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Protecting higher education from attack in the Gaza Strip

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ABSTRACT

Higher education in the Gaza Strip has been subjected to four wars and over a decade of blockade. University staff and students have been killed whilst campus infrastructure has been attacked, rebuilt, and destroyed again. This paper examines opportunities for, and limits to, protecting higher education from attack in Gaza. It presents a framework for categorising protection measures and empirically explores the effectiveness of measures to protect higher education from attack in Gaza since 2007. It finds that whilst Gaza's academics and students generally express hopelessness at protection under blockade and asymmetric warfare, there are promising potential avenues for protection.

KEYWORDS

Gaza; higher education; education in emergencies; protecting education from attack

1. Introduction

This paper analyses protecting higher education from attack through an empirical case-study of the Gaza Strip. Direct violent attacks on higher education have in recent years made headlines globally, including the attack on Garissa University College in Kenya in 2015, destruction of Mosul University Library by the Islamic State, and the attack on Kabul University in Afghanistan in November 2020. Yet there is also considerable violence against higher education that is largely overlooked. The Middle East suffered the most attacks on higher education of any region during 2015–2019. During that period, Yemen suffered 130 out of over 300 attacks on higher education worldwide that have received very little attention (GCPEA 2020).

Such violent attacks on higher education occur in many conflict contexts globally and have deleterious effects on higher education by destroying critical educational infrastructure, depleting valuable resources, and creating barriers to educational access, attainment, and quality (GCPEA 2014b). Understanding what measures could be taken to protect higher education from such attacks can save lives, preserve intellectual capacity, and defend the right to education during conflict. Yet existing knowledge on the effectiveness of protecting higher education from attack is very weak.

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Over the past two decades much research analysed issues in education in conflict and emergencies, advancing knowledge on various issues, in particular, theorising the education–conflict relationship, mechanisms through which learning mitigates or contributes to conflict, and educational provision for under-served and affected populations (Bush and Saltarelli 2000). Whilst less research examines protecting education from attack, valuable studies investigate issues including whether education can serve protective functions during conflict and emergencies (Nicolai and Triplehorn 2003), how motivations for school attacks influence protection strategies (van Wessel and van Hirtum 2012), and applicability of disaster risk reduction principles (Shah 2015).

There is, however, very little evidence over what works and why in protecting higher education from attack. Very few studies have been published, with the most important exception constituting a review of protection measures for higher education in conflict (Novelli and Selenica 2014). Most research on protecting higher education is produced by advocacy organisations (GCPEA 2013). Whilst such action-driven research informs advocacy, there is need for more rigorous, academic studies of protecting universities during conflict. Given the paucity of research, robust empirical case studies on a range of conflict-affected contexts could add value to this growing area. Furthermore, much research and advocacy on protecting higher education adopts a broad definition of attack to include direct violence, harassment, intimidation, and other academic freedom violations. The focus of this paper is rather on the narrower and under-explored question – ‘how can higher education be protected from direct violent attack?’.

This paper contributes to this small but growing base of empirical studies on protecting higher education through a case-study of Gaza. Since 2007, Gaza has been under blockade and subjected to four wars, with deleterious socio-economic impacts (Barakat, Milton, and Elkahlout 2020). Higher education has been deeply affected by this unstable context, with many students and staff killed and university buildings destroyed. Utilising a modified version of a typological framework for identifying higher education protection measures (Novelli and Selenica 2014), this paper analyses the effectiveness and applicability of measures to protect higher education in the exceptional context of Gaza since 2007. To begin, the paper presents the analytical framework and contextualises Gaza’s higher education sector, blockade, and securitisation dynamics. It then documents impact of attacks on higher education in Gaza. Following this, major forms of protecting higher education are analysed in their efficacy and limitations. Finally, the study concludes with comparative lessons for global approaches to protecting higher education from attack.

2. Framework for protection measures

This paper utilises a modified version of a framework presented by Novelli and Selenica (2014) that documents measures for protecting higher education from attack. Their classification was the first to systematically analyse protection measures based on a global, comparative perspective. Since that publication, research has expanded the limited knowledge base on protecting higher education from attack. In accordance with recent research trends, the case-study is organised around a modified categorisation, presented below.

Table 1. Framework for categorising protection measures.

Category of Protection Measures	Sub-categories of Protection Measures
Protection and prevention measures	<ul style="list-style-type: none"> ● Restricting military use of university facilities ● Strengthening university autonomy ● Physical protection ● Rebuilding Higher Education ● Conflict Preparedness ● Alternative sites/modes of higher education provision ● Supporting displaced students, academics and universities
Accountability measures	<ul style="list-style-type: none"> ● State responsibility to protect higher education ● International law and international human rights law
Reporting and advocacy measures	<ul style="list-style-type: none"> ● Monitoring and reporting ● National and transnational advocacy campaigns

Protection and prevention measures include, firstly, restrictions on military use of university facilities because use by armed forces or non-state armed groups can damage physical infrastructure and makes universities non-civilian targets denied protection under international law (GCPEA 2015). Secondly, strengthening university autonomy can ‘insulate higher education from politicization and ideological manipulation, reinforcing a view of the higher education space as “off-limits” to violent or coercive force’ (GCPEA 2013). Thirdly, physical protection measures including blast walls, shatter-proof glass, and security cameras can improve security. Where universities are damaged, rebuilding can ‘build back better’ and design facilities adhering to protection principles. Fourthly, supporting mobility of displaced students, academics, and universities to exit conflict zones is often the most viable protection strategy. Student scholarships, academic fellowships, and funding for universities in exile can protect higher education resources during displacement (Seabrook 2009). Fifthly, alternative sites/modes of higher education can enable continuation of university operations during crisis.

