

US threats against the International Criminal Court and the normalization of genocide

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On Thursday, the International Criminal Court (ICC) formally issued warrants for the arrest of Israeli Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant for war crimes and crimes against humanity.

The action is a testament to the criminality of the war of extermination waged by Israel against the people of Gaza with the support of the US and other imperialist powers. While the official death toll is at least 42,000, there are estimates as high as 186,000 (in *The Lancet* last July) and even higher. More than 90 percent of the pre-invasion population of Gaza has been internally displaced. The entire population has been subjected to severe shortages of food and water, and the majority of houses, schools, hospitals and universities have been either damaged or destroyed.

The court charged Netanyahu and Gallant with “the war crime of starvation as a method of warfare” and the crimes against humanity of murder, persecution and other inhumane acts.

The ruling vindicates the mass protests carried out by millions all over the world against the Gaza genocide, which the imperialist governments have falsely denounced as being motivated by antisemitism.

Netanyahu’s guilt is imperialism’s guilt. The entire American political establishment, from the Biden administration and the Democratic Party to the Republican Party and the incoming Trump administration, has supported the genocide and has united in condemning the ICC decision.

In a statement on Thursday, Senator Tom Cotton made threats to wage war against countries or even assassinate leaders who cooperate with the ICC case, while fellow Republican Lindsey Graham has led a bipartisan group of senators pushing for the US to sanction the International Criminal Court. The White

House expressed its openness to calls for sanctioning the ICC.

President Joe Biden responded to the warrants with an open endorsement of Israel’s war against the population of Gaza, declaring, “Whatever the ICC might imply, there is no equivalence—none—between Israel and Hamas. We will always stand with Israel against threats to its security.”

There is, in fact, no equivalence. The Palestinians are an oppressed people who have been subjected to decades of occupation at the hands of Israel, confined to open-air prisons and denied the most basic democratic rights. Israel is a massively armed state financed by imperialism, carrying out a genocide against a population it illegally occupies.

American officials are well aware that the charges brought by the ICC do not only condemn Israel. It is a well established legal principle that those who finance, direct and authorize a crime are culpable in its commission.

To the extent that US officials have bothered to give rationalizations for their attack on the ICC’s case against Netanyahu, it has been to declare, in the words of White House spokesperson Karine Jean-Pierre, that the “ICC does not have jurisdiction over this matter.”

This is a fraud. The International Court of Justice ruled definitively this year that the Israeli occupation of Palestine is illegal, and the International Criminal Court likewise ruled that it has standing to bring charges against Israeli leaders for crimes committed in Palestine.

The Gaza genocide is part of a global eruption of imperialist war, centrally targeting Russia, China, North Korea and Iran, aimed at the total subjugation of the former colonial world to the imperialist powers. The lead essay in the latest edition of *Foreign Affairs*

asserts:

An era of limited war has ended; an age of comprehensive conflict has begun. Indeed, what the world is witnessing today is akin to what theorists in the past have called “total war,” in which combatants draw on vast resources, mobilize their societies, prioritize warfare over all other state activities, attack a broad variety of targets, and reshape their economies and those of other countries.

To declare that this new era of global warfare allows countries to “attack a broad variety of targets” is a colloquial way of saying that international law is being suspended, and civilians, hospitals and humanitarian organizations are all targets. The “Israeli model” is to be the standard for waging war in the future by the imperialist powers.

The vicious response by the US to the ICC’s charging of Netanyahu takes place just days after Biden and UK Prime Minister Keir Starmer authorized the launching of NATO long-range missiles deep inside Russia, despite threats from Russia to retaliate to attacks on its territory with the use of nuclear weapons.

The sponsorship by the imperialist powers of the Gaza genocide is a warning: They are prepared to accept the deaths of countless numbers of people, both those of their adversaries and of their own citizens, to achieve their geopolitical aims. The damage that tens of thousands of Israeli bombings have done over more than a year—equivalent to two Hiroshima-sized nuclear bombs—can be done in an instant with a modern nuclear weapon.

In asserting that it will not enforce the ICC’s arrest warrant, the German government declared, “It is a consequence of German history that we share unique relations and great responsibility with Israel.” The *Telegraph* translated this statement more colloquially by declaring, “Germany won’t arrest Netanyahu ‘because of its Nazi history.’”

This is true, but not in the way the *Telegraph* means it. Israel is waging, although at a smaller scale, the type of “war of extermination” waged by Nazi Germany against the Soviet Union. This method of war will more

and more become the norm in the global wars waged by the imperialist powers.

In its 2024 New Year’s statement, the WSWS Editorial Board made the following warning:

All the “red lines” that demarcate civilization from barbarism are being effaced. The motto of capitalist governments is: “Nothing that is criminal is alien to us.” Nuclear war is being “normalized”; genocide is being “normalized”; pandemics and the deliberate culling of the infirm and elderly have been “normalized”; unfathomable levels of wealth concentration and social inequality have been “normalized”; the suppression of democracy and the resort to authoritarianism and fascism are being “normalized.”

The crimes of Nazi Germany, condemned as aberrations by capitalist governments of the past, are being more and more accepted as the model in the conduct of imperialist foreign policy.

In their response to the ICC’s charges against Netanyahu, the imperialist powers have made clear that they intend to continue funding and arming the Gaza genocide and shield its persecutors from accountability. It has made clear that the fight to end the genocide is necessarily a fight to abolish imperialism, and that this requires the development of a mass movement in the working class.



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