
THE STATELESS SOUL: WHAT HAPPENS TO IDENTITY WHEN LAW ABANDONS THE BODY

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ABSTRACT

This essay examines the legal and spiritual vacuum created when international law does not provide protection for the most vulnerable people, who are not only rendered invisible as refugees but also as stateless souls. The state-centric basis of international legal systems that require documentation for protection is criticised, erasing the identity and dignity of innumerable people including women, children, and the displaced whose existence is not recognised by geopolitical structures. The essay makes the case that human identity is sacred not because it is acknowledged by the state but rather because it exists at all, drawing on the legal theories of Hannah Arendt and Giorgio Agamben as well as biblical knowledge from the Bhagavad Gita, Quran, Bible, Torah, and Guru Granth Sahib. It exposes the systematic dehumanisation of women and children during wartime through case studies from Gaza and Afghanistan and denounces the failure of international legal institutions to bring powerful violators to justice. The essay argues for the reintroduction of spiritual conscience into the practice of law and reveals that contemporary legal procedures frequently function as soulless moral theatre rituals. In the end, it is a moral critique of a legal system that honours treaties but disregards the deceased and an appeal to make the soul the primary focus of justice.

In the margins of modern war beneath the drone's shadow, beyond the checkpoint, inside the silence after an airstrike there lies a question no treaty has ever answered: *What becomes of a human being when the law forgets them?* Not as a refugee, not merely as a displaced body, but as something deeper a soul. This paper begins with those whose existence escapes documentation. A child in Gaza buried unnamed, uncounted. A woman in Afghanistan veiled not by choice, but by systemic erasure. These are not merely victims of geopolitics or legal oversight. They are what this paper terms **stateless souls** human beings whose dignity, identity, and grief remain invisible to the very legal systems designed to protect them. International law, in its modern design, is a map of rights but a map drawn by states, for states. Those who do not "belong" to a state are often unprotected by its guarantees. In such a system, life begins with paperwork and ends in statistical silence. The body becomes countable only if a government chooses to count it. But what of memory? What of belonging that transcends borders spiritual, ancestral, maternal?

This paper challenges the limits of legal protection. It draws on legal theory Hannah Arendt's concept of the "right to have rights,"¹ Giorgio Agamben's "bare life"² as well as human rights doctrine and case studies from Gaza and Afghanistan. But it also brings law into conversation with spiritual texts that remember what law often forgets: that identity begins before birth, that existence holds sacred weight regardless of nationality. As the *Bhagavad Gita* teaches, "The soul is unborn, eternal, unchanging. It is not slain when the body is slain."³ The *Quran* proclaims, "We have dignified the children of Adam."⁴ The *Bible* assures, "Before I formed you in the womb, I knew you."⁵ The *Torah* commands, "You shall not oppress the stranger, for you were strangers once."⁶ Across traditions, the message is clear: **the human being is sacred not because they are documented, but because they exist.** If the divine sees us before the state does, then law's failure to protect is not merely political it is cosmic disobedience. Yet the law, in its current form, does not see that. It protects the visible body, the registered citizen, the political subject but it does not grieve the soul. It does not honour the uncounted child, the silenced woman, or the lineage that endures exile.

¹ Hannah Arendt, *The Origins of Totalitarianism* (Harcourt, Brace & Co 1951) 296–97.

² Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Daniel Heller-Roazen trans., Stanford Univ. Press 1998) 8–11.

³ *Bhagavad Gita* 2:20 (Swami Sivananda trans., Divine Life Soc'y 14th ed. 2020).

⁴ *Quran* 17:70 (Abdullah Yusuf Ali trans., Aman Publications 2001).

⁵ *The Holy Bible, Jeremiah* 1:5

⁶ Tanakh, *Exodus* 22:21

The modern legal system begins with a fiction: that a person becomes human when the state recognizes them. Citizenship, documentation, legal status these are treated as the gateways to protection. But what happens when a person is born into a warzone, erased by bureaucracy, or displaced by borders that shift faster than their name can be written? What happens to the human being that the law cannot see? International law defines protection in terms of statehood and status. The 1954 Statelessness Convention defines a stateless person as “a person who is not considered as a national by any State under the operation of its law.”⁷ But this definition presumes that identity begins when the state acknowledges it not when the soul enters the body. Afghan women are not stateless, and yet they live under regimes that have stripped them of legal and social identity. They are **visible but voiceless, named but not heard**. Their existence is permitted, but not protected. The law has categories, but not compassion. Hannah Arendt captured this crisis when she described the “right to have rights.”⁸ She was not only speaking about refugees, but about what happens when the human being is **expelled from recognition** when no one is left to witness their grief. Giorgio Agamben later expanded this into the idea of *bare life*, the person whom the state may injure or abandon without consequence.⁹ These theories remain urgent, but even they fall short of what this paper seeks to uncover: *not just the erasure of legal identity, but the erasure of spiritual belonging*.

