
KIU Interdisciplinary Journal of Humanities and Social Sciences

THE POLITICS IN ENFORCEMENT OF INTERNATIONAL LAW: ISRAEL-GAZA IN PERSPECTIVE

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Citation: Godswill Owoche Antai (2025). The politics in enforcement of international law: Israel-Gaza in perspective. *KIU Interdisciplinary Journal of Humanities and Social Sciences*, 6(1), 347-376.

ABSTRACT

The enforcement of law is politicized where legal compliance or non-enforcement is determined by political interests. The same is no exception where there is politicization of legal norms on war crimes, humanitarian law, and human rights within the context of the Israel-Gaza conflict. The politicization of enforcing law is explored within this context where there is focus on global actors' role in establishing compliance and responsibility. The research identifies selective compliance, where, great power influences legal norms' applicability, undermining institutions of law's credibility. The aim of this research is to establish how much political interests control enforcing law within the conflict, establish how effective legal actions have been within resolving abuses, and discuss possible reform measures that ensure neutral applicability of law. Adopting doctrinal research, this research is founded on legal sources of facts including treatises, UN resolutions, and literature on law where there is exploration of how law is enforced through critical literature on law where law is analyzed by scrutinizing sources of facts of law. The findings establish that there is unequal legal compliance where geopolitical blocs control investigations, prosecutions, and penalties. The recommendation is that there is need to strengthen legal institutions of law of the international by decoupling institutions of law from politicization by enhancing regional adjudicatory institutions. Contributing to knowledge, this research contributes to complex vision of how law is entwined within politics within global relations where there is need to reform institutions of law to ensure its impartiality.

Keywords: International Law, Human Rights, Humanitarian Law, Politics

INTRODUCTION

The enforcement of global law has been bogged down by global geopolitics' contradictions of power relationships, geopolitical interests, interest-based geopolitical coalitions that have consistently dominated legal practice and interpretation. No where is that better demonstrated than

within protracted, politically contentious dispute of Gaza vs. Israel, itself part of much wider, much politicized dispute that is that of the Israeli-Palestinian dispute, itself subject continually to intense global scrutiny. The use of global law to restrain armed violence, maintain human rights, and

ensure responsibility for abuses is well codified theoretically but poorly executed pragmatically, where compliance measures appear to be politically driven, rather than law-driven. That leaves universal, predictable global law effectiveness issues where great power players of global geopolitics and respective power coalitions have legal and diplomatic process control.

The legal framework governing the Israel-Gaza conflict is broad, ranging from law of human rights, law of international humanitarian law, law of United Nations Charter, and international conventions and treaties. The Geneva Conventions, most specifically the Fourth Geneva Convention that outlines protection of non-combatants during times of war, have been most invoked by discussion on protection of Palestinian non-combatants or use of force by Israel within Gaza. The *jus ad bellum* rules that outline rules on reasons to wage a war and *jus in bello* rules that outline rules on conduct of war are also central legal tests of compliance by actors within or outside of apparatus of the state (Hague, 2017). Notwithstanding this complex legal framework, its enforcing is most politicized by interests of great power, composition of institutions, and unbalance of power of diplomacy pitted on each of each of Israel vs. Palestine. One of most visible signs of this politicization is that of role of Security Council of United Nations that is tasked by mandate to ensure global safety and peace but is most times handicapped by its veto power by its permanent members. The most overarching of America is also that of most

critical supporter of Israel that has employed its veto power to veto condemnation of use of force by Israel, hence pre-emptive collective global actions. Conversely, condemnation of Palestinian militant groups like Hamas is readily vetoed by others that believe that they are part of wider struggles of determination by people (Khalil, 2023). The differential use of rules of law of international law is not only undermining credibility of UN but also entrenches legal complacency where great power actors' friends are immunized whereas weak actors are held accountable by law.

Another critical aspect of politicizing law of international law in context of Israel-Gaza is that of law of courts of law, including that of International Criminal Court (ICC). The ICC has been challenged by its attempt to prosecute individuals who has committed or allegedly committed war crimes within context of dispute (Kenny, 2017). Neither is Israel signatory of Rome Statute that formed the ICC nor has accepted court authority of its actions. The contrary is that of Palestine upon receiving non-membership observer of the UN where it called upon ICC to prosecute possible committed war crimes by Israel. Such calls have been confronted by great power opposition that is opposed to legal authority of Palestine within court and objects that actions of court will weaken negotiations through diplomacy (Jahan, 2022). It is through this that legal institutions are seen to remain susceptible to political interests, undermining credibility of law of law of international law to act as neutral

decision-maker within dispute resolution of dispute. The broader effects of politicizing law within context of Israel-Gaza spill out of immediate context to global order of law. When there is differential law enforcement by law of law of international law, its base of norms is undercut on which it stands, losing its deterrence power and making it easy for others to disobey legal norms without fear of real consequences. The loss of credibility of law impacts Middle East but also creates precedence that undermines global actions taken within enforcing upholding of abuses of human rights, war crimes, or infringement of global safety and peace. It also fuels deeper grievances that underpin dispute of Israel-Gaza, perpetuating violence loops, and entrenches perceptions of injustice (Antai, 2024). In analyzing global law politics within context of Israel-Gaza, this study is considering what is compelling power relations that guide legal interpretation as well as enforcing apparatus that dictates responsibility. It is considering how global institutions, great power actors, as well as legal institutions, operate to promote or deter justice, considering if global law is really objective, universal rules or apparatus subject to use by dominant interests. By considering historical trends along with ongoing evolution of conflict, this study seeks to contribute to wider discourse of law versus politics within global relations, seeking finally to map directions to fairer, effective legal enforcing apparatus.

Literature Review

Scholars and researchers have also analyzed the application of international law within political dynamics, especially where there is conflict. The situation of Israel versus Gaza is a classic example of how complex implementing international legal norms can be. Many authors have analyzed how far international law can act as an agent of justice or merely as a means of manipulating political interests. Numerous authors believe that, on paper, international law establishes norms that ensure accountability, protect human rights, and control armed combat. Brownlie (2008) underscores that international humanitarian law (IHL), especially the Geneva Conventions, is created to control combatants and protect noncombatants. Nevertheless, he observes that there are weak measures of enforcing compliance owing to political limitations and no central authority that can force compliance. Correspondingly, it has been claimed that enforcing compliance is subject to dependence on cooperation by sovereign states, along with political will, but that can be subject to compromising interests of power relations. (Schachter, 1991).

