

Patrick Lawrence

‘Without the rules of war we all lose.’

All Zionists are extremists, to begin at the beginning. Countless of them have made the argument countless times that Israel is bound only by the Bible, so replacing juridical law with religious law. This is a radical regression to the pre-modern by any serious understanding of history. The world has listened for a long time as the more extreme of these extremists assert—bluntly, without apology, with purposeful arrogance indeed—that all Jews are above all humanly made laws, notably the laws of war. Itamar Ben-Gvir, the Netanyahu regime’s minister of national security, speaks often of the Zionist military’s need to exterminate the Palestinian population in Gaza and, lately, the West Bank. And so the Israel Occupation Forces proceed daily.

The world listens and watches with one or another degree of disgust and horror. Is there any justification for this revulsion? Or, recalling Freud and Otto Rank, does a figure such as Ben-Gvir repel so many of us because, at some level of the unconscious, we see ourselves in him? Is he is our double, to take the psychoanalytic term?

The Zionist regime’s breaches of the laws of war have become “normalized” in the months and years since it began its genocidal assault on the Palestinians of Gaza. This is to state the obvious. Let us not miss the less obvious—the extent to which Israel’s conduct has led to the collapse of these laws, and the long tradition behind them, more or less everywhere else wars are now waged.

Karim Khan was removed last month as chief prosecutor of the International Criminal Court, which, since its founding in 2002, has been charged with investigating war crimes and prosecuting those charged with committing them. Based on Khan's findings, the I.C.C. issued arrest warrants against Bibi Netanyahu and Yoav Gallant, his defense minister at the time of the 7 October events, in November 2024, a year and a month after Israel began its genocidal campaign in the Gaza Strip. The warrants allege their responsibility for war crimes and crimes against humanity. Khan's removal on 24 July was a patently corrupt procedure executed—let me put this simply—to protect Netanyahu and Gallant, both of whom are now—on paper if not in practice—international fugitives.

Jonathan Cook, the estimable British journalist, published [a piece on 31 July](#) under the headline, “The elimination of the war crimes court is near-complete.” In it Cook gave us a succinct summation of the import of Karim Khan's removal. “The short-lived experiment in creating a mechanism for enforcing international law is over,” he wrote. “We are back to the law of the jungle.”

I was pleased, if bitterly, to read Cook's use of “we” in this commentary. It goes straight to my point. However much the rest of us in the West wish to cast stones at “the Jewish state” and the criminals who rule it, who among us can cast the first? Only those few, I would say, who act in opposition to Zionist terror by whatever means are available. The governments under which we live, with rare exceptions such as the Spanish, are complicit in every one Israel's incessant breaches of the laws of war.

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The pursuit of totalized power and the repudiation of diplomacy, indiscriminate surveillance, assassinations, attacks on civilian infrastructure and property wholly

unrelated to war: These are all breaches of the three basic principles on which the laws of war have long rested. These are distinction, proportionality, and necessity. The Zionist regime ignores all three with unchecked impunity. And so, increasingly, do others waging war—primarily but not only the Western powers and their clients.

The New York Times published [a piece on the Russo–Ukrainian war](#) in its 10 July editions under the headline, “Ukrainian Drone Attack Deep Into Russia Is Among Its Deadliest of the War.” It describes a drone strike in the city of Nizhnekamsk, an industrial city 550 miles east of Moscow, where there is a large, advanced oil refinery. Thirteen people were killed, including a small child, and 39 others were wounded.

Here is an extract from *The Times*’s piece:

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As the war has largely reached a deadlock along the front lines in eastern Ukraine, Kyiv has sought to puncture the sense of normalcy that has defined life in most of Russia, even as thousands of Russian soldiers continue to die in the fighting. Ukraine has tried to exert enough social and economic pressure on President Vladimir V. Putin of Russia to force him to seek a cease-fire along the current front lines.

