

# CAPITALISM AND GENOCIDE

Mathias Clivaz and Hugues Poltier. October 2, 2024.

*What happens to people in a world where genocides take place, are not stopped, and go unpunished? To understand this, we analyze Israel's genocide of the Palestinian people, and how capitalism is linked therein to a rise of white supremacism. From there, we develop the idea that capitalism, in its illimitation, "progresses" according to its participation in death lines that the current structure of law and international institutions is unable to discern. As the human world closes in on itself - at the crossroads of the militarization of States, the instrumentalization of racism and a imperialistic surge - an intrinsically genocidal capitalism shows its true face.*

At the root of the ongoing genocide against the Palestinian people<sup>1</sup>, the alliance between the fascist government<sup>2</sup> of the Israeli state and that of the United States of North America (USA) – which supplies it with 69% of its weaponry<sup>3</sup> – signals a rise of white capitalism<sup>4</sup> within general capitalism. This strengthens the hold of the oligarchies of the global North<sup>5</sup> and reduces the scope of international law to nothing. The ineffectiveness of the judgments of the International Court of Justice<sup>6</sup> (ICJ) against Israel is emblematic, in a world where oppressed peoples have learned to expect nothing from the United Nations Organization (UNO).

But white capitalism is not alone in this game. The nuclear threat overdetermines the global balance of power<sup>7</sup>, creating the conditions for war between rival capitalisms<sup>8</sup> and the proliferation of predatory formations<sup>9</sup>, all of which seek to bypass, evade or exploit the legislative capacity of political bodies. While for the time being – between the power wielded by the IMF, the exercise of the veto right at the Security Council, the US monopoly on negotiations between parties in conflict, and the absence of any transfer of power from states to the UN – it is indeed the West that has the advantage, maintaining this dominant position is at the heart of what's at stake.

Our purpose in this article is twofold. Firstly, to establish *once again* that Israel's war on Gaza amounts to genocide, and to show how this genocide is empowered by a white supremacist dynamic in the exercise of capitalist power. Secondly, we will show how, at the illimitation stage it has reached, general capitalism – integrated by all the world's imperialisms into their own war machines<sup>10</sup> – *implies* genocidal action, which extends, on varying scales and at varying speeds, to all the populations that capitalism integrates as waste and to which it applies an economy of destruction, substituting itself for the regal functions of states and pre-empting the right of populations to self-determination.

As we finish writing this text, Israel sows death across Lebanon with terrorist attacks of unspeakable cruelty, killing and mutilating indiscriminately<sup>11</sup>. A few days later, massive bombardments in the middle of Beirut killed Hassan Nasrallah, the Secretary General of Hezbollah, as well as hundreds of civilians. A ground invasion began on October 1<sup>er</sup> 2024<sup>12</sup>. — Meanwhile, Israel's war on Gaza continues. This is where we need to start, to put together the pieces of an understanding.

## **1. The genocide of the Palestinian people in Gaza**

In the conditions in which it operates in the Middle East, white capitalism works together<sup>13</sup> with the supremacist racism of members of the current Israeli government (Prime Minister B. Netanyahu<sup>14</sup>, President I. Herzog, as well as ministers I. Ben-Gvir, B. Smotrich, Y. Gallant, among others<sup>15</sup>). What is happening today in the Gaza Strip is the latest act<sup>16</sup> of an ethnic cleansing that began in 1948<sup>17</sup>, whose tools are forced displacement<sup>18</sup>, the apartheid of Israel's Arab citizens (who represent 20% of the population)<sup>19</sup>, the colonization of the West Bank<sup>20</sup>, the destruction of Palestinian land<sup>21</sup> and infrastructure<sup>22</sup>, as well as the normalization of executions (targeted or otherwise)<sup>23</sup>, and of the torture<sup>24</sup>, sexual abuse<sup>25</sup> and deprivations of all kinds that take place in Israeli camps<sup>26</sup>, where 9700 Palestinian political prisoners were being held in July 2024<sup>27</sup>. *Normalization* must here be understood in a strict sense: all these practices are now normal ordinary Israeli practices towards the Palestinians, carried out with the assent of an overwhelming majority of Israelis<sup>28</sup> and constituting war crimes and crimes against humanity which remain unresolved as of today<sup>29</sup>.

White capitalism supports the genocidal aims of the Zionist Israelis<sup>30</sup> and their allies<sup>31</sup>, because they are capitalists, because they are white, and because they are part of the imperialist line drawn since 1492 by European appetites<sup>32</sup> and their predatory logic<sup>33</sup>. The death produced industrially by Israel's bombardment of Gaza is not only a *business* (the US military-industrial stock market index has risen by 40% in 1 year<sup>34</sup>), but carries on the establishment of a techno-imperial verticality<sup>35</sup> in the region. As in the Ukraine, while bombs continue to tear children, women and old people apart, contracts are already being prepared to make the most of a land that has become uninhabitable<sup>36</sup> and of surveillance and warfare devices "tested in real-life situations"<sup>37</sup>, ensuring the *imperium* here of Russia, there of Israel and the USA.

In the Gaza Strip, genocide has been at work since the very first days of the war waged by B. Netanyahu's government: 360 km<sup>2</sup> hermetically sealed, in a permanent state of siege<sup>38</sup>, a population purposely deprived of water, food and humanitarian aid<sup>39</sup>, a territory polluted by the impossibility of waste treatment and devastated by bombardments night and day. Assisted by AI<sup>40</sup>, the destruction is systematic: schools, hospitals, places of worship, universities, housing, refugee centers, water management infrastructures, heritage<sup>41</sup>. Nothing is spared. In a situation where no one wants to take in Gazans and where the rights of refugees are trampled over<sup>42</sup>, the Israeli government is exterminating the Palestinian people and their culture with the almost unanimous blessing of the global North and under the powerless eyes of the UN<sup>43</sup>. The Gaza Strip is a zone of organized death, an expropriation-in-place, the

annihilation by massacre, starvation and despair of human beings useless to white capitalism, other than as objects for a demonstration of its strength, and as waste to be "recycled" as it sees fit.

In the face of the denial by Israel and its supporters, it is necessary to emphasize that, from the perspective of the oppressed<sup>44</sup>, genocide begins long before any international court recognizes it as such. Under current international law, genocide is determined neither by the means used nor by the absolute number of victims. The 1948 *Convention on the Prevention and Punishment of the Crime of Genocide* specifies that genocide means acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such"<sup>45</sup>. The means are those available to the criminal: in the case of the genocide of the Tutsis in Rwanda, bladed weapons and firearms; in the case of the Palestinians in Gaza, a state of siege, Western bombs and AI. Concerning the number of victims, it should be understood in relation to the total population: at the end of the year following October 7, 2023, the Gaza Ministry of Health counted 41,689 direct Palestinian casualties<sup>46</sup>. This does not take into account the number of wounded (at least 96,625<sup>47</sup>) and sick, the chronically ill (around 350,000<sup>48</sup>), malnourished or starving (100% of the population), and the seriously mentally harmed (100% of the population), in a situation where hospitals have been systematically destroyed. To understand the extent of the massacre, we need to add up the direct *and* indirect victims, and multiply these figures (according to the experience of past wars and genocides) by a factor of 3 to 15<sup>49</sup>: the total number of Palestinian deaths is then estimated between 150,000 and 770,000, i.e. between 9% and 30% of the population of Gaza. — The Hamas attack on Israel on October 7, 2023 has taken place, marked by war crimes that cannot be minimized, and yet, to take the measure of the difference in scale of October 7 and Israel's genocidal war, let's recall the number of Israeli victims<sup>50</sup> on that day: 1139. The war on Gaza is not about revenge or the "right to defend oneself", but about the destruction of a people and the killing of a body politic, with the aim of achieving Israel's exclusive sovereignty over the entire territory of Palestine.

On January 26, 2024, the ICJ recognized a "real and imminent risk" of genocide in Gaza<sup>51</sup> and ordered Israel to take action. But in this context, human rights, laws of war and prevention of genocide do not exist for Israel. Because its actions are a self-expression of white capitalism, Israel knows it enjoys unconditional immunity, reaffirmed on July 24 with delirious enthusiasm by an American Congress in *standing ovation* during Israeli Prime Minister's harangue<sup>52</sup> – and by the complicit silence of the European Union. This, while Israel destroyed or damaged 80% of Palestinian school buildings between October 7, 2023 and April 18, 2024<sup>53</sup>, and while the number of children killed – at least 11,355 as of August 31, 2024<sup>54</sup> – continues to rise. Anyone who considers these figures is seized with nausea and vertigo, but they do not stop Western arms suppliers<sup>55</sup>, USA and Germany<sup>56</sup> in the lead, who in so doing validate this campaign of extermination. The Israeli government, for its part, repeats its age-old refrain: to eradicate Hamas and free the Israeli hostages, "the most moral army in the world"<sup>57</sup> is conducting an operation against "terrorists" sheltering behind "human

shields" – a refrain widely taken up by the media<sup>58</sup> and the intelligentsias of the global North, between control of the circulation of public discourse and cognitive warfare<sup>59</sup>.

Presenting Hamas as "genocidal" when it has no means of destroying Israel, and when in its 2017 Charter it calls for the creation of a Palestinian state on the 1967 borders<sup>60</sup>, is propaganda. The media of the Global North never mention the fact that Hamas is the only force acting in defense of the Gazan population. Nor do they ever mention the fact that Hamas has been calling for international investigations since well before October 7, all of which have been refused by Israel, with the support of the USA. This denial of international law has become systematic and is no longer even noted. This disinformation normalizes this shared knowledge: when the USA becomes the ally of one of the parties, international law bows to the whim of the world's leading military power, the strategic and ideological leader of white capitalism.

As O. Kuchanskyi writes, "the rules of the game involve a kinetic network of preemptions where every step is either an amicable gesture or a threat."<sup>61</sup> The support of the powers of the Global North for Israeli supremacism is explained by the fact that they would have much to lose from its defeat, and much to gain from its expansion. It has been shown that between January 2020 and August 2023, 776 European financial institutions (including BNP Paribas, HSBC, Deutsche Bank, Société Générale, to name just the top four creditors) had relationships with 51 companies actively involved in Israeli settlements, for a total investment of \$164.2 billion, and a participation of \$144.7 billion in shares and bonds<sup>62</sup>. On the US side, Google and Amazon – whose services flood the entire global North – have built *data centers* on Israeli soil in 2022, and are under contract to provide *cloud* services for the state and the army, where surveillance data from the Palestinian territories is stored<sup>63</sup>. In addition, activist groups (including BDS, Genocide Gentry and No Tech For Apartheid<sup>64</sup>) have uncovered the many ways in which Western companies – from consumer goods to the military-industrial complex, from tech to education and culture – are involved in the genocide of Palestinians in Gaza.

And this is why the genocide can continue without a blink of an eye from our chancelleries<sup>65</sup>; why, since October 7, 2023, more than 100 journalists working in the Gaza Strip have been liquidated by Israeli forces<sup>66</sup> without the slightest protest from the West; why attempts at negotiation are torpedoed every time, either by Israel or by the USA<sup>67</sup>; and why, on all this, there is dead silence.

## **2. Capitalism and genocide**

It is essential to understand how these actions and this silence form a system, and that what is happening in Palestine is not an isolated case. Associated with liberal democracies and dictatorships alike, capitalist necropolitics<sup>68</sup> wields the same power on all five continents. It exercises this power over racialized migrants in the Mediterranean and in the detention camps of Fortress Europe, as well as on the borders of Australia, the USA and many other countries; it wields the same power over the populations of the world's precarious regions, settled on sites rich in mineral,

oil and gas resources (as is the case of Gaza<sup>69</sup>), aquifers, fertile land and manpower, which American, Chinese, Russian, Indian and European imperialisms are doing their utmost to monopolize; it wields the same power over peoples threatened by rising sea levels or other habitat degradation caused by climate change; it wields the same power over all those whose health is destroyed by chemicals, junk food and increasingly precarious working conditions; it wields the same power over women all over the world, over LGBTQI+ people and over men, through processes of subjectivation, enslavement and destruction aimed at controlling reproduction, along with the circulation of desire and communal affects; and it wields the same power over the entire non-human world, with almost 70% of wildlife "extinct" in less than 50 years and countless ecocides. In its logic of endless growth, capitalism occupies in order to exclude, and in so doing accumulates as many strategic advantages in view of the human and environmental catastrophes it feeds in order to exploit them.

What's happening in Gaza is an extreme example of the fate that befalls the living, a manifestation of the illimitation of capitalism that deprives the "untitled" of all protection. The conditions of the Gazans' deaths point to the pure and simple erasure of the law. For, through the tiering of subaltern proletariats, what is at stake is the determination of part of humanity as *waste*: a category to which the law does not apply, as it is the object of a reification that assimilates it to "nature"<sup>70</sup>, i.e. to a pure resource. As A. Mbembé wrote in 2013, "the Negro slave – the very first racial subject – is [...] the manifest figure of this possibility of unreserved violence and netless precariousness. As a power of capture, a power of domination and a power of polarization, capitalism has always needed *racial subsidies* to exploit planetary resources. That was the case yesterday. This is the case today, even as it begins to recolonize its own center, and the prospects of the *world becoming a Negro* have never been clearer."<sup>71</sup> The more capitalism reaches the limits of matter, the more its crisis deepens, and the more fascism and racism become instrumental to it<sup>72</sup>. All those who are racialized, precarized, downgraded, and all those in solidarity, know this from experience; all those living in countries that have undergone the liquidation of their public services and the tightening of their economies in the name of the conformity demanded by the IMF and the World Bank, know it in their bodies bruised by deprivation; all those who revolt know it from the violence of police repression. Everywhere, the same asphyxiation, the same erosion of rights.