One new protection and prevention measure – conflict preparedness – is added. Under this category are included training on what to do during attacks, devising evacuation plans, and information sharing during crises. Additionally, two protection and prevention measures are removed. Novelli and Selenica (2014) note that there is weak theoretical or evidentiary support for community protection or negotiated codes of conduct, and no recent evidence emerges on these areas from this case-study or recent research literature. Finally, two categories are modified – underground universities are considered under alternative sites of higher education whilst support for universities-in-exile is categorised under supporting displaced students, academics, and universities.

Accountability measures are less numerous than protection and prevention measures but receive more attention. Firstly, state responsibility to protect higher education from attack is an emergent global norm. In 2014, the ‘Principles of State Responsibility to Protect Higher Education from Attack’ were launched. Whilst not intended as an internationally binding treaty, GCPEA and others advocate on their behalf. Secondly, various provisions under international human rights law – applicable to individuals in conflict and non-conflict situations – protect the right to life and render many attacks on higher education students or staff unlawful (Scholars at Risk 2015). In protecting educational facilities, universities under customary International Humanitarian Law – principally Article 52 of the Additional Protocols to the Geneva Convention – are civilian objects with no military

purpose (PEIC 2020). Yet unlike hospitals which have special protection status, educational facilities lose legal protection once they are used for military purposes, including for weapons storage or military outposts (GCPEA 2015).

Finally, reporting and advocacy measures include monitoring and reporting mechanisms. Attacks on higher education are monitored globally by organisations including Scholars at Risk Network's Academic Freedom Monitoring Project – usually utilising local and international news reporting. Secondly, national and transnational advocacy campaigns draw attention to attacks on higher education. For instance, assassinations of over 500 Iraqi academics following the 2003 invasion received trans-national advocacy that raised awareness of violence against higher education globally (Milton 2021). Yet in both reporting and advocacy measures a major blind spot stems from the fact that, contrary to basic education, no single international organisation has a clear mandate as a higher education protection actor.

3. Methodology

The paper is based on years of research on, and engagement with, Gaza. The first phase involved desk review of secondary sources including published academic research, 'grey' policy literature, and quality journalism. Primary data was collected from various sources. Fieldwork was carried out in Gaza and several other locations. This primarily involved semi-structured interviews with faculty members, administrators, and students. Respondents spanned a range of universities and career stages and included male and female respondents. The scope of the study includes all universities and colleges in Gaza. Many examples are provided of the Islamic University of Gaza (IUG) as the university most affected by attacks. Voices from universities less affected by direct attacks were also included. Face-to-face interviews in Gaza were conducted in Arabic by research assistants whilst Skype/Zoom or telephone interviews were conducted by co-authors in Arabic and English.

Research was carried out from early 2018 until mid-2020. Research was conducted over several years to provide longitudinal data. In initial interviews, questions were more general, explorative, and open – and involved a more diverse range of academics, students, and administrators. Due to the low awareness of some protection measures, sampling became increasingly purposive, to identify interviewees cognisant of specialised, technical issues in protection. All interviewees were offered a guarantee of anonymity due to the sensitivity of the research.

4. Context of the Gaza Strip

The context of the Gaza Strip has been powerfully shaped by decades of occupation, war, and blockade. Israel invaded and occupied Gaza in 1967 and withdrew in 2005. In 2007, shortly after Hamas seized control of Gaza, Israel implemented a land, air and sea blockade that isolates Gaza from the West Bank and the world and strangulates the local economy. The status of Israeli occupation is contested, with the claim to have disengaged contradicted by the reality of Israeli control through blockade (Barakat, Milton, and Elkahlout 2018). During 2008–2021 Gaza was subject to four wars that reversed developmental gains and compounded humanitarian crisis in which over 85% of Gazans depend on food aid. Civilian infrastructure has been targeted, in particular

agricultural, water and energy infrastructure, with devastating impacts on livelihoods (Weinthal and Sowers 2019). The blockade restricts flow of materials, resources, and people necessary to effectively rebuild following each destructive round of conflict.

Whilst not unique in all aspects, occupation and blockade entails that Gaza constitutes an atypical conflict context and an extreme example of isolation during conflict with far-reaching consequences for higher education. Various studies have been carried out on higher education in the Gaza Strip. Sociological and historical studies examine higher education in formation of Islamist movements and identities in Gaza (Paz 2000; Jensen 2006). Technical or managerial studies analyse information technology adoption (Ahmed et al. 2018), mobile-based teaching (Alzaza 2013), and organisational learning (Abu Naser et al. 2017). A notable recent work with a fine-grained understanding of blockade is Jebril's (2018) analysis of Gazan university-based educationalists through a de-development lens. Yet much research on Gazan higher education since 2007 under-analyses the context of blockade and conflict that powerfully shaped the university system.

Another major contextual theme is securitisation. Claims that universities in Palestine – in particular Gaza – threaten Israeli security have long been invoked as justifications of violent attacks on higher education. The Islamic University of Gaza (IUG) is particularly vilified in Israeli public discourse. Cambanis (2010) states, 'Israelis often talk about the university as if it were a key source of Hamas suicide bombers and missile manufacturers, a kind of clubhouse and recruiting ground'. This is also the long-standing view of Prime Minister Netanyahu, who in 1986 claimed in a speech to the UN that the Palestinian Liberation Organisation 'mounted an all-out effort to subvert the academic purpose of the universities and turn them into centres of incitement, extremism and terror' (cited in Sullivan 1991, 253).

