does their use of force doctrine say about responding to aggressive force? Did the aid workers have a policy or common practice the regarding the use of violence? What were the circumstances that led the situation to escalate the way it did?

This article by Hans Staffelbach, a Lieutenant Commander in the U.S. Coast Guard, provides a unique perspective. The incident was researched during work on a Masters Degree in security management. He also draws upon his knowledge of the Coast Guard's authorities, responsibilities and capabilities in the maritime environment and homeland security, of "use of force" doctrine, policy, and operations, and of maritime first responders. In addition, he focuses on the different ethical perspectives of both the Israeli and the Turkish activist side. He discusses the issue using different concepts, such as morality and moral virtues, use of force doctrine, ethical relativism, moral rationalism, retributive justice, natural rights, compensatory justice, and utilitarianism.

The issue, he claims, is that each side has different ethical perspectives and interpretations of morality in this situation. Thus, he demonstrates why assigning the blame in this issue might be pointless. For example, his analysis suggests that Turkey's demand for an official apology from Israel is futile and that it might be more productive to focus on the issues where the two countries' interests converge. These concepts may be applicable to many other international conflicts as well.

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I. Introduction

During the night of 31 May 2010, Israeli security forces boarded the Turkish-owned Motor Vessel (M/V) Mavi Marmara to inspect its cargo; before the boarding concluded 9 people were dead and over 40 injured, including six Israeli commandos. The M/V Mavi Marmara was part of a six-boat flotilla en route to the Gaza Strip territory. The flotilla's stated goal was to penetrate the Israeli and Egyptian blockade and deliver supplies to the people in Gaza. Israel had established the blockade to put pressure on the Hamas Government, which has been implicated as a terrorist organization that mainly worked outside any established political system since its formation by radical Palestinian Muslims in 1988 (Kamien, 2006). In 2005 Hamas entered politics and stunned the incumbent Fatah movement by wining several political positions in Gaza.

Due to the ongoing Israeli-Palestinian conflict, each interaction can turn into a firestorm, as did the boarding on the night of 31 May 2010. The initial reporting suggested Israeli personnel terrorized the flotilla, using lethal
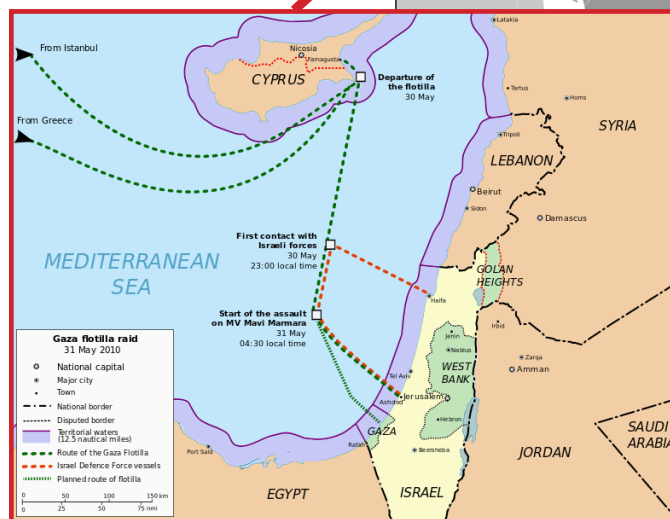
Gaza flotilla raid map.
Source: http://en.wikipedia.org/wiki/File:Gaza_flotilla_raid_map.svg.

> **❝***Each group involved in the incident of 31 May-1 June operated according to a set of beliefs that seemed right to them.***❞**

force as a first resort to compel the six vessels bound for Israel to stop and allow their cargo to be inspected. The international community posed many questions about whether the raid was ethical. As more information surfaced it was clear that there were legitimate concerns on both sides. Updated imagery clearly shows activists aggressively confronting and assaulting what appear to be Israeli military personnel the instant that the Israeli commandos boarded the boat. Other videos show Mavi Marmara crewmembers harassing the Israeli personnel with water hoses and chains and throwing objects before the boarding began. This research article will examine the ethical issues related to the boarding and include a brief discussion on the history of the conflict.