Rights are not rights if it's impossible to claim them, to exercise them. Relegated by neoliberalism to the captive "later" of finance<sup>73</sup>, rights are *de facto* replaced by *titles*, to be produced, to be proven: to be of such and such a race, of such and such a gender, to have such and such a passport, to have a "name", to own property, to have a job, a salary, to be "qualified". To have a title is to have the power to mobilize resources, be they human, material or financial, a power that is part of a national and international social fabric where privileged lineages emerge and reproduce<sup>74</sup>. And everywhere, not having a title means the impossibility to emerge from the zone of organized death.

It's always the same strategy: exacerbate competition, break down solidarity, pick winners and losers. *And make it known*. Israel's words and deeds towards Arab populations are thus used in Western "democracies" to instill fear, anxiety, disgust or

hatred<sup>75</sup>. Any opposition is silenced by the instrumentalization of the Shoah and the equation of anti-Zionism with anti-Semitism<sup>76</sup>. It is the same thing that happens to Ukrainians in Russian propaganda, to Kurds in Turkish propaganda, to Muslims in Hindu nationalist propaganda, to Kanak independence fighters in French propaganda, to the inhabitants of the suburbs, and to so many others in so many other countries, whatever the racism and the communities it targets.

The fundamental fact is that capitalism, in its illimitation, necessarily engenders exclusion; and these exclusions, manifested and echoed by the world's media, would like to push the rest of the human population to become *ordinary racists*, in order to remain on the "right side" of history and avoid being excluded in their turn. This, we believe, is what people today refuse, and must refuse. Supremacism is a mentality, that of the privilege – quite precarious truly – of not being today's outcasts. Supremacism is rooted in fear for oneself, in the face of which "every enemy killed increases the survivor's sense of security"<sup>77</sup>, leading to a logic in which invulnerability is tantamount to the pre-emptive murder of the Other<sup>78</sup>. This is the threat posed by the systematic use of violence, through the example of the dehumanization and massacre of people and peoples without rights, excluded from the earth — a way of saying that white capitalism can do the same thing in Lebanon, Syria, Iran and Yemen, that Russian and Chinese capitalisms will be able to pursue their neo-colonial enterprise in Africa<sup>79</sup>, their invasion of Ukraine and one day soon of Taiwan, that other predatory formations exploiting other forms of racism will be able to do the same thing on all five continents, towards all the excluded, all the "useless" and "undesirables" of capitalism, whatever the type of regime it's associated with.

But moreover, what we see is how capitalism implies death, *effective death*, and how it is intrinsically genocidal at a certain stage of its development. Capitalism aims at property only in view of the power to mobilize resources, and, if not limited by some other force, makes any obstacle to this operation the object of destruction. The goal is none other than the increase of value, or, to put it with the work of the *Wertkritik*, the valorization of value<sup>80</sup> — and everyone today understands that, as A. Jappe writes, "left to its own dynamism, capitalism leads only to ruin"<sup>81</sup>. Capitalism's immateriality is indexed to the valorization of value – in other words, to the valorization of capital, whose objective is to grow. As a result, capitalism enters a crisis at the first sign of a drop in surplus value (i.e., profit, which manifests the valorization of value). The response to this decline is always the same: for the same quantity produced, reduce the cost of living labor (involving human beings) by replacing it with dead labor (involving machines, AI, etc.); and/or increase the quantities produced to maintain the level of surplus value (or minimize its decline). This has a twofold effect: it increases the absolute number of excluded/wastes that can be eliminated without damaging capitalism; and it increases global environmental predation, as shown by R. Scholz and N. Machado.<sup>82</sup>

What happens when it's a people that "stands in the way"? In the post-Westphalian, post-Holocaust paradigm, genocide as prohibited (with regard to state forms recognized by international law) serves to repress genocide as a desire for the power of absolute mobilization of populations<sup>83</sup>, a desire specific to capitalism in that

1) it constitutes human beings as resources, and 2) proceeds to a materialization of infinity intimately linked to the techno-scientific project of modernity<sup>84</sup>. But this paradigm has long been compromised. Not only because a people that is not recognized by international institutions and the major powers has no say in the matter. But because if a people, even a recognized one, stands in the way of capital, what we see is its degradation in the entitlement order (its stock market position, the reliability indicators of the IMF and rating agencies, investments, etc.), a degradation that is accompanied by a rise in racism, as we saw it happen for example towards the Greeks in Germany in 2010-2015<sup>85</sup>, or as we see every day in Europe with regard to the immigrant populations that the European economy needs and that it maintains in an administrative blockade<sup>86</sup>, at its disposal. Degraded, a people is no longer recognized as a civic community; soon cut off from its territory and culture, it is identified with the material substratum of its habitat<sup>87</sup> as well as with the economic advantages that the transformation of its skills and infrastructures represents for transnational investments. The first conclusion to be drawn from this is that genocide – in the primary sense of the *destruction of a people* – is not exercised in a binary mode (it is/it is not genocide), but rather by degrees<sup>88</sup>, according to an *aim* whose first gestures necessarily take place long before an institution such as the ICJ can recognize it as such. Yet this latency period, which is presented as the "slowness of institutions", is in fact structural.

Hence the second conclusion, that the *relative separation* of the economic and the political renders the aforementioned institutions inoperative, since no transfer of power takes place from states to these institutions<sup>89</sup>, and since transnational corporations – and more broadly, capitalist practices – are not bound by obligations arising from international law. We can certainly speak of the powerlessness of international law and institutions, but strictly speaking, they've never had this power. So what is needed is not a reform, but a re-foundation (*let's demand the impossible*): at the level of law, by going so far as to rethink the public/private categories inherited from Roman law; at the level of institutions, by removing US power from its dominant position, eliminating the right of veto at the UN and creating the framework for a collegiality of living beings that includes not only states and private companies, but also civil society and the non-human world<sup>90</sup>. In the current state of institutions, predatory formations – playing on their polymorphism involving states and capital – are constantly exploiting this structural divergence, which makes it possible for the destruction of a detitularized people (a fortiori of an unrecognized people) not to be identified with "genocide", but with the mobilization of what is from the outset considered a remnant in the production process. The political ban remains, and pursues its spectral destiny within the mobilization of states (we "condemn" and "call" for a ceasefire), while death materializes the power of capital according to the titles discerned by the dominant formations. It is no longer even necessary to conceal such actions (on the contrary), for alongside the recognition of international law exists this second belt of valorization, relative to the transnational interests of capital that dominate the circulation of information and the discursive fabrication of reality.

Between the "end of history" and the "war of civilizations"<sup>91</sup>, the way is thus paved for future genocides. On an ideological level, the effect is disastrous: capitalism tends to absolve past and present empires of any genocidal crimes, insofar as each new genocide becomes the place where it is "proven" that it was only ever a question of the pure and simple effectuation of the system. An apologetic that does not hesitate to present itself under the banner of "progress", and, by turning the executioner into a saviour, into humanity's shepherd to a better future, "finally free of war and death"<sup>92</sup>. The same applies to the justification of capitalist action towards the environment, with human beings presented as "stewards" of the Earth system<sup>93</sup>. The reality is, of course, quite different, since capitalist formations are incapable of self-regulation other than through an extreme rise in the destruction of value. Human beings are only "masters and possessors" of a nature that they destroy far more than they shape, since, as N. Machado has shown, "the accumulation of capital, which is becoming increasingly difficult in economic terms, requires the accelerated destruction of nature"<sup>94</sup>. Capitalism and Darwinism: in this paradigm, the survivor is the one who is always one step ahead of the others in the mobilization of the living. In this respect, the supremacism desired by one human group over others is immediately that of humankind over all other living beings.

This is the reality we see today. This is the reality that capitalism has integrated into its *spectacular representation*. In it, humanity contemplates itself as genocidal, and these violent actions, which are not dictated by the need to defend oneself, and which continue systematically over time<sup>95</sup>, lead to a perversion of those who inflict them and recognize themselves in them, but also of who witnesses it. Fascized populations that enjoy the suffering inflicted on others, nourished by a sense of superiority; and when it's not hatred, then indifference, blind to the communality of the living; and when it's not indifference, then fear, burning rage, self-loathing, and pervasive anxiety. Over the last fifteen years or so, we've seen the emergence not just of a capitalism of surveillance, but of a *capitalism of cruelty*, tending towards a general degradation of life, broadcasted in real time on the smartphones that now equip 70% of the world's human beings<sup>96</sup>. Whether users praise or condemn the actions of Israel or Hamas makes no difference: they act as relays of "content" (images of the massacre, news, analyses, propaganda), participating in an economy that feeds the "big" tech companies<sup>97</sup>, who in turn take advantage of the war to sign new contracts and open up new fields of action.

The genocide of the Palestinians heralds our destiny in the face of the onward march of capital, which its servants think of and desire as an autonomous subject. At the crossroads of other fetishisms (that of the nation, that of religion, that of technology), effective death *materializes the abstraction* of value: not a right to life or death, but a *power* of life and death, which exists only by putting to the test its capacity to destroy.

When will the material tipping point be reached? How much destruction will people have to endure before things change? Before a new law, no longer international but global, is founded in solidarity with all living beings on Earth?

These questions remain pending<sup>98</sup>.



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<sup>1</sup> Experts were quick to say so, including Raz Segal on October 13, 2023 (<https://jewishcurrents.org/a-textbook-case-of-genocide>) and Craig Mokhiber on October 31, 2023 (<https://hrvoices.org/document/resignation-letter-by-director-of-the-new-york-office-of-the-high-commissioner-for-human-rights-craig-mokhiber/>), soon followed by the ICJ judgment of January 26, 2024 (<https://www.icj-cij.org/node/203454>), by Francesca Albanese's report on March 25, 2024 (<https://www.un.org/unispal/document/anatomy-of-a-genocide-report-of-the-special-rapporteur-on-the-situation-of-human-rights-in-the-palestinian-territory-occupied-since-1967-to-human-rights-council-advance-unedited-version-a-hrc-55/>), and recently by Israeli historian Omer Bartov (<https://www.theguardian.com/world/article/2024/aug/13/israel-gaza-historian-omer-bartov>).

<sup>2</sup> Haaretz journalist Gideon Levy described the structure of the State of Israel as consisting of three regimes: a "liberal democracy" for its Israeli citizens; a second regime that violently discriminates against Israeli Palestinians (20% of the country's population); and a third regime, which until October 7, 2023 remained partly hidden by Israel: the military regime of occupation, which he described as "one of the most brutal and cruel tyrannical regimes on the planet" (<https://youtu.be/IQS-9K5-Dk>, 23min30, 2018). In the case of Israel, fascism is the result of white supremacism, born of Western colonial history, the ideology of the Promised Land instrumentalized in an exclusivist sense, and the subjugation of society by an all-powerful military regime, reinforced by new-generation surveillance and warfare technologies, AI in the lead. • The State of Israel's military spending remains the highest in the world as a percentage of GDP: between 5 and 6% of GDP from 2010 to 2021, before falling to 4.5% in 2022, rising again to 5.3% in 2023 (see <https://www.statista.com/statistics/1005215/israel-military-expenditure-as-share-of-gdp/>), and undoubtedly rising again in 2024 with the revision voted by the Knesset earlier this year. Note that US aid accounts for 15% of Israel's total defense budget (cf. <https://www.rosalux.de/en/news/id/52490/a-military-budget-for-a-permanent-war>), and that the world saw a generalized rise in military spending in 2023-2024 (cf. <https://www.sipri.org/media/press-release/2024/global-military-spending-surges-amid-war-rising-tensions-and-insecurity>). • However, Israel cannot be described as a fascist state without recalling its place in the capitalist mode of production. As Antonio Gramsci wrote, and as many historians have confirmed, fascism does not happen by accident, but is "a natural stage in the development of capitalism" which arises as a response of the possessors to a crisis of capital. If, then, fascism presents itself as a moment of war, it is indeed capitalism that is the war, and fascism its instrumental unveiling. • The Israel Law/Nation-State of the Jewish People, a constitutional law passed on July 19, 2018 by the Knesset, paved the way for legitimizing Israeli supremacism by stating that "Jerusalem, complete and united, is the capital of Israel." (Art. 3), contrary to what was advocated by the two-state solution, already buried a few months earlier by US President Donald Trump's recognition in late 2017 of Jerusalem as Israel's capital. The Israel Law further institutes Hebrew as the state language (reserving an unclear "special status" for Arabic, Art. 4); and justifies years of colonization of the occupied territories with an article stipulating that "The state views the development of Jewish settlement as a national value and will act to encourage and promote its establishment and consolidation." (Art. 7, cf. <https://www.timesofisrael.com/final-text-of-jewish-nation-state-bill-set-to-become-law/>). • On the repression of opponents of the regime, see *infra* note 28.

<sup>3</sup> "Between 2013 and 2022, 69% of weapons imported into Israel came from the United States, according to Sipri, the leading authority on the subject. These imports are partly financed by the \$3.3 billion in military aid that Washington allocates annually to the Hebrew state (...) The United States also authorizes the Israeli army to draw on the arsenal it stores locally, to avoid having to transport it in the event of armed conflict in the region. These transfers enable Washington to dispense with Congressional approval. (...) Since the 1960s, the US administration has ensured that the Hebrew state has a "Qualitative Military Edge" over its neighbors and non-state actors in the area. See [https://www.lemonde.fr/international/article/2024/03/22/israel-qui-sont-ses-principaux-fournisseurs-d-armes\\_6223600\\_3210.html](https://www.lemonde.fr/international/article/2024/03/22/israel-qui-sont-ses-principaux-fournisseurs-d-armes_6223600_3210.html). For Israel's other arms suppliers, see *infra* note 55.

<sup>4</sup> *White capitalism*: if the expression is historically a tautology, since capitalism was born white, in the conditions of accomplished neoliberal globalization the term makes conceivable a supremacist type of commitment by capitalist forces shaped in the crucible of whiteness. Whether such commitments are led by white or black people makes no difference, and in this sense, whiteness can indeed be said to be a mentality (cf. the writings of Frantz Fanon and Edward Said in particular) and a policy. This being said, white capitalism incorporates all those people, companies

and states who, by virtue of a double privilege of race and class, are staggered along the vertical axis of domination of the terrestrial *nomos* specific to this crucible of co-optation.

