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A DECOLONIAL ANALYSIS OF ISRAEL'S ACTIONS IN THE OCCUPIED PALESTINIAN TERRITORIES*

*İsrail'in İşgal Altındaki Filistin Bölgesindeki Eylemlerinin
Dekolonyal Perspektiften Analizi*

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Abstract

The events following the October 7, 2023, attack by Hamas on Israeli and foreign civilians have unfolded into what many view as a case of genocide and war crimes committed by Israel against the Palestinians. Initially, the international community broadly supported Israel's right to self-defense against Hamas' terrorism. However, Israel's following actions have raised significant concerns. This paper argues that Israel's response reflects colonial mentalities, where Palestinians are perceived not as equals with legitimate claims and rights but as subjects to be controlled. This colonial mindset is evident in aggressive military strategies and policies prioritising Israeli security over Palestinian well-being. Despite extensive academic discussion and global condemnation of Israel's policies in the Occupied Palestinian Territories over the past seventy years, this analysis examines explicitly Israel's actions and the rhetoric of senior Israeli officials following the October 7th attack. By focusing on these recent events, the paper explores how colonial strategies are employed in the current context, providing a decolonial perspective on the Israel-Palestine conflict.

Keywords: Palestine, occupied Palestine territory, Israel, genocide, war crimes, decolonialism

Özet

7 Ekim 2023'te İsraili ve yabancı sivillere yönelik Hamas saldırısının ardından gelişen olaylar, geniş bir kamuoyu tarafından İsrail'in Filistinlilere karşı işlediği bir soykırım ve savaş suçları vakası olarak kabul

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edilmektedir. Başlangıçta, uluslararası toplum geniş ölçüde İsrail'in Hamas terörizmine karşı kendini savunma hakkını desteklemiştir. Ancak, İsrail'in sonraki eylemleri uluslararası hukukun ihlal edildiği üzerine ciddi endişelere yol açmıştır. Bu makale, İsrail'in tepkisinin kolonyal bir zihin yapısını yansıttığını ve Filistinlilerin eşit haklara sahip meşru talepleri olan bireyler olarak değil, kontrol edilmesi gereken tebaalar olarak gördüğünü savunmaktadır. Bu kolonyal zihniyet, agresif askeri stratejiler ve İsrail güvenliğini Filistinlilerin refahının önüne koyan politikalarla kendini göstermektedir. İsrail'in İşgal Altındaki Filistin Topraklarındaki politikaları son yetmiş yıl boyunca geniş akademik tartışmalara ve küresel kınamalara konu olmuşken, bu analiz özellikle 7 Ekim saldırısının ardından İsrail'in eylemlerine ve üst düzey İsraili yetkililerin söylemlerine odaklanmaktadır. Bu makale, mevcut bağlamda sömürge stratejilerinin nasıl uygulandığını inceleyerek, İsrail-Filistin çatışmasına dekolonyal bir perspektiften bakmayı amaçlamaktadır.

Anahtar Kelimeler: Filistin, işgal altındaki Filistin bölgesi, İsrail, soykırım, savaş suçu, dekolonyalizm

INTRODUCTION

Humanity has been witnessing a textbook case of genocide and war crimes committed by Israel against the Palestinians after Hamas' attack on 7 October 2023,¹ targeting Israeli and foreign civilians. In the first few days after the attack, most countries declared their support for Israel against Hamas' terrorism, recognising its right to self-defence.² However, Israel's 'self-defence' has shifted to acts of genocide and war crimes.³

¹ According to Israeli sources, "in the October 7 massacre in which more than 1,200 people, including babies, women and the elderly, were brutally murdered." The Government of Israel, Press Release, 'Israel condemns Belize decision to suspend diplomatic relations' (15 November 2023) <www.gov.il/en/departments/news/israel-condemns-belize-decision-to-suspend-diplomatic-relations-15-nov-2023> accessed 20 November 2023.

² The vast majority of the international community has condemned Hamas. One needs attention, though; the Palestinian President Mahmud Abbas criticised Hamas on its actions and noted that its actions served Israel. See Filistin Devlet Başkanı Abbas: Hamas'ın tutumu, İsrail'in planlarına hizmet ediyor (*Independent Türkçe* 16 May 2024) <<https://www.indyturk.com/node/723026/d%C3%BCnya/filistin-devlet-ba%C5%9Fkan%C4%B1-abbas-hamas%C4%B1-tutumu-i%C3%87srailin-planlar%C4%B1na-hizmet-ediyor>> (accessed on 3 October 2024).