According to Falk (2014), the Palestinian-Israeli conflict, or specifically enforcing compliance of international law within Gaza, has also been analyzed using legal selectivity arguments. It has been argued that enforcing compliance is subject to geopolitical interests where dominant states protect friends from compliance, especially where there is no interest or cooperation expected of its friends. He cites instances

where there have been claims of non-compliance by Israel under international law, but enforcing compliance through measures like penalties or legal actions remains very weak owing to political interests or cooperation, especially cooperation of interest by its friends like America. Similarly, Chomsky (2022) laments that there is unevenness of enforcing compliance of international law, where there is no applicability of compliance of law by its enemies like Hamas but its friends like Israel enjoying diplomatic protection of law. On the role of institutions, authors remain in disagreement. Dugard (2010) is of the belief that institutions such as the International Criminal Court (ICC) and the United Nations (UN) have very little role to play enforcing law where great power interests are engaged. Cites that although the UN has passed resolutions condemning abuses of right in Gaza, enforcing same is subject to political bargaining and will of Security Council permanent members. Contrarious, Ratner (2015) is of the belief that imperfect global legal processes have served to contribute to global norms and morally pressurizing states to observe legal norms. Regional and global advocacy is also seen by authors to have its role to play enforcing law globally. Ben-Naftali and Shany (2011) write on how non-government organizations (NGOs), together with human rights organizations, have been critical actors documenting abuses, making people aware, and swaying global public perceptions. Their argument is that although this is no replacement of immediate enforcing, it is

part of what contributes to eventual processes of responsibility and norms-setting. The relation of law to politics is also seen by authors writing on humanitarian intervention and responsibility to protect (R2P). Authors such as Evans and Sahnoun (2002) write on how R2P is invoked on ad-hoc terms, whereby great power dictates where to intervene on what terms, subject to its interests, rather than out of legal necessity. When writing on Gaza, humanitarian arguments have been invoked to defend or challenge military actions, evidence of how contentious is the legal enforcement of law where there is politicization of issues (Antai, 2024).

Furthermore, legal authors such as Edet et al (2022) also observe that law enforcing is threatened by legal fragmentation of legal order. He goes on that domestic, international, and regional legal order relationship triggers legal responsibility and obscurity of responsibility. It is most clear through variations of interpretation of defense by itself, proportionality, and occupation of law of the kind that is international. Ultimately, literature on enforcing law of the kind applicable within context of situation of Israel-Gaza verifies that there is no overarching role of law outside of politics that dictates how or when legal norms are enforced. Robert (2017) observes that there exist structural weaknesses of law of the kind that is international, power politics on it, and advocacy that conditions legal discourse. Law of the kind that is international is

expected to institute rules of justice, but its enforcing is politically connected, hence contentious and changing subject of inquiry (Anifowose et al, 2024)

Enforcement Mechanisms in International Law

One of the most difficult and contentious fields of global governance remains the enforcement of international law. Whereas domestic legal systems function within a clearly defined hierarchical structure and rely on state machinery in the form of police and the judiciary, international law lacks any single source of unified authority that can regularly enforce its decisions (Akpanke et al, 2024). Instead, mechanisms of enforcement have become dispersed and have relied heavily on state cooperation and political will, with the help of international organizations such as the UN (Aidonojie et al, 2024).

Role of the United Nations and Security Council

The UN stands as the major international organizations in maintaining peace and security around the globe right after the Second World War. This, in turn, means enforcement of the international law, the prevention of conflict, and, when there is a global crisis, intervention also (Brodowicz, 2024). The UN-the UNSC more precisely-represents an important enforcement structure under international law. Nevertheless, the latter role has increasingly come under question, as the geopolitical interests and limitations in mechanisms of

enforcement have too often resulted in inaction, inconsistency, or even a perception of bias in specific contexts (Aidonojie et al, 2024). In that respect, the relationship involving the United Nations and its Security Council as an enforcement framework entails a sophisticated combination of international law and international politics, predetermined by the legal competence awarded to it by the Statute of the UN and by political dynamics at play among its members. The UN Security Council, under the UN Charter, is the leading organ of the United Nations charged with the maintenance of international peace and security. Under this, the Security Council can take such decisions regarding threats to peace, breaches of the peace, or acts of aggression between any two states or more by way of binding resolutions, sanctions, peacekeeping missions, and authorization to use force. The UN Charter in Article 25 also designates UNSC resolutions as binding; hence, the UNSC has extensive legal powers, and therefore its decisions bind all members of the United Nations. This privileged status places the Security Council at the apex of international sanction regimes.

It is a balanced composition, universal and exclusive all at once. Although it is composed of fifteen members, only five -China, France, Russia, the United Kingdom, and the United States- are permanent members with the power of veto (Article 23 UN Charter). The remaining ten are elected for two-year terms, representative of different geographic regions (Article 41 UN Charter).

Such a format tries to balance the desire for global representation with the pragmatic desire for decisive action but often has been criticized as undemocratic and too beholden to the interests of the permanent members. Perhaps the most important role that the UNSC plays is in the passing of resolutions pertaining to international crises. These can be nonbinding recommendations under Chapter VI of the Charter or may be binding under Chapter VII. Binding resolutions can include economic sanctions, arms embargoes, travel bans, asset freezes-these methods, ostensibly to pressure or force obedience with international standards sans military intervention. Yet, on other occasions, it issues express permission for forcible intervention, as during the Korean War, the Gulf War, and interventions in Libya and Somalia, underlining its potential for collective action (United Nations Peacekeeping Operations Principles and Guidelines, 2008).

Another equally helpful enforcement tool within the frame of the United Nations would be the peacekeeping operations. Missions are sent, at the authorization of most cases by the UNSC, to monitor ceasefires, civilian protection, and help with the implementation of peace agreements (Antai, 2024). While peacekeeping forces do not strictly represent enforcement tools, it is critical in maintaining stability after a conflict and creating an enabling environment for lasting peace to set in. UN peacekeeping forces have greatly contributed to various conflicts from around the world, such as those in the Democratic Republic of Congo,

South Sudan, and Cyprus. Despite such sound legal standing, as an enforcement framework, the UNSC has often been weakened by cold empirical elements of international relations. This right to veto by the permanent members has more often than not paralyzed the council into a state of inaction before certain critical situations (Kisubi et al, 2024). For instance, during the Cold War, the UNSC hardly worked given the ideological rivalry that existed between the US and the Soviet Union. Of late, the Syrian Civil War, the Israel-Palestine conflict, the Russian invasion of Ukraine, the Syrian Civil War, and most recently, the Israel-Palestine conflict have all shown how the impotence of action from the Council is actually a result of the interests of its permanent membership coming into conflict. The conflict of Israel-Palestine is again indicative of all the difficulties the UN and Security Council in general face in the enforcement of international law. Over the years, a number of resolutions on the conflict have been passed by the UN, among them UNSC Resolution 242 of 1967 and UNSC Resolution 338 of 1973, called upon the withdrawal of Israeli forces from occupied territories in exchange for the establishment of a just and lasting peace. These resolutions provide the backbone for what is known as the two-state solution, a solution widely adopted in word by the international community (Aidonjio et al, 2024).

