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Bombing Gaza Isn't Fighting Sexual Violence

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As the human catastrophe in Gaza deepens, Israel and its allies are mobilizing evidence of sexual violence committed by members of Hamas and other Palestinian militant groups on October 7 to justify continued military action. When the Security Council failed to pass a resolution demanding a ceasefire on December 8, Israel government spokesperson Eylon Levy tweeted: "Thank you to the United States of America for vetoing a UN Security Council resolution designed to keep Hamas' rapist regime in power." In the wake of its case at the International Criminal Court accusing Israel of genocide Levy accused South Africa of complicity with a "rapist regime."

Israeli politicians are attempting to equate ending the war with support for rape, a position that appears to be supported, at least implicitly, by many liberal feminists in Israel and the West. Mobilizing hashtags such as <u>#MeTooUnlessUrAJew</u> and <u>#BelieveIsraeliWomen</u>, Israel and liberal feminists have accused the international community, and particularly the United Nations, of silence in the face of sexual violence. This accusation was formalized on December 4, when Israel's mission to the United Nations teamed up with the World Zionist Organization, Sheryl Sandberg, and others to host <u>an event titled "Hear Our Voices"</u>. The campaign has continued, using the hashtag <u>#UnitedAgainstRape</u>, to declare that "all humans everywhere" should "agree on one thing," namely, that "rape is never ok."

Our understanding of the extent of the violence, sexual and otherwise, committed on October 7 remains partial and incomplete. While there have been <u>important questions</u> raised about the evidence presented by Israeli advocates, and particularly by journalists from the <u>New York Times</u>, that is not a discussion we directly engage in here. Instead, we intervene in the logic that equates believing Israeli women and opposing sexual violence with justifying and supporting Israel's disproportionate war in Gaza and increasing violence in the West Bank and East Jerusalem. This logic does nothing to reduce sexual violence or to provide justice and accountability to victims of that violence. Instead, it mobilizes sex exceptionalism and selective outrage to further colonial and racist political systems designed to dispossess and destroy the Palestinian people.

'Believe women': Ventriloquising Victims

The #MeTooUnlessUrAJew campaign claims that UN Women is 'actively and knowingly working to create a false and insidious narrative' and ignoring the voices of Israeli and Jewish women due to antisemitic bias. However, it is not the case that the United Nations and UN Women ignored the violence of October 7. UN Women first issued a <u>statement</u> on October 13 condemning attacks on Israeli civilians and noting its alarm at the 'devastating impact on civilians including women and girls'. United Nations bodies collectively have continued to issue numerous statements warning all parties to adhere to international law and particularly to avoid violence against civilians, including sexual violence.

More significantly, while campaigners decry the alleged failure of the United Nations to respond to the violence, Israel is refusing to cooperate with United Nations bodies established to do this. While the Prosecutor of the International Criminal Court <u>has met</u> with the families of Israeli hostages held by Hamas, Israel has declined to cooperate with the Court's <u>ongoing investigation</u> into alleged international crimes committed by both Israel and Hamas since 13 June 2014, including allegations of sexual violence. It has also refused to cooperate with the <u>Independent International Commission of Inquiry</u> mandated

to investigate all alleged violations of international humanitarian law and abuses of international human rights law in the occupied Palestinian territory and Israel 'leading up to and since 13 April 2021'. While these investigations pre-date the events of October 7, they provide an internationally accepted path for the investigation of events on and after that date.

The charge that the United Nations is failing to listen to Israeli women elides the fact that, to date, no women have testified publicly about experiencing sexual violence. As Israeli advocates have correctly insisted, this doesn't mean sexual violence did not occur. Many of the victims of violence on October 7 are dead and will never be able to tell their stories in their own voices, and others may not speak publicly for years, if ever. However, we do not honor the voices of those who may have experienced sexual violence by ventriloquizing them or claiming to speak on their behalf. This is especially true in a context where independent investigations are being intentionally frustrated, and where it is not at all obvious that victims of violence on Oct 7 desire a war of vengeance. As Israeli hostages being held in Gaza continue to die from violence there, <u>many of their families are calling for a ceasefire</u>.

Historically, women have not only been silenced or disbelieved about sexual violence. They have also been spoken for and instrumentalized, particularly in conflict situations. For example, in 2011, claims that Viagra had been distributed to Mohammar Gaddafi's soldiers to encourage mass rape were widely circulated, including by the then-United States Ambassador to the United Nations and ICC Prosecutor, despite an acknowledged lack of victim testimony verifying the claims. These rumours provided <u>essential context</u> within which Security Council support for military intervention was generated. They were subsequently <u>debunked</u>, with an <u>International Commission of Inquiry</u> finding claims of an overall policy of sexual violence against civilians unsubstantiated, but only after the war was complete.