<sup>5</sup> The nation-states of the global North can be described as states of oligarchic law (cf. Jacques Rancière, *Hatred of Democracy*, 2005, trans. 2014). Let's not forget that 70% of the headquarters of the world's 2,000 largest corporations are located in North America and Europe (<https://doi.org/10.4000/belgeo.18654>). Secondly, the concentration of capital in the hands of the few continues to grow: in 2024, the richest 1% owned 48% of all the world's financial assets, 7 of the world's 10 biggest companies were headed by a billionaire, and so on.

<sup>6</sup> On December 29, 2023, South Africa took the case to the International Court of Justice, accusing Israel of genocide against the Palestinian people. As Elias Sanbar wrote, "This is the first time that a nation of the South has taken on the mission of defending the universality of principles, of recalling, respecting and applying the provisions of two fundamental texts that are supposed to govern life in the world after 1948: the Convention on the Prevention and Punishment of the Crime of Genocide (December 9, 1948) and the Universal Declaration of Human Rights (December 10, 1948)." (in *"La dernière guerre?"*, Tracts Gallimard, 2024). The ICJ issued a first order on January 26, 2024 (<https://www.icj-cij.org/node/203447>), and a second on March 28 (<https://www.icj-cij.org/node/203847>). The first reminded Israel of its duty, as a signatory to the Genocide Convention, to prevent by all means necessary what the ICJ then described as a "real and imminent risk" of genocide (§74). The second reminded the State of Israel of its duty, and ordered it to "submit a report to the Court on all measures taken to give effect to this Order, within one month as from the date of this Order" (§51). Israel has not yet produced this report. Four months later, on July 24, 2024, the ICJ published its Advisory Opinion on the *Legal Consequences of the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, for which it had been mandated by the United Nations General Assembly in 2022. It concludes, among other things, that "the State of Israel is under an obligation to bring to an end its unlawful presence in the Occupied Palestinian Territory as rapidly as possible" (<https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-pre-01-00-en.pdf>). B. Netanyahu responded to this opinion on the social network X with these words, using the biblical names for the Westbank: "The Jewish people are not occupiers in their own land — not in our eternal capital Jerusalem, not in the land of our ancestors in Judea and Samaria. No false decision in The Hague will distort this historical truth, just as the legality of Israeli settlement in all the territories of our homeland cannot be contested." (<https://www.timesofisrael.com/world-court-israeli-presence-in-east-jerusalem-west-bank-is-illegal-and-must-end/>) Instrumentalizing the religious to the benefit of his policy of territorial expansion, the Israeli Prime Minister poses as the guarantor of the State of Israel's complete autarky towards the international law and community.

<sup>7</sup> The states with nuclear weapons in 2024 are, in order of quantity of bombs ready for use, Russia, the USA, China, France, the UK, Pakistan, India, Israel and North Korea. • The Iranian nuclear issue is essential to understanding the geopolitical stakes involved in the USA's support for Israel on the one hand (the latter serving the former as a bridgehead in the Middle East in order to consolidate its imperialism since the end of the 1960s), and Iran's instrumentalization of the Israeli-Palestinian conflict on the other.

<sup>8</sup> Against the backdrop of the struggle between the USA and China, the rivalries between states are only partially distributed according to their membership to the BRICS+ (Brazil, Russia, India, China, South Africa, Egypt, United Arab Emirates, Ethiopia and Iran) and the G7 (Canada, France, Germany, Italy, Japan, United Kingdom and United States), groupings that respectively account for 27% and 44% of global GDP in 2024. • The members of the G7 belong to the ideological pool of whiteness (not to be confused with any white ethnic homogeneity in these territories, which of course has no reality), while the members of the BRICS+ do not share among themselves an ideological identity of race, religion or culture. The subject is complex, as Mónica G. Moreno Figueroa reminds us: "every region, zone, country... has a particular racial project, and there are different racial projects in the world. Racism is organized differently from place to place." (The Funambulist, *Fifty Shades of White(ness)*, n°48, 2023, p. 52). Nevertheless, it must be stressed that capitalism has always counted racism among its procedures, whatever form it takes, because racism socially realizes the unequal distribution of power in mobilizing capital, and because it reinforces competition (sexism is the other major axis of this realization, also organizing itself differently from place to place). • The example of contemporary China speaks for itself. While this country practices predatory capitalism in Africa, there has been a parallel rise in anti-black racism in China in recent years. The NGO Human Rights Watch reports numerous unmoderated publications on Chinese social networks in which the Chinese are presented as saviors of miserable African people (<https://www.hrw.org/fr/news/2023/08/16/chine-combattre-le-racisme-anti-noirs-sur-les-reseaux-sociaux>), going against the grain of the "anti-colonial solidarity" that China has made the

mainstay of its *soft power*. • B. Netanyahu has drawn closer to Narendra Modi's India, and parallel to the economic ties between the two countries is their openly anti-Muslim stance.

<sup>9</sup> The concept was coined by Saskia Sassen. In her book *Expulsions. Brutality and Complexity in the Global Economy*, (2014), the Dutch sociologist and economist shows how the expulsions inherent in the capitalist system are driven by what she calls predatory formations: "What this means is that these expulsions are not simply the result of a decision or action by an individual, a company or a government. Certainly, such decisions and actions matter, but they are part of larger assemblages of mutually reinforcing elements, conditions and dynamics. (...) There are indeed landmark decisions at every stage of this process, but they are made within the tight network of a systemic logic (...) It is this kind of predatory logic, embedded in an assemblage of diverse elements, each only part of a larger institutional domain, that characterizes the essence of our age." (pp. 107-109)

<sup>10</sup> Gilles Deleuze and Félix Guattari wrote in *A Thousand Plateaus*, in 1980: "However, the very conditions of the State or World war machine, i.e. constant capital (resources and material) and variable human capital, never cease to recreate the possibilities of unexpected ripostes, unforeseen initiatives that determine mutant, minority, popular and revolutionary machines. [...] The war machine is not uniformly defined, and comprises more than just increasing quantities of force. We have tried to define two poles of the war machine: *according to one*, it takes war as its object, and forms a line of destruction that can be extended to the limits of the universe. [...] It does not represent the essence of the war machine, but only, whatever its power, the set of conditions under which states appropriate this machine, even if it means projecting it as the horizon of the world, or the dominant order of which states themselves are no more than parts. *The other pole* seemed to us to be that of essence, when the war machine, with infinitely smaller "quantities", has as its object, not war, but the tracing of a creative vanishing line, the composition of a smooth space and the movement of men in this space. Following this other pole, war is indeed encountered by this machine, but as its synthetic and supplementary object, then directed against the state, and against the world axiomatic expressed by states." (ch. 12, p. 526) The first pole is related to their notion of the *death line*, as well as to the notion of *necropolitics* developed by Achille Mbembé. In his 2006 essay, Mbembé lays the foundations for this notion: "The ultimate expression of sovereignty resides largely in the power and capacity to say who may live and who must die. To let live or to let die are therefore the limits of sovereignty, its principal attributes. To be sovereign is to exercise control over mortality, and to define life as the deployment and manifestation of power". (<https://shs.cairn.info/revue-raisons-politiques-2006-1-page-29>) Cf. infra note 68.

<sup>11</sup> Concerning terrorist attacks via pagers and walkie-talkies, see infra note 96.

<sup>12</sup> The chronology of Israel's aggressions against Lebanon is long: 1948 (attacks on southern Lebanon), 1968 (attacks on southern Lebanon and attack on Beirut airport), 1973 (attack on the Nahr el Bared and Beddaoui camps in northern Lebanon), 1976 (raid in the middle of Beirut), 1978 (700km invasion of Lebanese territory<sup>2</sup>), 1982 (siege of Beirut, Sabra and Shatila massacre), 1996 (Operation Grapes of Wrath), 2006 (new invasion), 2024.

<sup>13</sup> US President Donald Trump has been a key player in this alliance over the past ten years. After recognizing Jerusalem as the capital of the State of Israel at the end of 2017, Trump had the American embassy moved there in May 2018 (in view of the vote on the Israel Law in the Knesset in July 2018, it seems clear that these actions were coordinated). During 2020, Trump secured the signing of peace and cooperation agreements, known as the "Abraham Accords" (named after the common ancestor of the Jewish and Muslim religions), between Israel and the United Arab Emirates (UAE) on the one hand, and between Israel and Bahrain on the other. These agreements were followed the following year by agreements on the normalization of diplomatic relations between Israel and Sudan, and between Israel and Morocco. Note that none of these regimes are democracies, but monarchies and dictatorships. In 2022, Israel and the UAE sign a free trade agreement." • Resolution of the Israeli-Palestinian conflict was said to be on the agenda, but the text of the Abraham Accords is both narrower and broader: "Further to the Abraham Accords, the Parties stand ready to join with the United States to develop and launch a "Strategic Agenda for the Middle East" in order to expand regional diplomatic, trade, stability and other cooperation. They are committed to work together, and with the United States and others, as appropriate, in order to advance the cause of peace, stability and prosperity in the relations between them and for the Middle East as a whole, including by seeking to advance regional security and stability; pursue regional economic opportunities; promote a culture of peace across the region; and consider joint aid and development programs." (Art. 7, see <https://web.archive.org/web/20200915220017/https://www.whitehouse.gov/briefings-statements/abraham-accords-peace-agreement-treaty-of-peace-diplomatic-relations-and-full-normalization-between-the-united-arab->

[emirates-and-the-state-of-israel/](#)) There is no mention of a Palestinian state, or of the Palestinian people. Rather, everything seems to converge towards a programmed evacuation of the so-called "Palestinian question" in favor of normalizing relations between these former enemies, and increasing trade and financial relations in this free-trade zone under US leadership.

<sup>14</sup> Benjamin Netanyahu, Israel's Prime Minister, is the son and grandson of Revisionist Zionists, a movement that advocates liberal and nationalist policies alongside paramilitary action to establish the State of Israel on the entire territory of Palestine. Having studied at MIT and Harvard, his links with the USA are essential. On his return to Israel, he became a member of the Knesset in 1988, then Prime Minister for the first time from 1996 to 1999. He became prime minister again from 2009 to 2013, then again from 2013 to 2015, from 2015 to 2020, and from 2020 to the present day, associating himself ever more closely with Israel's religious and nationalist far right. His policies quickly buried the Oslo Accords and accelerated the colonization of the occupied territories. ● In 2015, he used a historical lie to accuse the Palestinians of being responsible for the *Final Solution*: according to the story invented by Netanyahu, it was Muphti Haj Amin al-Husseini who suggested the Final Solution to Hitler in 1941: "Hitler didn't want to exterminate the Jews at the time, he wanted to expel the Jews. And Haj Amin al-Husseini went to Hitler and said, "If you expel them, they will all come here." "What should I do with them?" asked Hitler. He replied, "Burn them."" (<https://www.theguardian.com/world/2015/oct/21/netanyahu-under-fire-for-palestinian-grand-mufti-holocaust-claim>).

<sup>15</sup> "There will be no electricity, no food, no fuel - everything will be cut off. We are fighting human animals and acting accordingly" - Yoav Gallant, Minister of Defense, October 9, 2023. ■ "Only an explosion that shakes the Middle East will restore this country's dignity, strength and security! It's time to embrace the apocalypse. Don't destroy just one neighborhood. Crush and annihilate Gaza. Otherwise, we've done nothing. Not with slogans, but with hard-hitting bombs. No mercy! No mercy!" - Tali Gotlib, Knesset deputy and Likud member, October 12, 2023. ■ "We will fight these savage beasts with all our might, destroy them and wipe them off the face of the Earth" - Benjamin Netanyahu, Prime Minister, October 12, 2023. ■ "I think that in this war, humanitarian aid must not be allowed. You have to tell them: until [the hostages] are released, you can starve. It's completely legitimate. - Yair Golan, Labor Party leader, October 13, 2023. ■ "It's a whole nation that's responsible. The rhetoric about citizens who are not involved, who are not aware, is absolutely false" - Isaac Herzog, State President, October 13, 2023. ■ "Northern Gaza is more beautiful than ever. Blowing everything up and flattening it is a feast for the eyes. We're going to distribute plots to all those who fought for Gaza, and to the expellees from Gush Katif." - Amichai Eliyahu, Minister of Heritage, November 1, 2023. ■ "An atomic bomb on Gaza is a possibility in this war. We wouldn't have helped the Nazis either. There are no non-involved parties in Gaza." - Amichai Eliyahu, Minister of Heritage, November 5, 2023. ■ "We are now performing the Gaza Nakba" - Avi Dichter, Minister of Agriculture November 12, 2023. ■ "There are no innocents in Gaza. Gaza is a nest of terrorists" - Avigdor Liberman, former Foreign Minister and leader of the Israel Beytenou party, December 3, 2023. ■ "Gaza must be burned. There are no more innocents there, those who remain must be eliminated." - Nissim Vaturi, Knesset deputy and Likud member, January 10, 2024. ■ "There's no job half done. Rafah, Deir al-Balah, Nousseirat - total destruction." - Bezalel Smotrich, Minister of Finance, early May 2024. ■ "No one will allow us to let 2 million citizens starve to death, no matter how just and moral it may seem until our hostages are released." - Bezalel Smotrich, August 5, 2024. ● For further examples, the *Law for Palestine* platform has listed over 500 instances of calls for genocide during the first months of Israel's war on Gaza: <https://law4palestine.org/law-for-palestine-releases-database-with-500-instances-of-israeli-incitement-to-genocide-continuously-updated/>.