II. Morality

Morality is defined as a doctrine or system of moral conduct, or conformity to ideals of right human conduct (Merriam-Webster, 2010). Morality is also described as "standards that an individual or group has about what is right and wrong; good and evil" (Velasquez, 2006). Each group involved in the incident of 31 May-1 June operated according to a set of beliefs that seemed right to them. Neither the government of Israel nor the Turkish activists have indicated that they have done anything immoral. Both parties still believe they are righteous in their actions. The divergent opinions of good and bad are possible because of "ethical relativism," which states that there are no ethical standards that are absolutely true or that apply to organizations or people of all societies (Velasquez, 2006).

Many Muslims believe that the state of Israel regularly oppresses the Palestinians. A smaller but extreme and vocal part of the Muslim world believes that Israel has occupied Palestinian lands and the Jewish state's very existence is an abomination and therefore should be wiped off the map through any means necessary, including violence. Operating from that moral standard, the activists on the flotilla believed that they were delivering badly needed humanitarian supplies to the beleaguered people of the Gaza Strip, a semi-autonomous Palestinian Territory on the southwest border between Egypt and Israel. In the minds of the flotilla members and Muslims supporting them, this was surely a noble and ethical undertaking. Therefore, they believed that it must be the Israelis who acted unethically by unleashing their security forces on the flotilla.

On the other hand, the Israeli security forces were tasked by a legally elected government to halt the flotilla for inspections and to verify that each ship was carrying supplies. Boarding a

vessel is a very routine security operation for any state that conducts maritime trade. Security forces must physically board and search the vessels to confirm they are indeed laden with supplies versus weapons. The Israeli security forces were conducting a security operation as ordered to ensure the security of their nation.

With both sides staunchly behind their beliefs and committed to their courses of action due to their respective moral framework, the stage was set for a conflict.

III. Israeli Ethical Perspective and History

Israel has faced security challenges since it was established in 1948. That year, shortly after the United States and the United Nations officially recognized Israel as a nation, forces from five countries attacked it. The nations and numbers of troops they committed were as follows: Egypt: 9,000; Transjordan (renamed Jordan 1950): 4,500; Syria: 3,500; Iraq: 3,000; and Lebanon: 1,500. Arab forces opposing Israel eventually numbered over 50,000. Israel expanded its territory by occupying lands gained in the fighting, and in 1949 signed an armistice with its adversaries (Global Security, 2010).

Since then Israel has been involved in conflicts in every subsequent decade. The following list of conflicts highlights the frequency of the fighting:

1948 War of Independence

1956 Sinai War

1967 Six-Day War

1969 -1970 The War of Attrition

1973 October War

1982 Lebanon War

1987-1993 First Intifada

1991 Gulf War (Iraqi missiles)

2000 Second Intifada

2006 Israel-Hezbollah War

2007-2008 Israel - Gaza Conflict

2008-2009 Gaza War

(Kober, 2006) (Mohamad, 2007) (Migdalovitz, 2009).

> **❝***The Israeli moral dilemma involved weighing the benefits and risks of attacking Hamas targets, and accepting some collateral damage, or doing nothing and letting the Israeli citizens continue to endure rocket attacks.***❞**

In light of Israel's 62-year history of frequent warfare it is reasonable to expect that Israeli security forces tend to act swiftly and decisively. In order for the state to exist it must take action when threats are detected. In many cases the Israeli government claims that military operations are in retaliation for some previous attack perpetrated by one of its many enemies. This moral rationalization can be called "retributive justice," defined as "fairly blaming or punishing persons for doing wrong" (Velasquez, 2006 pp 99).

