

Israel's right to tyranny

Tuesday 23 January 2024, by [IRAQI Amjad](#) (Date first published: 17 January 2024).

In justifying the violent unraveling of Gaza as 'self-defense,' Western capitals have once again signed off on Israelis' license to act like despots.

Israeli soldiers from the 8717 Battalion of the Givati Brigade operating in Beit Lahia, in the northern Gaza Strip, during a military operation in the Gaza Strip, December 28, 2023. (Yonatan Sindel/Flash90)

It's hard to overstate the symbolic power of the Jan. 11 hearing at the International Court of Justice. In a moving display of solidarity, a diverse lineup of South African, Irish, and British lawyers meticulously [laid out](#) their evidence for charging Israel with the crime of genocide in the Gaza Strip. The [malicious statements](#) of Israeli officials, including cabinet ministers and generals, were recited as declarations of murderous intent. Videos of mass destruction, often recorded gleefully by Israeli soldiers, and which have dominated our social media feeds for months were brought before the world's highest court for judgment. Palestinians have long been bitterly disappointed with international law, but watching the courtroom that day, even the most cynical observers could not help but feel seen, supported, even hopeful.

Notwithstanding South Africa's performance, the fate of the ICJ case is far from a [foregone conclusion](#). In the second hearing on Jan. 12, Israel's attorneys gave a [tough rebuttal](#) to try and dismiss the claims of genocide as ludicrous. They presented examples of Israel's coordination of humanitarian aid; the army's methods of instructing civilians to evacuate targeted areas; images showing Hamas militants' assimilation into the urban environment; and of course, the repeated invocation of Israel's right to defend itself under international law.

The Israeli arguments were predictable, and many were easy to debunk, but they still carry significant weight. Along with the court's proclivity for conservative interpretations of the law, the judges are acutely aware that they are presiding over what may be the most politically divisive case ever brought to The Hague, and thus may opt for a more cautioned approach.

At this point, however, the ICJ's impending decisions are secondary to the lessons that ought to be drawn from the proceedings. One key takeaway, which has yet to fully register in Western policy circles, is the vacuity of Israel's claim of "defense" to explain the [wanton devastation](#) wrought upon the besieged Strip.

Indeed, from its oral arguments in The Hague to its actions on the ground, Israel has made it abundantly clear that it is not asking the court to respect its right to self-defense. What it really wants is for the world to indulge Israel's right to tyranny: to violently redesign its geopolitical environment, to secure its military and demographic dominance, and to do whatever it wishes to the Palestinians without criticism or consequence.

Palestinians flee after an Israeli airstrike in the neighborhood of Tel al-Hawa, south of Gaza City, October 16, 2023. (Mohammed Zaanoun/Activestills)

This tyranny is not just reflected in the mounting death toll in Gaza, although [24,000 bodies](#) and 7,000 others missing — an especially searing rate for a small population that is tightly intertwined by familial, communal, and cultural bonds — is a grisly indicator. It is also in the terrifying fact that Gaza’s social fabric is deliberately being unraveled.

Until three months ago, and despite years of de-development and siege, Palestinians in Gaza had remained relatively self-reliant, resourced, and cohesive enough to care for their own as best they could. Now, over 2 million people are in the throes of a [man-made famine](#) and [epidemiological disaster](#), generated at a speed that has been described as unprecedented in modern history. The chilling scenes of hungry Palestinians [scrambling](#) over aid trucks to grab food for their families, surrounded by thousands of others trying to do the same, are a glimpse into Israel’s mutation of Gaza from a [resilient enclave](#) into a “[graveyard for children](#).”

The [biblical scale](#) of displacement across the Strip — which has amounted to nearly three times the number of Palestinians expelled during the 1948 Nakba — is another reflection of this tyrannical force. In Orwellian fashion, the Israeli authorities have cited their distribution of leaflets, text messages, and other communications as proof of their efforts to put civilians out of harm’s way. But the exodus [is the point](#): much of northern Gaza is [now open](#) for Israel to mold as it deems fit, whether for military buffer zones or future Jewish settlements. What Israel’s lawyers touted to the ICJ as a “humanitarian” gesture became a weapon of demographic engineering, accomplishing in three months what Israel is [incrementally advancing](#) in the occupied West Bank as well.

On top of all this, the [methodical decimation](#) of entire neighborhoods, hospitals, government buildings, schools, heritage sites, water networks, electricity grids, and other public infrastructure is thwarting the feasibility, and perhaps even the desire, of many displaced communities to return to large parts of Gaza in the near future.

The Herculean tasks of clearing the [mountains of rubble](#), [extracting bodies](#) still trapped under the debris, and [camping out](#) in the cold with no basic supplies, are only the first daunting steps before Palestinians can even begin reconstruction — a process which no foreign government will be interested in bankrolling if another military campaign seems all but inevitable. Even if they could gather the resources, Palestinians will have to rebuild their lives under the watch of the very army that brought this ruin upon them, all while grappling with physical wounds, raw trauma, and the paralyzing fear that the next apocalyptic war is just around the corner.

Palestinians at the rubble of a building destroyed by Israeli airstrikes in Rafah, southern Gaza Strip, November 11, 2023. (Abed Rahim Khatib/Flash90)

Total shielding

The Hamas-led assault of [October 7](#), which began with the dismantling of Gaza’s despised prison walls but ended with the [horrific massacres](#) of hundreds of Israeli civilians in their homes, has triggered a profound existential fear among Israeli Jews. This fear has manifested into a [near-unanimous call](#) for vengeance and retribution, cheered on from the Knesset to the media to the streets. But Israel’s urge to exact tyrannical power did not suddenly arise from October 7. In fact, it is [deeply embedded](#) in the state’s ideological foundations and political psyche.