³ It needs attention that some countries continue to support Israel. For example, the UN General Assembly voted for a draft resolution to condemn Israel for its actions in the occupied territories. The vote resulted in 145 in favour, 18 abstentions, and 7 against (Canada, Hungary, Israel, Marshall Islands, Federated States of Micronesia, Nauru, and the United States of America). Moreover, the first attempt to adopt a resolution for humanitarian pauses at the UN Security Council failed due to the USA veto. After an international public cry over explicit mass human rights violations by Israel, the second attempt resulted in success, adopting a resolution with the abstentions of the United Kingdom, the United States of America,

This piece argues that Israel's actions against the Palestinians after the October 7th attack comprise colonial mentalities and reflexes. This means that the strategies and behaviours exhibited by Israel in response to the attack are seen as reminiscent of those used by colonial powers historically. The argument implies that underlying these actions is a mindset that sees the Palestinians as subjects to be controlled rather than as equals with legitimate claims and rights. This mindset can manifest in various ways, including aggressive military strategies, stringent security measures, and policies prioritising the controlling power's security and interests over the rights and well-being of the local population.

Although Israel's policies in the Occupied Palestinian Territories (OPT)⁴ have been widely discussed by academics and condemned by many over the past seven decades, this piece will specifically focus on Israel's actions and the semantics of senior Israeli officials after the October 7th attack. Whilst former colonial countries have grappled with global decolonisation efforts, Israel remains a focal point in discussions as a settler colonial state. Such colonial mentalities and reflexes can be observed within particular colonial technologies. This piece aims to analyse colonial strategies employed by Israel after the October 7th attack, shedding light on the intricate dynamics of the Israel-Palestine conflict from a decolonial standpoint.

I. Colonialism and Coloniality

Colonialism is a historical phenomenon that refers to the domination of Third World countries by First World countries. The colonial system involved economic, political, and cultural domination in addition to creating colonies in other territories.⁵ James Mahoney describes colonialism as 'the colonizing state's patrimony over the occupied territory... the state's proven ability to implant

and the Russian Federation. See UNGA, 78th Session, 'Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan' (A/78/554) 01 November 2023; UN News, 'Israel-Gaza crisis: US vetoes Security Council resolution' (18 October 2023) <<https://news.un.org/en/story/2023/10/1142507>> (accessed 15 November 2023); UNSC, Resolution 2712 (2023) (15 November 2023) (S/RES/2712). Besides the UN, Germany's unconditional support to Israel and justification of its actions have been criticised. It begs the question: is Germany's support a result of the guilt of Holocaust? Also see Hans von der Burchard, 'Germany has 'psychology of guilt' when it comes to Holocaust, Israel, Erdoğan says' (*Politico*, 17 November 2023) <<https://www.politico.eu/article/erdogan-and-scholz-clash-over-israel-hamas-war/>> (accessed 20 November 2023).

⁴ The Occupation of Palestinian Territories started after the 1967 armed conflict, and it covers the former British mandate areas, i.e., the West Bank and the Gaza Strip. See International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004, paras. 73-74.

⁵ Jörn Axel Kämmerer, 'Colonialism' in Anne Peters (ed) *Max Planck Encyclopedia of International Law* (Oxford University Press) (last updated on Jan 2018) <www.opil.oupplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e690?rskey=JDQkGe&result=1&prd=MPIL> (accessed on 13.06.2023).

settlers, maintain governance structures, and extract resources'.⁶ These standard definitions describe external or classic colonialism. However, a definition of settler colonialism is needed to understand the case of Israel better.

Settler colonialism diverges from external or classic colonialism because of its permanence, which causes divergent narratives and social structures in the colonised society.⁷ Settler colonialists do not aim to subjugate or integrate the indigenous population, as classic colonialists would, but seek to separate them from settlers, both territorially and socially, while the indigenous peoples attempted to resist such efforts.⁸

Apart from colonialism, coloniality ought to be addressed to better understand Israel's colonial practices; it refers to the continuation of colonial mentalities, psychologies, and worldviews in the cultural, social, and political power relations among First—and Third-World countries.⁹ Coloniality is a phenomenon that the First World created; it involves building and managing the Other through the totality of knowledge they generated.¹⁰ It means the culture, history, and knowledge of the Colonizers, or simply Western or European, ended up in their hegemony. For example, while human rights values can be described as universal values, they were written from a Eurocentric perspective and European values.¹¹ In short, while colonialism is accepted as a historical phenomenon, coloniality means that the ongoing effects of colonialism can be traced in today's world.

II. Colonial Technologies and the Israeli practices in the Occupied Palestinian Territories

The formal end of colonialism did not result in the end of colonial relations.¹²

⁶ James Mahoney, *Colonialism and Postcolonial Development: Spanish America in Comparative Perspective* (Cambridge University Press 2012) 2.

⁷ Ibid., 50-53; Augustine Park, 'Settler Colonialism, Decolonization and Radicalizing Transitional Justice' (2020) 14 *International Journal of Transitional Justice* 260, 262.