In the most recent war, which took place in December 2008-January 2009, Israeli air forces and ground forces with armor, tanks, and thousands of soldiers crossed into the Gaza Strip in order to retaliate against and quell rocket and mortar fire targeting southern Israel. The operation, dubbed "Cast Lead" by the Israelis, targeted Hamas military sites and is estimated to have killed over 200 people and injured nearly 1000

Figure A.   Associated Press

others. Most of the strikes were effective; many of those killed were the intended targets of Hamas militants or security personnel. However, there were numerous collateral civilian casualties as a result of the attack. Images below show both the successful hit on a Hamas building and the collateral damage to Gaza civilians (Tobin, 2009).

The Israeli moral dilemma involved weighing the benefits and risks of attacking Hamas targets, and accepting some collateral damage, or doing nothing and letting the Israeli citizens continue to endure rocket attacks. In order to prevent some of the attacks, Israeli security forces employed direct action against weapon-wielding militants and their logistics bases. Attacks launched against Israel typically originate from within the Gaza Strip, or West Bank, with the former being by far the most active in recent history. There is no known industrial base for weapon manufac-

> **"***From the perspective of the activists on the M/V Mavi Marmara, they were on a righteous mission to run the Israeli blockade of the Gaza Strip.***"**

turing in the Gaza Strip. Militants use occupied territories as staging areas where they assemble weapons and launch attacks against Israel. Weapons from Iran and Syria are usually smuggled into the Gaza Strip either in subterranean tunnels from Egypt or secreted on board vessels that attempt to get past Israeli maritime security personnel when they arrive from the Mediterranean Sea. In one case, on 3 January 2002, Israeli security

Figure B.   (Hatem Moussa/AP)

personnel boarded and seized the M/V Karine A. The Palestinian-flagged freighter was laden with 50 tons of weapons and ammunition supplied by Iran (Migdalovitz, 2009). The cargo of the M/V Karine A is shown below.

IV. Activist Ethical Perspective and History

From the perspective of the activists on the M/V Mavi Marmara, they were on a righteous mission to run the Israeli blockade of the Gaza Strip. The flotilla consisted of six vessels that departed from Cyprus in the Mediterranean late on 31 May 2010, with the intent to arrive in Gaza early on 1 June. The stated goal of the flotilla was to deliver badly needed aid to the people of Gaza, since the territory is cordoned off by Israel.

Figure C.   Knuppe, A. (2009)

> **❝** *From this moral frame it appears that Israel is depriving the people living in Gaza of their freedom, livelihood, and safety.* **❞**

Life in Gaza can be very difficult and is reportedly becoming unbearable due to the movement restrictions placed on its inhabitants by the Israeli security forces. As a security measure the Israelis close the border crossings when militant attacks are likely, which means that farmers and craftsmen cannot travel to Israel to sell their products and workers who have jobs in Israel cannot make it to their worksites.   The loss of mobility impedes the flow of money into Gaza from wages earned outside the territory. Consistent shelling by Israeli artillery is another contributing factor. A farmer from Gaza describes the shelling as occurring "day, morning, evening, and night every time." The constant shelling has caused damage to the agriculture in the area. The crop damage and frequency of shelling keeps workers away from the fields, and with no work getting done or wages to earn the situation is that much more desperate (Gradstein, 2010).

Israel maintains that food supplies are not banned from entering Gaza and has offered to help supply those items. In a recent 2010 interview Ziad al-Zaza (then-Hamas economic and trade minister; current finance minister, as well as deputy prime minister) indicated that the people of Gaza need construction and other raw materials to rebuild homes, not just soft drinks and snacks (Al-Mughrabi, 2010). Israel responded by pointing out that it transferred 994,000 liters of fuel for Gaza's power station, 748 tons of fuel for

Figure D.

A man in Gaza examines the aftermath of Israeli military operations in Gaza.

Source: http://www.thecuttingedgenews.com/uploads/cmimg_2193.jpg

cooking and eight truckloads of medical equipment and medicine, but did not change its position on allowing cement to be imported into Gaza. From this moral frame it appears that Israel is depriving the people living in Gaza of their freedom, livelihood, and safety.