As a European-borne, nationalist-cum-settler-colonial project, Zionism was [essentially conceived](#) as an engine for Jews to replicate the path of Western nations in the 19th and early 20th centuries. In that context, statehood was not merely about embodying self-determination: it entailed the right to dispossess other peoples’ lands, deprive “inferior” subjects of civil liberties, and inflict monstrous

violence aimed at erasing the unwanted society and its culture. (In Israel's case, state-building was aided in no small part by the [draconian apparatus](#) left by its British predecessors in Palestine.)

The permission to pursue belated colonialism is a [fundamental bargain](#) Israel has struck with its Western allies, who to this day see the Jewish state as a convenient remedy to "repent" for their antisemitic history and the crimes of the Holocaust. On the occasions Israel does face scrutiny, it simply reverts to the mantra of being "the world's only Jewish state" — the code that reminds the West of the pact [to condone](#) Israel's brutal behavior. From the 1948 Nakba, to its military rule since 1967, to its current onslaught in Gaza, Israel has grounded its tyranny in the same rationale: "The West had its turn — now it's ours."

In the past, foreign governments, including the United States, still had the sense to try and curb some of Israel's hubris. But today, those limitations have vanished.

The Israeli flag is screened on the walls of Jerusalem's Old City, November 7, 2023. (Chaim Goldberg/Flash90)

Outdoing his Republican predecessor, U.S. President Joe Biden is [actively abetting](#) Israel's unbridled assault on Gaza, [rejecting](#) the very notion of a ceasefire and even [bypassing Congress](#) to deliver more weapons. In the early days of the war, European leaders like Commission President Ursula von der Leyen and British Prime Minister Rishi Sunak rushed to southern Israel to express their [solidarity](#), without any mention of the thousands of Palestinians being bombed just a few kilometers away. Chancellor Olaf Scholz, in keeping with Germany's [obsessive efforts](#) to prove its absolution to the Jewish state, [announced](#) that Berlin will join the ICJ case to back Israel against the charge of genocide.

The total shielding of Israel's ruthless war has clearly struck a nerve beyond Palestine. Astounded by Germany's planned intervention in the ICJ case, Namibian President Hage Geingob [called out](#) his country's former colonizer for its selective memory of the atrocities it has to repent for, citing Germany's campaign against the Herero and Namaqua peoples as "the first genocide of the 20th century," three decades before the Holocaust. When a U.S.-led coalition [launched air strikes](#) against Houthi rebels in Yemen for disrupting the Red Sea's trade routes — which the rebels declared was intended to compel an end to the Gaza assault — the hypocrisy was even starker; it seemed Washington would rather escalate a regional war than ask Israel to agree to a ceasefire.

For much of the Global South, these skewed responses from Western powers are hardly an oversight; they are indicative of the victims that the latter deem worthy of being mourned and protected in the international order. As if to make that point crystal clear, President Biden marked the 100th day of the Gaza war by [extending his support](#) to the 130 Israeli hostages still held in Gaza, without any mention of the more than 24,000 Palestinians killed, supposedly, in the name of [retrieving](#) those captives.

Such dismissal of Palestinian life, and the blatant impunity it promotes, has been heard loud and clear in Israel. The fact that the bombing of Gaza has [outpaced](#) that of the Assad regime in Syria, Russia in Ukraine, and the United States in Iraq is indicative of Israel's ferocious power trip. "Nobody will stop us," [declared](#) Prime Minister Benjamin Netanyahu days after the ICJ hearings, "not The Hague, not the axis of evil and not anybody else." International principles may demand accountability for the crimes of October 7, but in tolerating Gaza's demise as punishment, Western capitals have simply signed off on Israelis' license to continue acting like despots.

Amjad Iraqi

P.S.

- +972 Magazine. January 17, 2024:
<https://www.972mag.com/israel-gaza-icj-tyranny/>

- Amjad Iraqi is a senior editor at +972 Magazine. He is also a policy member of the think tank Al-Shabaka, and was previously an advocacy coordinator at the legal center Adalah. In addition to +972, his writings have appeared in the London Review of Books, The Nation, The Guardian, and Le Monde Diplomatique, among others. He is a Palestinian citizen of Israel, currently based in London.

Our team has been devastated by the horrific events of this latest war - the atrocities committed by Hamas in Israel and the massive retaliatory Israeli attacks on Gaza. Our hearts are with all the people and communities facing violence.

We are in an extraordinarily dangerous era in Israel-Palestine. The bloodshed unleashed by these events has reached extreme levels of brutality and threatens to engulf the entire region. Hamas' murderous assault in southern Israel has devastated and shocked the country to its core. Israel's retaliatory bombing of Gaza is wreaking destruction on the already besieged strip and killing a ballooning number of civilians. Emboldened settlers in the West Bank, backed by the army, are seizing the opportunity to escalate their attacks on Palestinians.

This escalation has a very clear context, one that +972 has spent the past 13 years covering: Israeli society's growing racism and militarism, the entrenched occupation, and an increasingly normalized siege on Gaza.

We are well positioned to cover this perilous moment - but we need your help to do it. This terrible period will challenge the humanity of all of those working for a better future in this land. Palestinians and Israelis are already organizing and strategizing to put up the fight of their lives.

Can we count on your [support](#)? +972 Magazine is the leading media voice of this movement, a desperately needed platform where Palestinian and Israeli journalists and activists can report on and analyze what is happening, guided by humanism, equality, and justice. Join us.

[BECOME A MEMBER](#)