⁸ Jürgen Osterhammel, *Colonialism: A Theoretical Overview* (1st edn, Shelley Frisch tr, Markus Wiener Publishers 2005) 6.

⁹ Sabelo J. Ndlovu-Gatsheni, *Coloniality of Power in Postcolonial Africa: Myths of Decolonization* (Council for the Development of Social Science Research in Africa 2013) 8; Anibal Quijano, 'Coloniality of Power, Eurocentrism, and Latin America' (2000) 1(3) *Nepantla: Views from South* 533, 534.

¹⁰ Ibid., 197. Quijano explains the totality of knowledge, 'the Europeans generated a new temporal perspective of history and relocated the colonized population, along with their respective histories and cultures, in the past of a historical trajectory whose culmination was Europe'.

¹¹ José-Manuel Barreto, 'A Universal History of Infamy: Human Rights, Eurocentrism, and Modernity as Crisis' in Prabhakar Singh and Benoît Mayer (eds) *Critical International Law* (1st edn, Oxford University Press 2014) 143 et seq.

¹² Antony Anghie, 'Rethinking International Law: A TWAIL Retrospective' (2023) 34 *European Journal of International Law* 7, 9; Lorenzo Veracini, *Colonialism: A Global History* (1st edn, Routledge 2023) 5.

Traces of colonialism can still be observed in today's law, judiciary, and countries' practices. During the colonial era, colonial countries employed certain technologies to oppress the colonised nations through international law. The term 'technology' is borrowed from Antony Anghie. It implies that colonisers used international law as a tool to civilise the Other.¹³ In other words, colonial technology refers to the common knowledge and methods employed by colonizers during the colonial era. These methods were based on the era's scientific beliefs, including concepts like racial hierarchy and the saviour logic, which were used to justify their colonization efforts. These technologies involve (1) exclusion, (2) double standards/entrenching inequality in the law, (3) labelling/othering, (4) cultural/racial hierarchies, (5) saviour logic, (6) paternalism, and (7) coercion.¹⁴ An explanation of these colonial technologies and examples of the same utilised by the Israeli authorities, whose policies involve coloniality in the OPT, will be provided respectively.

The first technology is the exclusion of the Other. Inclusion and exclusion constitute a crucial feature of colonialism; the exclusion of the Other is based on various grounds, such as religion, race, culture, and/or lack of a proper government. For example, the 19th-century Scottish international lawyer James Lorimer discussed the partial recognition of semi-barbarous States such as the Ottoman Empire, Japan, and China and noted that 'Even when diplomatic relations have been established between [civilised and semi-barbarous States], the recognition of semi-barbarous State by a civilised State does not extend to its municipal law'.¹⁵ To justify their actions against colonised peoples, colonisers had to express the difference and exclude the Other from the realm of international law.¹⁶ For instance, the IDF spokesperson Nadav Shoshani says that the IDF's mission is to protect civilians.¹⁷ Based on the Geneva Conventions, civilian means anyone who is not a member of the armed forces and does not take part in hostilities in times of war. However, on the night of May 26th, 2024, the IDF

¹³ Antony Anghie, *Imperialism, Sovereignty, and the Making of International Law* (1st edn, Cambridge University Press 2005) 106-107.

¹⁴ Professor Carsten Stahn provided this list of colonial technologies during a discussion. See Carsten Stahn, *Confronting Colonial Objects: Histories, Legalities, and Access to Culture* (Oxford University Press 2023).

¹⁵ James Lorimer, *Institutes of the Law of Nations: A Treatise of the Jural Relations of Separate Political Communities (Vol I)* (William Blackwood and Sons 1883) 216 et seq. See 'Communities possessing the marks of states imperfectly are in some cases admitted to the privilege of being subject to international law, in so far as they are capable of being brought within the scope of its operation'. William Edward Hall, *International Law* (Oxford University Press 1880) 19.

¹⁶ Anghie, *Imperialism* (n 13) 26-30.

¹⁷ See, IDF Official X/Twitter account, posted on 26.05.2024 at 2.23 pm, <www.x.com/IDF/status/1794811724606165455> (accessed on 26.05.2024).

bombed a camp for displaced people in Rafah, which resulted in the deaths of at least 45 civilians, including women and children.¹⁸ This practice is a clear example of the exclusion of Palestinian civilians from the general meaning of civilians, who need to be protected during the war times.

The second technology involves the use of double standards and entrenching inequality in the law. Colonisers frequently employed such practices. An incident from the Palestinian conflict can be the discharge of two Israeli soldiers after the IDF's attack on the World Central Kitchen's vehicles, which resulted in the deaths of seven aid workers.¹⁹ While the Palestinians face harsh punishments in case of any violent acts against Israeli soldiers or civilians, Israeli soldiers are only discharged from the service and reprimanded. This constitutes a clear example of how the law applies to double standards. From another perspective, civilians killed in this attack were from various countries, including Australia, Canada, the USA, and the UK, which led to the discharge of two soldiers, while the deaths of thousands of Palestinian civilians may result in impunity domestically.²⁰ The reference is missing here.