<sup>16</sup> For those killed and injured before October 7, 2023, see UN Office for the Coordination of Humanitarian Affairs, <https://www.ochaopt.org/data/casualties>. Between 2008 and 2023, 7,002 Palestinians were killed and 158,632 wounded; 338 Israelis were killed and 6,465 wounded.

<sup>17</sup> Ben Gurion told the Jewish Agency Executive in June 1938: "I'm in favor of forced transfer. I see nothing immoral in it." (quoted in I. Pappé, *The Ethnic Cleansing of Palestine*, 2006). In the autumn of 1947, while the UN Special Commission on Palestine (UNSCOP) was in the process of adopting the partition plan to be submitted to and adopted by the UN General Assembly on November 29, 1947, and while the various neighboring Arab countries were voicing their opposition to such a plan, Ben-Gurion declared to the Consultative Council (his inner circle) on October 7 that, given the Arab refusal to cooperate with the UN, "there is no territorial limit to the future Jewish state". (*Ibid.* - the note specifies that the quotation is taken from Ben Gurion's diary, dated October 7, 1947). In other words, the borders would be determined by force, not by the partition resolution (*ibid.*). These remarks underline

the extent to which Ben-Gurion, even before the adoption of the partition plan by the UN, did not consider himself bound by the territorial limits of the plan to be adopted by the UN General Assembly on November 29; and that all he expected from it was international recognition of the legality of the State of Israel in Palestine. We may also conclude that the strategy of non-recognition of determined territorial limits has defined the conduct of the State of Israel since its foundation. In addition to Ben Gurion's and his inner circle's determination to occupy the whole of Mandate Palestine – minus the present-day West Bank, ceded to Jordan in exchange for its abstention from entering the war (*ibid.*) – there was also the determination to achieve as purely Jewish a territory as possible. On December 3, 1947, Ben-Gurion openly declared before the Mapai (Workers' Party of Eretz Israel) that 80% Jewish population was the minimum for the viability of the future Jewish state. A month earlier, before the executive of the Jewish Agency, he had declared that Palestinians within the Jewish state could constitute a fifth column, and that, faced with this threat, "we can either arrest them *en masse* or expel them; better to expel them" (*Ibid.*). It was against this backdrop that the Daleth plan of ethnic cleansing was gradually but rapidly built up, the guiding principle of which was adopted as early as December 1947, with the first actions aimed openly at driving out the Palestinian populations, without any prior provocation or threat on their part. From that moment onwards, the British, still a Mandatory Power and therefore responsible for maintaining law and order, ceased to fulfil their role, allowing the violence perpetrated by Jewish forces against the Palestinian population to continue unabated. According to I. Pappé, it was during the Consultative Council's "Long Seminar", held from December 31, 1947 to January 2, 1948 at Ben-Gurion's private residence, that, under the impetus of Yossef Weitz in particular, the principle of the systematic and maximum *disarmament* of the territories to be under the control of the future Jewish state was definitively adopted, and came to be known as *Plan Daleth* (cf. *ibid.*; more generally, we recommend reading ch. 4 in its entirety, "Finalizing a master plan").

<sup>18</sup> Forced displacement within the Gaza Strip has been relentless since the start of the Israeli offensive; in July 2024, it affected 80% of the Palestinian population. See in particular the study by Forensic Architecture, <https://forensic-architecture.org/investigation/humanitarian-violence-in-gaza>. • According to estimates, 2.1 million Palestinians live in Gaza (2024), 2.9 million in the West Bank (2021), 362,000 in East Jerusalem (2020). The number of refugees exceeds 6 million, spread across neighboring countries (Jordan, Lebanon, Syria, Egypt). • Since the Nakba – the Palestinian exodus provoked by the 1948 Israeli offensive – the Israeli strategy has remained the same: to drive the Palestinians from their land either through the direct use of violence, or through various techniques of social, political, commercial and food asphyxiation. • The concept of *de-development* coined by Sarah Roy (in her book *The Gaza Strip: The Political Economy of De-development*, 1995, <https://www.jstor.org/stable/2536651>) provides an insight into the reality on the ground in Gaza and the occupied West Bank. Every activity there is subordinate to Israeli goodwill and standards, from trade to infrastructure, making it not only impossible for Palestinian society to develop, but increasingly suffocating it: "de-industrialization, patent under-investment in infrastructure, concentration and imbalance of trade with Israel, chronic inability to create jobs", as Olivia Elias also showed in 2013 (<https://www.iris-france.org/note-de-lecture/le-de-developpement-economique-de-la-palestine/>).

<sup>19</sup> Read Amnesty International's report, 2022, <https://www.amnesty.ch/fr/pays/moyen-orient-afrique-du-nord/israel-et-territoires-occupes/docs/2022/apartheid-israelien-envers-le-peuple-palestinien/israels-apartheid-against-palestinians-cruel-system-of-domination-and-crime-against-humanity-2013-report-pdf-280-pages.pdf>. • The UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk, also describes this occupation regime as apartheid in his 2022 report, <https://www.ohchr.org/fr/press-releases/2022/03/special-rapporteur-situation-human-rights-occupied-palestinian-territories>.

<sup>20</sup> Israeli colonization of the West Bank and East Jerusalem has accelerated in recent years. The report by the Office of the UN High Commissioner for Human Rights "records 24,300 new Israeli housing units in the occupied West Bank in the year ending October 2023. (...) this is the highest figure recorded since monitoring began in 2017. In a report to the Human Rights Council, Mr. Türk stated that the establishment and continued expansion of settlements amounts to Israel's transfer of its own civilian population into the territories it occupies, which constitutes a war crime under international law." (<https://news.un.org/fr/story/2024/03/1143832>) • Visionscarto, which brings together activist geographers, has produced a map of the matrix of Israeli occupation of the West Bank, cf. <https://www.visionscarto.net/matrice-occupation-israelienne>, June 2021.

<sup>21</sup> On ecocide in Gaza, see <https://forensic-architecture.org/investigation/ecocide-in-gaza>. • On the destruction of cultivated land: "Around 41% of the total area of the Gaza Strip is covered by cultivated land, according to recent



FAO estimates. However, 57% of this cultivated land, which plays an essential role in maintaining food security, was damaged by the ongoing conflict in the Gaza Strip in May 2024." (<https://www.unitar.org/about/news-stories/press/unosat-and-fao-reveal-substantial-increase-damage-gazas-cropland-amid-ongoing-conflict>). ● White phosphorus attacks are being carried out by the Israeli army in southern Lebanon, aimed at causing human and environmental damage, involving the destruction of land fertility (<https://www.amnesty.ch/fr/pays/moyen-orient-afrique-du-nord/israel-et-territoires-occupes/docs/2023/du-phosphore-blanc-utilise-par-israel-dans-le-sud-liban>). ● While the links between war and ecocide go back a long way, the second half of the 20<sup>th</sup> century clearly established that it is not possible to defend human rights without also defending the rights of nature. And yet: "Theorized during the Vietnam War by a group of scientists with a view to denouncing the environmental destruction caused by the spraying of powerful defoliants by the American army on the country's forests [in 10 years, Agent Orange destroyed 20% of the forests in South Vietnam], ecocide multiplied meetings with international institutions from the 1970s onwards, but none resulted in its incrimination in positive law." (<https://shs.cairn.info/revue-droit-et-societe-2022-3-page-643>, 2022). ● The field of *big data* opened up by IT is hungry for resources derived from materialities on which the living depends. It is inevitable that *big data* will be biophagous, both directly and indirectly. And since IT is the keystone of the financialization of capitalism (since the 1980s), the more the financial system is in crisis, the more voracious becomes the need to exercise death: seeking the solution to capitalism's problems through the virtualization of financial flows is therefore a suicide foretold. A recent study published by The Guardian indicates that the electricity consumption of *data centers* – which is growing exponentially with the development of AI – is vastly underestimated, as are the CO2 emissions of the Tech Giants (by 662%, <https://www.theguardian.com/technology/2024/sep/15/data-center-gas-emissions-tech>). ● On the relationship between new technologies, extractivism and ecocide, many leads in this interview with Aurore Stéphan in 2022, <https://www.youtube.com/watch?v=xx3PsG2mr-Y>.

<sup>22</sup> "The recent conflict in the Gaza Strip has produced a volume of debris that is 14 times greater than the combined total from all conflicts over the past 16 years. (...) UNOSAT's latest damage building assessment, based on satellite imagery from 6 July 2024 and updated building footprints from May 2023, reveals that 151,265 structures have been affected in the Gaza Strip. Of these, 30% were destroyed, 12% severely damaged, 36% moderately damaged, and 20% possibly damaged, representing approximately 63% of the total structures in the region." (<https://www.unitar.org/about/news-stories/news/gaza-debris-generated-current-conflict-14-times-more-combined-sum-all-debris-generated-other>) ● Achille Mbembé writes this about the colonial occupation of Palestine: "Such precision is combined with the tactics of medieval siege warfare adapted to the networked sprawl of urban refugee camps. An orchestrated and systematic sabotage of the enemy's societal and urban infrastructure network complements the appropriation of land, water, and airspace resources. Critical to these techniques of disabling the enemy is *bulldozing*: demolishing houses and cities, uprooting olive trees, riddling water tanks with bullets, bombing and jamming electronic communications, digging up roads, destroying electricity transformers, tearing up airport runways, disabling television and radio transmitters, smashing computers, ransacking cultural and politicobureaucratic symbols of the proto-Palestinian state, and looting medical equipment—in other words, *infrastructural warfare*." (*Necropolitics*, trans. 2019, originally published in *Nécropolitique*, 2006, p. 46, cf. <https://shs.cairn.info/revue-raisons-politiques-2006-1-page-29>)

<sup>23</sup> With regard to executions, let us recall the assassinations of Hamas members Saleh al-Aroui in Beirut (2.1.2024) and Ismail Hanieyh in Teheran (31.7.2024), as well as the pager and walkie-talkie attacks of September 17 and 18, 2024 (cf. *infra* note 96). ● Extra-legal executions of Palestinian soldiers and civilians in Israeli prisons, hospitals and on the streets are legion. "According to the Office for the Coordination of Humanitarian Affairs, Israeli forces killed 493 Palestinians, mainly civilians, during operations against armed groups in Jenin and Nablus. More than 12,500 people were injured." (cf. Amnesty International Report 2023, <https://www.amnesty.org/fr/location/middle-east-and-north-africa/middle-east/israel-and-the-occupied-palestinian-territory/report-israel-and-the-occupied-palestinian-territory/>)

<sup>24</sup> According to the UN, "Some detainees reported that dogs had been unleashed on them, others that they had been subjected to waterboarding, or that their hands had been tied and they had been suspended from the ceiling. At least 53 Palestinian detainees have died in Israeli military installations and prisons since October 7." (<https://news.un.org/fr/story/2024/07/1147531>, 31.7.2024) ● In English, read this article from Electronic Intifada, <https://electronicintifada.net/content/rape-torture-and-murder-inside-israels-concentration-camps/48386>, 13.9.2024.

<sup>25</sup> Read in particular the testimonies reported by the Haaretz newspaper in April 2024 (<https://www.haaretz.com/israel-news/twilight-zone/2024-04-28/ty-article-magazine/.premium/palestinian-released-from-israeli-prison-describes-beatings-sexual-abuse-and-torture/0000018f-15e9-d2e1-a7df-15efb6590000>), the conclusions of the UN Commission of Inquiry on the Occupied Palestinian Territories in June 2024 (<https://www.ohchr.org/en/news/2024/06/commission-inquiry-occupied-palestinian-territory-concludes-israeli-authorities-and>) and the alert issued by the Special Representative on Sexual Violence in Conflict in September 2024 (<https://www.un.org/sexualviolenceinconflict/press-release/un-special-representative-on-sexual-violence-in-conflict-ms-pramila-patten-expresses-serious-concerns-over-reported-instances-of-rape-and-other-forms-of-sexual-violence-against-palestinian-detainee/>). • In contrast to Gaza and Israeli prisons which are difficult if not impossible to access, in-depth UN investigations have confirmed that sexual crimes were committed against Israelis during the Hamas attack on October 7, cf. in particular <https://press.un.org/fr/2024/cs15621.doc.htm> (11.3.2024). • Other alleged crimes committed by Hamas have turned out to be pure inventions of Israeli propaganda. Israel has spent millions since October 7 to publish messages on social networks, Youtube and online gaming platforms justifying its war on Gaza ([https://www.liberation.fr/checknews/comment-israel-a-payé-plusieurs-millions-de-dollars-pour-inonder-les-internautes-francais-de-publicites-anti-hamas-20231025\\_AQJ66U4CXRBK4TWNNICUMPW4/](https://www.liberation.fr/checknews/comment-israel-a-payé-plusieurs-millions-de-dollars-pour-inonder-les-internautes-francais-de-publicites-anti-hamas-20231025_AQJ66U4CXRBK4TWNNICUMPW4/), 25.10.2023).

<sup>26</sup> The best-known Israeli detention camp is Sde Teiman in the Negev desert, see for example <https://www.orientlejour.com/article/1424754/torture-ce-que-les-emeutes-de-sde-teiman-disent-de-letat-de-la-societe-israelienne.html> (24.8.2024) and this Amnesty International press release: <https://www.amnesty.ch/fr/pays/moyen-orient-afrique-du-nord/israel-et-territoires-occupes/docs/2024/les-detentions-au-secret-et-tortures-massives-de-palestiniens-doivent-cesser> (19.7.2024).

<sup>27</sup> "In July 2024, the NGO Addameer counted 9700 Palestinian political prisoners, including 79 women, 250 minors, twelve deputies from the Palestinian Legislative Council including Marwan Barghouti, 3380 administrative prisoners, 300 prisoners from East Jerusalem and 200 Palestinian prisoners from Israel. 561 prisoners were serving life sentences." (<https://plateforme-palestine.org/Prisonniers-les-chiffres-cles>, 14.8.2024). By "administrative prisoners" we mean people who are detained without charge or trial.

