

CANADIAN DIMENSION

The measure of our evil

Observations on the deadliest attack on the Palestinian people since the Nakba

[Derek Sayer](#) / August 5, 2024 / 15 min read

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Gazan children. Photo by gloucester2gaza/Wikimedia Commons.

“It’s been 300 days since October 7—the deadliest attack on the Jewish people since the Holocaust,” [posted](#) UK Foreign Secretary David Lammy on X on August 1. “Many who were brutally abducted and taken hostage remain in captivity,” he added. “Today we renew our call for an immediate ceasefire and for Hamas to release all hostages now.”

That’s it? That’s the tweet? I thought, floored—though not surprised—by Lammy’s sidelining of everything else that had happened during that 300 days in Gaza.

Less than 24 hours earlier, Israel had [assassinated](#) Hamas’s political leader Ismail Haniyeh in Tehran—the chief negotiator in the ongoing Cairo ceasefire talks, and a (relative) moderate who is [on record](#) as being open to Hamas laying down its arms in exchange for a two-state solution on

Israel's 1967 borders. This was hardly a move calculated to bring about an immediate ceasefire or the release of Hamas's hostages.

Nor was the passage on July 19 of a resolution in the Knesset, Israel's parliament, by a majority of 68 to nine rejecting any two-state solution to the Israeli-Palestinian conflict—the declared policy of the British government of which Lammy is a part—[on grounds that](#) “The establishment of a Palestinian state in the heart of the Land of Israel will pose an existential danger to the State of Israel and its citizens, perpetuate the Israeli-Palestinian conflict and destabilize the region.”

The unbearable lightness of Palestinian being

What incensed me more in Lammy's post was his total erasure of the horrors Israel has inflicted on Palestinians since October 7. That day is seemingly [frozen in aspic](#), a measure of “[pure, unadulterated evil](#)” that can only be compared to the Holocaust.

Israel's no less evil and infinitely more destructive retaliation, in the deadliest attack on the Palestinian people since the Nakba of 1948, does not even merit a mention.

Has Lammy forgotten—to take a few atrocities at random—the murder of five-year-old [Hind Rajab](#), together with the paramedics sent to rescue her, by Israeli tank fire as she waited, terrified, trapped in a car with the corpses of the rest of her family?

Israel's [targeted drone strike](#) on a World Central Kitchen convoy that killed seven aid workers after it had been given the go-ahead to travel by the IDF?

The [Flour Massacre](#), in which Israeli troops fired on Palestinians waiting to collect food aid in Gaza City, killing at least 112 people and injuring 760?

The [mass graves](#) uncovered after the IDF withdrew from the Nasser and al-Shifa hospitals, containing almost 400 bodies, some showing evidence of being buried alive?

The [blockade](#) of roads and crossings and the destruction of food aid packages destined for Gaza by Israeli settlers, while the army looked on?

The IDF soldiers prancing around with [looted Palestinian women's underwear](#) and children's toys, images they themselves proudly posted on social media?

The [torture and rape](#) of Palestinian prisoners at Israel's notorious Sde Teiman detention centre—and the riots and protests in the Knesset that erupted when some of those responsible were arrested and charged with abuse?

The abuses at Sde Teiman are no anomaly. According to a [lengthy story](#) published on August 5 in the *Guardian* following a recent [report](#) by the Israeli human rights group B'tselem,

Violence, extreme hunger, humiliation and other abuse of Palestinian prisoners has been normalised across Israel's jail system, according to Guardian interviews with released

prisoners, with mistreatment now so systemic that rights group B'Tselem says it must be considered a policy of “institutionalised abuse.”

Former detainees described abuse ranging from severe beatings and sexual violence to starvation rations, refusal of medical care, and deprivation of basic needs including water, daylight, electricity and sanitation, including soap and sanitary pads for women.

The quantum of killing

What is the measure of *our* evil? The evil that Lammy overlooks because he refuses to see beyond the (undoubted) evils committed by Hamas on October 7?

Is it the 39,324 Palestinians, including 15,000 children, who have been [confirmed killed](#) by Israeli actions in Gaza since October 7—an undoubted [understatement](#) of the true death toll, because Israel has destroyed the administrative machinery for counting Palestinian deaths along with its annihilation of Gaza’s health service?

Is it the 592 people, including more than 143 children, who have died in the same period at the hands of Israeli security forces or settlers in the occupied West Bank?

Is it the 10,000-plus Palestinians who are [missing](#), presumed dead, in the rubble of Gaza, of whom 40 percent are believed to be children?

Is it the 186,000 Palestinian deaths that a [recent article](#) in *The Lancet* predicted will be the likely eventual outcome of Israel’s protracted assault?

