

War on Gaza: The Death of American Exceptionalism

Amid Israel's genocidal onslaught, the international rules-based order has been torn to shreds. There's no going back

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For more than eight months, [Israel's US-backed assault on Gaza](#) has killed tens of thousands of civilians. It has levelled Gaza's buildings and infrastructure to such a degree that it is noticeable [from space](#).

Under the rubble, along with an untold number of people still unaccounted for, saturated with toxic matter and unexploded ordinances, lies whatever pretence remained of the [United States](#) as a country that upholds its obligations under international law – including, but especially, the prevention and punishment of genocide.

It's not a revelation to say that international law is applied unequally. We know the international [rules-based order](#) created in the wake of World War II favours the victors of that war.

The five veto-endowed permanent members of the UN Security Council are a snapshot of the world in 1946; who was rewarded, who was punished, and some consideration for regional representation (ie [China](#)).

Still, it honestly feels a little shocking to see this laid so bare.

It's as if an employer put out an ad that read: "Hiring men who will golf with me and people I have to hire because I owe someone a favour." Imagine a bouncer came out and said: "Hot, rich, and famous people only. Everyone else, you're ruining the vibe."

We know people are treated differently, that exceptions are made for the powerful – but generally speaking, the pretence remains intact: everyone has, if not a fair shot, a shot.

Saying the Quiet Part Loud

In a [recent interview](#), International Criminal Court (ICC) **Prosecutor Karim Khan** told CNN's Christiane Amanpour:

"I've had some elected leaders speak to me and be very blunt. 'This court is built for Africa and thugs like Putin,' was what one senior leader told me."

Khan gave this interview on the heels of announcing he was seeking [arrest warrants](#) for three Hamas leaders, along with Israeli **Prime Minister Benjamin Netanyahu** and **Defence Minister Yoav Gallant**, for war crimes and crimes against humanity. It marks the first time an American ally [has been targeted](#) by the international criminal tribunal; this is apparently all it took for the quiet part to be said very much out loud.

I always assumed the US would try to maintain some level of plausible deniability around the equal application of international law – that it would respect the judgements of international courts while avoiding their jurisdiction, if only because its stated commitment to the promotion and protection of human rights, rule of law, and democratic principles plays such an important role in justifying its interventionist foreign policy.

American exceptionalism, as it applies to international relations, would seem to require the pretence, however thinly worn, that despite its failings, the US is ultimately a force for good in the world.

If it is simply a rogue nation acting outside the law and using its immense power to undermine the system for no other reason than its own (and its allies') self-interest, what are we left with? What then becomes of the international rules-based order?

This feels like a big concession to be making for an ally credibly accused of genocide. There is no plausible deniability to fall back on when we can all see the crimes Israel is committing; when we see the weapons and money the US continues to send, the [red lines](#) drawn and then crossed.

There is no plausible deniability to fall back on when people the world over have borne witness to the unimaginable suffering of [Palestinians](#) in Gaza every day for more than eight months; when the consensus opinion among legal experts and international humanitarian groups is that Israel is committing genocide. The International Court of Justice has repeatedly ordered provisional measures against Israel, citing an urgent need to protect Palestinians in Gaza from the plausible risk of genocide.

Israeli Fan Fiction

And yet, US President Joe Biden's spokespeople stand at the White House podium day in and day out, sharing what sounds like Israeli fan fiction, as reporters ask them serious and pointed questions.

In the Biden administration's fictionalised world, every documented horror perpetrated against the civilians of Gaza – babies, aid workers, doctors, journalists, ambulance drivers, zip-tied patients [with IVs still in their arms](#) excavated from mass graves – all of it, they tell us, Israel is investigating and can be trusted to do so.

It doesn't matter that Israel has never legitimately carried out any such investigation. They haven't even (at least publicly) investigated what happened on 7 October.

In this world, we're told the ICC doesn't have jurisdiction, because Israel's independent judiciary can be trusted to hold its leaders accountable for atrocity crimes – as if we aren't all watching Netanyahu preside over a genocide to avoid personal accountability for much (much) lesser crimes. As if, prior to being interrupted by 7 October, this government wasn't specifically working to take away the [judiciary's independent authority](#) to review government actions.

In fact, the only real example of accountability we've seen was Israel's recent decision to phase out its use of the [Sde Teiman detention facility](#). This was because of a CNN report that detailed the extreme use of torture against detainees held without charge, trial, or access to the Red Cross, including being tied to electric chairs and having hot metal rods put up their anus.

Hypocrisy Exposed

It's not even gaslighting. These White House news conferences are more like very dark, absurdist performance pieces. Remember the [Iraqi information minister](#) during the US invasion of [Iraq](#) in 2003? He'd be out there talking to the cameras, denying there were any American tanks in Baghdad, when you could see and hear them approaching behind him. It's like that, but more repetitive, and with less charisma and humour.

Gaza, and the broader Palestinian cause, has exposed the hypocrisy of western governments in ways it's hard to imagine coming back from. We've seen anti-democratic repression of peaceful protests, and of academic and artistic freedoms; and a McCarthyite blacklisting of people who advocate for Palestinian liberation.

There is a very real possibility that Donald Trump will be re-elected president in November if young people don't turn out for Biden because of his full-throttled support for this genocide (and because the Democratic Party chooses not to replace him). If that happens, then the pretence of American democracy itself could end up buried beneath the rubble.

Again, I think it's worth underscoring: this is a very big price to pay for an ally that takes your money and does not appear to respect you.

Perhaps looking back, Gaza will come to be seen as what marked the beginning of the end of American exceptionalism, and in its place, we'll see a reordering that puts the Global South and the Global North on equal footing. None of this is to say that the ideals upon which American exceptionalism is claimed – democracy, liberty and equality – are not still a very worthy pursuit. But their pursuit is not a justification for exemptions from the application and consequences of international law.

In this post-exceptionalist world, perhaps pretence will finally be dispensed with, and we can all finally admit that the US is in fact the world's biggest thug.

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Featured image: *I Scream, You Scream, We All Scream*- by Mr. Fish

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