<sup>28</sup> Yet there are many Israeli opponents of B. Netanyahu's government. At the beginning of 2023, demonstrations were held to protest against the Prime Minister's proposed reform of the constitution, aimed in particular at limiting the power of the Supreme Court. On March 25, 630,000 people took part in the rallies (many were injured in the repression), but with 64 out of 120 deputies in the Knesset, Netanyahu's government was irremovable. The Hamas attack of October 7, 2023 provoked a rally-behind-the-flag effect among the Israeli population. Eleven months later, the demonstrations that took place at the beginning of September 2024 and which gathered between 500,000 and 800,000 people in the streets of Israel's cities, were aimed at a ceasefire for the release of Israeli hostages, not an end to the war, nor to colonization and apartheid. • The war against Hamas – and against Gaza – is very widely supported among the population of Israel, which is confirmed by the numerous videos that have been published showing Israeli media and political figures promoting the genocide of the Palestinians without any shame or filter. See for example: <https://www.middleeasteye.net/news/israeli-podcast-hosts-call-erase-every-living-being-gaza-and-west-bank> (4.9.2024) and <https://www.middleeasteye.net/news/majority-israelis-want-censorship-social-media-posts-sympathetic-gazas-civilians> (5.9.2024). • Israeli opponents to genocide and to the Netanyahu government do exist. They are not only Palestinian citizens of Israel, but also Jewish citizens. Their repression by the government intensified after October 7: dismissals, suspensions, illegal detentions, bans on demonstrations, censorship (<https://www.adalah.org/en/content/view/10925>, 23.10.2023, and <https://www.newarab.com/news/israel-cracks-down-anti-war-jewish-israelis-palestinians>, 20.11.2023). • Testimonies also emerged during the first month of the war of Jewish Israeli citizens opposed to the war being persecuted by other Jewish Israeli citizens accusing them of treason. • The repression also affected the Haredim, an ultra-Orthodox Jewish group that accounts for 13% of the Israeli population. After the Netanyahu government revoked their exemption from military service and sent them enlistment notices, the Haredim voiced their disagreement. In particular, a video was circulated of a beating by police forces. See <https://fr.timesofisrael.com/seuls-48-des-900-haredim-ayant-recu-un-ordre-denrolement-se-sont-presentes-tsahal/>, and <https://fr.timesofisrael.com/beit-shemesh-des-policiers-filmes-en-train-de-frapper-des-manifestants-haredim/>.

<sup>29</sup> In May 2024, the prosecutor of the International Criminal Court filed an application for arrest warrants against Benjamin Netanyahu and his Defense Minister, Yoav Gallant, for alleged war crimes and crimes against humanity, as well as against three Hamas leaders. U.S. President Joe Biden was quick to find it "outrageous" that such warrants should be sought against Israeli leaders. At the time of writing this footnote, in early October 2024, these warrants have still not been issued.

<sup>30</sup> As a reminder, Zionism is a national-religious movement to which only a part of the Jewish people belong. Zionism is based on a myth of the future: the Promised Land, located approximately – and metaphorically – on the territory of Palestine. The exclusivist nationalist dimension of this colonial political project is all the more obvious, and all the more violent. Bearing the legacy of the imperialism and nationalism of the 19<sup>th</sup> and 20<sup>th</sup> centuries, Zionism owes its existence to Western support. It seems clear today that the instrumentalization of religion by Netanyahu's supremacist government is also the cause of a major crisis within Judaism. See for example *Jewish Voice for Peace*, <https://www.jewishvoiceforpeace.org/>.

<sup>31</sup> There is no shortage of articles and analyses on the power of AIPAC (American Israel Public Affairs Committee) in the USA. Cf. in particular the article by John Mearsheimer and Stephen Walt, *The Israel Lobby and U.S. Foreign Policy*, 2006 (<https://research.hks.harvard.edu/publications/getFile.aspx?Id=209>) and this video by journalist Mehdi Assan, [https://www.youtube.com/watch?v=kz\\_nknXHUEw](https://www.youtube.com/watch?v=kz_nknXHUEw) (Zeteo, 21.6.2024). • On hasbara, see infra note 57.

<sup>32</sup> Let us remember that the Israeli colonial state was founded on the ruins of Palestine under British mandate in the aftermath of the Second World War and the trauma of the Shoah; that the mandate entrusted to the United Kingdom, following the First World War and the concomitant fall of the Ottoman Empire, consisted in the establishment of a "Jewish home in Palestine"; that, despite the assurances given, the mandatory power largely favored the settlement of Jews in Palestine to the detriment of the indigenous populations; that, in the aftermath of the Second World War, with the guilt resulting from the Shoah, the founding States of the UN – then a club of European nations – granted 55% of the territory of Mandatory Palestine to the future State of Israel, despite the fact that the Jewish population living there represented a third of its inhabitants; seizing the pretext of the Arab refusal of this partition plan, and organized militarily, the Jewish forces undertook a murderous forcing to expel as many natives as possible from the territory allocated to them by the UN and to conquer additional portions of territory, until they reached 72% at the time of the cessation of hostilities associated with the founding of Israel in May 1948 (cf. Ilan Pappé, *The Ethnic Cleansing of Palestine*, 2006).

<sup>33</sup> Like the indigenous populations of North America and Australia, if nothing changes we can easily imagine that those who survive will eventually be isolated and forgotten on reserves. • Around the date 1492, which is not that of the "discovery of America by Christopher Columbus" but that of the start of European invasions and colonization of the Americas, it's worth looking at Pope Alexander VI's bull *Inter Caetera*, which, in 1493, consecrated the "division of the world" between the Spanish and the Portuguese – an imperialist division that would be repeated over the following centuries with or without the support of the papacy.

<sup>34</sup> The Dow Jones U.S. Select Aerospace & Defense Index. In order to give perspective, this index has risen by 10.88% over the past ten years. Cf. <https://www.spglobal.com/spdji/en/indices/equity/dow-jones-us-select-aerospace-defense-index/#overview>, 9.25.2024. • The record growth in US arms sales in 2023 was primarily due to Russia's war against Ukraine: in that year, the USA sold \$1,729 million worth of arms to Ukraine, \$1,063 million to Japan, \$942 million to Saudi Arabia, \$887 million to Qatar, \$634 million to Poland, \$498 million to the UAE, \$494 million to the UK, \$468 million to Italy and \$453 million to Israel. It should be noted that the UK and Italy are also arms suppliers to the Israeli state (Italy suspended its sales to Israel following the October 7 attacks). These sales reflect the geostrategic alliances of the world's leading military power.

<sup>35</sup> On the verticality of Israel's control over the Palestinians, see Eyal Weizman, *The Politics of Verticality*, 2002, [https://www.opendemocracy.net/en/article\\_801jsp/](https://www.opendemocracy.net/en/article_801jsp/). • On techno-political verticality, Paul Virilio wrote in 1995 in *Open Sky*: "Gradually breaking down all resistance, all local dependence, capitulating to the opposition of duration and extent, not only of the terrestrial horizon but of the circumterrestrial altitude of our natural satellite, this is indeed the goal now achieved by human sciences and techniques; breaking the gap, putting an end to the scandal of the interval of space or time which separated man from his objective in an intolerable way, all this is on the way to being accomplished, but at what price? If not the one that makes pitiful, definitely pitiful, not only the countries crossed in near-general indifference, but the World, *World-Space*." (p. 148) What technology wants to achieve in terms of matter, capitalism wants to achieve in terms of socio-economics: that what is traversed no longer has any



existence other than that of pure passage, and that what would oppose this quest for zero viscosity is evacuated and treated as waste.

<sup>36</sup> We too often forget that Ukraine has historically suffered the double colonization of Western Europe and the Russian Empire, a colonization that continues today by other means. See, for example, Asia Bazdyrieva's article, *No milk, no love*, 2022, <https://www.e-flux.com/journal/127/465214/no-milk-no-love/>. • Concerning the future of Ukraine conditioned by the investments of white capitalism, see for example the Solar Marshall Plan that some envisage for Ukraine, or the appetites for lithium, nickel and aluminium from Ukrainian soil. See <https://www.euronews.com/green/2024/06/08/solar-marshall-plan-can-ukraine-become-the-worlds-first-post-war-country-rebuilt-on-renewa>, <https://www.weforum.org/agenda/2024/07/the-future-of-critical-raw-materials-how-ukraine-plays-a-strategic-role-in-global-supply-chains/> and <https://www.intellinews.com/the-fourth-russia-green-ukraine-246374/>.

<sup>37</sup> Read, for example, "Israel's arms and spyware: Used on Palestinians, sold to the world", 6.6.2023, <https://www.middleeasteye.net/opinion/israel-arms-industry-palestinians-guinea-pigs>. Pegasus spyware has been at the forefront of Israeli surveillance products sold abroad since its launch in 2013. • After the attacks that hit France in 2016, "many politicians set up Tel Aviv's management of security issues as a model", cf. <https://www.monde-diplomatique.fr/2016/10/LEVY/56434>. • See also the Genocide Gentry project <https://genocidegentry.org/> and No Tech for Apartheid, <https://www.notechforapartheid.com/>. • Amazon Web Service and Google Cloud are under contract to provide the State of Israel and in particular its armed forces with data storage solutions. Cf. Y. Abraham, "Order from Amazon': How tech giants are storing mass data for Israel's war", <https://www.972mag.com/cloud-israeli-army-gaza-amazon-google-microsoft/>, 4.8.2024.

<sup>38</sup> Anthropologist Ruba Salih discussed the 17-year siege of Gaza, Israel's dehumanizing assumptions in this regard, and Palestinian resilience and resistance in this situation, cf. <https://untoldmag.org/gaza-between-colonial-trauma-and-genocide/>, 20.10.2023.

<sup>39</sup> When not barring access to the Gaza Strip, the Israeli army fires on UN World Food Program (WFP) vehicles, cf. <https://www.france-palestine.org/Le-PAM-suspend-les-deplacements-de-son-personnel-a-Gaza-apres-l-attaque-de-son> (30.8.2024). • On the alert issued by UN experts concerning famine in the Gaza Strip, see <https://www.ohchr.org/en/press-releases/2024/07/un-experts-declare-famine-has-spread-throughout-gaza-strip> (9.7.2024).

<sup>40</sup> On the Lavender system, see <https://www.972mag.com/lavender-ai-israeli-army-gaza/> (3.4.2024): " During the early stages of the war, the army gave sweeping approval for officers to adopt Lavender's kill lists, with no requirement to thoroughly check why the machine made those choices or to examine the raw intelligence data on which they were based. One source stated that human personnel often served only as a "rubber stamp" for the machine's decisions, adding that, normally, they would personally devote only about "20 seconds" to each target before authorizing a bombing — just to make sure the Lavender-marked target is male. This was despite knowing that the system makes what are regarded as "errors" in approximately 10 percent of cases, and is known to occasionally mark individuals who have merely a loose connection to militant groups, or no connection at all. Moreover, the Israeli army systematically attacked the targeted individuals while they were in their homes — usually at night while their whole families were present — rather than during the course of military activity. According to the sources, this was because, from what they regarded as an intelligence standpoint, it was easier to locate the individuals in their private houses." See also <https://www.theguardian.com/world/2024/apr/03/israel-gaza-ai-database-hamas-airstrikes> (3.4.2024). • On other uses of AI for war and repression, read about Palantir Technologies, <https://www.thenation.com/article/world/nsa-palantir-israel-gaza-ai/>, 12.4.2024. • On the emergence of Israel's technology sector from the ranks of the army (Unit 81), see <https://www.calcalistech.com/ctech/articles/0,7340,L-3886512,00.html>.

<sup>41</sup> Two articles published by Le Monde diplomatique in August 2024 address the issue of heritage: in "Pillage du patrimoine palestinien" (<https://www.monde-diplomatique.fr/2024/10/PIRONET/67658>), Olivier Pironet looks back at the cultural dispossession carried out by Israel and aimed at invisibilizing Palestinian culture, notably through the appropriation of its traditional dishes; in "En Israël, l'arbre est aussi un outil colonial" (<https://www.monde-diplomatique.fr/2024/10/DELPUECH/67659>), Aïda Delpuech looks back at the Israeli practice of planting trees wherever Palestinian Bedouin communities have been expelled, thus transforming the land (under the pretext of combating desertification) and the people's ancestral relationship with it.

<sup>42</sup> Not only is the 1951 Convention on the Rights of Refugees not respected by Israel, its neighboring countries or the countries of the Global North, but migrants are also exploited on Israeli soil. According to the Haaretz newspaper, in exchange for their commitment to the army, the State of Israel promises them permanent legal residency status, cf. <https://www.orientlejour.com/article/1427252/des-demandeurs-dasile-africains-recrutes-par-israel-pour-se-battre-a-gaza.html> (16.9.2024). • This is reminiscent not only of dark pages in European colonial history, but also of the way Russia and Belarus have turned refugees from Iraq, Syria and Somalia into *weapons*, sending them to the borders with Poland and Finland. Poland, which is undergoing a security and military build-up, recently authorized its army to fire on migrants seeking to cross its border with Belarus, see <https://www.rts.ch/info/monde/2024/article/la-pologne-autorise-l-armee-a-tirer-sur-les-migrants-traversant-sa-frontiere-bielorusse-28571092.html> (16.7.2024).

<sup>43</sup> Algeria was the first country to recognize the State of Palestine in 1988. Most of the countries of Africa, Asia, South and Central America followed. It was not until 2014 that European countries also recognized the sovereignty of Palestine: the Vatican, Iceland and Sweden, Poland, the Czech Republic, Slovakia, Hungary, Romania, Bulgaria and Cyprus. In 2024, a third wave of recognition took place in the context of the war on Gaza: Barbados, Jamaica, Trinidad and Tobago and the Bahamas, then Norway, Ireland and Spain, followed shortly afterwards by Slovenia and Armenia. To date, 147 countries recognize the State of Palestine. But none of the Western powers: not the USA, not Germany, not the UK, not France, not Italy, and so on. • In April 2024, Palestine's full membership of the UN was blocked by the US veto. However, on May 10, the UN General Assembly voted by a very large majority for resolution ES-10/23 in favor of admitting Palestine to participate to all the works and conferences organized by the UN.

