

Israel Now a Liability for the West and Its Universal Values?

By [Osama Al Sharif](#)

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Israel's appearance at The Hague last week to defend itself against South Africa's charge of committing genocide in the Gaza Strip marked the most significant legal and diplomatic challenge to the country since its inception more than seven decades ago.

In a public hearing, South Africa's legal team presented a solid legal document that outlined how Israel has breached the Genocide Convention during its three-month-old war on Gaza. More importantly, the plaintiff debunked Israel's claim that its actions in Gaza were justified as self-defense in retaliation for Hamas' Oct. 7 attack, which South Africa had condemned. And finally, using the hateful rhetoric of senior Israeli officials, South Africa proved intent.

By the admission of international and even some Israeli experts, Israel's attempt to debunk the charges against it was weak and unconvincing, considering the horrendous crimes its military has committed in the beleaguered Gaza Strip.

But Israel was not the only party on trial that day. The Western governments that have backed and justified Israeli actions with no regard for its documented breaches of international law were also present in the defendant's corner, at least in spirit. Israel could not have carried out its genocidal war without the direct military and diplomatic backing of Washington, London, Paris, Ottawa, Berlin and the EU. These Western governments and bodies enabled Israel, both politically and physically, to carry out one of the most atrocious onslaughts on a civilian population since the Second World War.

Making things worse, these governments ignored the genocidal statements uttered on an almost daily basis by Prime Minister Benjamin Netanyahu and other top Israeli officials. They raced to deny charges that Israel was deliberately targeting civilians, destroying hospitals, universities, schools, mosques and churches, and applying a scorched earth policy in Gaza.

Washington and its allies rejected calls for a ceasefire, knowing full well that Israel was committing war crimes in Gaza, denying civilians access to aid, bombing hospitals and killing thousands of women and children. Despite the enormity of the killings and the scale of destruction, these governments shied away from criticizing, not to mention denouncing, Israeli atrocities.

Even when millions of people around the world saw videos of horrific and unimaginable Israeli war crimes against hapless Palestinian civilians — including the rounding up of displaced men and children, parading them half-naked in the streets of Gaza and then moving them to undisclosed locations — Western officials continued to justify Israel's actions.

US Secretary of State Antony Blinken described the genocide charges as “meritless,” while his British counterpart, David Cameron, said that the South African case against Israel was “unhelpful.” Germany stepped in to defend Israel at The Hague. This was happening while millions in the West marched in support of Palestine and denounced their governments' complicity in the Gaza carnage.

While the world awaits the International Court of Justice's response to South Africa's request for a provisional ruling to stop the war until a final and binding verdict is reached, Netanyahu remains defiant, attacking the court, South Africa and any party that accuses Israel of committing genocide in Gaza.

A ruling on this case will test the integrity of the International Court of Justice and the credibility of the rules-based world order. The challenge for the judges is unprecedented. The defendant is Israel, the West's closest ally — a state that has incredible political sway in the most influential capitals. The case is highly politicized. If Israel is ruled to have committed genocide, the case could then move to the International Criminal Court, where warrants for individuals directly or indirectly involved in war crimes and crimes against humanity can be issued.

If the court rejects the charge, what does that mean for international law and conventions? What would be the message the court would be sending to the rest of the world? And what would that mean for the more than 30,000 killed or missing, more than 60,000 injured and more than 1.8 million people displaced with no home to go back to?

This case is a watershed for the world as we know it and the future of international laws and conventions. Why? Because the West, led by the US, has for decades allowed Israel to be above the law and enabled it to carry out its crimes against the Palestinians with impunity. This policy would have continued if Israel had chosen a low-intensity response to Hamas' Oct. 7 attack. But Netanyahu and his far-right coalition, as well as a humiliated Israeli army, decided to decimate Gaza instead. This time, the crime was too big to cover up.

The reality is that Israel has long been a liability for the West, in particular the US, which has crowned itself as the world's sole superpower and the defender of democracy and universal values since the 1990s. And while it took it upon itself to unilaterally dictate an end to the Arab-Israeli conflict and the Israel-Palestine question, it looked the other way as Israel drifted to the far right under Netanyahu, destroying the two-state solution as it expanded illegal settlements, blockaded Gaza while appeasing Hamas at the expense of a weak and dysfunctional Palestinian Authority, armed and supported extremist Jewish settlers and

carved up the West Bank.

Even before Israel launched its war on Gaza, its army and settlers had been attacking Palestinians in the West Bank on a daily basis, killing hundreds and arresting thousands. Washington and its allies ignored Israeli actions, even though each extrajudicial killing, each attack by the settlers and each home demolition was a breach of international law and the Geneva Conventions. Israeli war crimes, both in Gaza and in the West Bank, have been going on for decades. Western governments, using empty rhetoric, became apologists, then enablers and finally accessories to these crimes.

The West must make a choice, a hard but necessary one, in the wake of the unforgiving Gaza genocide. It can continue its collusion with the likes of Netanyahu, Itamar Ben-Gvir and Bezalel Smotrich in the biggest crime against humanity this century, or it can tell Israel that it must become a normal state, one that abides by international laws and conventions, end its occupation, allow the Palestinians to have self-determination and pay for its crimes.

Otherwise, Israel will become a pariah state subject to global sanctions and liability. Allowing Israel's impunity for so long has damaged the West's credibility and is threatening the world order. Israel's exceptionalism must end and it is up to the West to carry out that mission.

One other defendant on trial at The Hague is the Western mainstream media, which has failed terribly in its responsibility to cover the truth impartially and objectively. Social media has beaten the likes of the BBC, CNN, The New York Times, The Times of London and others at their own game. By ignoring the horrific reality in Gaza and by subscribing to Zionist propaganda in an attempt to mislead the public, they have done irreparable damage to themselves. They, too, stand as complicit in covering up war crimes and the catastrophic humanitarian conditions in Gaza. They stand discredited forever.

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Osama Al-Sharif is a veteran journalist and political commentator based in Amman. X: @plato010

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