But these have proved ineffective because there is no binding machinery for enforcement, and the use of the US veto has

been repeatedly used to prevent the criticism of Israel. Unfortunately, the lack of compliance undermined the legitimacy of the UN as an impartial mediator in the dispute and underscored the weakness of its enforcement structure where the powerful states place political interest over legal commitment. While not having the binding effect that the Security Council does, the General Assembly has also acted to great extent on issues with respect to giving force to international law. In providing a forum where violations of international law are underlined and debated, the General Assembly has called for such measures as common action. It is in relation to this that the passage of Resolutions 194 of 1948, on the right of Palestinian refugees to return to their homes, and 67/19 of 2012, whereby the General Assembly recognizes Palestinian statehood, has been very instrumental in the development of a legal and political discourse on the conflict. Yet, the non-binding nature taken by General Assembly resolutions reduces their effectiveness in enforcement (Majekodunmi, 2024).

The International Court of Justice is the chief judicial organism of the United Nations (Sarooshi, 1997). It feeds into the coercive apparatus of enforcement by way of advisory opinions and the settling of disputes between states. The reason being, while the ICJ advisory opinion on the legal consequences upon the construction of the separation wall in the occupied Palestinian territory did indeed assert the illegality of the wall under international law; inability of

any machinery for enforcement to enforce compliance has highlighted deficiency of international judicial bodies within the UN framework. Other resource constraints beyond the structural and the procedural, coupled with a lack of political will and claims of sovereignty by states, are serious challenges to the enforcement of the framework of the United Nations (Fitzmaurice, 1952). There has been chronic underfunding and generally poor logistical support, which has seriously hampered the implementation of mandates by these peacekeeping missions. The selective use of international law and the practicing of double standards have weakened the legitimacy of the United Nations, especially its Security Council, throughout the Global South. In all, the role of the United Nations through its Security Council in enforcing a framework under international law is indispensable but deeply flawed. Thus, while the UN does provide opportunities for collective action and has thus enjoyed several notable successes in conflict resolution and peacekeeping, political dynamics, along with structural limitations and the absence of robust enforcement mechanisms, do weaken such effects seriously (Izevbuwa et al, 2024). The conflict in Israel-Palestine stands as a very real and constant reminder of how all these impediments and urgent reforms are much needed with regard to injustice within the Security Council and the enhancements to be made to have the UN capable of applying international law without partiality or bias. Absent this, the UN risks being nothing more

than an institution serving the interests of powerful states, rather than justice and legality values anchored in its Charter (Cassese, 2005).

Judicial mechanisms (ICJ and ICC).

The ICJ and ICC judicial mechanisms form part of the enforcement frameworks under international law, providing a forum for the adjudication of disputes, expounding on legal principles, and, in the last resort, bringing to account those who breach international norms (Burke-White, 2002). Each of the two courts operates under a different mandate and structure; both rank among the crucial tools aimed at surmounting some of the most significant international legal and political obstacles. Their enforcement mechanism reveals the tension that occurs between the ideal of impartial rule of law and the realities of international politics, especially when the stakes are high, as in the conflict between Israel and Palestine. Until today, the International Court of Justice, established in 1945 as the principal judicial organ of the United Nations, mainly functions for the settlement of legal disputes between states and giving advisory opinions upon questions referred to it by internationally authorized bodies. Its jurisdiction is based on consent, whereby States are supposed to accept the jurisdiction of the Court either by way of treaties, declarations, or special agreements or by ad hoc consent in any particular case. In this lies at once its strength and its limitation (Robert, 2017). While this way of proceeding ensures respect for state

sovereignty, it limits the possibilities of the court taking cognizance of disputes where at least, one party refuses to play along, which has happened in many politically sensitive cases (Antai et al, 2024).

In that vein, the ICJ has given some landmark interpretations on the applicability of international law in the Israel-Palestine context. A representative case of such dispute settlement is the 2004 Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory. The ICJ found that the wall, having been constructed not along the Green Line and extending onto Palestinian territory by Israel, was a breach of international law (Kampmark, 2002). It has also recognized the infringement of international humanitarian law, referring to the Statute of the Fourth Geneva Convention and to the legitimate right to self-determination of the Palestinian people. Finally, it called on Israel to terminate the construction and to dismantle the construction already completed, and to make reparation for any damage caused (Sakran, 2020). With the Advisory Opinion, the applicability of international law to the Conflict and the legal responsibility of states for International Humanitarian and Human Rights Law were underlined. However, the possibility of the ICJ's decisions being enforced is limited. Its decisions in contentious cases are binding; this again depends upon the goodwill of the states, and on certain occasions, the United Nations Security Council. Advisory opinions, although considered authoritative, do not

have binding force, therefore less effectively applied in practice. In the case of the Wall, Israel rejected the findings of the ICJ, and no concrete steps were taken by the international community for its enforcement. This illustrates the challenges faced by the ICJ in politically charged disputes, where powerful states or geopolitical considerations often undermine the court's authority. Complementing the ICJ is the ICC, which has the individual responsibility under international law for crimes such as genocide, war crimes, and crimes against humanity, or the crime of aggression (Antai et al, 2024). The International Criminal Court, under the Statute of Rome established in 2002, connotes, conceptually, a shift away from state-centric adjudication of the most egregious violations to individual responsibility. It would have averted crimes later on and given justice to the victims, and similarly enhanced the principle of no impunity to anyone.