If war is the greatest betrayal of humanity, then it is women who bear its heaviest and most intimate wounds. They do not only die they survive in ways that history refuses to remember. Across Gaza, Afghanistan, and beyond, conflict turns their bodies into battlegrounds and their survival into a lifelong sentence of silence. While men fall to missiles and children vanish under rubble, women are left to grieve, to rebuild, to resist, and in too many cases, to endure the unbearable. In Gaza, where over 70 percent of civilian casualties are women and children, mothers give birth in bombed hospitals, breastfeed in shelters with no clean water, and write their children's names on limbs in case they cannot be identified after airstrikes.¹⁰ UN reports document how detained Palestinian women are stripped, beaten, and sexually humiliated by Israeli forces,¹¹ their dignity desecrated behind walls that law pretends not to see. In

⁷ Convention Relating to the Status of Stateless Persons (adopted 28 September 1954, entered into force 6 June 1960) 360 UNTS 117, art 1(1).

⁸ Hannah Arendt, *The Origins of Totalitarianism* (Harcourt, Brace & Co 1951) 3.

⁹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Daniel Heller-Roazen tr, Stanford University Press 1998) 102.

¹⁰ U.N. Office for the Coordination of Humanitarian Affairs, Hostilities in the Gaza Strip and Israel – Flash Update #89 (June 20, 2024), <https://www.ochaopt.org>.

¹¹ U.N. Human Rights Council, Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, U.N. Doc. A/HRC/50/21 (June 9, 2022), <https://www.ohchr.org>.

Afghanistan, under Taliban rule, women have been erased from public life, banned from schools, offices, parks, and even city streets unless accompanied by a male guardian. Their clothing is regulated to the point of absurdity: a netted eye slit is deemed excessive visibility.

¹²These are not isolated atrocities. They are symptoms of a deeper sickness, a world where the very source of creation is treated as collateral. And yet, across every sacred tradition, woman is not a symbol of fragility but of force. In the Bhagavad Gita, Krishna names the feminine as speech, memory, patience, and intelligence (10:34), the essence of divine order. ¹³The Quran exalts Maryam, the mother of Isa, as the purest among women (3:42),¹⁴ and the Prophet warned that to wrong a woman is to sin against God. The Bible tells us she is “more precious than rubies” (Proverbs 3:15),¹⁵ and Jewish law commands protection of the widow and the vulnerable (Exodus 22:22).¹⁶ Guru Nanak writes, “From woman, man is born; within woman, man is conceived,” the womb itself declared holy (Ang 473). ¹⁷These texts do not diminish women. They exalt them. They recognize what war erases, that woman is the bearer of life, the vessel of memory, the heart of healing. And yet, it is she who suffers most, in silence, in shame, in shadows. No war can ever be just if it mutilates the very force that sustains the world. And no justice can ever be real if it cannot see that every wound inflicted upon a woman is a wound carved into the soul of humanity itself.

In the tapestry of human existence, the soul's journey is a central theme across spiritual traditions, each emphasizing the inherent purpose and lessons embedded within our earthly sojourn. The Bhagavad Gita elucidates the concept of *maya*, the illusion that entraps souls in the transient material world, urging individuals to transcend attachments and recognize the eternal self. Krishna advises Arjuna to perform duties without attachment to outcomes, highlighting that liberation arises from selfless action and detachment¹⁸. Similarly, the Quran speaks to the ephemeral nature of worldly life, cautioning against the distractions of *dunya* and encouraging believers to focus on the eternal hereafter. Surah Al-Ankabut (29:64) states, "This worldly life is nothing but diversion and amusement. The real life is in the Hereafter, if only they knew." ¹⁹The Bible echoes this sentiment in Matthew 6:24, warning that one cannot serve

¹² Human Rights Watch, Afghanistan: Taliban Deprive Women of Livelihoods, Identity (Jan. 18, 2023), <https://www.hrw.org>.

¹³ Bhagavad Gita 10:34 (Swami Sivananda trans., Divine Life Soc'y 14th ed. 2020).

¹⁴ Quran 3:42 (Abdullah Yusuf Ali trans, Amana Publications 2001).

¹⁵ The Holy Bible, Proverbs 3:15 (King James Version).

¹⁶ The Torah, Exodus 22:22 (JPS Tanakh trans., Jewish Publication Society 1999).

¹⁷ Guru Granth Sahib, Ang 473 (Dr. Gopal Singh trans., World Sikh Univ. Press 1960).

¹⁸ Bhagavad Gita 2:47, 3:19, 18:66 (Swami Sivananda tr, Divine Life Society 14th ed. 2020).

¹⁹ Quran 29:64 (Abdullah Yusuf Ali tr, Amana Publications 2001).

both God and wealth, emphasizing the need to prioritize spiritual over material pursuits.²⁰ The Torah, too, underscores the importance of detachment from material excess, as seen in Deuteronomy 17:17, where kings are advised against amassing excessive wealth to prevent their hearts from turning away.²¹