Even if the conflict ends immediately, there will continue to be many indirect deaths in the coming months and years from causes such as reproductive, communicable, and non-communicable diseases. The total death toll is expected to be large given the intensity of this conflict; destroyed health-care infrastructure; severe shortages of food, water, and shelter; the population’s inability to flee to safe places; and the loss of funding to UNRWA, one of the very few humanitarian organizations still active in the Gaza Strip.

Or is a more telling measure of evil the monstrous disproportionality between the death toll in Israel from October 7, and the death toll in Gaza since?

According to [official Israeli figures](#), 1,139 people were killed in Israel in Hamas’s attack, of whom one-third (32.75 percent) were members of the Israel Defense Forces (IDF), police, or kibbutz security guards.

Just 36 of these victims were children. Only two of them were babies, neither of whom were [beheaded](#), burned alive, baked in ovens, or hung on clothes lines. An unknown, but likely substantial, number of people perished from IDF “[friendly fire](#)” or implementation of its notorious Hannibal Directive.

For every victim of October 7 in Israel, 35 Palestinians—a majority of whom were women and children—have now paid with their lives in Gaza. For every Israeli child killed on October 7, Israel has now slaughtered 416 Palestinian children.

Other comparisons underline the magnitude of Israel’s killing spree. As of January 15, three months into the war, the [average number of deaths per day](#) in Gaza—250—was “higher than any recent major armed conflict including Syria (96.5 deaths per day), Sudan (51.6), Iraq (50.8), Ukraine (43.9), Afghanistan (23.8) and Yemen (15.8).”

As of March 14, “at least 12,300 youngsters [had] [died](#) in the enclave ... compared with 12,193 globally between 2019 and 2022.”

By April 24, “Israel [had] [dropped](#) more than 70,000 tons of bombs on the Gaza Strip ... far surpassing the [tonnage] of Dresden, Hamburg, and London combined during World War II.”

Mutilés de la guerre

Should the measure of our evil include the 17,000 Gazan children left unaccompanied or separated from their parents (as of February 2—there have been many more since)—each “a child who is coming to terms with this [horrible new reality](#)” of loss and grief?

The anguish of the thousands of Palestinian parents who have watched their children die, often in agony, or salvaged their body parts from the rubble in [plastic bags](#)?

The indelible memory of seven-year-old [Sidra Hassouna](#), who was left [hanging dead](#) from a wall, ribbons of flesh all that was left of her legs after an Israeli air strike on Rafah?

The appalling [number of wounded](#)—more than 90,830 people so far, out of a pre-war population of 2.3 million?

After just a month of war, in November 2023, UNICEF [estimated](#) that approximately 1,000 Palestinian children had one or both legs amputated, [adding recently](#) that “it is exceedingly likely that this number has been far surpassed in the past four months.”

Surgeons working in Gaza have testified to the horror of these operations, which often have had to be done without anaesthetic. Dr. Seema Jilani, who served as a senior emergency health adviser for the International Rescue Committee, described “[a hellscape full of nightmarish scenes](#)” for the *New York Times*:

There was the 6-year-old boy, covered in burns, whose foot had been severed. A girl missing both feet. A toddler whose right arm and right leg had been torn off and who appeared to be hemorrhaging. He needed a chest tube, but none were available. Nor were any stretchers—and he hadn’t been given anything for his pain.

Is it a measure of our evil that the weapons Israel employs in Gaza—many of them manufactured

by Western companies—are *designed* to produce such mutilations? Or that IDF decisions about targeting of individuals are routinely [outsourced to AI](#)?

These weapons include white phosphorus, which burns down to the bone, causing wounds that are slow to heal and prone to infection; MK-84 2,000-pound bombs, which when dropped onto densely-populated areas ([as they were at Jabalia refugee camp](#)) cause hundreds of casualties; and Israeli-made “[missiles and shells](#) ... packed with additional metal designed to fragment into tiny pieces of shrapnel ... that leave barely discernible entry wounds but create extensive destruction inside the body.”

Described by [Amnesty International](#) as “a more sophisticated version of the ball-bearings or nails and bolts which armed groups often pack into crude rockets and suicide bombs”—a nice irony given the standard Israeli description of Palestinian resistance groups as “terrorists”—Israel’s fragmentation weapons are specifically “designed to create large numbers of casualties.” The cruelty is the point.

A state of exception

For those who have so far escaped death or injury, Israel has left little in Gaza but what Italian philosopher Giorgio Agamben calls bare life—a “[state of exception](#),” as in Guantanamo Bay or the Nazis’ concentration camps in which life is reduced to mere biological survival outside of the protection of law ([sorry IHRA](#), I make no apology for “drawing comparisons of contemporary Israeli policy to that of the Nazis”).