The controversy surrounding the ICC's involvement in the Israel-Palestine conflict has become symbolic of the greater ills afflicting international judicial mechanisms. In 2015, it was the accession of Palestine to the Rome Statute which gave the ICC competence with regard to the commission of crimes on the territory of occupied Palestine, including Occupied East Jerusalem. And very recently, in early 2021, the prosecutor from the ICC announced the beginning of an official probe over alleged war crimes and crimes against humanity since June of 2014, brought upon both

Israelis and Palestinians alike. This will be in conformity with its commitment to be impartial, acting in accordance with the law. Notwithstanding these developments, the ICC also has a number of significant hurdles ahead in the discharge of its mandate in this context. Israel is not a party to the Rome Statute and rejects the court's jurisdiction over the territories, as it views Palestine as a non-sovereign state. The United States, one of the closest allies of Israel (CRS Report, 2022) and itself not a party to the Rome Statute, has strongly criticized the ICC for its involvement, on grounds that this politicizes and biases the court. It pinpoints a larger issue of non-cooperation by states that really cripples the investigating, prosecuting, and enforcing powers of the ICC (Scharf, 2001). The ICC does not have its own police force to enforce an arrest or otherwise; it depends on state parties for enforcement and international cooperation in executing arrest warrants and facilitating the proceedings, which it seldom receives in politically sensitive cases like that between Israel and Palestine (Fulford, 2018). The International Court of Justice and International Criminal Court are emblematic of both the promise and limitation of judicial mechanisms as enforcement frameworks under international law. They provide a forum for exposing legal disputes and violations while elaborating and codifying international legal norms. Their neutrality and the application of the rule of law are a counter to the political preponderance that has hitherto characterized international relations (Okpong and Antai, 2024).

But these, too, are only effective insofar as state cooperation and the political will of the international community can support them. In the absence of strong enforcement mechanisms, their potential for delivery of justice and maintenance of the rule of law is bound to remain limited. Global politics makes this interaction of the courts with the greater enforcement structure of international law even more complex. The ICJ and ICC operate in an environment where state sovereignty, power dynamics, and strategic interests frequently outweigh legal considerations. Powerful states and their allies can shield themselves or others from judicial scrutiny, undermining the universality and impartiality of these institutions. This has been demonstrated within the Israel-Palestine conflict, where geopolitical interests have consistently thwarted the application of international legal principles-through ICJ decisions, ICC investigations, and wider UN mechanisms alike (Bracka, 2021). Despite these challenges, however, the ICJ and ICC are the indispensable pillars to the international legal order. They give a sense of accountability and justice but remind one again of those very principles and norms constitutive of the international law. Their involvement in disputes like Israel-Palestine underlines the imperative need for more robust enforcement machinery and increased international cooperation in the name of the rule of law, even against political opposition. Without these reforms, the capacity of judicial mechanisms for dispute settlement and the realization of

justice will continue to be weakened, ironically enough, by precisely that politics which such mechanisms are to transcend (Antai et al, 2025).

Economic sanctions and diplomatic measures

Among such ways of enforcement undertaken within international law are economic sanctions and diplomatic measures, which try to compel compliance without necessarily using military force (Reisman & Stevick, 1998). They are not violent measures by nature, yet their implications often get so pressurizing for states, entities, and persons perceived as violators of international law or acting in a manner perceived to threaten world peace and security. It is with these measures that the United Nations underlines the reliance of the international community upon coercive yet peaceful strategies in the rule of law, promotion of human rights, and prevention of aggression. However, their effectiveness and ethical implications remain objects of heated debate, very often crossing the sensitive borderline between law and politics (Kurtzer, 2020).

Sanctions, as such an implementing mechanism, are punitive measures imposed through the rule of a state or an international body; the United Nations, the European Union, and regional organizations in general mostly target bans on trade, freezing assets, banning travel, or curbs on financial transactions. The usual object of sanctions is to modify the practices of a targeted state, government, or group

through economic difficulties with the aim of encouraging compliance with the principles of international law (Jazairy, 2019). That is to say, the sanctions targeted the proliferations of nuclear weapons, terrorism, violation of human rights, and territorial sovereignty. The UNSC thus also plays an important role in the imposition of sanctions under Chapter VII of the UN Charter, enabling it to take such action as may be necessary in order to maintain or restore international peace and security. Since UNSC sanctions are binding upon all member states, they assume a universality impossible for bilateral or unilateral sanctions. Most famously, perhaps, there is the sanctions regime on the North Korean nuclear weapons program—a trading ban, restrictive policies on oil importation, restrictions on access to and from the international financial system—either designed to press the regime to denuclearize or simply to signal the commitment of the international community to the norm of non-proliferation. On the other hand, economic sanctions for the Israeli-Palestinian conflict have been very controversial, if not infrequently practiced. Some states, organizations, and advocacy groups call for sanctions against Israel, particularly in respect to its settlement activities in occupied Palestinian territory. The proponents attempt to put economic pressure on Israel to comply with international law, specifically the prohibition on settlements under the Fourth Geneva Convention and numerous UN resolutions (Antai et al, 2024). However, due to the very strong geopolitical considerations, especially

because of the close relations existing between Israel and other powerful states like the United States of America, many a time, the country is shielded from comprehensive sanctions at the multilateral level. Sanctions here are therefore symbolic, constituting civil society boycotts or restricted actions by a few states (Ityonzughul & Itom, 2024).

Another cornerstone in the realm of international enforcement is diplomatic measures, which are understood to aim at the isolation or general delegitimization of the target state or government on the world stage, such as by withdrawing ambassadors, suspending membership in international organizations, or refusing to recognize events of government or its actions as legitimate. In this respect, diplomacy represents both a punitive tool and persuasive means by which to see political and reputational costs imposed for non-compliance with international law. The clash between Israelis and Palestinians further proves the complexity and limitation of the latter approach. Decades have passed with various diplomatic initiatives and peacemaking negotiations made by the United Nations, the United States, and other international actors. Other measures have included resolutions passed by the UN General Assembly and the UNSC, which condemned certain actions, such as annexation of East Jerusalem or excessive use of force against civilians (Pressman, 2019). These usually do not have an enforcement mechanism but rely on moral

suasion and the will of states for collective action. The lack of unity among major international actors often downplays the success factor of these peace efforts, and resolutions remain on paper as negotiations often get mired in quicksand (Antai et al, 2025).

Another reason is that both economic sanctions and diplomatic measures as enforcement tools share certain strong and weak points. For instance, the major advantage is that both are non-violent, hence allowing the international community to handle violations of international law without resorting to arms. They can also be very specific in nature, concerning particular individuals, entities, or sectors, in order not to cause damage to innocent people. These include targeted sanctions that include travel bans, asset freezes among others, aimed at punitive ways to those found guilty in ways that harm the larger population the least (Antai et al, 2024). The challenge in all these measures, however, is huge. Equally important are the issues with their politicization, where the imposition or taking of diplomatic measures in most cases depends on a question of strategic interests by powerful states. Such a stance creates an unjust selectivity and depletes any impression of justice or neutrality in the practice of international law. It is more visible, for example, in the case of the Israel-Palestine conflict, where selectivity in imposing or not imposing sanctions corresponds-not to a legal principle-but to geopolitical alliances.