<sup>44</sup> The testimonies of Palestinians are numerous, numerous, numerous. But they are viewed with suspicion in the West. On the one hand, they are seen as self-victimizing; on the other, as instrumentalized by Hamas or Hezbollah. Conversely, testimonies from Israelis are generally received in the western mainstream media with complacency and self-pity. This situation sheds a harsh light on the West's ambiguous relationship with martyrdom, and the spectacularization of suffering. Cf. [https://www.youtube.com/watch?v=\\_zUF7CxU08c](https://www.youtube.com/watch?v=_zUF7CxU08c), <https://www.letemps.ch/videos/temoignages/palestiniens-ils-temoignent-depuis-la-suisse>, <https://www.sapiens.org/culture/palestine-genocide-silencing-witnessing/>.

<sup>45</sup> Article II of the Convention on the Prevention and Punishment of the Crime of Genocide specifies the acts in question: "In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group." See <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-prevention-and-punishment-crime-genocide>.

<sup>46</sup> The figures for the end of August 2024 given by the Gaza Ministry of Health were detailed as follows: out of a total of 40,238 victims, there were 710 babies under the age of one, 1,793 children aged 1-3, 5,410 children aged 4-12, 3,442 children aged 13-17 (<https://www.dropsitenews.com/p/lebanon-pager-hezbollah-israel-gaza-deaths>). Of these 40,238 victims, 34,344 could be identified (<https://archive.org/download/gaza-health-ministry-list-of-deaths-16-sep-2024/Gaza%20Health%20Ministry%20-%20List%20of%20deaths%20-%2016%20Sep%202024.csv>).

<sup>47</sup> As of October 2, 2024, the number of injured people recorded by the Gaza Ministry of Health stood at 96,625. See also <https://fr.statista.com/statistiques/1423795/guerre-israel-territoires-palestiniens-nombre-morts-et-blesses/> and <https://www.ochaopt.org/>.

<sup>48</sup> See the Médecins sans Frontières report of April 2024, [https://www.msf.org/sites/default/files/2024-04/MSF-GazaSilentKillings-Full%20Report\\_ENG\\_April%202023.pdf](https://www.msf.org/sites/default/files/2024-04/MSF-GazaSilentKillings-Full%20Report_ENG_April%202023.pdf).

<sup>49</sup> This is the methodology of an article published by R. Khatib, M. McKee and S. Yusuf in *The Lancet* on July 10, 2024, Cf. [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(24\)01169-3/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(24)01169-3/fulltext).

<sup>50</sup> Let's not forget that many of the Israeli victims were killed under "friendly fire", an effect of the implementation of the Hannibal doctrine, cf. <https://www.aljazeera.com/news/2024/7/9/why-did-israel-deploy-hannibal-directive-allowing-killing-of-own-citizens> (9.7.2024). • Furthermore, only a small fraction of Israeli society was

directly in the presence of the event; more than 99% of Israelis knew about it only through the resulting media maelstrom, so that, once again, it was a terror largely manufactured by the narratives, the most horrific of which were complete fabrications, pure fakes – as Al Jazeera's reconstruction of the events of October 7 in this survey eloquently shows: <https://www.aljazeera.com/news/2024/3/21/october-7-forensic-analysis-shows-hamas-abuses-many-false-israeli-claims> (21.3.2024).

<sup>51</sup> Following the proceedings initiated by South Africa on December 29, 2023, the ICJ issued an Order on January 26, 2024, stating that: "the Court considers that there is urgency, in the sense that there is a real and imminent risk that irreparable prejudice will be caused to the rights found by the Court to be plausible." (§74) Cf. supra note 6.

<sup>52</sup> Complete video of B. Netanyahu's speech to the U.S. Congress on July 24, 2024, <https://www.youtube.com/watch?v=rKkcstwPd9k>.

<sup>53</sup> See <https://www.ohchr.org/en/press-releases/2024/04/un-experts-deeply-concerned-over-scholasticide-gaza>.

<sup>54</sup> According to the Gaza Ministry of Health, cf. supra note 45.

<sup>55</sup> "The Federal Republic [of Germany], Israel's second-largest supplier, accounted for 30% of its arms imports between 2013 and 2022, according to Sipri, but delivery authorizations increased tenfold between 2022 and 2023, and most of this spectacular increase took place after October 7. (...) Italy (...) accounted for 5.9% of conventional arms imports between 2011 and 2020, making it the Hebrew state's third-largest supplier (...) In 2023, the British government gave the go-ahead for £42 million worth of military goods to be exported to Israel, the same amount as the previous year. (...) Between 2018 and 2022, the British government approved £146 million worth of exports to Israel, but this amount does not take into account equipment supplied under "open" licenses, which set no limits on the quantity or value of deliveries (...) France has sold 208 million euros worth of military equipment to the Hebrew state since 2013, including 25.6 million in 2022" ([https://www.lemonde.fr/international/article/2024/03/22/israel-who-are-its-main-weapons-suppliers\\_6223600\\_3210.html](https://www.lemonde.fr/international/article/2024/03/22/israel-who-are-its-main-weapons-suppliers_6223600_3210.html)) • Belgium, Italy, Canada and Spain stopped their arms exports in the six months following October 7, 2023. • These figures do not include exports of dual-use goods, which also involve many other countries (including Switzerland, see <https://juso.ch/fr/publications/positions/stop-a-la-collaboration-militaire-de-la-suisse-avec-israel/>) and have generally not been stopped.

<sup>56</sup> International awareness of Germany's unconditional support for Israel came to light at the Berlin Film Festival awards ceremony at the end of February 2024. A documentary, *No Other Land*, co-directed by Israeli and Palestinian filmmakers, was awarded a prize by the jury (<https://www.youtube.com/watch?v=hBSZERpYyB8>), and in keeping with the custom of such events, its makers were invited onto the stage and allowed to make a brief speech. The Israeli recipient, Yuval Abraham (also a journalist with the non-Zionist Israeli magazine +972 [<https://www.972mag.com/>]) and author of the studies on artificial intelligence devices "Lavender" and "Where's Daddy?") gave a speech in which he highlighted the discrepancy between his rights and those of his Palestinian co-author Basel Adra, saying that the latter is subject to Israeli military law while he himself is subject to Israeli civil law, creating a gulf between them in terms of the rights they enjoy on a daily basis. This statement, merely describing a state of affairs, unleashed an unending stream of indignant reactions in Germany from political and media figures condemning his unacceptable anti-Semitism. Y. Abraham likes to underline the comical outrageousness of the situation: here are descendants, children and grandchildren of Nazis, some of them barely buried, taking advantage of the Shoah to preach anti-Semitism to... Jews! • In fact, most of us didn't know it, but this grotesque dramaturgy was nothing new in Germany. Since its foundation, West Germany has endorsed the guilt of the Shoah through unilateral, blind support for Israel, to the point of making its defense part of its "raison d'État". So much so, in fact, that "anti-Semitism" has come to mean "critical of the State of Israel". Y. Abraham, even if Jewish, is "anti-Semitic" for the sole reason that he speaks out against Israel's proven apartheid crime. This nonsense of German politics, however, long predates October 7, 2023. Back in 2016, the CDU opposed the BDS initiative on the grounds of its "crass anti-Semitism", which they compared to the Nazis' economic strangulation of Jews (<https://www.aljazeera.com/opinions/2019/3/22/germanys-relentless-campaign-to-silence-pro-palestinian-voices>); in January 2018, a resolution was passed identifying the boycott of Israel with an offense against Jews, hence with the crime of anti-Semitism (ibid.), with the result of confusing support for the Palestinian cause with anti-Semitism. Thus, on the basis of the equation "defense of Palestinian rights = criticism of Israel = anti-Semitism", actions in support of Palestine were banned. In 2019, the Bundestag passed a law criminalizing BDS. • In a report submitted on June 6, 2023 (<https://www.aljazeera.com/opinions/2023/6/10/palestinians-should-not-have-to-pay-for-german-sins>), the European Legal Support Center (ELSC) inventories, for Germany, a number of denials of

rights suffered by Palestine defense movements on the grounds of anti-Semitism. A Palestinian living in Germany testifies to the permanent censorship he suffers in expressing the oppression suffered in Palestine under Israeli rule. He is told to accept that what he says does not reflect the country's values, that it is anti-Semitic, and that his activism has even led to him being prosecuted for anti-Semitism. He adds that he has not encountered the same level of hostility for pro-Palestinian activism in any other European country. ● October 7 only hardened the German position. As early as October 12, before the parliament, Chancellor Scholz solemnly declared that, in the present circumstances, "the only place for Germany is with Israel"; by way of justification, he added that it was the historical responsibility for the Shoah that imposed "the permanent duty to defend Israel's existence and security" (<https://www.bundesregierung.de/breg-en/actualites/soutien-israel-2228300>). In December, in the face of growing hostility to the genocidal violence unleashed on Gaza, Scholz was content to claim that Israel was a democracy: "Israel is a democracy – this has to be said very clearly. There is no doubt about this, and we will emphasise in every conversation and at every opportunity that this is our view." (<https://www.aljazeera.com/news/2023/12/7/why-are-german-politicians-supporting-israel-and-its-brutal-war-on-gaza>). This rhetoric serves to justify the weapons delivered to Israel, while at the same time responding to criticism of violence that is taking on an increasingly clear and openly genocidal tone. ● It was against this backdrop that the events at the Berlinale mentioned above took place, and then, on April 12, 2024, a police raid brutally interrupted a pro-Palestinian conference co-organized by Jewish Voice for Peace and Diem25, the political formation led by Y. Varoufakis. This brutal police raid to prevent a conference designed to give voice to the rights of Palestinians highlights the German government's determination to identify any demonstration critical of Israel as anti-Semitism. And this despite the fact that Jewish personalities are at the heart of the organization of these conferences! In Germany, the model of European liberalism, the ferocity of the repression of the Palestinian cause is a stark exception.

<sup>57</sup> As many commentators have pointed out, these assertions are cynical to an "unprecedented" degree. Israel responds to every accusation with one-upmanship, turning every statement against its sender. The flawlessness of the discourse and its methodical dissemination demonstrate the effectiveness of *hasbara*. ● Noam Chomsky describes it thus: "An article in Haolam Haze asked: 'How are we to explain that an Arab child weeping next to his mother's body proves our justice'? It goes on to comment on the use of the word 'hasbara' ('explanation') for what is ordinarily called 'propaganda' or 'psychological warfare.'" The assumption behind this curious usage, which appears to be rare among the nations of the world, is that obviously the Israeli government is right in all that it does. Therefore, all we have to do is to "explain" its motives and then any sensible person shall support it. Anyone who won't be persuaded by the *hasbara* is anti-Semitic (if he is a Gentile) or self-hating (if he happens to be Jewish)" (N. Chomsky, *Fateful Triangle: The United States, Israel and the Palestinians*, 1983, ch. 7.2) ● Edward Said, meanwhile, defines *hasbara* by intense lobbying: "This has included an entire range of efforts: lunches and free trips for influential journalists; seminars for Jewish university students who over a week in a secluded country estate can be primed to 'defend' Israel on the campus; bombarding congressmen and -women with invitations and visits; pamphlets and, most important, money for election campaigns; directing (or, as the case requires, harassing) photographers and writers of the current Intifada into producing certain images and not others; lecture and concert tours by prominent Israelis; training commentators to make frequent references to the Holocaust and Israel's predicament today; many advertisements in the newspapers attacking Arabs and praising Israel; and on and on." (E. Said, "Propaganda and War", Media Monitors Networks, 31.8.2011, <https://mediamonitors.net/propaganda-and-war/>). ● In the digital age, as Amélie Férey writes: "The challenge then is to conduct an internal and external (counter-)cognitive campaign, without offending democratic institutions and values. No longer confined to enemy troops, cognitive warfare targets civilian populations previously identified through the appropriate use of new technologies." (*Les Guerres de l'information à l'ère numérique*, 2011, ch. 11, "Israël : de la *hasbara* à la guerre cognitive", <https://doi.org/10.3917/puf.maran.2021.01.0283>).

<sup>58</sup> War of words: journalist Jonathan Cook has shown how the BBC distorts Israel's destructive actions, emphasizing its military "prowess" (<https://www.middleeasteye.net/opinion/bbc-lebanon-israel-reporting-weaponising-crimes-pagers>, 27.9.2024), and Didier Fassin reminds us of American journalists: "What is certain is that journalists have censored themselves. The Intercept counted the occurrences of certain words in the Los Angeles Times, the Washington Post and the New York Times. The word 'massacre' is used nine times less when referring to Gaza than when referring to October 7. And the word 'killing' sixty times less. It's easy to see how what we call opinion is also forged through the way we name things." (<https://la-bas.org/la-bas-magazine/textes-a-l-appui/Didier-Fassin-le-mot-massacre-est-utilise-neuf-fois-moins-lorsqu-il-s-agit-de-Gaza-que-lorsqu-il-s-agit-du-7-octobre>,

26.9.2024). ● And image warfare. With the introduction of drones and the sophistication of satellite surveillance, a social shift in the relationship to war has taken place, at the crossroads between image production and dissemination on social networks, now essential to all propaganda. One effect of this change is the way in which war is presented as a "real-time strategy game" (see, for example, the Youtube channel "HistoryLegends", <https://www.youtube.com/watch?v=ybSx2Zu8TCQ>): "breathtaking" images of building destruction, satellite maps, and so on. ● On the other hand, degrading "humorous" videos are posted on TikTok by Israeli soldiers: dehumanization is a part of the show. The Zeteo news channel produced a documentary in August 2024 that dissects the social networking posts of Israeli soldiers active in Gaza, <https://zeteo.com/p/israel-documentary-social-media>. It shows videos posted on TikTok with the encouragement of the military hierarchy, demonstrating the dehumanization of Palestinians and the supremacist mentality of Israeli soldiers. ● Images showing the horror of the real human effects of the Israeli war on Gaza are not at all as "successful": censored on social networks, and of course unbearable because of the suffering they express, these images are hardly ever shown on the major news channels of the global North. Since the Gulf War in 1991, they have been replaced by images of "surgical" strikes on buildings from which human bodies are miraculously absent. ● See also <https://zeteo.com/p/viet-nam-gaza-and-the-power-of-spectacle> (17.9.2024), for a comparison between the treatment of images during the Vietnam War and Israel's war on Gaza, with Hollywood propaganda in the background.