Such terrorism accusations follow broader trends of securitisation of higher education in the Middle East and elsewhere (Milton 2020). A growing literature examines radicalisation and higher education in conflict-affected contexts, in particular Islamic universities. Research examines higher education as a vector for radicalisation/de-radicalisation in Nigeria, Chad, and Cameroon (Thurston 2018) and Iraqi universities in 'post'-war insecurity (Milton 2021). Protecting higher education must contend with such securitisation dynamics. Stereotypes of 'jihadi engineers' work counter to public perceptions that higher education is an innocent bystander during conflict. Furthermore, Hamas' proscription as a terrorist organisation by the U.S. and EU complicates protecting higher education. Whilst studies examine effects of counter-terrorism legislation on humanitarian action and civilian protection (Mackintosh and Duplat 2013), no research explores linkages with protecting higher education. The study contributes towards understanding protecting higher education in contexts characterised by proscribed non-state armed groups, such as al-Shabaab in Somalia or Boko Haram in Nigeria.

Contrary to 'terrorism' claims, Gaza's universities may be better understood as a form of resistance to occupation. Since IUG's establishment in 1978, Gaza's higher education system expanded to comprise 28 higher education institutions (HEIs) including six universities, 10 university colleges, eight intermediate community colleges, one polytechnic, a Graduate Studies Academy and two open universities. In 2017/18, a total of 84,817 students enrolled across all HEIs, with over 50% female students (MOEHE 2018). Gaza's diverse higher education system covers almost all

undergraduate specialisations, and limited graduate fields. Considering the challenges of Israeli occupation and blockade, this quantitative expansion is impressive and viewed as a source of national pride.

Universities have been deeply enmeshed in Palestinian politics since their establishment. As Zelkowitz (2015, 183) writes ‘the student movement of the West Bank and Gaza Strip considered itself to be at the forefront of the Palestinian struggle for national self-determination’. This self-understanding is central to Palestinian and Gazan narratives that Israel targets Gaza’s HEIs because they are important centres for resistance to occupation and vital elements of Palestinian national identity. In the words of one senior Gazan academic – which reflect a common sentiment expressed in interviews:

The Israeli goal of targeting universities is to strike at the Palestinian mind and intellectual structure, and to restrict the Palestinian people and make them unable to develop and rise.¹

These arguments are reminiscent of the sentiment common in Iraq that its academics were assassinated after 2003 in a foreign conspiracy perpetrated by its neighbours in addition to occupying forces and Israel, aimed at destroying Iraq’s once-glorious university system that was a fundamental pillar of the country in order to weaken Iraq as a strong Arab state (Milton 2021).

5. Impact of attacks on higher education

Conflict impacts higher education in Gaza in various ways. Firstly, there is severe physical damage to HEIs. During Operation Cast Lead in 2008/09, 14/15 HEIs were damaged. Three colleges were totally destroyed, with six university buildings ‘razed to the ground’, and 16 damaged (IRIN 2009). IUG was most affected with six separate Israeli Defence Forces (IDF) airstrikes destroying three colleges and damaging over 75 laboratories worth \$55.351 million (UNDP 2010, 26). Furthermore, Al Aqsa University suffered destruction of an under-construction facility and other damage totalling \$1.5 billion in estimated repair costs (Almeghari 2009); and Azhar University was also damaged (IRIN 2009).

Further attacks occurred on 14 November 2012, when IDF launched Operation Pillar of Defence with airstrikes damaging seven HEIs during the eight-day war (GCPEA 2014a). Much more damaging was Operation Protective Edge launched on 8 July 2014. IUG was targeted once more, alongside 13 other HEIs, causing \$16 million in damages (UNESCO 2015). Al-Azhar University’s Faculty of Agriculture was directly targeted, completely destroying the main faculty building, groundwell, and main entrance.² Al Aqsa University suffered damage to several buildings including its headquarters, worth \$285,000.³ Furthermore, University College of Applied Sciences, Gaza’s largest technical institute, was bombarded, damaging laboratories and offices (Faek 2014).

Secondly, wars exacted high human tolls. Operation Protective Edge in summer 2014 killed 407 students – 27.4% of all civilian deaths – plus nine academic and administrative staff. 91% of students killed were male and 9% female, with 372 deaths from shelling (UNESCO 2015, 15). Heaviest male fatalities were at IUG, with 95 killed, followed by Al Aqsa (49 killed) and Al-Quds Open University (44 killed). Given that Gaza has greater female than male enrolment, it may be expected that gender distribution of students killed would be more even. The most plausible explanation for high male fatalities is that

most were Al Aqsa Brigade members killed during hostilities. Furthermore, 1,128 students were injured and consequently approximately one-fifth are living with disability including mobility, hearing, and visual impairments (UNESCO 2015, 19).