Another important issue is that the humanitarian consequence of broad economic sanctions often increases suffering among civilian populations, with limited success in terms of the modification of behavior of targeted regimes. A typical example involves the sanctions on Iraq during the 1990s, when widespread humanitarian crises raised ethical questions about the use of economic pressure as a tool of enforcement. Similarly, economic measures against the Palestinian territories, either by Israel or by international actors, have more often than not contributed to the hardships of ordinary Palestinians and added resentment, further complicating prospects for peace in the Israel-Palestine context (Sapir, 2023). Notwithstanding such difficulties, economic sanctions and diplomatic measures also represent indispensable elements within the purview of international legal enforcement. They provide for methods of collective action that can signal the commitment of the international community to support compliance and prevent violations. Their effectiveness, however, remains pegged on the level at which they are applied consistently, equitably, and in conjunction with other mechanisms of international law, judicial mechanisms, and efforts at peacebuilding. Lacking such coordination, these measures will of necessity be perceived as part of the power politics rather than as earnest implementers of the rule of law. Of course, such nuances regarding sanctions and diplomacy form the call for a far stronger and less biased international

system, wherein legal accountability has to come to the fore over political expedience. It is only in addressing the limitation and inconsistency, which might inherently exist within such mechanisms, that the international community can ever have better implementation of these mechanisms as a means of achieving justice and peacemaking (Ityonzughul & Itom, 2024).

Challenges in enforcement

Application of international law has for long been an issue with large gaps between legal obligations and actual practice. International law does provide a framework for maintaining peace, justice, and order within this area. Effectiveness may, therefore lie in the degree to which states and other institutions are disposed and capable of adhering to and giving effect to its precepts. In practice, many challenges are placed in the way of enforcement and include political interference, selective application of norms, institutional limits, and competitive national interests (Antai et al, 2025). Overall, all these elements contribute to discrediting international law and undermining any role it may be able to play in conflict resolution or accountability. Indeed, detailed analysis of such challenges will point to the bounds of the existing international legal system and paths towards reform.

The veto power of permanent members in the UNSC.

It is one of the most debated characteristics that underline the application of international law: the mechanism of veto

powers that the UN Security Council has entrusted to its five permanent members - the United States, Russia, China, the United Kingdom, and France. According to the UN Charter, this mechanism gives a member of the P5 the right to defeat any substantive resolution unilaterally, irrespective of the degree of its support by the remaining members of the Council (Wenaweser and Alavi, 2020). While this is supposed to ensure that the great powers of the world will be protective of international peace and security, too often has it been criticized for undermining the principles of impartiality and the application of international law. The Israeli-Palestinian conflict remains one of those challenges in which the power of veto continues to shape or more often blockade attempts toward salvaging the crisis within the ambit of international law. The Israeli-Palestine conflict is one of those perennially contentious situations that have repeatedly come before the UNSC over the years (Bickerton & Klausner, 2007). Countless resolutions have been written over the years-from calls to end hostilities, to the condemnation of illegal settlements, even calls for a two-state solution. While many received wide member state support, the application of the veto-often deployed by the United States-has time and again prevented their passage. But this has generated a range of accusations that the power of the veto has not been utilized in attempts to enforce international law but due to geopolitical quanta by the P5 members at the expense of the UNSC's legitimacy as an impartial enforcer of the

legal order. Consequently, the closest ally to Israel, the United States has used its veto right a number of times against an array of resolutions criticizing Israeli actions. For example, in 2011 the United States vetoed a draft resolution that would have declared construction of Israeli settlements in the Occupied Territories of Palestine to be illegal under international law. The resolution was supported by 14 of the 15 Council members and represented the broad international consensus on the question, as enunciated in the Fourth Geneva Convention and other UN documents (Antai et al, 2025).

However, the US justification for the veto rested on its position that the resolution would undermine direct negotiations between parties, a position widely criticized as one that prioritizes political considerations over the enforcement of legal principles (Ivan, 2022). These cases clearly show the disproportional influence geopolitical alliances have on framing UNSC acts, in a way practically sheltering Israel from any account regarding violations of international law. This automatically affects the overall dynamics of UNSC debates over the Israeli-Palestinian question beyond the particular resolutions. De facto immunity for Israel in the Council, as developed via regular use or threats of a veto by the US, has fostered a perception of double standards in applying the law. This all contributes to a certain feeling of acuteness among those states and organizations which promote Palestinian rights, saying that the inaction of the UNSC on key issues such as expansion of

settlements, blockade of Gaza, and operation of military forces in civilian areas undermines the UNSC's legitimacy as a forum of justice. The veto has more often prevented meaningful debate on other methods of enforcement, such as targeted sanctions and international investigations that could further limit the course of action by the Council.

The implications of the veto power are not confined to the conflict between Israelis and Palestinians, but also reverberate throughout the International Legal Order. It allows any one state to paralyze collective action by veto, which is in direct contradiction to the very principle of sovereign equality inscribed into the UN Charter. This also feeds the erosion of trust in the multilateral institution. Most noxious, this is in those conflicts that involve one or more members of the P5 or their allies, in which the veto has turned out to be an instrument for shielding states rather than compelling compliance with international law. In the context of Israel-Palestine, this further entrenched a self-reinforcing dynamic of impunity, further emboldening violations of international norms, with every humanitarian crisis made worse (Ivan, 2022). Yet, to many, the veto system was a symbolic representation of the fundamental collision between the letter and spirit of international law and the truth of international politics. While its creation was to enforce universal principles of justice, the UN has institutionalized hierarchy among states through the veto power and given to the P5

members disproportionate influence in any development of enforcement of those principles. The tension between ideal and reality is nowhere more apparent than in asymmetrical applications of the veto whereby resolutions implicating weaker states or those without powerful allies are much easier to pass while those implicating P5 members or their allies have always been insurmountable obstacles. In the context of Israel-Palestine, this asymmetry has helped nurture perceptions of a system of international law that is biased—a system whose moral authority, accordingly, rings hollow (Antai & Aidonjio, 2024).