Drawing on the testimony of soldiers and defence officials, the Israeli newspaper *Haaretz* [describes](#) how the IDF has created literal “kill zones” in Gaza, where anyone who ventures into them will be shot. *Al Jazeera* [captured](#) graphic video of one such incident, in which four Palestinian civilians were killed by drone fire.

American doctors who have worked in Gaza hospitals testify to the IDF’s targeting of Palestinian children. On [one occasion](#), relates reconstructive surgeon Dr Irfan Alaria,

a handful of children, all about ages 5 to 8, were carried to the emergency room by their parents. All had single sniper shots to the head. These families were returning to their homes in Khan Yunis, about 2.5 miles away from the hospital, after Israeli tanks had withdrawn. But the snipers apparently stayed behind. None of these children survived.

On July 26, 45 American physicians and nurses who had worked in Gaza wrote to US President Joe Biden and Vice President Kamala Harris, [describing](#) how “every one of us on a daily basis treated pre-teen children who were shot in the head and chest.”

We wish you could see the nightmares that plague so many of us since we have returned: dreams of children maimed and mutilated by our weapons, and their inconsolable mothers begging us to save them. We wish you could hear the cries and screams our consciences will not let us forget.

Displacement and disease

Should our measure of evil include what is euphemistically called “displacement”—the eviction of people from their homes as they are ordered to move from one “safe zone” to another, which often turn out not to be safe at all? Is this not itself a form of terror?

The UN [estimates](#) that 1.9 million people—90 percent of Gaza’s population—have now been internally displaced, in some cases fleeing up to ten times. Some 110,000 made it out into Egypt before Israel stormed and closed the Rafah crossing. The rest are living in tents or bombed-out buildings or sheltering in UNRWA and other international aid agency premises.

As has been repeatedly [demonstrated](#) in the course of the last ten months, none of these temporary refuges are safe from Israeli shells, missiles, and bombs.

Nor, increasingly, do they provide protection against those other two horsemen of the Apocalypse, famine and pestilence.

Back in December the world’s famine watchdog, the Integrated Food Security Phase Classification (IPC) Famine Review Committee, [warned that](#) “Famine may occur by the end of May 2024 if an immediate cessation of hostilities and sustained access for the provision of essential supplies and services to the population did not take place.”

On July 9, the UN Human Rights Office [reported that](#) “famine has spread across the entire Gaza strip.”

The International Rescue Committee [warned](#) in April of an impending “public health catastrophe,” in which:

With Gaza’s health system decimated by Israel, diseases once easily controlled are now spreading, and children, especially malnourished children, are the most susceptible. Projections suggest that the spread of cholera, measles, polio, and meningococcal meningitis pose a mortal threat.

On July 29 Gaza’s Health Ministry declared a polio epidemic across the Gaza Strip, which, [it said](#), “poses a health threat to the residents of Gaza and neighbouring countries” and represents a “setback” to the global polio eradication program.

Israel [responded](#) with a crash program of polio vaccinations for IDF soldiers serving in Gaza or due to be sent to Gaza, while offering no such protection to Palestinians. This is as graphic an illustration of [apartheid](#) as we could ask for.

Meantime, following orders from their brigade commanders, soldiers of the 401st Brigade of the IDF Armored Corps blew up the main water reservoir serving the city of Rafah. They [filmed themselves](#) and posted the video on social media with the caption “Destruction of the Tel Sultan water reservoir in honour of Shabbat.”

If I must die

Should our measure of evil include the material destruction and cultural devastation Israel has visited upon the Gaza Strip?

On April 2, a joint [report](#) by the World Bank, the UN, and the EU estimated the cost of damage to Gaza's physical infrastructure at the end of January at \$18.5 billion. An estimated 37 million tons of debris would need to be cleared before reconstruction could even begin. "On the most optimistic scenario," rebuilding Gaza's homes would [take until 2040](#).

Israel has [damaged or destroyed](#) 88 percent of Gaza's schools, 80 percent of its commercial facilities, 65 percent of its roads, 62 percent of its homes, and 267 places of worship.

Gaza's water, sanitation, electricity, and telecommunications infrastructure has [largely collapsed](#) as a result of Israeli action. Some 84 percent of Gaza's health facilities are destroyed or damaged, and only 16 out of 35 hospitals are even partially functioning.

Around 63 percent of Gaza's heritage sites have sustained damage, out of which 31 percent have been completely demolished. Among the scores of [archives and libraries](#) destroyed are the Central Archives of Gaza City and the Rafah Museum.