The human toll also includes psychosocial impacts. A study of education after the 2008–2009 war found significant psychosocial problems including fear, anxiety, increased drug abuse, everyday distress, and hopelessness which affected student learning (Kostelny and Wessells 2010). In protracted conflicts, long-term impacts on childhood development cause learning difficulties and impair children's capabilities to attain higher education. The study also found high prevalence of stress and unmet demand for psychosocial support amongst faculty members, reducing productivity and straining university resources (Kostelny and Wessells 2010). Furthermore, academics relate that mental impact of feelings of frustration, pessimism, and oppression are among the most damaging effects of conflict.⁴

6. Protecting higher education from attack

In this section, various measures of protecting higher education are examined – firstly protection and prevention measures, followed by accountability measures, and lastly monitoring and advocacy measures. The first sub-section – restricting military use of university facilities – is particularly crucial in Gaza where claims of militarisation are at the core of justifications for attacks on higher education.

6.1. Protection and prevention measures

6.1.1. Restricting military use of university facilities

Israel's claim that Gaza's universities – in particular Islamic University of Gaza – is utilised by Hamas for military purposes represents a primary vulnerability facing higher education. IUG is the university Israel attacked most consistently and severely over successive wars, with official justification that the university was involved in missile production and storage for Hamas. In 2014, University College of Applied Sciences was bombarded, with IDF officials alleging its involvement in rocket research and development (Faek 2014). Immediately after Israeli attacks on IUG, an IDF press release stated:

One of the structures struck housed explosives laboratories that were an inseparable part of Hamas' research and development program, as well as places that served as storage facilities for the organization. The development of these weapons took place under the auspices of senior lecturers who are activists in Hamas (Butcher 2008).

Despite these claims, they are unsupported by publicly available evidence. Following the 2008–9 war, a UN factfinding mission observed Gaza's affected HEIs, reporting that:

These were civilian, educational buildings and the Mission did not find any information about their use as a military facility or their contribution to a military effort that might have made them a legitimate target in the eyes of the Israeli armed forces (UN 2009, 271).

In 2007, a Washington Times (2007) report alleged that USAID funds had been provided to Al Quds University and IUG, two universities 'that have participated in the advocacy, support or glorification of terrorism'. Yet during 2001–2006, USAID vetted Al Quds

University seven times and IUG eight times, with an audit of U.S. assistance to those universities stating ‘none of these vetting requests resulted in derogatory information’ (USAID 2007, 5).

Whilst no firm evidence for bomb production at IUG has been presented, perception that the university has been used for weapons storage is long-established. During intra-Palestinian conflict during the 1980s, ‘it became common knowledge that the Mujamma had a cache of crude weapons at the university that it used in its attacks against the secularists and nationalists’ (Milton-Edwards and Farrell 2010). A former Islamic Jihad member claims ‘white weapons and iron chains’ were used in mid-1980s campus clashes, with no firearms, and that weapons storage claims make little sense as Hamas ‘does not need to do so because it controls the entire Gaza Strip, above and under the ground’.⁵ Furthermore, after the February 2007 raid by Fatah’s Presidential Guards on IUG, various claims were made about conventional weapons storage, although backtracking over the statement that Iranian weapons scientists were detained raises doubts over the claims (Myre 2007).

Beyond historical weapons storage examples, there is no hard evidence of other forms military use of universities. Such claims, whilst plausible, are difficult to falsify. Alongside taking steps to limit military use of HEIs, the most protective measure available would be to allow independent international monitoring and auditing to disprove accusations that laboratories are used for weapons research and production thus removing a major pretext that would likely be invoked in future attacks.

6.1.2. Strengthening university autonomy

Following the logic that association with Hamas is a primary source of vulnerability for Gaza’s universities, it may be reasoned that securing some degree of autonomy would be an effective protection strategy. However, this option is largely infeasible in Gaza’s political context. Higher education in the Occupied Palestinian Territories (oPT) operates in an exceptional governance context that provides no legal protections of academic freedom or university autonomy. Such enshrining of university rights is delayed by indefinite wait for Palestinian statehood. Whilst the draft Palestinian constitution does not explicitly refer to academic freedom or autonomy, Article 44 does state that:

The state shall honor the independence of the universities, institutions, and research centers that have a scientific purpose. The law shall regulate oversight over them in such a manner so as to safeguard the freedom of scientific research and innovation in all fields. The state shall, within the bounds of its capabilities, work to encourage, assist and protect them (PCPSR 2003).

Formal legal rights of academic freedom and autonomy in the oPT are largely governed by university by-laws and policies (Robinson 2010). Yet the reality of university autonomy in Gaza cannot be understood in formal legal terms but rather is a product of socially embedded relations between universities and Hamas as the governing authority.

To begin, IUG is deeply tied to Hamas and can be characterised as Hamas-controlled. One respondent states ‘the university and the Mosque are Hamas’ place to spawn its followers’.⁶ A number of IUG administrative staff work for the university during daytime and train with al-Qassam Brigades in evenings.⁷ One student states, ‘many students fight

for al-Qassam Brigades. Some split their day with mornings in university and evening military training. But if you are in al-Qassam you cannot tell other students because of the spies'.⁸ Kalman (2009) writes of IUG that 'while the university has acquired an international reputation in some fields and even produced Fulbright scholars, its close ties with Hamas complicate its pure academic status'.

This association is deep-rooted and historical. Islamist movements in oPT including Hamas and Islamic Jihad were more reliant upon universities during their formation than secular nationalist movements (Paz 2000). Throughout the 1980s, IUG fell increasingly under control of the Mujamma – Hamas' precursor – with Islamist influence embedded through gender segregation, Islamic dress codes, and sidelining nationalist and secularist Palestinian Liberation Organisation supporters (Milton-Edwards and Farrell 2010). IUG was 'the most influential institution associated with Hamas in terms of social penetration' in Palestine (Dunning 2015). Many Hamas leaders were IUG employees, including Ismail Haniyeh and Abdel-Aziz al-Rantissi, and Nizar Rayan who was Professor at IUG and would often patrol with Hamas militants after lectures. 16 Hamas members elected to the Palestinian Legislative Council in 2006 taught at IUG (Kalman 2009).