'Believe Women' does not, and cannot, mean 'Believe the IDF', the Israeli police or security force, or even those who claim to be feminist advocates. As Judith Levine has suggested, the actual victims of violence on October 7 'are disappearing into propaganda, becoming talking points to legitimize the pain of other women, children, and men in the killing field on the other side of the fence.' The dangers of propaganda are particularly pressing in a conflict that has already seen eyewitness testimony of atrocities, such as the beheading of over forty babies, being withdrawn only after being widely circulated and even repeated by United States President Joe Biden.

In contrast to calls for swift condemnation and authoritative statements of what happened, proper investigations that allow victims time and space to speak with adequate material support and protections take time and are almost impossible in conditions of active conflict. In the former Yugoslavia, for instance, the investigation conducted by a Commission of Experts took years and could only begin once peace was established. By refusing to cease hostilities and allow an independent investigation conducted in accordance with international standards of fairness, Israel is prioritising shielding itself from accountability for its own actions in Gaza. As a result, Israel is deferring and potentially denying its opportunity for justice and accountability as well as the opportunity for victims' voices to be heard on the international stage.

'Rape is Rape': Colonial Logics of Outrage

In contrast to the work of investigation, <u>advocates such as Hillary Clinton and Sheryl</u> <u>Sandberg</u> infer that there are only two alternatives: denial or outrage. The modern history of Western responses to rape in conflict suggests otherwise. Denials and indifference have co-existed with selective outrage and moral panic, where allegations of rape have been used to justify military aggression. During World War II, Nazi propaganda stoked fear of rape by Soviet forces through racist rhetoric that portrayed Soviet soldiers as '<u>barbaric</u> <u>hordes of Asiatics and their officers Jewish-Bolshevik rapists</u>.'

In colonial contexts, sexual violence is a frequent trope in 'atrocity stories' which justify the consolidation of colonial power by mobilizing oppositions between civilized Europeans and barbaric racialized others. For example, British media covering the 1857 anti-colonial rebellion in India repeatedly reported false, exaggerated, and sensationalized accounts of sexual violence against English women. These stories were used to justify widespread retributive violence against the Indian population generally. As Jenny Sharpe has explained, '[w]hen articulated through images of violence against women, a resistance to British rule does not look like the struggle for emancipation but rather an uncivilized eruption that must be contained.'

Similar narratives have appeared in Western representations of conflict in Africa. As in India, these representations frequently rely on spectacular narratives of extreme violence including sexual mutilation. Critical feminist scholars have critiqued this process, for example, in relation to dominant representations of the conflict in the Democratic Republic of the Congo, as overly reliant on tropes of 'barbarity, sexual mutilation and cannibalism.'

Israeli officials have repeatedly cast themselves <u>as defending Western civilisation from</u> <u>barbaric Palestinians, as documented in South Africa's genocide case</u>. Addressing the Knesset, Prime Minister Benjamin Netanyahu described the war as "a struggle between the children of light and the children of darkness, between humanity and the law of the jungle." As in the above examples, these depictions are buttressed through the repetition of spectacular stories, such as the unsubstantiated account of one eyewitness that a militant cut off a woman's breast while raping her, and other militants played with it. Were this allegation to be proved to the criminal standard, it would undoubtedly constitute a war crime. But as United Nations experts <u>have recently pointed out</u>, more investigation is needed to determine whether the contextual requirements for crimes against humanity were present on October 7. Rather than functioning as clear evidence of systemic violence, these stories both work within and reinforce the trope of civilization versus barbarism.

This civilizational discourse proceeds from a long history of Orientalist Western imaginings of Arab men as sexually perverted and rapacious, and contemporary tropes of <u>Arabs and Muslims as sexually violent 'terrorists' preoccupied with white or Western</u> <u>women</u>. <u>Yohai Hakak describes</u> how these stereotypes fuel an ongoing moral panic within Israel about sexual contact between Palestinian, especially Muslim, men and Jewish women. The far-right anti-miscegenation group, Lehava, has organized highly publicized semi-military rescue operations designed to extract Jewish women living in occupied Palestinian territory, and has successfully lobbied the National Service Administration to institute a policy forbidding Jewish women from volunteering during hospital night shifts, lest they develop relationships with Arab doctors.