The UNSC reforms thus have gathered a lot of interest even as restricting or abolishing the vetoing power, and most of these proposals face challenges that are hardly surmountable. Any reform, therefore, has to be agreed to by them, and for this privilege of veto, the members who are its beneficiaries have little incentive to give it up. Other proposals such as exercising double veto—that is, at least two members of the P5 must agree on blocking a resolution—or even the laying down of agreed criteria on the exercising of veto have met with opposition (Sarsar, 2004). The veto will continue to be, absent meaningful reform, the greatest single obstacle to the enforcement of international law, particularly in political conflict areas such as Israel-Palestine. The larger implications that veto power holds in regard to the Israeli-Palestine conflict are huge: the very same power which enables continued blocking of

resolutions to put an end to the violations of international law impairs the quest toward a just and lasting resolution of the conflict. This also breeds a culture of impunity whereby parties to the conflict—especially the powerful—are emboldened to flout legal norms with no fear of consequence (Octaviansyah, 2024). This dynamic further escalates the humanitarian crisis on the ground and diminishes the prospect of a negotiated settlement, as it erodes trust in the international community's ability to act as an impartial arbiter. First and foremost, the veto sustains an obstacle that hampers, at least in part, the application of international law in long-standing and very politicized conflicts, such as Israel-Palestine. The very rule designed to keep the world stable—which would guarantee the contribution of the P5—has seen its use extended one time too many for the protection of narrow geopolitical interests at the expense of legality and collective action. The repeated resort to this veto, in fact, has been for the purpose of saving Israel from accountability, reflecting inadequacies within the existing international legal framework, which therefore needs urgent revision to increase the legitimacy, impartiality, and efficiency of the UNSC. Until such reforms occur, it will continue to signal a symbol of the uneasy coexistence of law and politics in the international system, which has great importance for understandings of pursuing justice and peace in global conflict (Raihaana et al, 2024).

Selectivity and Inconsistency in International Law Enforcement.

Selectivity with regard to enforcement and inconsistency in application-issues that create deep problems of legitimacy and effectiveness for international law-stand out. This becomes a challenge when the application of legal norms proves unequal across geopolitically different landscapes, with considerations of power, political alliances, and strategic interests weighing in oftentimes far beyond any adherence to universally held beliefs. The Israeli-Palestinian conflict is another very good example of how selectiveness in the enforcement and lack of consistency in applying international law enhance conflicts, deplete confidence in international institutions, and perpetuate injustices. The principle of equal application makes out the very core of the credibility of international law. International legal norms-theoretically, at any rate-are to apply across the board: from the United Nations Charter and the Geneva Conventions to other agreements to which a wide number of states have signed their name (Bashir, 2024). Despite that, however, the practice has mostly been one in which this set of norms has been applied only selectively, with states or others who have political, military, or economic clout enjoying immunity from accountability. This is all too well-recognized in the conflict in Israel-Palestine, in which egregious violations of international law by both parties have received unequal responses on the part of the international community, not

to say key enforcement mechanisms like the UNSC and various regional powers.

This one shining example of selectivity in the Israel-Palestine war is to be found in the enforcement of United Nations resolutions. UN resolutions such as UNSC 242 of 1967 and 338 of 1973 stipulated that the occupying Israeli forces withdraw from occupied territories for the establishment of a just and lasting peace based on the premise of land for peace. Unfortunately, such a resolution remains unfulfilled-a legally binding nature, no less-due mainly to political and strategic interests. Continued building of Israeli settlements in West Bank and East Jerusalem-which is considered illegal under international law-continues to raise much criticism, yet little in the way of meaningful effort to compel compliance. In contrast, if compared to any number of other situations, enforcement was all but immediate: international law was imposed without question in such situations as the 1990 Iraqi invasion of Kuwait or actions within the Balkans during the 1990s. This inconsistency has only been further clouded by the different directions taken up by influential states. The United States, as a key ally of Israel, has often sheathed it from responsibility through its veto power in the UNSC, adding to the broader diplomatic influence (Kisubi et al, 2024). This inevitably creates the perception of impunity for Israel, sheltered by the geopolitical interests of a superpower. On the other hand, when the Palestinian side acts-mainly through the so-called terrorist organizations, according to the definition of the Western powers, above

all Hamas-the reactions are generally unconditional, accompanied by punitive actions, sanctions, and limits. The lack of symmetry in penalizing the violations made by the Israeli authorities is very worrying, inasmuch as those reactions are presented as a defense of international law. Inconsistency and selectivity are not confined to state practices but relate to the very international legal institutions. Criticism of the ICC, for example, is surely linked to the fact that it has concentrated its efforts on African states and leaders, doing almost no investigation-indeed, one may argue, delaying-all those possible violations by powerful states or their allies. Any possible war crimes by Israeli forces and Palestinian groups have been so politically charged and enveloped in controversy that the ICC's investigation itself became very controversial in the context of the Israel-Palestine conflict (Antai et al, 2024). The non-membership of Israel in the ICC, further coupled with strong opposition by influential states, including the United States, further complicates the court's ability to carry out its mandate impartially (Ogu et al, 2025).

This selective use also undermines ICC credibility as a neutral agent of justice, while simultaneously reinforcing perceptions of bias within the international legal system. The humanitarian consequences are that selectivity is deep: for Palestinians, through occupation and blockade, basic rights such as mobility, access to resources, and self-determination are violated on a daily basis. Notwithstanding the wide condemnation emanating from international human rights

bodies and agencies within the United Nations, accountability for these abuses has remained painfully irregular. These are examples of situations where, even while many fact-finding missions and reports from even the UN Human Rights Council detail abuses, very few of the recommendations are ever taken into practice or followed through for the victims to seek redress from the courts. Such inconsistent enforcement only causes more continuing suffering and denies international law any deterrent effects, thereby encouraging more violations.

The appetite for selectivity in enforcement essentially originates from an interaction of law and politics. International law operates within a structure dominated by state sovereignty and the balance of power, in which application is all too often at the discretion of the will and capability of powerful states. Such deep-seated political alliances and strategic interests in the issue of Israel-Palestine have grotesquely prejudiced the application of the legal norm. Pressure from lobbies, public opinion, and apprehension of regional security usually proves to be much more powerful than compulsion for the enforcement of international law, which makes the response fragmented and incoherent for solution (Aidonojie et al, 2024). The thing is, such selectivity and inconsistency are deeply troubling roots. They de-legitimize international law as a system of universal principles and weaken those international institutions charged with its enforcement.

Where legal norms apply unevenly, they are little more than traces of a forgotten standard that breed cynicism and disappointment among nations and non-state parties alike. It is corrosive of confidence in the international order and makes it harder to address other global challenges that require collective action; these include climate change, pandemics, and conflict (Antai, 2024).