While sacred texts across traditions urge humanity to transcend illusion and recognize the unity of all existence, the present condition in regions like Gaza reveals a stark spiritual amnesia, a forgetting that we are not bodies with souls but souls inhabiting bodies. In the ongoing Israel-Palestine conflict, the mechanized cycles of power and retaliation reflect the very maya, the illusion that the Bhagavad Gita warns against the false belief that dominance, territory, or vengeance can secure peace or fulfilment.²² The Quran explicitly cautions that "oppression is worse than killing" (Surah Al-Baqarah 2:191),²³ and yet thousands of innocents, many of them women and children, are crushed beneath the weight of military aggression and political justification. UN reports confirm that more than 70 percent of those killed in Gaza since October 2023 are civilians, with over 15,000 children dead and entire families wiped from civil registries, not just lives lost but ancestral memory erased.²⁴ What spiritual principle can ever justify such annihilation? In Matthew 25:40, Jesus reminds, "Whatever you did for one of the least of these brothers and sisters of mine, you did for me."²⁵ And yet, hospitals are bombed, aid is blocked, and grief becomes generational. Are we then not killing our own, not just by bloodline but by soul? Rabbi Abraham Joshua Heschel once said, "Few are guilty, but all are responsible."²⁶ This war, like many others, is not merely territorial; it is existential. Its currency is not only land but also fear, power, ego, and centuries of unresolved trauma. Scholars like Ilan Pappé and Sara Roy describe how systematic displacement, as in Gaza, is designed not just to erase people from land but to sever them from memory, dignity, and personhood²⁷. In this, the fight is no longer with 'the enemy'; it is with our own shadow. Have we forgotten that we all come from nothing and return to nothing? That the soul neither kills

²⁰ *The Holy Bible*, Matthew 6:24 (King James Version).

²¹ *The Torah*, Deuteronomy 17:17 (JPS Tanakh tr, Jewish Publication Society 1999).

²² *Bhagavad Gita* 2:47, 3:16, 16:23 (Swami Sivananda tr, Divine Life Society 14th ed. 2020).

²³ *Quran* 2:191 (Abdullah Yusuf Ali tr, Amanat Publications 2001).

²⁴ United Nations Office for the Coordination of Humanitarian Affairs (OCHA), "Hostilities in the Gaza Strip and Israel," Situation Reports, <https://www.ochaopt.org> (last updated June 2025).

²⁵ *The Holy Bible*, Matthew 25:40 (King James Version)

²⁶ Abraham Joshua Heschel, *Moral Grandeur and Spiritual Audacity* (Susannah Heschel ed., Farrar, Straus & Giroux 1996) 225.

²⁷ Ilan Pappé, *The Ethnic Cleansing of Palestine* (One World Publications 2006); Sara Roy, *Hamas and Civil Society in Gaza: Engaging the Islamist Social Sector* (Princeton Univ. press 2011).

nor is killed (Gita 2:19),²⁸ and that to murder in the name of defense is to spiritually bankrupt oneself? The Torah warns in Exodus 23:9, “You shall not oppress a stranger, for you know the feelings of the stranger, having yourselves been strangers.”²⁹ When the oppressed become the oppressors, the karmic wheel turns blood into blindness. A child born in a tent in Rafah does not wake with ideology; he wakes with hunger. And by the time he can walk, he has only one lesson: to survive. What then are we teaching him that his life is a cost of someone else’s fear? That his soul is less worthy because of a border? This is not a war for peace; it is a war that reveals how far we have fallen from peace itself. The real battle must be inward, not against civilians but against the delusions of separateness, the arrogance of statehood over spirit, and the illusion that power can be born from the ashes of the innocent. No land is worth a thousand souls, and no truth can rise on a foundation of desecrated graves. This is not a crisis of law alone; it is a crisis of memory, morality, and meaning.

These teachings converge on the understanding that every soul embarks on a journey filled with purpose and lessons. The untimely deaths of innocent children and the oppression of women in conflict zones prompt us to question: *What was their lesson?* Perhaps their suffering serves as a mirror, reflecting the moral failures of societies and legal systems that failed to protect them. Or are we again committing cosmic disobedience by not allowing them to live their lessons? In Gaza, the relentless conflict has led to the loss of countless lives, including infants who never had the chance to open their eyes to the world. Reports indicate that Israeli authorities are responsible for war crimes, including forced population transfers and collective punishment of civilians.³⁰ Human Rights Watch has documented the mass forced displacement of Palestinians in Gaza since October 2023, stating that Israeli authorities are responsible for war crimes and crimes against humanity.³¹ The European Union has found indications that Israel is breaching its human rights obligations under Article 2 of the EU-Israel Association Agreement due to its military actions in Gaza. The International Criminal Court has issued arrest warrants for Israeli leaders, including Prime Minister Benjamin Netanyahu, for crimes against humanity connected to the war in Gaza.³² These atrocities are not merely political

²⁸ *Bhagavad Gita* 2:19 (Swami Sivananda trans., Divine Life Society 14th ed. 2020).

²⁹ *The Torah*, Exodus 23:9 (JPS Tanakh trans., Jewish Publication Society 1999).

³⁰ Amnesty International, ‘Israel’s Apartheid Against Palestinians: Cruel System of Domination and Crime Against Humanity’ (1 February 2022) <https://www.amnesty.org/en/documents/mde15/5141/2022/en>.

³¹ Human Rights Watch, ‘Gaza: Israeli Forces Commit War Crimes During Ground Offensive’ (15 November 2023) <https://www.hrw.org/news/2023/11/15/gaza-israeli-forces-commit-war-crimes-during-ground-offensive>.

³² International Criminal Court, ‘Statement of the Prosecutor of the International Criminal Court, Karim A Khan KC, on Applications for Arrest Warrants in the Situation in the State of Palestine’ (May 2024).

failures but spiritual violations, disregarding the divine purpose and dignity inherent in every soul.