The third technology relates to labelling and othering, which was popularly exercised as a justification to legitimise the actions of colonisers. It was implemented in various aspects of colonial governance. For instance, José de Acosta, a Salamanca theologian, categorised non-European peoples based on their levels of development and thereby rationalised the spreading of Christianity to the 'most remote' and 'less civilised peoples.'²¹ Labelling/othering can be observed in Israeli practices as well. Since Hamas conducted the October 7th attack, Israeli officials have explicitly labelled the Palestinians as terrorists, evil, etc.²² A clear example is Israeli Prime Minister Benjamin Netanyahu's post on X/Twitter, where he referred to the conflict as a 'struggle between the children of light and the children of darkness'.²³ After the international community's

¹⁸ Thomas Mackintosh and David Gritten, 'Dozens reported killed in Israeli strike on Rafah' (*BBC News* 27.05.2024) <www.bbc.com/news/articles/c0kkqkngnedo> (accessed on 27.05.2024).

¹⁹ IDF Announcement, (05.04.2024) <<https://perma.cc/TC9M-FPC5>> (accessed on 24.05.2024).

²⁰ Ron Kampeas, 'Israeli military fires 2 officers in the wake of World Central Kitchen killings' (*Pittsburg Jewish Chronicles* 5 April 2024) <<https://jewishchronicle.timesofisrael.com/israeli-military-fires-2-officers-in-the-wake-of-world-central-kitchen-killings/>> (accessed on 03 October 2024).

²¹ José de Acosta, *Of the Natural and Moral Histories of the Indies* (Clements R. Markham, ed., Clements R. Markham, tr., first published 1880, Cambridge University Press 2010) Book IV, 186-187.

²² See Benjamin Netanyahu's Official X/Twitter account, posted on 22 May 2024 at 5:02 pm <<https://perma.cc/6DY7-NBVX>> (accessed on 25.05.2024).

²³ Sonam Sheth, 'Netanyahu deleted a post on X about a struggle against 'children of darkness' around the time of a tragic hospital explosion in Gaza' (*Insider*, 17 November 2023) <www.

negative reactions to the Israeli Prime Minister's words and his labelling of the Palestinians as the 'children of darkness,' in addition to Israel's attack on a Gazan hospital, resulting in the deaths of innocent civilians, including children, the X/Twitter post was eventually deleted. Another example of Israel's use of labelling is countries and individuals who condemn Israel's actions in the OPT as being terrorist supporters. For instance, the Israeli Ministry of Foreign Affairs (MFA) condemned Bolivia's decision to cut diplomatic relations after Israel's genocidal actions against the Palestinians.²⁴ Moreover, the Israeli MFA noted, 'by taking this step, the Bolivian government is aligning itself with the Hamas terrorist organization'. In light of the above, Israel has actively been employing labelling and othering to dehumanise the Palestinians and to justify their genocidal actions.

The fourth technology is the use of cultural and racial hierarchies. The idea of 'race' means 'a supposedly different biological structure that placed some in a natural situation of inferiority to the Others'.²⁵ While races do not exist biologically, Sally Haslanger notes, 'social races do exist'.²⁶ According to Quijano, 'the idea of race, in its modern meaning, does not have a known history before the colonisation of America'.²⁷ The creation of 'race' is driven by the ideology of racism rather than being a result of the existence of substantial racial differences.²⁸ Cultural and racial hierarchies represented fundamental aspects of colonialism for justifying colonisers' actions to exploit lands and people of Colonized nations. In the consideration of cultural/racial hierarchies in this context, this can be seen in the words of Emmanuel Nahshon, Deputy Director General for Public Diplomacy at the Israeli MFA. He posted on his official social media account, 'The [attack] is to be understood in the perspective of a *War of Civilizations*. The liberal and democratic West is under attack by *an unholy alliance of Islamists*

businessinsider.com/netanyahu-deleted-children-of-darkness-post-gaza-hospital-attack-2023-10?international=true&r=US&IR=T> (accessed 08 November 2023).

²⁴ Israeli MFA, Press Release, 'Israel condemns Bolivia's support of terrorism and its submission to the Iranian regime, which attest to the values the government of Bolivia represents'. (31 November 2023) <<https://www.gov.il/en/departments/news/mfa-spokesperson-announcement-31-oct-2023>> (accessed 20 November 2023).

²⁵ Quijano, *Coloniality* (n 9) 533.