The latest step in this campaign came in July 2023, following a high-profile case in which a Jewish Israeli woman was raped by a Palestinian man. In response, the Knesset passed a new law creating a special category of sexual violence: sexual assault and sexual harassment committed with 'nationalistic motivations'. These crimes are now considered '<u>sexual terrorism</u>', prosecutable under the 2016 terrorism law, making the maximum sentence life imprisonment. These racially targeted laws were introduced despite vocal opposition from the <u>survivor herself</u> and from feminist groups who declared that the Parliament was in effect stating that Israeli survivors of rape by Jewish Israeli men were less deserving of justice and sympathy. As Dana Frank <u>has argued in *Haaretz*</u>, the current mobilization of sexual violence allegations in Israel co-opts feminist language to advance the Israeli state's militarist and racist agendas.

'Just One Thing': Sex Exceptionalism and Israeli Exceptionalism

<u>Sheryl Sandberg</u> has declared in relation to this conflict: 'No matter what you believe should happen in the Middle East, what marches you're attending, or what flag you're flying, there's one thing we can all agree on: rape should never be used as an act of war'. In making these statements, she is mobilizing an increasingly common-sense position: that concerns about sexual violence in war should trump concerns about the wider politics or justice of conflict.

This is a militarized version of sex exceptionalism – '<u>the idea that sex and sexualities are</u> <u>inherently different from all other human activities and topics of study</u>'. It is why we treat sexual offences as different and worse than other crimes, justifying intensely punitive responses. In the context of war, sexual violence allegations are used to bolster public support for hostility. Karen Engle notes that since the 1990s, '<u>rape has come to be one of</u> <u>the most commonly invoked reasons for use of force</u>'.

Sex exceptionalism facilitates Israeli exceptionalism, justifying Israel's right to violently avenge attacks on Israeli women and girls without being limited by international law. Each reiteration that sexual violence by Hamas was '<u>unprecedented in its cruelty</u>' encourages the world to accept the scenes of devastation in Gaza. Sex exceptionalism insists that we agree on 'just one thing' while we agree to disagree on collective punishment, starvation, and the annihilation of the inhabitants of Gaza, the West Bank, and East Jerusalem.

Ironically, far from working to reduce sexual violence, this logic supports the production of more violence which disproportionately affects women and girls. As Janet Halley has warned, <u>'the intensive and specific prohibition of rape can weaponise it... its special legality could power up another rape-driven, rape-repeating war</u>." The fact that Israel's siege on Gaza increases the already-heightened vulnerability of Palestinian women and girls to sexual violence was a key feature of the UN Women reports that Israeli advocates found so objectionable.

The focus on spectacular sexual violence also backgrounds the widespread sexual violence committed by Israeli forces against Palestinians in the everyday functioning of the occupation. Rather than occurring in battle, this violence takes place in "less visible spaces, such as prisons, courtrooms, and investigation rooms" making it easier to ignore and erase. The case of an IDF Civil Administration officer convicted of repeatedly exploiting his position of power to rape and coerce sexual acts from Palestinians, made public in 2021, is only one example among many.

Even when these stories reach mainstream media, they almost never become the subject of international outrage. On December 4, Josh Paul, a US State Department employee who

resigned over US arms sales to Israel spoke to CNN's <u>Christiane Amanpour</u>. He revealed that the State Department had received credible evidence from a Palestinian charity of the rape of a 13-year-old Palestinian boy in Israeli detention. According to Paul, when the State Department reported the allegation to Israel, the IDF declared the charity a terrorist organization, raided its offices, and seized its computers. Even in an environment of intense media attention on Israel/Palestine and the question of sexual violence, Paul's account has not generated condemnation, or even much attention.

The failure to condemn or even register sexual violence against Palestinians persists despite extensive evidence, <u>including numerous first-person testimonies of sexual violence</u> <u>in Israeli detention</u>. The Office of the United Nations High Commissioner for Human Rights reports that between October 7 and December 27, 2023 the Internal Security Force carried out mass arrests involving sexual and gender-based violence such as genital beatings, forced nudity captured on video, sexual slurs, and threats of rape. <u>Reports such as this are now accompanied</u> by an extensive photo and video archive circulated by Israeli forces of Palestinian men and boys tied up, blindfolded, and semi-naked. In some cases, the IDF has confirmed that the majority of these men are civilians.

As Israel stands formally accused of genocide at the International Court of Justice, we cannot allow select and spectacular allegations of wartime rape to be the 'only thing' we all agree on. Any feminism worth its name must refuse to accept the bombing of civilians, forcible transfer and denial of food, water and medicine to be justified as avenging sexual violence. Even more, we must seek to prevent further violence, sexual and otherwise, and this must mean reckoning with the everyday violence of occupation that preceded October 7.

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