In the aftermath of the atrocities committed in Gaza, the international legal framework designed to uphold human rights and protect civilians has not merely been tested; it has been exposed. The United Nations Security Council, long considered the apex forum for peace enforcement, adopted Resolution 2728 in March 2024, calling for an immediate ceasefire during Ramadan and the unconditional release of hostages.³³ Yet the resolution's impact was negligible, hamstrung by abstentions from key member states and a chronic absence of enforcement mechanisms. The International Criminal Court (ICC), in a rare moment of assertion, issued arrest warrants against Israeli Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant for war crimes and crimes against humanity, including the use of starvation as a weapon of war. But these warrants remain largely symbolic. Israel is not a party to the Rome Statute, and it has outright rejected the ICC's jurisdiction³⁴. The European Union, though acknowledging that Israel may be violating its obligations under the EU-Israel Association Agreement, has faced internal fragmentation, with several member states opposing meaningful consequences. These fractures raise a deeper, unresolved question: What is the point of international law if states can opt out of accountability? Unlike domestic legal systems, where laws are binding regardless of personal preference, international law is contingent on consent and therein lies its fatal weakness. A citizen cannot claim immunity from national laws by simply refusing to recognize them, yet states routinely ignore global legal mandates without repercussion. This paradox renders the architecture of international justice structurally hollow. In theory, international law governs nations; in practice, it fails to bind the most powerful, and the consequences are not abstract—they are measured in children buried under rubble, in hospitals reduced to ash, and in families rendered stateless. As legal scholar Martti Koskenniemi argues, international law often becomes “an apology for power” rather than a check on it.³⁵ The summoning of NATO officials or the International Atomic Energy Agency before international bodies means little when enforcement mechanisms are politically neutered. From World Wars to contemporary conflicts, the pattern persists: international law reacts to atrocities but rarely prevents them. And those who suffer are not policymakers but people

³³ UN Security Council Res 2728 (25 March 2024) UN Doc S/RES/2728.

³⁴ Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 90, art 12.

³⁵ Martti Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960* (Cambridge University Press 2001) 500. Martti Koskenniemi.

civilians whose lives are sacrificed at the altar of geopolitical exemption. Until the law applies to all, equally and without exception, it cannot claim to be law in the true sense; it is merely a script of ideals abandoned at the moment of political inconvenience.

The spiritual foundations of ancient texts were never meant to glorify war, but to illuminate the resilience of the soul in the face of injustice and moral collapse. Yet history shows how religious narratives have been weaponized to justify violence not by the scriptures themselves, but by those who distort them. In the Mahabharata, Krishna's counsel to Arjuna on the battlefield of Kurukshetra has often been wrongly interpreted as a divine sanction of war. In truth, Krishna's call was not a blanket justification for battle, but a spiritual plea to uphold *dharma* when righteousness is threatened and no other option remains. As he says in the Gita (2:47), "You have a right to perform your prescribed duties, but you are not entitled to the fruits of your actions."³⁶ This detachment, not conquest, is the essence of divine action. Similarly, Jesus Christ's crucifixion is one of the most profound acts of non-violence and forgiveness in history, yet modern political forces have distorted Christianity's message into battles over land, identity, and entitlement. The Bible in Matthew 5:9 declares, "Blessed are the peacemakers, for they will be called children of God,"³⁷ yet peace-making is too often overshadowed by political agendas wrapped in religious language. In Islam, the Prophet Muhammad emphasized mercy over aggression. The Quran (Surah Al-Ma'idah 5:32) proclaims, "If anyone kills a person unless in retribution for murder or spreading corruption in the land it is as if he had slain mankind entirely."³⁸ And yet, it is not the divine command but political distortion that transforms religion into a battle cry. The Torah, too, warns against excessive vengeance, and in Leviticus 19:18 instructs, "Do not seek revenge or bear a grudge... but love your neighbor as yourself."³⁹ In Sikhism, Guru Granth Sahib reminds us that "the Lord abides in all beings" (Ang 1427),⁴⁰ emphasizing that violence against another is violence against the divine within.

These scriptures are sacred not because they incite war, but because they teach us how to endure the trials of life with integrity, detachment, and compassion. The Mahabharata is not a manual for conquest; it is a mirror of moral dilemmas, showing how even justified wars leave deep

³⁶ *Bhagavad Gita* 2:47 (Swami Sivananda tr, Divine Life Society 14th ed. 2020) (from the *Mahabharata* tradition).

³⁷ *The Holy Bible*, Matthew 5:9 (King James Version).

³⁸ *Quran* 5:32 (Abdullah Yusuf Ali tr, Amana Publications 2001).

³⁹ *The Torah*, Leviticus 19:18 (JPS Tanakh trans., Jewish Publication Society 1999).

⁴⁰ *Guru Granth Sahib* Ang 1427 (Dr. Gopal Singh trans., World Sikh Univ. Press 1960).

karmic scars. The Crusades were not commanded by Christ, nor was political jihad ever the Prophet's legacy. These were orchestrations of power, not faith. The tragedy is not that religion causes war, but that human minds shaped by trauma, ambition, and propaganda are too easily manipulated. As theologian Karen Armstrong observes, "It is not God that is at fault; it is the way we interpret God."⁴¹ War, when framed as divine duty, becomes a tool to suppress dissent and justify oppression. But true spirituality urges the opposite inner struggle, self-restraint, and moral clarity. The Gita speaks of the greatest enemy not as the 'other' but as uncontrolled desire and anger (3:37).⁴² Thus, the real battlefield is within. We are not meant to fight each other for land or doctrine, but to fight illusion, greed, and injustice within ourselves. No Prophet, Avatar, or Messiah ever asked for blood to prove devotion; they asked for truth, courage, and love. The divine never needed conquest to be known only compassion.