²⁶ Sally Haslanger, 'Tracing the Sociopolitical Reality of Race' in Joshua Glasgow, Sally Haslanger, Chike Jeffers, Quayshawn Spencer (eds) *What Is Race? Four Philosophical Views* (Oxford University Press 2019) 8, 20.

²⁷ Quijano, *Coloniality* (n 12) 534.

²⁸ Danielle Juteau-Lee, 'Introduction: (Re)constructing the Categories of 'Race' and 'Sex': The Work of a Precursor' in Colette Guillaumin (ed) *Racism, Sexism, Power and Ideology* (Routledge 1995) 1, 6.

and extreme leftists...'²⁹ This is an example of positioning cultures in different hierarchies; while he positions the Western culture as superior, the Other has been demonised and positioned as inferior to the West.

The fifth technology is the saviour logic, which was created for the continuation of the global racial hierarchy.³⁰ It was based on the understanding that Colonisers were superior and that their geography formed the centre of the universe. It branded the Colonised as inferior, backward, and in need of a saviour on their assumed path towards 'civilisation' and development.³¹ This ideology was an outcome of a Western linear understanding of development.³² It was rooted in the Enlightenment period. As Makau wu Mutua has noted, it was structured through Eurocentric universalism and Christianity's missionary enthusiasm.³³ It can also be traced back to early modern international law materials, such as the Covenant of the League of Nations.³⁴ This logic was inter alia reflected in the US Supreme Court's *Johnson v. McIntosh* judgment (21 U.S. 543 (1823)). The Court noted, 'The potentates of the old world found no difficulty in convincing themselves that they made ample compensation to the inhabitants of the new by bestowing on them civilization and Christianity in exchange for unlimited independence'.³⁵ Saviour logic cannot be detected in Israel's policies and actions due to Israel's predominantly genocidal intention and nature of its actions.

²⁹ Emmanuel Nahshon, his official X/Twitter account, a tweet posted on 18.11.2023 at 10.27 <<https://twitter.com/EmmanuelNahshon/status/1725807844371394909>> (accessed 20 November 2023). (emphasis added)

³⁰ Makau wu Mutua, 'Savages, Victims, and Saviors: The Metaphor of Human Rights' (2001) 42 *Harvard International Law Journal* 201, 207.

³¹ *Ibid.*, 213, 233.

³² Balakrishnan Rajagopal, 'Locating the Third World in Cultural Geography' (1998-1999) 1 *Third World Legal Studies* 1,17.

³³ Mutua, *Savages* (n 30) 233.

³⁴ Article 22(1) of the Covenant notes, "To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant."

³⁵ US Supreme Court, *Johnson & Graham's Lessee v. McIntosh*, 21 U.S. 543 (1823). Kashyap refers to the US Supreme Court as the 'courts of conqueror' due to its decision in the mentioned judgment and she summarizes the judgment as follows, 'the seminal U.S. Supreme Court case in which the Court ruled that Indigenous peoples can have no absolute title over property, and instead that title goes to the discovering conqueror.' Monika Batra Kashyap, 'Unsettling Immigration Laws: Settler Colonialism and the U.S. Immigration Legal System' (2019) 46 *Fordham Urban Law Journal* 548, 559.

The sixth technology is the concept of paternalism, which is based on the control of other individuals.³⁶ It formed an active part of colonial relations. In the context of formal or external colonialism, paternalism was frequently employed as part of a ‘civilisation mission’. Nandy highlights a link between the change in the description of childhood in the Western countries during the 17th century and how they started the civilisation mission towards the colonised territories.³⁷ The early description of childhood, which was accepted as a ‘happy, blissful prototype of beatific angels,’ shifted to ‘an inferior version of maturity, less productive and ethical, and badly contaminated by the playful, irresponsible and spontaneous aspects of human nature’. In other words, children were seen as people who needed to be saved.³⁸ The Colonisers implemented the same logic in their relationships with indigenous peoples. An example from this context can be from the spokesperson of the Israeli PM office, Tal Heinrich, who notes that ‘Israel has taken unprecedented steps in the history of urban modern warfare to protect civilians in Gaza and provide them with humanitarian aid (572,300 tons).’³⁹ While she ignores that civilians need this humanitarian aid because of Israel’s endless military attacks, she clearly claims that the state of Israel has been taking care of the Palestinian civilians in Gaza, which she describes as unprecedented. Another example can be Israel’s offer and transfer of incubators to the Shifa Hospital in Gaza after an international public cry over babies who died due to a lack of energy sources to power the incubators.⁴⁰

Lastly, coercion was an eminent feature of colonial practices. As Lorenzo Veracini notes, colonialism was founded on violence, and colonial relationships could not have been created without violence.⁴¹ The implementation of coercion can be traced back to John Westlake, who noted, ‘to proceed by agreement is always desirable and generally possible, though too often force is the first means

³⁶ Michael N. Barnett, ‘Introduction: International Paternalism: Framing the Debate’ in Michael N. Barnett (ed), *Paternalism Beyond Borders* (Cambridge University Press 2016) 4.