Large-scale ripples of this selectivity are also being observed in the peace process in the Israel-Palestine conflict. Further feelings of injustice and double standards lead to en masse hurts on both sides, thereby increasing the divide and nullifying the chances of a negotiated settlement. This further creates a complete lack of accountability on the part of the Israelis, which only continues to propagate a perception by the Palestinians of injustice and marginalization. On the other hand, selectivity in condemning Israeli acts without similar criticism of Palestinian violations instills in the Israelis a perception of victimhood and insecurity. This vicious circle of one-sided enforcement and mutual distrust undercuts the prospect of achieving the goals pursued by international law: peace, security, and justice. Conclusively, the case of Israel-Palestine should be paradigmatically fruitful in respect of all these different acts of selectivity and inconsistency in imposing international law, hence hindering the fulfillment of the ends of international law. Obstacles will emerge from the interaction of geopolitics, the

relation of forces, and institutional constraints that render biased the application of legal norms and remove their universality. These are the questions which call for the reform not only of mechanisms of international policing but also of a commitment to objectivity and justice on a worldwide basis. Without these, international rule of law will continue to forfeit credibility and effectiveness, and the likes of Israeli-Palestine conflict are doomed to perpetuate in injustice and violence.

Political Will and State Interests.

The political will and interests of states, therefore, greatly hinder the effectiveness of international law in bringing perpetrators to justice, especially in complex and politically contested wars like the Israel-Palestine war. It is these elements that usually determine if international norms of conduct will be invoked, respected, or violated, and more often than not result in selectiveness, inertia, or an absolute breakdown of international legal frameworks. In the question of Israel and Palestine, the political will and interests have hindered grossly on both the national and international tier the complete application of international law, hence keeping the war alive and the humanitarian crisis worse (Del Sarto, 2017). The implementation of international law relies much on the commitment of states to maintain legal standards, adhere to commitments undertaken in international agreements, and pay respect to the decisions of global institutions.

In reality, however, such norms are considered based on political will, which in itself always depends on the interests of the nations, their strategic partnerships, and geopolitical environment. The Israeli-Palestinian conflict is one of the most popular examples of how political will either may have been a driving or deterring force towards upholding international law, contingent upon the interests of the actors (Harun, 2024). Political will gets most actualized through actions and inactions by powerful states, those capable of influencing international decision-making. The United States has been one of Israel's most ardent allies for a long time and has set the tone in the global reaction to the Israeli-Palestinian conflict. Time and again, the United States has been guaranteeing that no substantive international condemnation of-much less action against- Israeli policies on the issue of the continuing occupation of Palestinian territory, expansion of settlements, and military operations in Gaza and West Bank. One very clear expression of political will towards the protection of Israeli interests has come in the use of the veto in the UN Security Council by the U.S., thus blocking various resolutions that would have held Israel accountable for its violations of international law (Ekpenisi et al, 2024). It has been part of resolutions in the UNSC meant to stall construction of Israeli settlements in the Occupied Palestinian Territory and those on the need for recognition of a Palestinian State.

The US has played its role in undermining such a probable effectiveness of ICC investigations of the alleged commission of war crimes by Israel, through branding such processes as politicized, hence trying to block the way for investigations by the Court in Gaza and the West Bank. It is, in fact, the overarching strategic interests of the United States in the Middle East-left-the maintenance of a close alliance with Israel, regional stability, and containment of adversarial powers like Iran and Syria-which dictates the political will of the superpower. The assistances granted by the United States to Israel, as against the former's undertaking under international law to pursue peace and justice in the region, aptly illustrates how the interests of the former often override international legal imperatives. This political will has consistently foiled any prospect of evenhandedness and fairness in the application of international law, while strengthening the existing power relations in favor of Israel, resulting in prolonging the conflict.

In turn, Israel has shown keen political will to resist and defy international legal attempts at challenging its policy and practice in the occupied Palestinian territory. The State of Israel has persistently disregarded resolutions adopted by the United Nations, particularly those requiring withdrawal from occupied territories and dismantling of settlements, on various grounds such as that the said resolutions are biased, unfair, or bereft of any legal standing. This stance is motivated by Israel's national interests in consolidating its territorial claims, ensuring

the safety of its people, and asserting sovereignty over the city of Jerusalem. Israeli officials often frame their refusal to submit to international legal norms in terms of national security due to the Palestinian resistance forces and any perceived threats of terrorism. While the security issues are no doubt a major concern, political motives of Israel are also dictated by strategic objectives and the desire to further solidify its control over the West Bank and Jerusalem. In this sense, the political will within the Palestinian context has profoundly conditioned the possibility of making international law work. While the Palestinian leadership has attempted to invoke international legal frameworks as a basis upon which to challenge Israeli practices, the political will from Palestinian authorities has often been partial and incoherent. These two leading political institutions of the Palestinians-the Palestinian Authority and Hamas-have pursued differing and even contradictory policies toward the application of international law at times. On its part, the PA has been pursuing legal processes of accession to the ICC and the United Nations for international recognition, and as an avenue for making legal difficult situations for Israel. Continuous internal conflict and the lack of a unifying approach have badly minimized the effectiveness of such efforts. The occupation's conditions, unavailability of resources, and also the need to maintain internal cohesion against the external threat have often made the political will of the Palestinian leadership limited (Hammack,

2010). These acts against the internal cohesive political will of the Palestinians in defense of international law that pursues effective delivery through international legal mechanisms.

Apart from the regional stakeholders, international law faces further complication while operating within the context of the Israel-Palestine conflict because of other pertinent extraneous factors. The European Union, Russia, and other Arab states have a host of special interests that are both political and strategic in nature, deriving varied responses from the ongoing conflict. For example, while the European Union has made loud denunciations of the State of Israel's settlement effort and has made pronouncements for a two-state solution, it has been decidedly more circumspect regarding major sanctions or far-reaching moves that could be perceived as risking its relationship with Israel (Landau, 2019). This is because partly, economic interests, trade ties are at stake, but also not to impair its influence as an interlocutor in the Middle East. Similarly, Arab countries, though verbatim voicing solidarity with the Palestinian cause, at times proved more concerned with their own national interests, their relations with Israel, as well as their relations with the United States, which tempered their willingness to clash with Israel on the international scene (Hatuqa, 2019). The vast geopolitical transformations, coupled with changes in the dynamics of power in the Middle East, also determine political will for the nations. Where the

dynamics of the region are changed, the readiness of states to enforce international law, or to come up against Israel, changes too. A notable example is that in 2020, in yet another turn of the regional balance, the US-brokered Abraham Accords normalized diplomatic relations between Israel and some Arab countries which henceforth toned down their support for the rights of Palestinians and/or turned to economic and security relations with Israel. This transition indicates the changing priorities of regional players and further complicates the pursuit of upholding international law within the Israeli-Palestinian context (Chinweze et al, 2024).