If law is the instrument of justice, then its first and most sacred duty is to protect the sanctity of life not as a matter of political convenience, but as an absolute moral imperative rooted in the dignity of the soul. And yet, in the case of Gaza, where children are buried beneath the debris of their own homes and parents write their children's names on their limbs in case they cannot be identified after the next airstrike,⁴³ law has not merely failed to protect it has failed to mean. These are not unintended casualties; they are the outcome of a global system in which legality is too often shaped by geopolitical hierarchies, and morality is subordinated to strategy. International law, despite its lofty ideals, binds only those who consent and in that consent lies its collapse. A citizen cannot choose to be above domestic law, yet powerful states exempt themselves from international responsibility. This is not law it is theatre, ritualized power with no moral anchor. The real crisis lies not just in the lack of enforcement but in the absence of will. In Gaza, as in other forgotten conflicts, children are not only victims of weapons but of bureaucratic apathy of vetoes, strategic silence, and fractured diplomacy. Their suffering is prolonged by the procedural paralysis of the very institutions meant to protect them. Meanwhile, the international community performs its familiar choreography: summits without substance, condemnations without consequence, and humanitarian aid delivered with one hand

⁴¹ Karen Armstrong, *The Spiral Staircase: My Climb Out of Darkness* (Anchor Books 2005) 45.

⁴² *Bhagavad Gita* 3:37 (Swami Sivananda trans., Divine Life Soc'y 14th ed. 2020) (from the *Mahabharata* tradition).

⁴³ Al Jazeera, *So world knows: Gaza parents mark children's names on bodies amid bombing* (Oct. 28, 2023), <https://www.aljazeera.com/news/2023/10/28/so-world-knows-gaza-parents-mark-childrens-names-on-bodies-amid-bombing>.

while weapons are sold with the other. This is not simply a failure of law it is a spiritual failure of our global civilization, a betrayal of both legal conscience and divine principle.

Religious texts across traditions are not ambiguous on this matter. The Quran (4:75) asks, “And what is [the matter] with you that you fight not in the cause of God and for the oppressed among men, women, and children?”⁴⁴ The Bible calls us to “speak up for those who cannot speak for themselves”⁴⁵ (Proverbs 31:8), and the Torah commands: “Do not stand idly by while your neighbor’s blood is shed”⁴⁶ (Leviticus 19:16). The Bhagavad Gita, often misunderstood as a justification for war, is in truth a spiritual plea to uphold dharma even when difficult: “If you do not fight this righteous war, then you will certainly incur sin, having neglected your duties and lost your reputation” (2:33).⁴⁷ These are not poetic flourishes they are imperatives. When law fails to embody these sacred responsibilities and defers justice to politics, it becomes morally void. The soul of a child is not collateral damage. It is not a statistic. It is a living testament to what both law and faith were meant to preserve the inviolable sanctity of life. If we cannot protect the most innocent among us those who cannot speak, vote, or flee then our legal systems are not flawed; they are spiritually bankrupt. Until the world treats every displaced, wounded, or orphaned child as sacred, and until international law is enforced with the same seriousness as national law, justice will remain an illusion dressed in treaties and declarations. In a world that claims order through statutes yet permits chaos through silence, the only meaningful law is the one that remembers the soul.

We live in an age that prides itself on legal progress, where charters, courts, and conventions are held up as monuments to human evolution. But beneath the surface of statutes and solemn declarations, a more uncomfortable question lingers: are we truly evolving, or merely refining the tools of old empires with the language of law? Ancient kingdoms once conquered in the name of gods; today, states destroy in the name of national security, territorial integrity, or legal self-defence. The slogans have changed, but the essence remains. The Geneva Conventions promise protection to civilians in armed conflict, yet their text has become a ceremonial reference point while their principles are shattered in Gaza, Syria, Yemen, and Ukraine. What progress is this, where war crimes are livestreamed and still permitted, where ceasefires are brokered only to be broken, and where treaties are cited more often than they are enforced? This is not justice it is performance. As the Bhagavad Gita warns, we are trapped in **maya**, the illusion that form is truth and that outward rituals reflect inner righteousness. The Quran speaks of

⁴⁴ The Holy Qur’an 4:75 (Abdullah Yusuf Ali trans., Islamic Book Trust 2005).

⁴⁵ The Holy Bible Proverbs 31:8 (King James).

⁴⁶ The Holy Bible, Leviticus 19:16 (New Revised Standard Version).