It is clear that IUG's association with Hamas constitutes its primary source of vulnerability. Other Gazan universities are similarly heteronomous and bound to one party, for instance, Al Azhar University to Fatah and Israa University to Islamic Jihad. Whilst all Gaza's universities, except Al-Quds Open University, are governed by autonomous boards of trustees, for these politically affiliated HEIs university autonomy is limited. Yet some universities that receive very little to no funding from Hamas or the PA have some degree of autonomy. For instance, University of Palestine is owned by Palestinian businessmen, and the Vice Chancellor asserted that the university focuses only on academic activities, with no links to any Palestinian factions.⁹

Based on this analysis, it is plausible that the most a university can do to protect itself from the predictable effects of Israeli military campaigns is to resist overt politicisation and affiliation with Hamas. The protective factor in this sense is not positive autonomy but rather absence of an affiliation with Hamas, whether that university is autonomous or deeply embedded with other social and political forces.

6.1.3. Physical protection

In theory, forward-looking design can protect higher education by integrating protective features into plans for upgrading and/or rebuilding facilities and infrastructure. Such measures are implemented in schools, for instance, a school largely destroyed in 2014 was rebuilt with participatory design principles, producing a built environment where students felt safe, with features including shatter-resistant windows, buildings functioning as emergency shelters, and no open-air walkways between classrooms (Barhoum and Weibel 2016). One positive example, a new university campus 'is designed to appear as one building from outside, but is divided structurally into six buildings. If one building is destroyed the other five buildings can still operate safely'.¹⁰ The same university utilises the earthquake code in designing concrete structures, and although the designer admits 'this is no protection against F-16 jets', buildings withstood damage from blasts in the campus vicinity that would otherwise have caused structural damage. However, no further evidence indicates such protection measures are built into enhancement/

reconstruction plans. Furthermore, Gaza's HEIs have not uniformly adopted accessibility for disabled students and staff in designing university buildings, rendering disabled persons particularly vulnerable (UNESCO 2015).

There are several reasons for limited uptake of physical protection measures. Firstly, Gaza's universities face funding crises due to economic effects of blockade. Rebuilding must compete with multifarious spending priorities. PA higher education budgets mostly fund salaries and operating expenses, leaving little for capital expenditure. Insurance is amongst the most effective protection measures for conflict-and disaster-related risk yet Gaza's HEIs are not covered under any insurance policies.¹¹ One academic reports that protection-focused design elements are not integrated because 'rebuilding processes are funded from foreign and Islamic donors who provide limited budgets and impose strict conditionalities'.¹² The designer of the above-mentioned university explains it is exceptional 'because we have funds to do so and other universities face financial crisis'.¹³ The funding crisis also explains the discomfiting sentiment raised in interviews that bombardment of campuses was welcomed by some academics who perceived opportunity to attract funding and build better infrastructure and facilities.

Secondly, and relatedly, Gaza's universities struggle to upgrade campus infrastructure to cope with natural enrolment expansion and slow the rate of material decay let alone implement future-proofing design elements. Gaza's higher education system has been isolated from the world whilst experiencing over a decade of deterioration. University buildings became so dilapidated that structural damage often occurs from attacks on buildings in campus vicinities. This is partly due to blockade restricting import of 'dual-use items' – particularly construction materials – to prevent use for military purposes. Consequently, universities deal with over-crowding, utilising buildings designed for non-educational purposes, and inadequate facilities¹⁴ – entailing that HEIs largely do not constitute safe and protective environments.

Thirdly, such measures are often seen as futile under asymmetric warfare. One interviewee states, 'you never know where you are safe, any building could have a tunnel underneath it and be targeted in a bomb strike'. IUG reportedly has a vast network of underground tunnels and facilities – dubbed 'the other city' – yet was still targeted by Israeli bombs that penetrate 20 m underground through concrete. Moreover, physical protection measures may be perceived to constitute risk by associating universities with military aims thus making themselves a target (Novelli and Selenica 2014). Furthermore, an emergent finding from interviews challenges the notion that rebuilding Gaza's universities under repeated wars is protective. It may be reasoned that in conflict-affected contexts where attacks destroy or damage HEIs, simply ensuring continued provision through reconstruction offers protection. However, some Gazan academics hold that donor-funded university rebuilding reduces international pressure on Israel, increasing the likelihood of more destructive responses in the next war.

6.1.4. Conflict preparedness

Whilst the 2008–09 war caught some by surprise, Gazans have lived in expectation of new rounds of war since then. Over time, conflict preparedness emerged as a means of protecting higher education. One form of conflict preparedness is plans for evacuation and closure of universities. As one Professor states, 'we can't prevent war, so we can't say that there are ways of protection. All that can be done is suspension of studies, and not to

be in university buildings during days of war'.¹⁵ Such emergency closures proved effective during Operation Protective Edge in 2014. IUG was evacuated on 26 December and first bombed on 29 December, with no direct casualties. Students and staff communicate largely via text messages, phone calls, and WhatsApp groups to warn of impending attacks. Furthermore, during emergencies, universities communicate with students via email and publish safety instructions online.¹⁶

UNRWA is lauded as implementing robust protection policies for schools in oPT, adopting a protection-focused approach with security manuals and risk education training to reduce conflict risks to staff and students. However, no model specifically for university protection has been developed. One interviewee states 'at school they taught us to evacuate the place if it were bombed, but they never did something like that in the university'.¹⁷ A straightforward protection measure would therefore be to learn from UNRWA policies and procedures to inform higher education protection approaches.

