

How to factually answer Zionist arguments.

By: Halla Al-Moradi

1. Israel has the right to defend itself.

- a. According to Paragraph 139 of the International Court of Justice Advisory Opinion done in 2004, Israel does not have the right to self-defense from attacks eminent from a territory it controls so occupied territories.
 - i. The International Court of Justice (ICJ) issued an advisory opinion today that Israel's building of a barrier in the occupied Palestinian territory is illegal and said construction must stop immediately, and Israel should make reparations for any damage caused. (Israel ignored this issue)
- b. Self-defense does not apply to an occupying state's wars against those it occupies — it is not relevant for Israel in relation to the Palestinians.
- c. what Israel does in Gaza violates all known conditions for self-defense, especially the *necessity* of war when peace is easily available, *discrimination* between soldiers and civilians, and the *proportionality* of harm inflicted in achieving military aims
 - i. As a justification for war, self-defense is based on article 51 of the UN Charter, which specifies: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.” Barring Security Council authorization, this is the only legal justification for the use of force by states against other states. No mention is made of nonstate actors here. Nor is the analogy between individual and state rights that informs it conceptually unproblematic: states do not have the rights of individuals.
 - ii. Norman Finkelstein argues that “Israel . . . has no legal mandate to use force against the Palestinian self-determination struggle.” Why? Because “Israel cannot pretend to a right of self-defense if the exercise of this right traces back to the wrong of an illegal occupation/denial of self-determination (*ex injuria non oritur jus* [No legal benefit or right can be derived from an illegal act]).” National Palestinian rights are paramount, and protected by law.

2. Israel pulled out of Gaza in 2005, so it isn't an occupied territory.

- a. Many prominent international institutions, organizations and bodies—including the [International Committee of the Red Cross](#) (ICRC), the United Nations [Independent International Commission of Inquiry on the Occupied Palestinian Territory](#), [UN General Assembly](#) (UNGA), [European Union](#) (EU), [African Union](#), [International](#)

[Criminal Court](#) (ICC) (both [Pre-Trial Chamber I](#) and the [Office of the Prosecutor](#)), [Amnesty International](#), and [Human Rights Watch](#)—as well as [international legal experts](#) and other organizations, argue that Israel has occupied Palestinian territories including Gaza since 1967.¹ While they acknowledge that Israel no longer had the traditional marker of effective control after the disengagement—a military presence—they hold that with the help of technology, it has maintained the requisite control in other ways.

- b. Experts from the UN Independent International Commission of Inquiry on the Occupied Palestinian Territory [found](#) “noting” positions held by the [UN Security Council](#), [UNGA](#), a [2014 declaration](#) adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention, the [ICRC](#), and “positions of previous commissions of inquiry,” that Israel has “control exercised over, inter alia, [Gaza’s] airspace and territorial waters, land crossings at the borders, supply of civilian infrastructure, including water and electricity, and key governmental functions such as the management of the Palestinian population registry.” They also point to “[other forms of force, such as military incursions and firing missiles](#).”
- 3. We can’t believe the numbers that are coming out of Gaza Health Ministry. a. The casualty figures for October and November are provided by Gaza’s health authorities, which are controlled by Hamas, but the UN has done its own investigations into deaths in past conflicts and has found figures from authorities in Gaza to be broadly accurate. “The numbers are obviously catastrophic,” said Unicef spokesperson Toby Fricker. “Verification doesn’t occur in real time, which is why we say ‘reportedly killed’, but, generally speaking, in all conflicts we substantiate initial estimates and in Gaza they have tended to be pretty consistent.”
 - b. Omar Shakir of Human Rights Watch, which has been monitoring human rights abuses in Gaza for three decades, told [the Guardian](#) the group has “generally found the data that comes out of the ministry of health to be reliable.”
 - c. As one of the parties involved in the conflict, Hamas would arguably be incentivized to claim a large number of civilian casualties due to Israeli strikes (more on that below). However, the group has less control over Gaza’s Ministry of Health than it does over political and security agencies in Gaza, according to an [Associated Press report](#). Health ministry employees come from a mix of factions, including Hamas but also the secular nationalist Fatah party, and some are independent. Hamas does not pay their salaries, nor, they say, does it influence the

casualty figures they report.

4. Israel follows international law.

a. That is factually incorrect. Israel has violated 28 resolutions of the United Nations Security Council (which are legally binding on member-nations U.N. Charter, Article 25 (1945); a few sample resolutions - 54, 111, 233, 234, 236, 248, 250, 252, 256, 262, 267, 270, 280, 285, 298, 313, 316, 468, 476, etc. As well as lied to the UN on two accounts in 2009, when the UN investigation found Israel responsible for bombing a UN school, as well as in 2014. Let's go over some of the international laws that Israel has broken since its existence.

i. Article 49 of the Fourth Geneva Convention states: “The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.” It also prohibits the “individual or mass forcible transfers, as well as deportations of protected persons from occupied territory.”

ii. As the occupier, Israel is therefore forbidden from using state land and natural resources for purposes other than military or security needs or for the benefit of the local population. The unlawful appropriation of property by an occupying power amounts to “pillage”, which is prohibited by both the Hague Regulations and Fourth Geneva Convention and is a war crime under the Rome Statute of the International Criminal Court and many national laws.

iii. Israel’s building of settlements in the West Bank, including in East Jerusalem, does not respect any of these rules and exceptions. Transferring the occupying power’s civilians into the occupied territory is prohibited without exception. Furthermore, as explained earlier, the settlements and associated infrastructure are not temporary, do not benefit Palestinians and do not serve the legitimate security needs of the occupying power. Settlements entirely depend on the large-scale appropriation and/or destruction of Palestinian private and state property which are not militarily necessary. They are created with the sole purpose of permanently establishing Jewish Israelis on occupied land.

iv. Violations of the right to life: Israeli soldiers, police and security guards

have unlawfully killed and injured many Palestinian civilians in the OPT, including during protests against the confiscation of land and the construction of settlements. UN agencies and fact-finding missions have also expressed concern about violence perpetrated by a minority of Israeli settlers aimed at intimidating Palestinian populations.