⁴⁷ *Bhagavad Gita* 2:33 (Swami Sivananda tr., Divine Life Society 14th ed. 2020).

a time before the end when oppressors will cloak injustice in the garments of order, and when truth will be rejected even in plain sight.⁴⁸ The Bible foretells the rise of systems that cry “peace, peace,” when there is no peace⁴⁹ (Jeremiah 6:14), and Sikh teachings on **hukam** the divine order remind us that to live outside truth is to invite divine imbalance. These warnings are not ancient relics; they are eerily present. Today, governments draft resolutions while funding destruction, and courts pursue justice selectively, with power dictating prosecution. We are not witnessing legal evolution we are witnessing moral devolution under legal disguise. Are we not, in truth, hiding behind documents while killing truths? The parchment may be new, the ink fresh, but the suffering it fails to stop is as old as empire itself. Until law becomes more than a shield for the strong and a script for performance, it will remain what it has long been a myth wrapped in language, unable to stop what it was created to prevent.

The modern legal system prides itself on precision, neutrality, and formality but somewhere in its passive syntax and procedural rituals, it has lost its soul. Laws are written in antiseptic phrases: “It was decided,” “A resolution was passed,” “Force was authorized.” But who decided? Who wept? Who prayed? Who remembered the dead? In this impersonal language, injustice is made sterile processed through documents, minutes, and votes, until it no longer bleeds. Yet no scripture has ever defined justice as a mere procedure. Across traditions, justice is a moral act. In Hinduism, it is the alignment of one's actions with **dharmā**, not the legality of one's position. The Bhagavad Gita insists that action must be taken with **pure intention** not for gain, but for righteousness (2:47).⁵⁰ In Islam, the concept of **niyyah** the internal motive determines the worth of every deed; a just act performed with corrupt intention is nullified in the eyes of God.⁵¹ In Christianity, Christ condemned those who followed the letter of the law but failed to uphold its spirit: “Woe to you, teachers of the law... you have neglected the more important matters justice, mercy and faithfulness”⁵² (Matthew 23:23). Sikhism too proclaims that without **compassion and inner truth**, rituals are meaningless: “Without the Name, all rituals are hollow” (Guru Granth Sahib, Ang 2).⁵³ If law is to serve justice, it must be more than language. It must be conscience. It must carry a moral pulse. It must ask not just *what* happened, but *why*, and *how it felt*, and *what it cost the soul*. Otherwise, we risk living in a world where the most monstrous crimes are committed not in defiance of law, but in obedience to it. A law without conscience is not just incomplete it is dangerous. It creates a

⁴⁸ The Holy Qur'an 83:10-14 (Sahih International tr., 2004).

⁴⁹ *The Holy Bible* Jeremiah 6:14 (New International Version).

⁵⁰ Bhagavad Gita 2:47 (Swami Sivananda tr., Divine Life Society 14th ed. 2020).

⁵¹ *Sahih Muslim* 1907a, in 3 *Sahih Muslim* 1055 (Abdul Hamid Siddiqui trans., 2007) (“Actions are judged by intention.”).

⁵² *The Holy Bible*, Matthew 23:23 (New International Version).

⁵³ *Guru Granth Sahib*, Ang 2 (Gopal Singh trans., World Sikh Centre 2011).

reality where genocide can be debated, rape can be politicized, and suffering can be postponed until the next agenda item. If we are to believe in justice again, then law must become not just the spine of civilization, but its beating heart.

What makes international justice so hollow today is not only its inability to account for the soul, it is its failure to even uphold the material justice it was designed to deliver. Courtrooms were once sanctified spaces, places where testimony could rise like prayer, where truth was meant to be held with reverence, not reduced to admissibility. But the irony is this: not only do courts reject the soul's truth, they also reject the law's own. The very structures built to protect life are now unable to respond even when life is openly destroyed. International law exists, but no one fears it. Its verdicts are delayed, its sanctions ignored, its silence purchased by alliances. States are willing to commit war crimes with full knowledge of the consequences because they know the system lacks teeth. They will endure a tribunal, they will pay a diplomatic price, but they will not stop. And when power begins to outweigh principle so thoroughly, we must ask: what kind of justice is this? What kind of order allows the aggressor to claim "defense," while the displaced must prove they are worthy of humanity? Even beyond states, extremist groups, terrorist networks fueled by historical pain and religious distortion, claim to fight for dignity, but in truth only reproduce trauma. They burn the homes they say they wish to reclaim. They destroy the childhoods of the very children they claim to liberate. There is a difference between resistance and destruction, and between survival and domination. The people of Gaza are fighting to survive, to breathe under rubble, to keep their children alive in the dark.⁵⁴ That is not terrorism, it is desperation in the face of annihilation. But what of those who are not surviving, but erasing? What of those who are not defending, but advancing, flattening cities in the name of security they already possess? You cannot claim protection while inflicting persecution. You cannot call it survival when you are the one making others beg for theirs. This paper does not deny the right to rise against injustice, it is itself an act of resistance, a voice for those silenced. But resistance must be rooted in truth, not ambition. To fight for your people does not mean to destroy another's future. And when testimony becomes just another strategy, not a sacred act, when a survivor's truth must be "corroborated" before it is believed, then the courtroom does not serve justice. It serves doubt. Not all truth fits inside the courtroom. Some of it belongs to eternity. But the tragedy is, we are not even doing justice to what fits.

⁵⁴ United Nations Office for the Coordination of Humanitarian Affairs, *Hostilities in the Gaza Strip and Israel*, Situation Report No. 90 (May 2024), <https://www.ochaopt.org>.

We are failing even at the level of the visible, the provable, the legal. And if the law cannot honour even the dead it has seen, how can it claim to stand for the living it refuses to recognize?

