
WHY DOES POLITICAL INTEREST TRUMPS HUMAN RIGHTS: ISRAEL GAZA CONFLICT

Rudraksh Jain, Vivekananda Institute of Professional Studies

ABSTRACT

The war in Middle East is not a new occurrence in the history of mankind. Wars in Middle East are usually overlooked by the world in comparison with wars in Europe. When the Russian Ukraine war commenced the response from the world was overwhelming with almost every nation and organization coming to the aid of Ukraine expressing their sympathy towards the loss of life in Ukraine. The current war between Israel and Palestine has claimed lives of innocent Palestinians and yet the nations have kept quiet and even supported Israel in their blockade and carpet bombing of Gaza. The U.N. Charter and numerous Conventions recognize human rights of individuals irrespective of their nationality and still in 2023 the world turns a blind eye regarding the human rights violation of certain groups. With multiple human rights violations in history from the Holocaust to Rwanda Genocide to Crimes in Afghanistan to the war in Gaza, is the world even close to achieving basic human rights for all?

Do nations not only have a responsibility to protect their citizens but also the citizens of the world?

Does Article 2 clause 7 of the U.N. Charter prevent international bodies and Nations from intervening in Human Rights violations on foreign soil?

History of Israel and Palestine

Jews were a minority in Europe and often subject to discriminatory behavior from the rest of the world. With the death of Jesus Christ, the world blamed Jews for the crucifying of Jesus Christ and treated them as outcasts. Laws by empires were set in place to strip Jews of their lands and deny them equality. Jews sought for a dream and started their search for the “*promised land*”.

Jerusalem was a holy place for the Jews since their ancient kingdom of Judah was situated in Jerusalem near the land of Palestine. The land of Palestine was seized by ottoman Empire and then by the British during the World War.

Balfour Declaration signed between a Jewish leader and the British empire Acknowledged the right of Jews to exist in the land of Palestine after the end of war. With the end of the world war, Jews assumed control of Jerusalem, leaving British, Jews and Palestinians with a standoff.

The United Nation intervened in the matter with giving 56% of the land Palestine to Jews and leaving Jerusalem under International control since it was a religious habitat for Christian, Jews, and Muslims. This resolution forced Millions of Palestinians refugees to neighbor Arab countries.

History of War

- **1948** : The division of territory triggered a War between the Arab world and Israel in 1948. The war ended with Israel victorious. The aftermath of war left Gaza in control of Egypt and West Bank in control of Jordan.
- **1956** : Egypt denied the access of Suez Canal to Israel, which triggered another war with Israel and Egypt.
- **1967** : Six Arab nations attacked Israel in 1967. But to the surprise, Israel won the war in six days and took control over Gaza, West Bank and Golan Heights in Syria.
- Multiple wars in the Middle East increased the tension between Israel and Palestine to the point where the peace between the nations seems impossible.

- Skip to 2005 Israel controls administration in West Bank and has withdrawn its Forces from Gaza with retaining the control of Air space and territorial waters of Gaza.

History of Hamas

Hamas is terrorist organization which was built with ideology of freeing Gaza from Israel through violence. Hamas was formed in 1987 and gained control over Gaza in 2006 after being elected by the People of Gaza.

Hamas conducted multiple bombings and attacking in Israel which caused Israel to retaliate with controlling the flow of goods into Gaza and conducting airstrikes.

Continuous fighting from both the sides have claimed the lives of thousands of innocent lives.

Israel – Gaza War

Hamas launched a terror attack in Israel bordering Gaza. Hamas infiltrated civilian communities and began brutalizing them for hours before they were forced out by IDF¹. No Israeli citizen was safe from the brutalization by Hamas. Not even children and senior citizens. People were raped, maimed, torn apart, kidnapped, and subject to terrifying attacks. Hamas to as of November still holds around 300 Israeli as hostages. This terror attack was rightly condemned by almost every nation around the world and exhibited their support for Israel. In response to the terror attack Israel immediately declared war against Gaza and commenced their mission to destroy Hamas.

Responsibility To Protect (R2P)

In 2005 via UN World Summit, the doctrine of R2P was adopted by the nations collectively. R2P imposes responsibility upon every nation to prevent genocide, war crimes, ethnic cleansing, or any act against humanity anywhere on this planet. Every nation has a duty to prevent such crimes against humanity to fulfill the Objective to international bodies i.e. international peace.

Though R2P has been evoked in multiple countries to prevent human rights violations but

¹ Israel Defence Forces

depriving one nation of its right to be protected can result deaths of thousands. One such nation was Rwanda.

1000 of Tutsis were killed every hour in Rwanda in the most brutal manner imaginable. Meanwhile the U.N. recalled their peacekeepers from Rwanda and held discussion on whether aid to be sent to Rwanda. When U.N. decided to aid Rwanda, 1 million people were slaughter in just less than 3 months.

Another Nation is Myanmar. Due a coup in Myanmar, the military rules the land and holds a grudge against Rohingyas. Since the coup in 2021, Myanmar has been left to its fate which has led to 1000s dead and lakh who have become refugees.

Heinous wars against humanity not only rages in Africa or Asia but Europe has also been a victim of such terrible crimes. After the brutalization in Europe by Hitler, U.N. was formed, and many international organizations were formed with a foremost objective to prevent such war crimes and human rights violations.