³⁷ Ashis Nandy, *The Intimate Enemy: Loss and Recovery of Self Under Colonialism* (Oxford University Press 1983) 14-15; Rajagopal (n 32) 8-9.

³⁸ Ibid., Nandy, 14; Ranjan Bandyopadhyay & Vrushali Patil, ‘The white woman’s burden’ – the racialized, gendered politics of volunteer tourism’ (2017) 19(4) *Tourism Geographies* 644, 648.

³⁹ Tal Heinrich’s official X/Twitter account, posted on 21 May 2024 at 1:11 pm, <<https://x.com/TalHeinrich/status/1792981485944811979>> (accessed on 28.05.2024).

⁴⁰ Israel’s official X/Twitter account, a tweet posted on 14 November 2023 at 17.55 <<https://twitter.com/Israel/status/1724289934956036568>> (accessed on 20.11.2023); Yuliya Talmazan & Chantal Da Silva, ‘As outrage grows over fate of babies in Gaza hospital, Israel offers incubators and fuel’ (*NBC News*, 14 November 2023) <www.nbcnews.com/news/world/israel-offers-incubators-fuel-gaza-hospital-outrage-grows-rcna125053> (accessed 20 November 2023).

⁴¹ Veracini, *Colonialism* (n 12) 1.

employed against the indigenous population'.⁴² In the colonial era, coercion was understood as physical violence over the indigenous peoples; however, there has been a shift in the usage from military power to economic and political power in the practice of First World countries. In considering the coercion exerted by Israel after the 7 October attack by Hamas, Israel claims that it employs its right to 'self-defence' to justify its attacks against the Palestinians. Many experts have labelled these attacks as genocidal.⁴³ While the Israeli Heritage Minister Eliyahu notes, 'dropping a nuclear bomb on the Gaza Strip is an option',⁴⁴ human rights experts claim that Israel has dropped more than 25,000 tons of explosives on the Gaza Strip, equivalent to two nuclear bombs.⁴⁵ As mentioned previously, within six weeks of the Israel-Hamas war, 14,854 Palestinians, including 6,150 children and over 4,000 women, were killed by the Israeli forces,⁴⁶ which represents the inhumane brutality of the war and the severity of the physical coercion conducted by Israel. Apart from these examples, the Rafah attack on May 26th, 2024, can be considered coercion, too. The Palestinian civilians left their houses to be safe in camps, where they were bombed. This can be regarded as another policy to coerce Palestinians to leave their homes and lands for a second Nakba.

Conclusion

In conclusion, Israel, as a settler colonial State, employs colonial technologies in its practices against the Palestinians in the OPT. As shown through the examples above, these practices can be observed in the semantics of high-level

⁴² John Westlake, *International Law: Part I Peace* (Cambridge University Press 1910) 123.

⁴³ See In his letter to the High Commissioner Volker Türk, Craig Mokhiber, Director of the New York Office of the High Commissioner for Human Rights, has noted that 'This is a text-book case of genocide. The European, ethno-nationalist, settler colonial project in Palestine has entered its final phase, toward the expedited destruction of the last remnants of indigenous Palestinian life in Palestine.' OHCHR Press Release, 'Gaza: UN experts call on international community to prevent genocide against the Palestinian people' (16 November 2023) <<https://www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against>> (accessed 19 November 2023); Opinio Juris, 'Public Statement: Scholars Warn of Potential Genocide in Gaza' (18 October 2023) <<https://opiniojuris.org/2023/10/18/public-statement-scholars-warn-of-potential-genocide-in-gaza/>> (accessed 25 October 2023).

⁴⁴ Ikram Kouachi, 'Israeli minister says dropping 'nuclear bomb' on Gaza is 'option'' (*Anadolu Agency*, 05 November 2023) <<https://www.aa.com.tr/en/middle-east/israeli-minister-says-dropping-nuclear-bomb-on-gaza-is-option-/3044272>> (accessed 13 November 2023).

⁴⁵ Euro-Med Monitor, 'Israel hits Gaza Strip with the equivalent of two nuclear bombs' (02 November 2023) <<https://euromedmonitor.org/en/article/5908/Israel-hit-Gaza-Strip-with-the-equivalent-of-two-nuclear-bombs>> (accessed 13 November 2023).