John Locke, a 17th century English philosopher, described life, liberty and property as "natural

rights." The premise of natural rights is that each individual is born with them. Natural rights are not dependent on a governing body or class of people bestowing them on an individual (Velasquez, 2006). Therefore, this perspective claims that it is not unreasonable that the people living in Gaza should expect to be free to move from place to place in order to seek a livelihood and pursue their happiness.

More than just freedom to move, supporters for Gaza have argued for Israel to pay reparations to Gaza inhabitants. Israel itself has tacitly admitted a desire to achieve compensatory justice by offering to transfer $10 million dollars to the UN for disbursement to Gaza (Frenkel, 2010). The concept of compensatory justice is simple and is defined as: "Fairly restoring to a person what the person lost when he or she was wronged by someone else" (Velasquez, 2006).

V. The Raid

Israeli security forces began the boarding on the night of 31 May 2010. They were intent on getting on board to stop the six boats from reaching the Gaza territory. Israel had been blocking seaward arrivals since the start of an offensive against Hamas militants in January 2009. The security forces inquired about the flotilla's destination and purpose over the radio. They then issued orders for the boats to stop. When these orders were ignored, the boarding operation commenced.
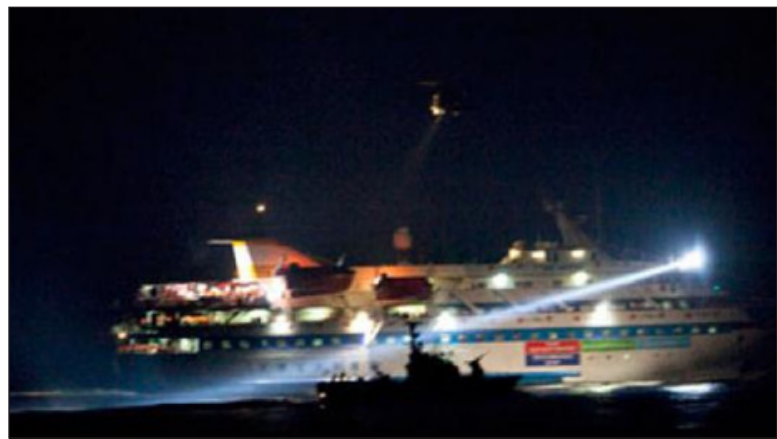
Figure E.

Dangerous environment; M/V Mavi Marmara at night and Israeli patrol boat silhouetted in foreground.

Source: www.rnw.nl/data/files/imagecache/mustcarry/images/lead/An-Israeli-naval-vessel-p-006.jpg

Israeli security forces approached the lead vessel in the flotilla of the Turkish-flagged M/V Mavi Marmara, and deployed personnel to take control of the ship. They then embarked on the ship by sliding down a rope suspended from a helicopter. Their plan was to identify themselves to the crew, find the master of the vessel and order him to stop the vessel. However, in this case the Israeli personnel were set upon immediately when they boarded. The video footage shows activists onboard the M/V Mavi Marmara throwing objects at Israeli personnel, and then violently beating them with various objects. Israeli security personnel would later indicate they

had been attacked with metal bars, knives, chains and scissors.