- v. Violations of the rights to liberty, security of the person and equal treatment before the law: Amnesty International has documented how Palestinians in the OPT are routinely subjected to arbitrary detention, including through administrative detention. Whereas settlers are subject to Israeli civil and criminal law, Palestinians are subject to a military court system which falls short of international standards for the fair conduct of trials and administration of justice.
- vi. Violations of the right to access an effective remedy for acts violating fundamental rights: Israel's failure to adequately investigate and enforce the law for acts of violence against Palestinians, together with the multiple legal, financial and procedural barriers faced by Palestinians in accessing the court system, severely limit Palestinians' ability to seek legal redress. The Israeli High Court of Justice has failed to rule on the legality of settlements, as it considered the settlements to be a political issue that that it is not competent to hear.
- vii. Violations of the rights to freedom of expression and peaceful assembly: Amnesty International has documented Israel's use of military orders to prohibit peaceful protest and criminalize freedom of expression in the West Bank. Israeli forces have used tear gas, rubber bullets and occasionally live rounds to suppress peaceful protests.
- viii. Violations of the rights to equality and non-discrimination: Systematic discrimination against Palestinians is inherent in virtually all aspects of Israel's administration of the OPT. Palestinians are also specifically targeted for a range of actions that constitute human rights violations. The Israeli government allows settlers to exploit land and natural resources that belong to Palestinians. Israel provides preferential treatment to Israeli businesses operating in the OPT while putting up barriers to, or simply

blocking, Palestinian ones. Israeli citizens receive entitlements and Palestinians face restrictions on the grounds of nationality, ethnicity and religion, in contravention of international standards.

5. Israel is only attacking Hamas.

- a. Only 13 confirmed Hamas members have been killed out of the 10,000 deaths, making it .0013% accurate.
- b. Israel has attacked civilian infrastructure, refugee camps, ambulances, schools, and around the biggest hospital. There hasn't been any proof of strategic planning or any evidence that Israel is avoiding civilians. There is also no special operation made in order to avoid civilians. "Ground operations by the Israel Defense Forces and continued bombardment are hitting civilians, hospitals, refugee camps, mosques, churches and U.N. facilities – including shelters. No one is safe," Guterres told reporters.
- c. A statement released by Euro-Med Human Rights Monitor today condemned Israeli's ongoing war of starvation, thirst, and disease against the Gaza Strip, occurring along with the mass killings and widespread destruction of residential neighbourhoods on the heads of residents for the twentieth day in a row.
- d. The rights organisation pointed out that some of the targeted bakeries had received flour from UNRWA in an attempt to meet the needs of hundreds of thousands of displaced people in the south areas of Gaza Valley, which Israel designated as a "safe zone" despite it being targeted around the clock by hundreds of air attacks.
- e. Israel has deliberately targeted markets and shopping centres during rush hour, when these areas are typically populated by residents looking to obtain basic food supplies, said Euro-Med Monitor. The rights organisation suggested that Israel has made a specific decision to prevent civilians from obtaining food, citing an Israeli bombing that targeted a UNRWA food supply warehouse in the northern part of the Gaza Strip during the initial days of the ongoing massive military assault on the Strip.
- f. Israel cut off water, electricity, food, and medical supplies to Gaza, which has a population of 2.1 million, half of them being children.
- g. 121 West Bank Palestinians have been killed since the Oct. 7 attack. The West Bank is not associated with Hamas.

6. This only started after Oct. 7, so they started it.

a. Attacks against Palestinians have been occurring before the Oct. 7 attack. Before Operation Cast Lead (Sep. 28, 2000 - Dec. 25, 2008), [5,146](#) Palestinians were killed by Israeli Forces. During that Operation, which started on Dec. 26, 2008 - Jan. 17, 2009, 1,043 Palestinians were killed by Israeli Forces. Since then, from Jan 18, 2009 - Oct. 5, 2023, 4,299 Palestinians were killed.

b. In 1949, more than 10,000 Arab soldiers and civilians were killed during the Israeli war of Independence. More than 500,000 Palestinian Arabs were displaced as refugees during the Israel War of Independence.

7. Palestinians are Arabs who invaded Jearsulum during the Muslim conquest, but Israelis are indigenous to the land.

a. Genetically speaking, Palestinians are the descendants of the pre-Islamic population. A study by Cell Published in 2020 showed that there is a significant degree of genetic continuity amongst the Arabic-speaking population of the levant. They derive half of their autosomal DNA from the Bronze Age Canaanite population (which has been proven to have been there before the Children of Israel came to Jearsulum). The study also pointed out that there was a significant level of Canaanite ancestry within the Mizrahi, also known as the Arabic-speaking Jewish population. So how do Plaestiants have a significant part of their ancestry be indigenous if they are considered Arab? The Arab identity is more linguistic and cultural, just like the difference between Hispanic and Latino.