⁴⁶ Muhammed Sabry, 'Gaza death toll from Israeli attacks tops 14,800' (23 November 2023) *Anadolu Agency* <<https://www.aa.com.tr/en/middle-east/gaza-death-toll-from-israeli-attacks-tops-14-800/3063063>> (accessed on 25 November 2023).

officials, such as labelling the Palestinians as the ‘children of darkness’ by Prime Minister Netanyahu or coercion as physical violence, such as dropping bombs equivalent to two atomic bombs since the beginning of the Israel-Hamas War. Moreover, these colonial technologies have been employed to justify Israel’s actions against the Palestinians, such as dehumanising them as ‘children of darkness’ or claiming to free ‘queer Palestinians from Hamas’. Nevertheless, after the 7 October attack, Israel’s policies against the Palestinians have become more ruthless and explicit. While humanity has become a witness to these mass atrocities, countries should step in to halt Israel’s actions before it is too late. First World countries have been failing again, as they did in the Bosnian Genocide. Countries should not repeat the failure to protect civilians due to their political agendas or the guilt of past atrocities.

Bibliography

Acosta J, *Of the Natural and Moral Histories of the Indies* (1st edn, Clements R. Markham (trans) Cambridge University Press 2010)

Anghie A, ‘Rethinking International Law: A TWAAIL Retrospective’ (2023) 34(1) *European Journal of International Law* 7

Anghie A, *Imperialism, Sovereignty, and the Making of International Law* (1st edn, Cambridge University Press 2005)

Bandyopadhyay R and Patil V, ‘The white woman’s burden’ – the racialized, gendered politics of volunteer tourism’ (2017) 19(4) *Tourism Geographies* 644

Barnett M, ‘Introduction: International Paternalism: Framing the Debate’ in by Michael N. Barnett (ed), *Paternalism Beyond Borders* (1st edn, Cambridge University Press 2016)

Barreto JM, ‘A Universal History of Infamy: Human Rights, Eurocentrism, and Modernity as Crisis’ in Prabhakar Singh and Benoit Mayer (eds) *Critical International Law* (1st edn, Oxford University Press 2014)

Batra Kashyap M, ‘Unsettling Immigration Laws: Settler Colonialism and the U.S. Immigration Legal System’ (2019) 46 *Fordham Urban Law Journal* 548

Hall, WE, *International Law* (2nd edn, Oxford University Press 1880)

Haslanger S, ‘Tracing the Sociopolitical Reality of Race.’ in Joshua Glasgow, Sally Haslanger, Chike Jeffers, Quayshawn Spencer (eds) *Is Race? Four Philosophical Views* (1st edn, Oxford University Press 2019)

Juteau-Lee D, ‘Introduction: (Re)constructing the Categories of ‘Race’ and ‘Sex’: The Work of a Precursor’ in Colette Guillaumin (ed) *Racism, Sexism, Power and Ideology* (1st edn, Routledge 1995)

Lorimer J, *Institutes of the Law of Nations: A Treatise of the Jural Relations of Separate Political Communities* (1st edn, William Blackwood and Sons 1883)

Mahoney J, *Colonialism and Postcolonial Development: Spanish America in Comparative Perspective* (1st edn, Cambridge University Press 2012)

Mutua, M, 'Savages, Victims, and Saviors: The Metaphor of Human Rights' (2001) 41 *Harvard International Law Journal* 201

Nandy A, *The Intimate Enemy: Loss and Recovery of Self Under Colonialism* (1st edn, Oxford University Press 1983)

Ndlovu-Gatsheni S, 'Coloniality of Power in Postcolonial Africa: Myths of Decolonization' (2013) Council for the Development of Social Science Research in Africa

Osterhammel J, *Colonialism: A Theoretical Overview* (1st edn, Shelley Frisch (trans) Markus Wiener Publishers 2005)

Park A, 'Settler Colonialism, Decolonization and Radicalizing Transitional Justice' (2020) 14(2) *International Journal of Transitional Justice* 260

Quijano A, 'Coloniality of Power, Eurocentrism, and Latin America' (2002) 1(3) *Nepantla Views from South* 533

Rajagopal, B, 'Locating the Third World in Cultural Geography' (1998-1999) 1 *Third World Legal Studies* 1

Stahn C, *Confronting Colonial Objects: Histories, Legalities, and Access to Culture* (1st edn, Oxford University Press 2023)

UNGA, 78th Session, 'Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan' (A/78/554) (1 November 2023)

UNSC, Resolution 2712 (2023) (15 November 2023)

Veracini L, *Colonialism: A Global History* (1st edn, Routledge 2023)

Westlake J, *International Law: Part I Peace* (2nd edn, Cambridge University Press 1910)

Other Sources

Netanyahu B, X post (22 May 2024) <<https://perma.cc/6DY7-NBVX>> accessed 30 May 2024

Burchard H, 'Germany has 'psychology of guilt' when it comes to Holocaust, Israel, Erdoğan says' *Politico* (17 November 2023) <www.politico.eu/article/erdogan-and-scholz-clash-over-israel-hamas-war/> accessed 29 May 2024