In interviews, no respondents reported awareness of conflict preparedness training at universities, and awareness of policies and procedures that could protect the sector is observably low. Even experienced faculty members and administrators possessed little knowledge of such policies and procedures. A UNESCO (2015, 49) rapid assessment of Gazan higher education after the 2014 war finds that:

In the absence of any body currently established to co-ordinate HEI emergency response, an entity or cluster of HEIs for emergency and contingency response, information sharing and collaboration was identified as an important priority.

There is, however, growing academic engagement with cognate areas of humanitarian protection and emergency preparedness. For instance, in 2015 ICRC and IUG jointly held a conference on Islam and international humanitarian law, including issues of humanitarian protection (ICRC 2016). Furthermore, Hayat Center for Emergency and Crisis Management, established at IUG Faculty of Medicine, trains post-graduates in crisis management 'to develop the local community's ability to deal with emergencies and crises that result from recurrent Israeli attacks'.¹⁸

6.1.5. Alternative sites/modes of higher education

Gaza's universities have long-faced challenges of operating under occupation and periodic conflict. Under Israeli occupation during 1967–2005, oPT universities were subject to military rulings, closures, and harassment of students and staff. During the Intifadas, higher education adapted to maintain some semblance of normality. With schools and universities ordered shut, educators ran classes in private settings including lecturers' homes and even smuggled students into laboratories at night during curfews. These alternative sites of higher education gave purpose to, and fostered solidarity between, students and staff and form an important aspect of Palestinian narratives of resistance to occupation (Bruhn 2006; Baramki 2010).

Under blockade since 2007, such alternative sites have not been necessary as Israel no longer exercises formal control of university closure. Four wars have occurred since then, yet none lasted long enough to necessitate makeshift classes – with the longest, the 2014 war, occurring during summer holidays. More subtle adaptations have however occurred. For instance, more students register at universities close to their hometown/village due to cost of renting and transportation whilst families increasingly require food

aid. Furthermore, distance learning programmes enable students to better cope with travel risks and closures, including the Open and Distance Learning (ODL) at Palestinian Universities initiative (GCPEA 2011).

6.1.6. Supporting displaced students, academics and universities

A major form of protecting higher education is mobility of individuals through temporary flight from conflict zones. Displacement itself is protective in the negative sense of removing higher education communities from insecure contexts whilst entailing positive responsibility of host governments to continue education services for the displaced and protect the right to education. Yet blockade effectively denied recourse to mobility as means of protection. Prior to 1994, approximately 3,000 Gazan students attended West Bank universities. Numbers declined rapidly following an Israeli order in 1996 to expel Gazan students from the West Bank and imposition of border restrictions during the Second Intifada (PCHR 2010, 84).

Since 2007, Israeli blockade imposed more stringent visa policies, restricting freedom of movement and isolating universities from both the West Bank – where they previously comprised 35% of students – and the world.¹⁹ During 2000–2012, just three Gazan students were permitted travel to West Bank universities (Hass 2012). Israeli court decisions on Gazan students' right to travel to the West Bank ruled that young persons aged 16–35, especially university students, constituted a 'dangerous category', and labelled Palestinian universities 'greenhouses for growing terrorists' (PCHR 2010, 85).

For many Gazan students, undergraduate degrees represent potential legal means of exit by expanding employment and post-graduate education opportunities abroad. In 2015 young persons wishing to emigrate was 37% in Gaza and 15% in the West Bank (PCBS 2015). A post-graduate student states 'most young people think of how to get a scholarship and escape. Even academics feel humiliated waiting in line for food aid, pushing them to emigrate'.²⁰ Whilst the Rafah crossing between Gaza and Egypt remained closed except for special cases throughout much of the blockade, in late 2017 partial reopening occurred, with tens of thousands leaving, with an over-representation of highly educated Gazans who could obtain positions abroad and afford international travel. Whilst this enabled some students and academics to leave, the inadequacy of legal means of exit has even pushed desperate university students, university-age youth, and recent graduates to risk crossing the Mediterranean in boats.

6.2. Accountability measures

6.2.1. State responsibility to protect higher education

State responsibility to protect higher education is a primary measure advocated by global civil society organisations. One protection measure under this category, international organisations could engage with Hamas to advocate the Principles of State Responsibility to Protect Higher Education from Attack (GCPEA 2014b). A major barrier to such a possibility is fear in the international community that doing so would afford Hamas political legitimacy. Furthermore, a 'No Contact Policy' prohibits international organisations from engagement with Hamas as a proscribed terrorist organisation by the U.S. and EU (Qarmout and Béland 2012). Yet there is opportunity given that in direct negotiations between Hamas and the UN's Humanitarian Coordinator, it

was found that ‘ Hamas’ desire to be seen as a legitimate state-like actor created a willingness to adopt a position in line with the best practices of states in respecting humanitarian principles’ (Galli 2013).