Imagine, for a moment, if God sat in judgment not in heaven, but in The Hague. If divine presence entered the courtroom of international law, what would be said? What could possibly be offered in defence? Would God accept the argument that children deserved to suffer because of scripture? Would God be convinced by diplomatic language that reduced displacement, starvation, and grief into the categories of “strategic necessity”? Would He not ask: *Where were you when the child cried for water? Where were you when a mother delivered her baby beside a mass grave?* Today’s legal system hides behind confidentiality and sealed rooms, but in sealing its walls, it has also sealed its conscience. What is discussed inside these negotiations who profits, who abstains, who chooses silence we may never know. But we do know what comes out: more rubble, more orphans, more blood. Some claim this war is about land. But if that were true, why is the land itself being obliterated? Why bomb the hospitals and the water pipes and the olive trees? If this is about identity, then what identity requires the erasure of every other? And if this is not about God as many insist then what *is* it about? Power? Memory? Fear? Security? Nuclear threat? Scripture? Historical revenge? The deeper you dig into the justifications, the more they return to a single rotten root: *“they are not us.”* But who is “they”? What makes them unworthy of safety? Of breath? Are they not made of the same bones, the same skin, the same birth-cry? This obsession with separateness is the delusion that makes war possible. Not one person is an alien. Not one soldier is born with a crown. We are the same species, the same breath. And yet, we invent stories to unsee each other religion, ethnicity, geopolitics, strategy. We build entire legal systems and global alliances to disguise the simple truth that we are hurting one another for reasons that, when stripped bare, amount to dust. A border. A fear. A prophecy. A flag. We use sacred texts not to unite, but to divide; not to understand, but to justify. But what happens when the soul we kill is our own reflection? What happens when we claim the land, but destroy the soil beneath our feet? These wars are not protecting us they are devouring us. And whether or not you believe in karma or God, you will one day be forced to confront what you’ve done to your own kind. Not in a courtroom. But in the mirror.

And when that mirror finally rises, not the one in court but the one in conscience, what will stare back at us is not policy, not borders, not victory, but the faces we refused to see. For there is a right more ancient than any charter, more sacred than any treaty: the right to be seen. Not

simply documented or filed, but witnessed. Felt. Held. Every soul born into this world carries that right to be acknowledged in their suffering, not as a footnote in legal process, but as a being whose pain mattered. Yet international law, in its procedural sterility, too often forgets this. We speak of the right to life, but what of the right to be looked at fully before that life is erased? We negotiate ceasefires without naming the dead. We build peace processes on the bones of the unseen. But law did not begin in conference rooms. It began in the sacred moment when one human being saw another in pain and chose not to turn away. As philosopher Emmanuel Levinas reminds us, “To see the face of the other is already a call to responsibility.”⁵⁵ The Bhagavad Gita opens not with glory, but with Arjuna’s gaze he sees those on the battlefield and breaks, because seeing is the beginning of awakening. Ram Dass wrote, “We’re all just walking each other home.”⁵⁶ But how can we walk beside those we’ve condemned to exile? How do we arrive home when we’ve set fire to someone else’s? The Geneva Conventions⁵⁷ themselves were not declarations of power they were artifacts of grief. Every article was born from a failure, a hospital bombed, a civilian killed, a prisoner tortured. These are not rules, they are memorials. And to honor them is not simply to obey, it is to remember. To see. Because when the law forgets, the soul does not. And what the soul remembers becomes history, a history not written by victors, but by those who were finally seen.

So what, then, is the final judgment not of courts, but of conscience? It is this: we were given every chance to act with truth, and we chose performance. Law was never meant to shield the powerful, but to protect the vulnerable yet we turned it into ritual, rhetoric, and selective enforcement. We spoke of justice while watching children die on live television. We buried the dead in footnotes and negotiated the rights of the living like currency. And for what? Land? Legacy? Lineage? None of it will follow us. Only the debt will. Only the silence. Only the truth that we knew better and still walked away. What international law fears most is not failure it is recognition. Recognition that the soul exists. That morality is not abstract. That we are accountable not only to each other, but to something eternal. If justice is only enacted when convenient, it is no longer justice it is preference. If we choose which atrocities to condemn and which to endorse, we are not jurists. We are cowards. Law may operate through clauses, but truth operates through memory. And memory does not forget. Not the screams of the

⁵⁵ Emmanuel Levinas, *Totality and Infinity: An Essay on Exteriority* (Alphonso Lingis trans., Duquesne Univ. Press 1969) 75.

⁵⁶ Ram Dass, *Be Here Now* (Lama Foundation edn, 1971).

⁵⁷ Geneva Convention Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287, arts 3, 18.

bombed. Not the hands of the buried. Not the names erased from registries and rewritten in ash. If we cannot uphold justice, then we must at least admit we abandoned it. Because law without soul is bureaucracy. Progress without ethics is repetition. And a world that defends power while denying pain is not a civilization it is a well-dressed collapse. The soul does not care for treaties. But it remembers everything. And in the end, it is not power that survives history. It is the truth we tried hardest to ignore.