Nahshon E, X post (18 November 2023) <www.x.com/EmmanuelNahshon/status/1725807844371394909> accessed 23 May 2024

Euro-Med Monitor, 'Israel hits Gaza Strip with the equivalent of two nuclear bombs' (2 November 2023) <www.euromedmonitor.org/en/article/5908/Israel-hit-Gaza-Strip-with-the-equivalent-of-two-nuclear-bombs> accessed 22 May 2024

IDF Official X account, X post, (26 May 2024) <www.x.com/IDF/status/1794'811724606165455> accessed 30 May 2024

IDF, Announcement (5 April 2024) <<https://perma.cc/TC9M-FPC5>> accessed 25 May 2024

Israel X official account, X post, (14 November 2023) <www.x.com/Israel/status/1724289934956036568> accessed 22 May 2024

Israeli MFA, 'Israel condemns Bolivia's support of terrorism and its submission to the Iranian regime, which attest to the values the government of Bolivia represents' Press Release, (31 November 2023) <www.gov.il/en/departments/news/mfa-spokesperson-announcement--31-oct-2023> accessed 29 May 2024

Kämmerer JA, 'Colonialism' in *Max Planck Encyclopedia of International Law*, in Anne Peters (ed) (Oxford University Press) <www.opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e690?rskey=JDQkGe&result=1&prd=MPIL> accessed 01 June 2024

Kouachi I, 'Israeli minister says dropping 'nuclear bomb' on Gaza is 'option.'" *Anadolu Agency*, (5 November 2023) <www.aa.com.tr/en/middle-east/israeli-minister-says-dropping-nuclear-bomb-on-gaza-is-option-/3044272> accessed 30 May 2024

Mackintosh T and Gritten D, 'Dozens reported killed in Israeli strike on Rafah' *BBC News* (27 May 2024) <www.bbc.com/news/articles/c0kkqkngnedo> accessed 30 May 2024

OHCHR, 'Gaza: UN experts call on international community to prevent genocide against the Palestinian people' Press Release, (16 November 2023) <www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against> accessed 21 May 2024

Opinio Juris, 'Public Statement: Scholars Warn of Potential Genocide in Gaza' (18 October 2023) <www.opiniojuris.org/2023/10/18/public-statement-scholars-warn-of-potential-genocide-in-gaza/> accessed 29 May 2024.

Sabry M, 'Gaza death toll from Israeli attacks tops 14,800' *Anadolu Agency* (23 November 2023) <www.aa.com.tr/en/middle-east/gaza-death-toll-from-israeli-attacks-tops-14-800/3063063> accessed on 29 April 2024

Sheth S, 'Netanyahu deleted a post on X about a struggle against 'children of darkness' around the time of a tragic hospital explosion in Gaza' *Insider* (17 November 2023) <www.businessinsider.com/netanyahu-deleted-children-of-darkness-post-gaza-hospital-attack-2023-10?international=true&r=US&IR=T> accessed 20 May 2024

Tal Heinrich, X post, (2 May 2024) <www.x.com/TalHeinrich/status/1792981485944811979> accessed on 30 May 2024

Talmazan Y and Da Silva C, 'As outrage grows over fate of babies in Gaza hospital, Israel offers incubators and fuel' *NBC News*, (14 November 2023) <www.nbcnews.com/news/world/israel-offers-incubators-fuel-gaza-hospital-outrage-grows-rcna125053> accessed on 19 May 2024

Government of Israel, 'Israel condemns Belize decision to suspend diplomatic relations' Press Release (15 November 2023) <www.gov.il/en/departments/news/israel-condemns-belize-decision-to-suspend-diplomatic-relations-15-nov-2023> accessed 30 May 2024

UN News, 'Israel-Gaza crisis: US vetoes Security Council resolution' (18 October 2023) <www.news.un.org/en/story/2023/10/1142507> accessed 1 June 2024

--- Filistin Devlet Başkanı Abbas: Hamas'ın tutumu, İsrail'in planlarına hizmet ediyor (Independent Türkçe 16 May 2024) <<https://www.indyturk.com/node/723026/d%C3%BCnya/filistin-devlet-ba%C5%9Fkan%C4%B1-abbas-hamas%C4%B1n-tutumu-i%C3%87srailin-planlar%C4%B1na-hizmet-ediyor>> accessed on 3 October 2024.

Kampeas R, 'Israeli military fires 2 officers in the wake of World Central Kitchen killings (Pittsburg Jewish Chronicles 5 April 2024) <<https://jewishchronicle.timesofisrael.com/israeli-military-fires-2-officers-in-the-wake-of-world-central-kitchen-killings/>> accessed on 03 October 2024