Yet in Gaza, the question of the stillborn Palestinian statehood constitutes a fundamental conflict driver and complicates the issue of state-based duties and obligations to protect higher education. This ambiguous and contested political context lessens applicability of state responsibility to Hamas, which since its takeover of Gaza, controls ministries and is responsible for service provision yet remains in many ways a non-state actor (Galli 2013). Furthermore, it is Israel and not Hamas that is largely the State actor responsible for attacks on higher education in Gaza. Diplomatic efforts could focus on persuading Israel to uphold State Principles of Responsibility to Protect Higher Education from Attack, in particular ‘abstain from direct or complicit involvement in attacks on higher education’ (GCPEA 2014b). As of September 2021, 111 countries had signed the Safe Schools Declaration, including Palestine but not Israel or the U.S.²¹ However, there is no evidence of such humanitarian diplomacy or advocacy engagement with Israel.

6.2.2. International law and international human rights law

International law is one measure for protecting higher education. This is favoured by Palestinian Assistant Deputy Minister of Higher Education whose ‘priority is to work with international institutions to strengthen the protection of education institutions and the right to education under international law’ (UNESCO 2015, 49). Israel’s attacks on schools during the 2014 war generated significant international attention and condemnation, with Amnesty International (2014) calling for investigation of the Jabaliya school attack as a ‘potential war crime’. Also during the 2014 war, the Global Coalition to Protect Education from Attack condemned Israeli attacks on schools as violating international law but did not mention attacks on higher education.²²

A UNESCO (2015, 15) report published after the 2014 war states that ‘failure to treat learning environments as safe spaces and protect universities from attack is a serious violation of the right to education and is prohibited under international law’. Much debate focuses on attacks on IUG. In Bisharat et al.’s (2009, 74) opinion, attacks on IUG are prohibited under international law because ‘a civilian object is not rendered a “military objective” because it supports or even teaches political opinion that the attacking party finds offensive or dangerous’. Despite a plausible case for international law violations, more than five years since an ICC preliminary investigation opened in 2015, a full investigation of alleged war crimes has not been launched. It remains to be seen what level of priority attacks on education will be given in any investigation.

There is considerable scepticism amongst Gazan academics and students with regards to international law for protecting higher education in the short-term. Yet Gazan university academics and administrators – despite non-application of international law – have not abandoned hope with international law. Rather, somewhat paradoxically, international law was stated by various interviewees to offer the best long-term protection. Whilst there is no immediate expectation of prosecuting war-crimes, this is reasoned to be a product of contemporary geo-political balance, with long-standing unwillingness of the international community to hold Israel to account and more

recently the Trump administration threatening international bodies investigating alleged U.S. and Israeli war crimes. Yet there remains hope of a changed global context enabling justice through international courts in the future, which could hold Israel to account and deter further attacks. High expectations are borne of conviction that attacks on Gaza's universities are *prima facie* violations of international law – a view which over-stretches international legal protections afforded to higher education.

6.3. Monitoring and advocacy measures

6.3.1. Monitoring and reporting

Monitoring and reporting of attacks against higher education is undertaken primarily by local journalists and researchers in Gaza, the West Bank, and Israel. Reporting in the present is widely viewed as crucial to evidencing violations and building the case for future litigation under international law against Israeli attacks. One Professor explains that awareness raising is important, stating 'we show foreign delegations around and there is full documentation by NGOs of attacks by Israel on Gaza's universities'.²³ Similarly, a student involved in documenting destruction of cultural and educational buildings states 'the best way to protect Gaza is to tell our story to the world'.²⁴ A legal researcher states 'Palestinian media has exposed many crimes, but we lack the international media side. We need radio stations, for example, speaking in English or Hebrew to expose such violations'.²⁵ Globally, organisations such as Scholars-At-Risk Network document attacks on higher education in Palestine through periodic reporting.

6.3.2. National and transnational advocacy campaigns

At the national level, advocacy for protecting higher education from attack is scarce. One interviewee states 'unfortunately, universities have not carried out any lobby and advocacy campaigns on exposing and preventing the Israeli attacks against universities'.²⁶ Trans-nationally, attacks on Gaza's universities receive much less media attention and advocacy than other academic emergencies, such as assassinations of academics in post-2003 Iraq. For instance, after the 2008 bombing of IUG, Gordon and Halper (2008) asked 'where's the academic outrage over the bombing of a university in Gaza?', noting that not a single university leader of almost 450 signatories to a letter condemning the British academic boycott of Israeli universities condemned bombing of IUG. This was in part due to media counter-narratives. For instance, Fox News (2008) covered IUG's bombing with the headline 'Bombing of Islamic University: Strategic Target or War Crime?'. Despite a relatively balanced headline, the article largely repeats IDF statements and sources vilifying IUG – even offering justification that 'leaving the university intact would lead to its graduates being recruited by Hamas into its various wings or international institutions'.

Under blockade, trans-national advocacy by pro-Palestinian campaign groups increased, although with less solidarity from universities and academic associations. The global Boycott, Divestment and Sanctions (BDS) movement drew attention to attacks on Gaza's schools and universities (Bdsmovement.net 2014) whilst other solidarity networks publicly opposed attacks on Gaza's universities. Trans-national advocacy effectively protect Gaza's universities 'if pursued and applied rigorously' through a two-fold mechanism 'to build academic links with Palestinian educational institutions (create student/staff exchanges, scholarships, do joint research, invite Palestinian academics) and uphold

academic boycott of Israeli educational institutions supported by the Israeli Government'.²⁷ Furthermore, professional associations condemned attacks on Gaza's universities. A letter from the U.S.-based Middle East Studies Association (MESA) President documents Israeli attacks, implores 'international donors to hold Israel accountable' and states that 'to protect academic freedom and the right of Palestinians to education, the fundamental circumstances in the Gaza Strip must be transformed' (Brown 2015).