<sup>59</sup> Billionaires, with their colossal financial resources, easily bend newspapers over backwards with legal proceedings, which represent a veritable financial cut-throat for small newsrooms. It doesn't matter to them whether they win or lose: the aim is to intimidate, while diverting journalists' energies away from their work. Newspapers shudder at the thought of any legal action being brought against them by one of these powerful players, who are at ease mobilizing their lawyers. This is one of the dimensions that explains the growing conformism of the press towards the powerful. Another dimension is, of course, the takeover of major titles by billionaires. The challenge is to control the circulation of public conversation, to control what can be said publicly – and what cannot, does not exist. So much so that every time we want to say something, we have to start all over again, as if nobody knew anything. This only reinforces the inequality of the struggle: on the one hand, the conformist media can simply telegraph the "shared evidence", while on the other, the whole story has to be rewritten every time. In the race for the short, snappy formula, the former win every time. ● Of course, SLAPP procedures (Strategic lawsuit against public participation) also apply to militant movements.

<sup>60</sup> Cf. article 20 of the 2017 Charter: " Hamas rejects any alternative to the full and complete liberation of Palestine, from the river to the sea. However, without going back on its rejection of the Zionist entity and without renouncing any Palestinian rights, Hamas considers the creation of a fully sovereign and independent Palestinian state, with Jerusalem as its capital, according to the June 4, 1967 boundaries, with the return of refugees and displaced persons to the homes from which they were expelled, as a formula for national consensus." (<https://franceisrael.fr/wp-content/uploads/2018/12/Charte-Hamas-2017.pdf>)

<sup>61</sup> In his article *Digital Leviathan and His Nuclear Tail: Notes on Body and the Earth in the State of War*, Olexii Kuchanskyi writes: " The way the Russian government rationalizes its invasion of Ukraine, and more broadly, Putin's statements about "extremism" and the threat from NATO, together prove that the doctrine of preemption has now found its way to Russia too. The preemption of constructed threats ("peacekeeping") and preventive measures to outmaneuver other geopolitical actors determine tens of millions of actual destinies. Massumi wrote about "ontopower"; now it makes sense to speak of "ontowar"—the destruction of what is alive in order to prevent what is possible. How else can we understand the fact that "peacekeeping" implies the use of weapons and the targeted killing of civilians? Hiding in bomb shelters, we watch this fatal poker game, becoming "instruments" and at the same time victims of Russia's "bluff." But despite all the manipulations and tricks, the rules of the game involve a "kinetic" network of preemptions where every step is either an amicable gesture or a threat. It is a game that is played at the cost of thousands of lives." (<https://www.e-flux.com/notes/463202/digital-leviathan-and-his-nuclear-tail-notes-on-body-and-the-earth-in-the-state-of-war>, 18.4.2022).

<sup>62</sup> Report by the Don't Buy Into Occupation coalition, of which the International Federation for Human Rights (FIDH) is a member, 11.12.2023, [https://www.fidh.org/IMG/pdf/2023\\_dbio\\_iii\\_report\\_11\\_december\\_2023.pdf](https://www.fidh.org/IMG/pdf/2023_dbio_iii_report_11_december_2023.pdf).

<sup>63</sup> Cf. Y. Abraham, "'Order from Amazon': How tech giants are storing mass data for Israel's war", <https://www.972mag.com/cloud-israeli-army-gaza-amazon-google-microsoft/>, 4.8.2024.

<sup>64</sup> See <https://bdsmovement.net/>, <https://genocidegentry.org/>, <https://www.notechforapartheid.com/>.



<sup>65</sup> Without batting an eyelash, and by restricting humanitarian aid, as happened with UNRWA during 2024, which some countries (including the USA and Switzerland) stopped subsidizing either totally or in part. Cf. <https://www.monde-diplomatique.fr/telex/2024-02-UNRWA>, <https://www.swissinfo.ch/fr/berne-%c3%a9value-%27audit-sur-l%27unrwa%2c-financement-toujours-en-suspens/76269846> (23.4.2024) • In Switzerland, after the Federal Council (executive) had decided in favor of the payment of 10 million to UNRWA in May 2024, the National Council (parliament) adopted on September 9, 2024 a motion by the SVP group to "Immediately suspend contributions to UNRWA", against the advice of the Foreign Policy Committee, cf. <https://www.parlament.ch/fr/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20243194>. This vote was completely ignored at the time by the Swiss press (with the exception of an article in Le Courrier, <https://lecourrier.ch/2024/09/09/lunrwa-pilonnee-par-la-droite/>). It should be remembered that the current Minister of Foreign Affairs was himself a long-standing member of the Switzerland-Israel parliamentary group. On this group, see <https://lecourrier.ch/2024/06/25/une-neutralite-mise-a-mal/> and <https://www.letemps.ch/suisse/l-influence-et-la-communication-d-israel-en-cause-jusqu-au-sein-de-l-administration-federale> (29.4.2024). • On September 18, 2024, the UN General Assembly voted in favor (by 124 votes, against 14 oppositions and 43 abstentions) of the Palestinian resolution calling on Switzerland to organize a meeting on the Geneva Conventions within 6 months, and demanding an end to the Israeli occupation within 12 months. Switzerland abstained.

<sup>66</sup> Reporters Without Borders has written: "103 journalists in Gaza have been killed by the Israeli army in five months of war" (<https://rsf.org/fr/103-journalistes-tu%C3%A9s-en-150-jours-%C3%A0-gaza-une-trag%C3%A9die-pour-le-journalisme-palestinien>, 7.3.2024). See also this article in Le Monde, June 2024, [https://www.lemonde.fr/international/article/2024/06/25/comment-israel-cible-les-journalistes-a-gaza-le-gilet-presses-nous-met-desormais-en-danger\\_6243496\\_3210.html](https://www.lemonde.fr/international/article/2024/06/25/comment-israel-cible-les-journalistes-a-gaza-le-gilet-presses-nous-met-desormais-en-danger_6243496_3210.html).

<sup>67</sup> The USA, for example, made it public that it was prosecuting Hamas leader Yahya Sinwar for "terrorism", right in the middle of ceasefire negotiations. URL: <https://www.swissinfo.ch/fr/la-justice-am%C3%A9ricaine-poursuit-des-chefs-du-hamas-pour-%22terrorisme%22/87487114>. As for the Israeli Prime Minister, we know to what extent he sees "ceasefire negotiations" as both a need for "humanitarian" *storytelling* aimed at public opinions in the Global North, and a set of tactics enabling him to gain time and deceive his adversaries.

<sup>68</sup> Achille Mbembé's concept of *necropolitics* is related to Michel Foucault's *biopolitics*. It focuses not on the management of the living, but on the exercise of sovereignty: "the ultimate expression of sovereignty resides largely in the power and capacity to say who may live and who must die". (the French original is available here : <https://shs.cairn.info/revue-raisons-politiques-2006-1-page-29>, Revue Raisons politiques, 2006). Combining a reflection on the state of exception and the state of siege, together with colonial wars and apartheid regimes, this article opened up new horizons of understanding as to the effectuation of imperialist power (and capitalist power, on which Mbembé places greater emphasis in his 2013 book, translated into English in 2017: *Critique of Black Reason*). Cf. supra note 10.

<sup>69</sup> For more information on Israel's plans to exploit Gaza's gas fields, see <https://www.aa.com.tr/fr/monde/isra%C3%ABl-entend-acc%C3%A9lerer-l'exploitation-du-gisement-de-gaz-de-gaza/2925378> (18.6.2023) and <https://www.middleeasteye.net/fr/opinion-fr/guerre-israel-palestine-gisement-gazier-gaza-milliards-dollars> (16.11.2023).

<sup>70</sup> Cf. what A. Mbembé writes, quoting H. Arendt: "That colonies could be ruled in absolute lawlessness was due to the racial denial of any common bond between the conqueror and the native. In the conqueror's eyes, savage life is just another form of animal life, a horrifying experience, something alien beyond imagination or comprehension. In fact, according to Arendt, what makes savages different from other human beings is less the color of their skin than the fear that they behave like a part of nature, that they treat nature as their undisputed master. For nature thereby remains, in all its majesty, an overwhelming reality compared to which they appear to be phantoms, unreal, and ghostlike. Savages are, as it were, "natural" human beings who lack a specifically human character, a specifically human reality, "so that when European men massacred them they somehow were not aware that they had committed murder." ( <https://shs.cairn.info/revue-raisons-politiques-2006-1-page-29>, 2006, p. 40).

<sup>71</sup> "The birth of the racial subject - and therefore of the Negro - is linked to the history of capitalism. The primitive spring of capitalism is the dual impulse of the unlimited violation of all forms of prohibition, on the one hand, and the abolition of all distinctions between means and ends, on the other. In his dark splendor, the Negro slave - the very first racial subject - is the product of these two impulses, the manifest figure of this possibility of unreserved

violence and netless precariousness. As a power of capture, a power of domination and a power of polarization, capitalism has always needed *racial subsidies* to exploit planetary resources. That was the case yesterday. This is the case today, even as it begins to recolonize its own center, and the prospects of the *world becoming a Negro* have never been so clear. The logics of the distribution of violence on a planetary scale no longer spare any region of the world, nor does the vast operation underway to depreciate productive forces." - Achille Mbembé, "Epilogue. Il n'y a qu'un seul monde", *Critique de la raison nègre*, ed. La Découverte, 2013, p. 258.

<sup>72</sup> On the one hand, fascism makes it possible to produce waste more quickly, without any qualms, through the militarization of society; on the other, it aims to destroy the collective consciousness of the oppressed, preventing them from constituting themselves as a political force; it also aims to strengthen the servants of the system, who illusorily join the position of the master. Cf. La Boétie, Hegel, Marx, Sartre.

<sup>73</sup> Capitalism degrades the subjects of law into the "limitless postponements" of control societies. cf. Gilles Deleuze, *Postscript on Societies of Control* (1990), <https://deleuze.cla.purdue.edu/resource/gilles-deleuze-postscript-on-societies-of-control/>. Limitless postponements – an idea that appears in Kafka's *The Trial* – occurs at every level of capitalist society: whether it's climate agreements, public debt, the prison system or education, the resolution of situations that create inequality and suffering is managed in the mode of deferred action. The time freed up keeps the capital available for investment elsewhere, and populations in a state of asphyxia that forces them to work harder to get by.

<sup>74</sup> The growth of inequality during the Covid-19 crisis is emblematic of this securitization, both internationally and within states (<https://www.ohchr.org/en/2021/09/magnitude-and-scope-inequalities-created-and-exacerbated-covid-19-truly-shocking-high>). The role played by pharmaceutical transnationals and their association with the states of the global North reveals a business model that escapes the rule of law (<https://www.publiceye.ch/en/topics/pharmaceutical-industry/covid-19-profit-at-all-costs>) and is carried out along axes worked in depth by racism, sexism and class domination.

<sup>75</sup> Europe's far-right have made no mistake about it: if all they had to do to win many seats in the European elections was polish their discourse, it's because EU policies are already normalizing the practices and discourse of the far-right. The rise of racism and its institutionalization follow the rise of white capitalism. • Attempts in France, Germany and Brussels to prevent far-right parties from participating in government are sometimes complicit masquerades, sometimes an ostrich syndrome, sometimes the effect of the *double bind* typical of national-liberal democracies (cf. Jean-François Bayart, *L'impasse national-libérale, Globalisation et repli identitaire*, La Découverte, Paris, 2017). *Barrage républicain, cordon sanitaire, Brandmauer*: we can't "contain" these forces without putting ourselves within the same walls. Cf. Wendy Brown, *Walled States, Waning Sovereignty*, 2010.

<sup>76</sup> No doubt the shock of the aftermath of October 7 was gripping for many: to think of the Israelis, who as a historic Jewish population were victims of the Holocaust, as the executioners of another people – and to realize that all this time there was something there that we didn't want to see, and affects linked to an entire generation of soldiers and people who had made victory against Nazism the cornerstone of their notion of right and wrong – that all this time something was brewing that we hadn't seen coming, hadn't wanted to see coming, this shock without doubt is terrifying. • The need to differentiate between anti-Zionism and anti-Semitism is essential: anti-Zionism does not mean being against the people of Israel (of which some 20% are non-Jewish citizens), nor does it mean being against people of the Jewish faith (who live on all five continents), but being against a supremacist colonial project in Palestine, one component of which is of a fundamentalist religious nature.

<sup>77</sup> A. Mbembé, *Nécropolitique*, 2006, p. 54, <https://shs.cairn.info/revue-raisons-politiques-2006-1-page-29>.

<sup>78</sup> "In their attempt to translate Lemkin's foundational conception of genocide into a grammar of antiimperialism, the Civil Rights Congress articulated an early conception of genocide as intimately related to 'Western states' permanent security, which historian Dirk Moses contends is the impulse by nation-states to "make themselves invulnerable to threats," whether this includes, in the US case, the threats of Black freedom, indigenous sovereignty, or an increase in non-white populations, evidenced by the brutal and often fatal means through which the country's southern border is militarized and secured against northward migration." – Zoé Samudzi, "Genocide: When does State violence pass the threshold?", in *The Funambulist, Redefining Our Terms*, n°50, 2023, p. 79.