The Balkan wars (1992-1995) is an example of failure of international communities in not only preventing wars but also failing to protect identity of a human as a living being. The violation in Bosnian war is beyond heinous, its beyond inhuman, words don't exist to describe the inhumanity shown during the war in Balkans. The U.N. itself named the genocide as "systematic ethnic cleansing". The Srebrenica genocide is one of the many genocides which occurred during the war, the genocide itself was the worst massacre witnessed by Europe since the holocaust. The Srebrenica town was declared a safe zone by the U.N. to harbor 10,000 refugees of war, despite being a safe zone, the Serbs invaded the territory and assembled almost all the refugees. The "peacekeepers" of U.N. stood and watched as Serbs slayed all the innocents lives irrespective of their age, nationality, sex, and race. Many more war crimes took place in the 3 long years of war in the Balkans before they showed firmness and established peace.

Afghanistan to this day suffers from violation of Human rights. The state of Afghanistan is severely damaged to the point that a woman may be beheaded merely for wanting an education. The citizens of Afghanistan witnessed war for 2 decades following the rule of Taliban in the country. The U.N. and the world have left Afghanistan to its fate and have chosen to ignore the severity of the

situation. Afghanistan may not be at war with another nation, but they are at war with human rights. Afghanistan is being punished for not ensuring human rights by letting them violate human rights. All the violations in the country are completely overlooked by the world and refuses to undertake responsibility to protect humans.

R2P as a Weapon

R2P has also been used as a weapon by countries to fund their proxy wars. Vietnam war is an example of such proxy war. The disputes in Vietnam were used by third party countries to fights against each other indirectly. America and Russia fought proxy wars against each other using disputes in Vietnam as an excuse. This proxy war led to terrible crimes such as chemical warfare and massacres. The aftermath of Vietnam war left 3 million people dead for interest of third-party countries.

Political Interest trumps Humanity

The violations witnessed by humanity throughout the years and ineffectiveness of the U.N. to prevent many violations depicts unwillingness of nations to act. In no fashion this paper suggests that the U.N. is not capable to prevent wars and violation. The U.N. in many instances have been remarkable in protecting human rights and preventing wars, but the willingness of nations to act have always been a crucial aspect in severe circumstances. The U.N. is as strong is as it's members want it to be, as nations wants it to be. Still to this day every war and every conflict is seen with a personal and political interest rather than guarding the interest of the people. The implementation of human rights has always been a secondary agenda at the international level.

Global support of Ukraine is a result of political interest from The West. Aid from Europe and the U.N. allows Ukraine to defend themselves from a behemoth like Russia. Weakening Russia aligns with the interest of some global powers, thus aiding Ukraine against Russia is a beneficial strategy for their own private benefit.

Israel is a suspected nuclear power and allies with USA, thus rooting against Israel and supporting a weak nation such as Palestine does not interest any nation. Egypt as a neighbor of Gaza has an

obligation to accept refugees under principle of non-refoulement, but they have denied safe harbor to Palestinian due to their friendly relation with Israel.

Israel initiated a total blockade of supplies such as electricity, food, water, and clothes since the start of the war which has trampled the innocent population of Gaza. The blockade, carpet bombing, and invading Gaza are both cruel and unnecessary actions from Israel which has been supported by the superpowers of the world.

Humans deserve to be Humans

Throughout the history of genocides and war crimes, the oppressor or the dictator addressed their victims with derogatory names instead of acknowledging their identity as a human.

- For instance, during the colonial rule of India, around 4 million Indians died due to the great Bengal Famine induced by Winston Churchill's policies. The raging starvation in Bengal forced the British Officials to recommend Churchill to discard his policies since Indian were dying of hunger. In response Churchill compared Indian to rabbits and insects, putting the blame on the growing population of India. "*it's Indians fault to breed like rabbits, they are beastly creatures with beastly religion, I hate them all*", Winston Churchill, the hero of the great war addressed the Famine with the quote mentioned above.
- America in 1800s calling the native Americans as *Indians or Savages* and labelling them as occupier of land before enslaving some, killing some, and displacing the rest.
- Blacks in America were addressed as *dogs, slaves, and racial slurs* while they were being bought and sold for money.
- The world calling people living in the middle east and Palestinians as *Savages*.
- Nazi propaganda calling Jews as *rats* while they were being sent to concentration camps.

For any Human, it is grim to kill, enslave or maim another human being but killing a rat, insect, or savages, is not a gruesome task. Labelling a human with a derogatory term makes it simpler for

the oppressor to kill or enslave who they want, it makes it easier for them to justify their wrong doings.

Article 2 of UDHR, 1948 states that *“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.”*

The world collectively throughout the history has utterly failed to honor Article 2 of UDHR. Article 2 prominently preaches that every human being shall be treated as human beings without any distinction, especially with the distinction of nationality. A person belonging to America, Europe, Africa, or Asia deserves same treatment without any distinction. Article 2 puts a responsibility on Israel to treat Palestinians as a human equal to an Israeli.

If Hamas had captured Jerusalem with Israeli citizens as hostages, would Israel have had carpet bombed Jerusalem? No, since Israel owes responsibility to protect Israelis from any terror even from themselves. Analogously, Israel owes the same responsibility to Palestinians under Article 2 of UDHR as they owe to Israelis.

Every nation has utmost obligation to protect its people from evil and harm. Every international body's paramount interest lies with people of the world. The responsibility harbored by the U.N. must extend to rest of the world, every nation must guard humans irrespective of their nationality and religion.²

² Rudraksh Jain, *Absolute Freedom: A Curse in Disguise of a Boon*, 6 (5) IJLMH Page 38 - 43 (2023), DOI: <https://doi.org/10.10000/IJLMH.115747>