7. Conclusion

This paper analysed protecting higher education from attack in Gaza. It began by presenting a framework for categorising protection measures and then contextualised Gaza. The paper then examined each protection measure under three categories of protection and prevention measures, accountability measures, and reporting and advocacy measures.

Several major conclusions can be stated. Firstly, in terms of standards, Gaza's universities could learn much from protection measures implemented in primary and secondary schools. There is however a need to devise higher education sector-specific policies, procedures, and protocols. Secondly, Israel's claimed justification for attacking universities in Gaza, based around claims of militant activity, further securitises higher education and stands as a barrier to diffusion of emerging global normative appeals to protect universities from attack. The case of Gaza illustrates the need for thorough political analysis in a field where much grey literature utilises de-politicised framings.

Finally, the central conclusion is that many standard protection measures are ineffective or inapplicable given Gaza's exceptional context. Whilst some technical safety and security steps could improve protection to a limited degree, these are of little import in asymmetric conflict between one of the world's most advanced militaries and a vulnerable, beleaguered population subjected to blockade and recurrent bombardment. Furthermore, Gaza's quasi-statehood problematises state responsibility, whilst the international community's unwillingness to hold Israel accountable for attacks on education under international law removes recourse to the most widely known protection measure.

Jebri's (2018) study of educationalists in Gaza's universities finds that worldviews of fatalism and vulnerability exist in tension with narratives of resilience. She argues that, paradoxically, fatalism itself functions as a form of resilience. This co-mixture of hopelessness and resilience is mirrored in the words of novelist Atef Abu Saif: 'when it comes to universities, when you teach during war, you see the distraction of the students because they don't see the future'. Yet he continues, noting that 'higher education is appreciated by normal citizens. It's kind of a social protection and about securing the future' (Elmes 2015). Similarly, Gazan students view education as a defence against Israeli aggression and 'in a very difficult psychosocial landscape, education remains a powerful potential source of resilience' (Kostelny and Wessells 2010, 31).

The findings support the conclusion that most academics and students in Gaza do not believe there are many practicable actions to protect higher education from attack. One academic explains, 'protection of higher education is a complex and cumbersome task in itself, since no area can be considered a safe area'.²⁸ Similarly, a student states 'you cannot feel safe anywhere in Gaza. In any moment there may be an attack. Not just at the

university, but in all of Gaza'.²⁹ Whilst many students, faculty, and staff in general do not think that much can be done in protecting higher education, many everyday actions or behaviours that both students and university staff routinely engage have protective roles. This is observed whether in using WhatsApp for early warning, pursuing distance education, or monitoring and advocacy. However, these are often taken as given and not viewed as protection which is understood largely as direct, tangible measures including armed guards or bomb-proof buildings. To return to Jebri's contrasting of fatalism and resilience, when it comes to protecting higher education Gazan students and academics express fatalism by word and resilience by deed.

Notes

1. Professor Samer Qouta. Gaza. October-2019.
2. Yousef Abu Sultan. Lecturer, Al-Azhar University. Gaza. 2018.
3. Dr. Ahmed Hamad. Head of Media and Press Department, Al Aqsa University. Gaza. 2018.
4. Interviews. Academics, Al Azhar University and IUG. London, UK. February-2016.
5. Former Islamic Jihad member and expert. January-2020.
6. Political analyst. February-2020.
7. Various interviews with students and staff.
8. Former student, Al Azhar University. Doha, Qatar. January-2018.
9. Jabr El-Daour. Vice Chancellor, University of Palestine. August-2020.
10. Professor and architect/designer. Gaza. August-2020.
11. Professor Samer Qouta. Gaza. October-2019.
12. Wael Abdul Aal. Assistant Professor, Qatar University. Doha, Qatar. November-2019.
13. Professor and architect/designer. Gaza. August-2020.
14. Dr Rafiq Mohsin. Lecturer. Gaza. January-2019.
15. Professor Samer Qouta. Gaza. October-2019.
16. Wael Abdul Aal. Assistant Professor, Qatar University. Doha, Qatar. November-2019.
17. Former student, Al Azhar University. June-2020.
18. <http://dnntest.iugaza.edu.ps/medicineen/Academic-Study/Post-Graduation/Hayat-Center-for-Emergency-Crisis-Management>.
19. Interviews. Academics, Al Azhar University and IUG. London, UK. February-2016.
20. Graduate, Al Azhar University. Doha, Qatar. May-2020.
21. Norwegian Ministry of Foreign Affairs. Data accessed 6 September 2021. Available online at: https://www.regjeringen.no/en/topics/foreign-affairs/development-cooperation/safe-schools_declaration/id2460245/.
22. <https://protectingeducation.org/news/all-parties-should-protect-schools-and-children-in-gaza-conflict/>.
23. Professor Samer Qouta. Gaza. October-2019.
24. Journalism graduate, Islamic University of Gaza. Doha, Qatar. February-2018.
25. Maram Shatat. Legal researcher. February-2020.
26. Ibid.
27. Email interview. Jim Roche, Lecturer, Dublin School of Architecture and Chair of Academics for Palestine. January-2020.
28. Mostafa Abo Naser. Vice President of Scientific Research, Al Azhar University. Gaza. 2018.
29. Former student, Al Azhar University. Doha, Qatar. January 2018.

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