

# Good Luck to the ICJ, Israelis Should Hope It Will Decree to Stop the Gaza Operation

Saturday 13 January 2024, by [LEVY Gideon](#) (Date first published: 7 January 2024).

**Israel did not go to war in order to commit genocide - there is no doubt about that - but it is committing it in practice, even without intending to. Every day that goes by in this war, with its hundreds of deaths, reinforces the suspicion**

Anyone who sees the pointless continuation of the war and the dimensions of the killing and destruction in the Gaza Strip, who wants to put an end to the inhumane suffering of more than two million human beings has to hope, even if only deep in their heart, that the International Court of Justice in The Hague will issue a provisional measure ordering a suspension of Israel's military operations in the Strip.

It is not easy for an Israeli to wish for a court order against his country that could also lead to punitive measures against it, but is there any other way to stop the war?

It is not easy to know that your [state is being sued by a state](#) that knows a thing or two about unjust regimes and evil, whose founding leader was a moral role model for the entire world. It is not easy to be brought to the world court by South Africa; it is not easy to be [accused of genocide](#) that was allegedly committed by a state that was founded on the ashes of the largest genocide in history.

It is no longer possible to ignore the fact that suspicions of the worst crimes against humanity and international law are [hovering over Israel's head](#). People have stopped speaking of occupation; they speak of apartheid, of involuntary [population transfer](#), ethnic cleansing and genocide. What could be more egregious than these? It appears that today there is no other state that stands accused of all these offenses.

These accusations cannot be dismissed out of hand, nor blamed on antisemitism. Even if some of them are exaggerated and even baseless, the indifference with which they are met here - and, as always, turned against the accuser - might be a good route to denial and repression, but not to clearing the name of Israel, much less to the repair and healing of the country.

More than [20,000 dead in three months](#), including thousands of children, and the total destruction of entire districts, can only raise suspicions of genocide. The unbelievable remarks of important Israeli figures about the need to cleanse [the Strip](#) of its inhabitants or even to destroy them raises the suspicion of intent to carry out ethnic cleansing. Israel deserves to stand trial for both.

Israel did not go to war in order to commit genocide - there is no doubt about that - but it is committing it in practice, even without intending to. Every day that goes by in this war, with its hundreds of deaths, reinforces the suspicion. In [The Hague](#), intent will have to be proved, and it is possible that it will not be proved. Does this exonerate Israel?

The suspicion of plans for ethnic cleansing, which will not be discussed at The Hague for now, is more well-founded. Here the intention is open and declared. Israel's line of defense, according to which its most senior ministers do not represent the government, is ridiculous. It's doubtful that anyone will take it seriously.

If the pro-transfer Bezalel Smotrich does not represent the government, what is he doing in it? If Benjamin Netanyahu has not fired Itamar Ben-Gvir, how is the prime minister blameless?

But it is the general atmosphere in Israel, which should disturb us even more than what is happening in The Hague. The zeitgeist points to broad legitimacy for committing war crimes. Ethnic cleansing of Gaza and then of the West Bank is already a topic for debate. The mass killing of Gaza residents is not even an issue in the Israeli discourse.

The problem of Gaza was birthed by Israel in 1948 when it expelled hundreds of thousands of people into the territory in what was certainly a complete ethnic cleansing of southern Israel: Ask Yigal Allon. Israel has never accepted responsibility for this.

Now cabinet members are calling for the job to be finished in the Strip as well. The sickening manner in which the question of "the day after" is being addressed – the main thing being that Israel will decide what and who will be in Gaza – only shows that the spirit of 1948 has not died. This is what Israel did then, and this is what it wants to do again.

[The International Court of Justice](#) will decide whether this is enough for a conviction of genocide or other war crimes. From the perspective of conscience, the answer has already been given.

**Gideon Levy**

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**P.S.**

• Haaretz. Jan 7, 2024:  
<https://www.haaretz.com/opinion/2024-01-07/ty-article-opinion/.premium/israelis-should-hope-that-the-icj-issue-measures-to-stop-the-military-operation-in-gaza/0000018c-dfc4-ddba-abad-dfe551fc0000>