Policies regarding "use of force" doctrine vary from agency to agency or service to service let alone country to country. Generally, it advises that deadly force is authorized to protect and preserve one's own life or the life of others. In close quarters, usually considered 30 yards and under or anyplace inside/on a structure (building or boat), space and time to asses threats are compressed into
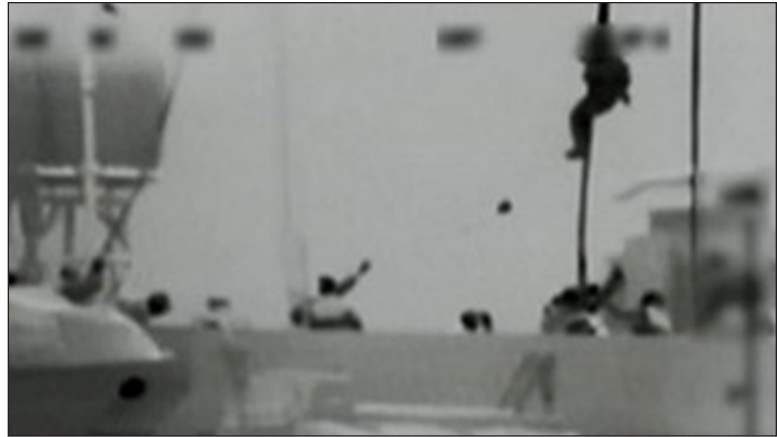

Figure F.

Activists aboard M/V Mavi Marmara throwing objects at, and beating Israeli security personnel as they are boarding.

Source: www1.whdh.com/images/news_articles/320x180/100602_flo-tilla_.jpg

seconds or fractions of seconds. On the Mavi Marmara knives and clubs could have been deadly because they were within the maximum effective distance. A number of the Israeli personnel were beaten severely, and imagery shows that their casualties included head injuries. Considering dangerous conditions involving high seas at night, any advanced medical treatment would have been hard to render if needed.

Figure G.

Activists aboard M/V Mavi Marmara holding down Israeli security team member; at far right a knife is clearly visible in the hand of one of the activists.

Eventually the Israeli Security forces got the upper hand using a combination of nonlethal and lethal force, resulting in approximately nine people being killed and dozens injured. The Israeli security forces took control of the ship among the screaming and injured passengers.

The vessels were escorted to Ashdod harbor, where over 600 activists were offloaded; some were processed for expulsion from Israel and others underwent background

investigations. As the facts of the raid eventually emerged, questions arose about the moral and ethical behaviors exhibited by both the Israelis and the activists. From the Israeli perspective the situation appeared to be dangerous enough to demand that the flotilla be stopped and searched. The activists, on the other hand, were bent on getting to Gaza despite Israeli instructions to stop and the show of force. Considering that they were primarily classified as "aid-workers," the activists certainly acted violently and seemed almost to overreact to the presence of the Israeli security forces.

Figure H.

Activists aboard M/V Mavi Marmara wielding what were described as metal rods; actually appear to be steel stanchions for securing hand railings to the perimeter of a ship's deck.

Source: http://www.reuters.com/news/pictures/slideshow?articleId

   The nature of the organization that coordinated the flotilla, the Foundation for Human Rights, Freedoms and Humanitarian Relief (IHH), may have had something to do with the Israelis' response. The Israeli government claims that the IHH has links to Hamas. While the IHH claims that it is completely legitimate and totally dedicated to peace, sources independent of Israel, such as French Investigative Magistrate Jean-Louis Bruguier, indicated that IHH leader Bülent Yıldırım had attempted to "recruit veteran soldiers in anticipation of the coming holy war" (Emerson, 2010). Magistrate Bruguiere testified at the U.S. trial of a suspect charged with the attempted bombing of Los Angeles Airport, alleging that the IHH was linked in the plot. Additionally, a 2006 report by the Danish Institute for International Studies described the group as a front for funding terrorist organizations (Alexander, Hider, 2010).

VI. Conclusion

The events surrounding the raid on the flotilla on 31 May – 1 June 2010 are symptomatic of the deep seated conflict between the Israelis and the citizens of the occupied territories. Both sides have their own perspectives about what is righteous, often referred to as "moral virtues," defined as "An acquired disposition that is valued as part of the character of a morally good human being that is exhibited in the person's habitual behavior" (Velasquez, 2006 pp 110). While there are good, well meaning people on both sides, there is plenty of blame to go around. Ethical relativism on both the part of the Israelis and activists, fueled by extreme perceptions, escalated the situation.

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