There is a violence the world never names the violence of pretending not to see. Silence, in the face of genocide, is not diplomacy. It is spiritual decay. When journalists are murdered, when aid is blocked, when the signal is cut so no one hears the crying, this is not the absence of war it is its most sophisticated weapon. Gaza and other cities are not just under siege by bombs⁵⁸; it is under siege by silence. And silence kills differently. It does not bleed, but it buries. It does not shoot, but it erases. This is not neutrality. This is complicity dressed in press releases and empty resolutions. The Quran says, “What ails you that you do not fight for the oppressed?”⁵⁹ (4:75). The Bible warns, “Woe to those who call evil good and good evil” (Isaiah 5:20).⁶⁰ The Gita does not honor Arjuna because he fights it honors him because he stops trembling and *finally acts*. And Guru Nanak made clear: to see injustice and stay silent is to abandon the Naam itself. ⁶¹So why are global leaders choosing silence when children scream loud enough to echo through eternity? Why do international courts treat a dead child as an *unverified report* until five sources confirm the blood? Do they not know? God only needs one witness. And that witness is watching.

And yet from that silence, something rises. The ones who return. The displaced, the exiled, the buried-but-not-dead. In January 2025, Palestinians walked back into northern Gaza not because they had homes, but because they had memory. Because they had names. Because even if the ground was scorched, it remembered their feet. And this return is not a logistical event it is sacred defiance. It is scripture come alive. The Bible calls it deliverance. The Quran calls it hijra and sabr. The Gita calls it karmic return. The Torah calls it Exodus. The Guru Granth Sahib calls it the soul’s union with its truth. But law calls it resettlement.

⁵⁸ United Nations Office for the Coordination of Humanitarian Affairs, ‘Occupied Palestinian Territory Humanitarian Needs and Response Plan’ (2024) UN OCHA.

⁵⁹ *The Qur’an*, Surah An-Nisa 4:75 (Abdullah Yusuf Ali trans., 1934) (‘And why should ye not fight in the cause of Allah and of those who, being weak, are ill-treated and oppressed?’).

⁶⁰ *The Holy Bible*, Isaiah 5:20 (King James).

⁶¹ *Guru Granth Sahib*, Ang 2 (Sri Guru Granth Sahib Ji, English trans., SikhNet ed. 2006) (‘Those who see injustice and remain silent are not following the Naam.’).

Reconstruction. Compensation. Policy. As if a soul that has lost generations can be paid in concrete. As if a child who watched her home collapse can be made whole by permits and blueprints. No. The return of the displaced is not a box to be checked. It is the loudest testimony in a courtroom that refuses to listen. It is divine resistance. It is the soul standing in the rubble and saying: *I am still here*. And if international law cannot kneel before that, if it cannot hear the voice of the one who survived every attempt to be erased then perhaps it is not law at all. Perhaps it is just paperwork pretending to be memory.

We are now witnessing war not through the cries of those dying, but through screens designed to forget. Gaza's mass death has become content. Memes have replaced memorials. The viral image of All Eyes on Rafah was shared by millions and understood by almost none. People post out of momentum, not meaning. They scroll past incinerated children the way they scroll past advertisements, and that is not awareness it is anaesthesia. Social media has become the world's most comfortable warzone, where you can grieve, outrage, and exit in seconds. Yes, it plays an essential role in documentation. Yes, it spreads information faster than any official wire. But what is the use of speed when the soul is not present? When the act of witnessing becomes nothing more than a visual reflex? We are now preparing for exams using the death toll of Gaza, debating ceasefire terms like case law, and still no action arrives. This is not education it is numb consumption. And while the world scrolls, international law collapses. Not in secret, but in full view.

To become an international lawyer, you are told you must master French, navigate treaty archives, memorize complex enforcement mechanisms, and complete degrees from the most prestigious universities in the world. You must write with precision, publish with discipline, and believe, almost religiously, in the system's credibility. But when you arrive at the gates of global power there is nothing. No enforcement. No urgency. No soul. International law is perhaps the only system that demands elite credentials but requires no proof of outcome. It has rules, but no rulers. It has crimes, but no sentences. And in its worst moments it has genocide, but no punishment. Even when a judgment is passed, it is rarely followed. And when it is not followed, what happens? Nothing. Sanctions are whispered, not executed. Arrest warrants are announced, but never served. Entire states defy legal orders with full knowledge that the consequences are cosmetic. So why call it law? What is this architecture of paper that cannot even withstand fire? The UN drafts resolution after resolution while children sleep in tents with amputated limbs. Geneva hosts dialogues while Gaza hosts graves. And the entire system

pretends that its processes are progress. But they are not. They are delay. They are design. They are the illusion of structure, protecting the reality of collapse. Law, if it is not enforced, is not law at all. It is ritual. It is theatre. And at this point in history, international law is not the guardian of peace it is the alibi of those who destroyed it.

Justice was never meant to live in courtrooms. It was meant to live in us. But we did not understand. So we built laws. We wrote charters, forged treaties, created institutions not to discover morality, but to discipline our failure to live by it. That was the purpose of international law: to teach decency when decency would not come on its own. But what happens when even law is not followed? What happens when every resolution is ignored, when every tribunal is delayed, when every crime is renamed as security? Is it that there are not enough international laws to uphold? Or is it worse that the ones we have are treated like options, to be applied selectively, enforced politically, and forgotten conveniently? Perhaps the deeper question is not about the law, but about the world it was written for. What does it say about us that we needed international law to teach us not to kill? And what does it say about us now that even that law is no longer enough to make us stop?