Ukrainian drone attacks have disrupted air travel across Russia and prompted widespread mobile internet shutdowns. The strikes have also triggered the worst fuel crisis in the country’s recent history and inflicted

immense damage on Wildberries, Russia's largest online retailer, Ukraine has hit more than 20 warehouses belonging to the company.

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What are we reading here? In my summation, this passage describes in quite plain terms the purposeful destruction of infrastructure unrelated to war, the purposeful disruption of the lives of ordinary civilians, the purposeful disregard for civilian life and, so, the purposeful use of terror, if by terror we mean the spread of fear in a given populace. Note, I have to add, the implicit approval of *The Times* as it reports this incident. This is war as it is conducted in 2026—war with no reference to the laws of war.

We have witnessed more of the same since Israel and the United States began their war against the Islamic Republic of Iran on 28 February. Donald Trump has on numerous occasions explicitly stated that the U.S. military's strategy will turn to destroying bridges, roads, desalination plants, civilian institutions, and so on—"an entire civilization," as the American president (in)famously threatened early in the conflict. One reads on occasion that the bombing campaigns "could constitute war crimes," but this is sheer ritual. There is no international body monitoring these acts; there is no question of the I.C.C., effectively incapacitated well before Karim Khan's dismissal, conducting an investigation.

There are no angels on any side in war, and there are none in these cases. The Russian military shells Kiev and other Ukrainian cities more or less daily, and there have been many civilian casualties (although one cannot accept official Ukrainian figures for these). The Iranians have hit oil refineries and other civilian infrastructure in the Gulf states on numerous occasions in recent weeks. But at the risk of generalization, there is evidence indicating the Russians and Iranians

choose target sets so as to avoid civilian casualties; neither appears to be in the business of terrorizing civilian populations as are the Americans, the Israelis, the Ukrainians, and Ukraine's backers. And both act in self-defense in wars they did not start.



The rules of war have a history that extends back to the Babylonians' Code of Hammurabi, which makes reference to the proper conduct of war such that "the strong do not oppress the weak." It is in the 19th century, to make a great leap forward, that the rules of war were no longer left to morality or custom but set down as modern laws. Twelve nations signed the First Geneva Convention, governing the treatment of war-wounded on fields of battle, in 1864. This was the basis of the four treaties signed by many more nations in 1949 and the Geneva Conventions as we now have them.

A year later the United Nations advanced the Nuremberg Principles, based on the proceedings at the postwar trials. These established planning or starting a war, what we know as war crimes (committed during hostilities), and crimes against humanity as punishable offenses. The flaw in this legal regime is well-known: Member states voted the U.N. the authority to establish laws of war but not the power to enforce them. While this same applies today to the I.C.C., one must still count the Court an advance in that there was finally an institution able to investigate breaches of the laws of war and issue warrants against those responsible.

Distinction (between combatants and non-combatants), proportionality, and necessity (the right to wage war for a legitimate objective) were established in the Geneva Conventions and the Additional Protocols in the immediate postwar years

and remain the fundament of the laws of war as we now have them. And it is these that are now routinely breached to the point we find ourselves subject to the law of the jungle, as Jonathan Cook grimly concludes.

The Zionist terror state is hardly the first to deface the laws of war: The Americans proved proficient in this during the Korean and Vietnam wars, when the U.S. military, as is well-known now, acted with no regard whatsoever for any of the three just-mentioned principles. No, the Zionist armies did not get there first, but it is self-evident, it seems to me, that we must now speak of a post-7 October world in which the laws of war have been more or less completely cast aside.

The International Committee of the Red Cross, founded in Geneva in 1863 and integrated into the First Geneva Convention a year later, published a brief “explainer” 10 years ago this autumn under the headline “The laws of war in a nutshell.” It is a simple document by design, easily accessible, and concludes with this: “Without the rules of war we all lose.” Have we all lost to the Zionists and their Western backers since the events of 7 October? Are we all victims of their extremism? Are we all extremists at one remove?

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