<sup>79</sup> Let's recall the war raging in Sudan against a backdrop of imperialist aims: the United States and the United Arab Emirates support the Sudanese Armed Forces of General A. F. al-Burhan, while Russia supports the Rapid Support

Forces of General M. H. Dogolo, nicknamed Hemetti, considered one of the main architects of the Darfur genocide between 2003 and 2020. The conflict, which has been underway since April 15, 2023, has claimed thousands of lives and led to the exodus of millions of people.

<sup>80</sup> "In general, the notion of value is used positively, whether by traditional Marxism, feminism or even economics where, in the form of prices for example, it appears as an unconditioned and transhistorical element of all human society. In this respect, the approach of the fundamental critique of "value" is quite different. Here, value is understood and criticized as the expression of a fetishistic social relationship. Under the conditions of commodity production for anonymous markets, the members of society, instead of using their resources in common for the reasoned reproduction of their existence, produce, separately from each other, commodities that only become social products once they have been exchanged on the market. By "representing" "past labor" (the expenditure of abstract human social energy), these commodities constitute "value", i.e. they represent a certain quantity of social energy expended. This representation is in turn expressed through a particular medium, money, which is the general form of value for the entire commodity universe. The social relationship mediated by this form turns the relationship between people and material products upside down: the members of society, as people, appear asocially, as mere private producers and individuals devoid of any link between them. Conversely, the social relation appears as a relation between things, a relation of dead objects that enter into relationship through the abstract quantities of value they represent. People are commodified, and things personified, so to speak. The result is the mutual alienation of society's members, who do not use their resources according to conscious, mutually agreed decisions, but submit to a blind relationship between dead things, their own products, commanded by the money-form. This is how we end up again and again with misallocation of resources, crises and social catastrophes." - Roswitha Scholz, *Das Geschlecht des Kapitalismus* [The Sex of Capitalism]. *Feministische Theorien und die postmoderne Metamorphose des Patriarchats*, Bad Honnef, Horlemann, 2000.

<sup>81</sup> "Capitalism is doing far more against itself than all its adversaries put together. But this is only half the good news. This collapse bears no relation of necessity to the emergence of a better-organized society: firstly, because it is the consequence of the action of blind forces which, as such, are already destructive. Secondly, because capitalism has had enough time to crush the other forms of social life, production and reproduction that could have constituted a starting point for the construction of a post-capitalist society. After its end, all that remains is a scorched earth where the survivors fight over the debris of capitalist "civilization". This is already the daily reality in much of the "Global South", and even in a growing proportion of "developed" countries, right down to the suburbs of the world's capitals. Left to its own dynamism, capitalism leads not to socialism, but to ruin." - Anselm Jappe, *Dead Credit. The decomposition of capitalism and its critics*, Nouvelles Editions Lignes, 2011.

<sup>82</sup> The Aztecs undoubtedly understood how the materialization of the fetish results in self-destruction: as a self-sacrificing people, they waged war between rivals with clubs in order to collect living victims (the "war of flowers"). Once taken, these victims were then transformed into divine beings, in a process that could last up to an entire year – the aim being to sacrifice the god to itself, the only victim worthy of its power.

<sup>83</sup> We often recall how Nazism was only possible in the context of an anti-Judaism inherited from centuries of Christian hatred, "rationalized" by the racist theories of the 19<sup>th</sup> century and exacerbated by Hitler's determination to make the German people the new "chosen people" (cf. Pierre Vidal-Naquet, *Les Assassins de la mémoire*, La Découverte, 1987). However, this context is also marked by the technicization of the state apparatus and bureaucracy, on the one hand, and, on the other, was only made possible through the understanding of the human being as a commodity, specific to capitalism, and to an articulation of capitalism with the state apparatus that gave rise to war machines such as those described by Johann Chapoutot in *Libres d'obéir* (Gallimard, 2020), featuring the avant-garde of today's *management*. In this sense, to "mobilize" a population in the capitalist sense is not simply to govern it: it's to dispose of it as if it were raw material, to deform and reshape it. "At the crossroads of the ideological, the political and the economic, Nazi *Menschenführung*, or *management* thinking, was one of the major expressions of this characteristic of the Third Reich that historians have been constantly pointing out over the past thirty years, in both cultural and social history: this regime was participatory, because it aimed to produce consensus. [...] Orders were to be vague and general, confined to setting objectives (taking a particular hill before nightfall, for example): it was up to the recipient to choose the path, means and methods to achieve them. This margin of autonomy also brought with it greater responsibility: success in a mission was expected, failure betrayed the personal failings of the person who couldn't accomplish it. Autonomy was also a facade: the subordinate was free to choose the means, but certainly not to define the end – to set the objective." (pp. 131-132)



<sup>84</sup> Cf. supra note 35. Descartes' notion of scientific expansion as a horizon of perfection never attainable by human beings, taken up and developed by Hegel in his historical dialectic, found its politico-economic expression – as Marx saw it – in capitalism.

<sup>85</sup> On the rise of anti-Greek racism in Germany (including the reactivation of xenophobic clichés from the North about Southern Europe (laziness, abuse, corruption), demands that Greece be excluded from the EU, or the interpretation of austerity measures as justified punishments), see for example <https://www.wsws.org/en/articles/2015/07/18/germ-j18.html>, <https://www.jstor.org/stable/24441594>, <https://www.theguardian.com/business/2010/apr/29/eu-debt-crisis-german-papers-whip-up-anti-greek-fury>, <https://roarmag.org/essays/greek-debt-crisis-international-media/>.)

<sup>86</sup> Cf. Jean Dutoit Collective, "Report for the rights and mobility of black African migrant persons in Switzerland and in Europe", 2018, pp. 81-91, [https://collectifjeandutoit.wordpress.com/wp-content/uploads/2019/02/jeandutoitcollective\\_reportfortherightsandmobility\\_english\\_a4\\_final.pdf](https://collectifjeandutoit.wordpress.com/wp-content/uploads/2019/02/jeandutoitcollective_reportfortherightsandmobility_english_a4_final.pdf).

<sup>87</sup> Cf. Kathryn Yusoff, *A Billion Black Anthropocenes or None*, University of Minnesota Press, 2018.

<sup>88</sup> The understanding of genocide as a process was developed in particular in this article: <https://shs.cairn.info/revue-internationale-des-sciences-sociales-2002-4-page-483?lang=fr#s2n1>. When the author writes that it is a question of "determining whether the process of destruction aims at the total eradication of a community", it is necessary to emphasize the verb: to aim. This aim, which goes beyond intentions and words while enveloping them, materializes in death, but not just any death: death inflicted with a view to destroying the generative and regenerative capacity of a population.

<sup>89</sup> It should be noted that the development of international institutions in the 20<sup>th</sup> century was only possible because of the engagement of the hegemonic power of the USA, which did not fail to mark them with its influence.

<sup>90</sup> The notion of the *rights of nature* emerged in the 1970s, notably in connection with that of ecocide (cf. supra note 21). Two national constitutions now recognize such rights: those of Ecuador (2008) and Bolivia (2009).

<sup>91</sup> If Francis Fukuyama's *The End of History and the Last Man* (1992) appears today as a symptom of triumphant capitalist globalization after the fall of the USSR, and of what was perceived as the ideological victory of "liberal democracy", Samuel Huntington's *The Clash of Civilizations* (1996) was a symptom of the white West's reaffirmed cultural and national fetishism ready to name its rivals. According to Huntington, the post-Cold War world is marked by the clash of the great civilizations (Chinese, Japanese, Hindu, Islamic, Orthodox, Western, Latin American, and African "if possible" because he doubts its existence as a civilization) — yet he does nothing more than describe the imperialist movements that stir on the surface of the globe. Pointing to the end of American hegemony in the third decade of the 21<sup>st</sup> century, and thus to the end of Western domination, his book provoked a revival of nationalist and culturalist readings of history, completely overlooking the progression of capitalism (the word "capitalism" appears only nine times in the entire book).

<sup>92</sup> One cannot help but be struck by the contrast between capitalist necropolitics and the quest, in all societies of advanced capitalism, for ways to postpone death. Medical progress, insurance, fantasies of immortality through cloning or AI (cf. the *singularity* of transhumanism), these societies repress death as scandalous, and exclude death from the economy of the living. But isn't capitalism about making the living work to obtain dead capital? And isn't this a denial of reality, through which these societies dream of *physically* joining the fetishism of capital, autonomous and eternal?

<sup>93</sup> Read, for example, Will Steffen et al, "Trajectories of the Earth System in the Anthropocene," Harvard University, 2018, <https://www.pnas.org/doi/10.1073/pnas.1810141115>.

<sup>94</sup> "The ultimate goal of capital is economic gain, i.e. profit, which results exclusively from the expenditure of abstract human labor, regardless of the general level of development of science and technology. As a consequence, this endless tautological process - obtaining two euros from one euro, etc. - leads to increased consumption of raw materials, energy and raw materials. - (...) The temporary increase in value generated per hour of social labor spurs innovation, but in the long term, once technological progress has spread throughout a given economic sector, the quantity of value created per hour of labor required returns to its initial level (...): we are obliged to produce use values at an accelerated rate in order to obtain the same economic gain per hour of labor. (...) Absolute surplus value refers to the increase in surplus labour extracted from workers through longer working hours. However, this

method comes up against biological and moral limits. Thus, it is so-called relative surplus value that predominates in fully developed capitalism. This is achieved by increasing productivity in those branches that produce the means of subsistence acquired by workers with their wages, in other words, by reducing the value of labor power. Surplus labor increases thanks to the reduction in necessary labor. (...) However, relative surplus-value does not increase at the same rate as productivity, and consequently leads to exponential growth in material production. This process is not driven by demand to satisfy particular human needs, but by the need to achieve the fetishist goal of an expanded reproduction of capital. Capitalist production is therefore directly responsible for the depletion of natural resources and the destruction of the environment. Only the abolition of value could give rise to a qualitatively and quantitatively new form of growth based on material wealth as a social form of wealth." - Nuno Miguel Cardoso Machado, *La limite écologique du capitalisme*, in Jaggernaut n°4, 2022, pp. 26-27, <https://www.editions-crise-et-critique.fr/ouvrage/regne-de-la-valeur-destruction-du-monde-jaggernaut-n4/>.

<sup>95</sup> Niccolò Machiavelli, in *The Prince* (1513), gives two criteria which, if followed, make the exercise of cruelty applicable by a government without the negative consequences outweighing any benefits that might be obtained. "Those cruelties are well used (if it is permitted to speak well of evil) that are carried out in a single stroke, done out of necessity to protect oneself, and then are not continued, but are instead converted into the greatest possible benefits for the subjects. Those cruelties are badly used that, although few at the outset, increase with the passing of time instead of disappearing." (ch. VIII, trans. P. Bondanella). In the exercise of violence by the Israeli government, it is clear that these two criteria have been exceeded – an reality that today extends far beyond the State of Israel alone.

<sup>96</sup> Cruelty cannot exist without its spectacular dimension, and the Israeli army has understood this well: let's recall the terrorist attacks of September 17 and 18, 2024. On Tuesday, September 17, 2024, the remote-controlled explosion of Hezbollah members' *paggers* struck Beirut and other Lebanese cities with full force, followed the next day by the remote-controlled explosion of walkie-talkies. In total, more than 40 people were killed and over 3,000 injured, the overwhelming majority of them civilians who will be mutilated for life (<https://www.theguardian.com/world/2024/sep/20/top-hezbollah-leader-airstrike-beirut-israel>). Who is the spectator? Firstly, the Lebanese people, to whom the message is "this is what it costs to be close to a member of Hezbollah"; secondly, the Israelis, to whom the message is "witness the power of your state"; thirdly, Israel's enemies, as a warning; fourthly, the inhabitants of the world who watch the news on their smartphones (70% of the world's population owns at least one smartphone, cf. <https://fr.statista.com/themes/9032/l-industrie-internationale-des-smartphones/#topicOverview>), to whom the message is – and the medium is already the message – "admire our ingenuity, our technological superiority, and our total lack of morality towards our enemies, but also our ability to offer you a spectacle never seen before: you who will make tomorrow's history, choose your side well, commit yourselves to progress". As a consequence of technological verticality, the nature of cruelty has changed, because the spectator, instead of being an "eyewitness", is everywhere; because those who are close by are in fact already dead, and those who are far away are an active workforce, both through their attention span and as relays, via social networks, of the cruelty at work, which is multiplied. Between desensitization to the death and suffering of others, collective trauma and the rise of a worldwide revolt against these actions, which aim only at terror and destruction, the cruelty of the Israeli government is a sign of the cruelty exercised by capitalism as "integrated spectacle" (cf. Guy Debord, *Comments on the Society of Spectacle*, 1988, [https://monoskop.org/images/3/3b/Debord\\_Guy\\_Comments\\_on\\_the\\_Society\\_of\\_the\\_Spectacle\\_1990.pdf](https://monoskop.org/images/3/3b/Debord_Guy_Comments_on_the_Society_of_the_Spectacle_1990.pdf), p. 8).

<sup>97</sup> The GAFAM (Google, Apple, Facebook, Amazon, Microsoft) and BATX (Baidu, Alibaba, Tencent and Xiaomi) practice what Y. Varoufakis has called *techno-feudalism*: a rentier capitalism that makes money from everyone who uses their services. Cf. <https://www.yanisvaroufakis.eu/2024/04/22/welcome-to-the-age-of-technofeudalism-interviewed-by-wired-magazine/>, 2024.

<sup>98</sup> "There is something more reduced than death, more absent, it's that which has been erased with a child's rubber on History's black-board." – E. Adnan, *Jenin*, 2003, <https://www.slow-words.com/jenin/>.