The interplay of these variables of political will and national interest in the Israeli-Palestinian conflict underlines a key flaw in the international legal system: reliance on states to enforce the legal norms. International law has a general lack of institutional power in the exercise of its dictates. It depends on the political will of the state, mostly guided by national interest and strategic calculations. This capricious political will from key global and regional players promotes a particularly politicized, pluralistic interest in many states, which in turn encourages the avoidance or ignoring of international law, thereby further weakening the legitimacy and effectiveness of the same international law (LeVine & Mossberg, 2014). What follows from the above analyses is that questions of political will and state interests are at the core of the difficulties of enforcing international law in the Israeli-Palestinian conflict. The selective

application of legal norms, framed by the political calculus of powerful states and regional actors, entrenches the conflict, denies justice to victims, and inhibits meaningful progress toward peace. The prospect of international law effectively resolving the Israeli-Palestinian conflict, like other international disputes, demands the genuine political will from all parties concerned, placing the rule of law over national and strategic interests. A transformation of this nature appears implausible given the longstanding nature of the political and geopolitics at play. Until this transformation takes place, the application of international law in the solution of the Israeli-Palestine conflict will remain minimal, holding at bay the prospect of just and durable peace (Agboti et al, 2024).

Findings and Conclusion

Enforcement of international law in the Israeli-Gaza situation has been the subject of heated academic debate, with many authors highlighting the political dimensions influencing compliance, interpretation, and enforcement. Several authors propose that international law is selectively enforced, with the political interests of powerful states and global institutions dictating the extent to which violations are addressed. The majority of authors contend that international institutions and the United Nations have failed to use international law equitably due to geopolitical blocs, particularly the influence of strong great powers such as the United States in safeguarding Israel against sanctions. This has translated to a lack of

accountability for alleged violations of humanitarian and human rights laws. Others indicate that while Israel invokes self-defense under Article 51 of the UN Charter, the critics argue that its operations often impact civilians disproportionately, in contravention of international humanitarian law principles of distinction and proportionality. Meanwhile, studies highlight that Hamas, as a non-state actor, is also subject to legal scrutiny, particularly regarding the use of indiscriminate rocket attacks, which is prohibited under laws of armed conflict.

Authors on the UN Human Rights Council and International Criminal Court report their efforts at investigation of suspected war crimes were opposed by politicians with some countries demonizing the said institutions (Antai, 2024). Media and framing of the narrative is an important theme also followed in the literature, with scholars arguing that Western media consistently reports the conflict in a way that appeals to the political agenda of global powers, thereby framing popular perception and official diplomacy. There are also several studies that test the efficacy of sanctions and diplomatic pressure, which also conclude that their enforcement is greatly uneven, while economic and military assistance still comes in spite of overt violations of international standards. From the international legal institutionalist school of thought, most scholars agree that instruments such as the Geneva Conventions and UN resolutions have failed to enforce

compliance, primarily because enforcement remains dependent on the political will of powerful states (Mearsheimer & Walt, 2007). Most of the literature tends towards general agreement that international law enforcement in the Israel-Gaza conflict is highly politicized and that selective accountability debilitates the legitimacy of legal rules. Scholars are mostly in agreement that until the enforcement system becomes more balanced and consistent, international law will continue to be viewed as a tool in the hands of powerful states and not a system for everyone across the board for justice.

Recommendation

Application of international law during the Israel-Gaza conflict is a matter of general scholarly discourse, and authors have been contributing to political, legal, and practical discussion regarding compliance and enforcement. Koskeniemi (1990) states that international law is not applied independently but is inevitably interconnected with world politics, with great powers dictating enforcement on grounds of strategic interest instead of abstract legal principle. Cassese (2005) argues that international humanitarian law, though mandatory for all parties involved in a conflict, most often faces selective application, the political affiliations determining how far the violation is carried. He refers to the way large powers such as the United States and the European Union influence the enforcement mechanisms of international law, particularly in wars against their allies or adversaries. Scharf (2001)

posits that international legal institutions, such as the International Criminal Court, are generally weak in enforcement since they have no universal jurisdiction and are reliant on cooperation from states. This is evident in the Israel-Gaza conflict, where attempts by the ICC to probe war crimes are thwarted by states that do not accept its jurisdiction. Arimatsu & Chinkin (2024) addresses the application of international humanitarian law in asymmetric conflict, noting that enforcement is often obstructed by the classification of groups such as Hamas as non-state actors or terrorist organizations, which complicates legal accountability. Falk (2014) faults the international community's role, particularly that of the United Nations, in enforcing legal standards in the Israel-Gaza conflict, based on the argument that veto in the UN Security Council regularly stifles legal response, and impunity permits continued violation. Kersten (2016) underlines the influence of international politics on global law enforcement, describing how economic goals and geopolitical relations decide whether to use legal tools or ignore them. He describes how Israel's strategic alliances afford it a sort of legal impunity that negates the effectiveness of enforcement tools. Gray (2018) highlights the challenge of using international law in exercising self-defense, observing that UN Charter Article 51 is repeatedly politicized as a means to justify military attacks that would be otherwise illegal as per international law norms. Selective application chips away at international law's authority as an unprejudiced umpire to resolve conflicts

such as Israel and Gaza, according to her argument. Stephen Zunes discusses how application of international law to the war in Israel-Gaza is undermined by the geopolitical interests of world powers, particularly the United States, which uses diplomatic and economic coercion to shield Israel from legal accountability. Schabas (2000), a leading authority on genocide and crimes against humanity, addresses the difficulty of prosecuting international crimes in politically motivated wars, emphasizing that enforcement is consistently thwarted by the reluctance of international courts to prosecute state actors with powerful political backing. He points out that legal categorization of Israeli actions and Palestinian responses is highly contentious, involving further enforcement challenges.

Boyle (2003) also criticizes double standards in enforcement of international law, arguing that while some governments are sanctioned and brought to trial for alleged crimes, others maintain political and judicial immunity due to their geopolitical prominence. He argues that the war between Israel and Gaza is such an example, where violations of international humanitarian law are often allowed to go without prosecution. Kretzmer (2002) analyzes the Israeli legal system's approach to international law, where domestic interpretation of the law diverges from international legal precedent, allowing Israel to rationalize behavior that otherwise would be characterized as a transgression of international law. He highlights how Israeli

court rationalizations used to defend government policy all too often adapt to fit such policy, limiting the impact of international legal rulings. Ex-judge of the International Court of Justice Rosalyn Higgins provides an insight into the hurdles in enforcing international law in persistent conflicts, based on the understanding that politicization of legal controversies weakens legal processes. She finds that enforcement of international law in the conflict between

Israel and Gaza is regularly foiled by rival legal explanations with political objectives. These authors collectively demonstrate that international law in the Israeli-Gaza conflict is politically charged, such that legal means are often utilized as political means rather than objective tools for justice. They identify that despite the availability of international law with a framework of accountability; application thereof remains a victim of geopolitics.

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