All 12 [universities](#) in Gaza were bombed and damaged or destroyed during the first hundred days of the war. Israeli soldiers filmed themselves gleefully [setting fire to the library](#) in al-Aqsa university in Gaza City and posted the video online.

The IDF [blew up](#) Gaza's last surviving university, Israa University, on January 17, more than two months after it occupied the school and converted it into a military barracks—in other words, long after it had ceased to pose any conceivable military threat.

This [scholasticide](#) extends beyond buildings, books, and artifacts. As of April 2024, according to a UN Human Rights [report](#), "more than 5,479 students, 261 teachers and 95 university professors [had] been killed in Gaza, and over 7,819 students and 756 teachers [had] been injured—with numbers growing each day."

Palestinian [doctors](#) have been detained en masse, beaten, humiliated, and tortured. As of August 2, the Committee to Protect Journalists' "preliminary investigations [showed](#) at least 113 journalists and media workers were killed since the war began, making it the [deadliest period for journalists](#) since CPJ began gathering data in 1992."

Even artists and poets are not safe. In the best-known case—there have been [many others](#)—scholar and poet Refaat Alareer, a professor of literature and creative writing at the Islamic University of Gaza, [was killed](#) along with his brother, his brother's son, his sister, and four of her children, in a targeted Israeli airstrike on December 7.

His last poem, "[If I Must Die](#)," has echoed around the world.

The ICJ

Not everyone has been as indifferent to Palestinian suffering or oblivious to Israeli culpability as David Lammy. It is not only the protestors on university campuses and demonstrators in Western capitals who refuse to look away from the carnage, but the International Court of Justice (ICJ) and the International Criminal Court (ICC).

On July 19, the ICJ—the world’s highest authority on the interpretation of international law—delivered a long-awaited advisory opinion on “Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.”

Unambiguous and uncompromising, the ruling was a bombshell.

A [press release](#) issued by the court bullet-pointed the judges’ main conclusions. The key takeaways included:

- the State of Israel’s continued presence in the Occupied Palestinian Territory is unlawful;
- the State of Israel is under an obligation to bring to an end its unlawful presence in the Occupied Palestinian Territory as rapidly as possible;
- the State of Israel is under an obligation to cease immediately all new settlement activities, and to evacuate all settlers from the Occupied Palestinian Territory; [and]
- the State of Israel has the obligation to make reparation for the damage caused to all the natural or legal persons concerned in the Occupied Palestinian Territory.

Of particular relevance to the US, the UK, Canada, and other Western states that have supported Israel, the ICJ also ruled that:

all States are under an obligation not to recognize as legal the situation arising from the unlawful presence of the State of Israel in the Occupied Palestinian Territory and not to render aid or assistance in maintaining the situation created by the continued presence of the State of Israel in the Occupied Palestinian Territory.

The court was [clear](#) that it regards Gaza as part of the Occupied Palestinian Territory because Israel “continue[s] to exercise, certain key elements of authority ... including control of the land, sea and air borders, restrictions on movement of people and goods, collection of import and export taxes, and military control over the buffer zone, despite the withdrawal of its military presence in 2005.”

For the avoidance of any doubt, it adds “This is even more so since October 7, 2023.”

The ICC

Neither this, nor ICJ Justice Charlesworth’s separate [declaration](#), in which he emphasized that “the population in the occupied territory does not owe allegiance to the occupying Power, and ... is not precluded from using force in accordance with international law to resist the occupation,”

exonerates Hamas from criminal responsibility for actions carried out on October 7 that were contrary to international law.

And per the ICC, Hamas—or others who followed them through the breaches in the fence—indeed *did* commit some grievous crimes.

On May 20, ICC prosecutor Karim Khan asked the court to [issue arrest warrants](#) for the Hamas leaders Yahya Sinwar, Mohammed Deif, and Ismail Haniyeh, whom he charged with committing “war crimes and crimes against humanity” on October 7.

These crimes included “murder,” “taking hostages,” “rape and other acts of sexual violence,” “torture,” “cruel treatment,” and “outrages upon personal dignity.”

Khan also sought arrest warrants for Israeli prime minister Benjamin Netanyahu and defense minister Yoav Gallant. He itemized their crimes as:

- Starvation of civilians as a method of warfare as a war crime contrary to article 8(2)(b)(xxv) of the [Rome] Statute;
- Wilfully causing great suffering, or serious injury to body or health contrary to article 8(2)(a)(iii), or cruel treatment as a war crime contrary to article 8(2)(c)(i);
- Wilful killing contrary to article 8(2)(a)(i), or Murder as a war crime contrary to article 8(2)(c)(i);
- Intentionally directing attacks against a civilian population as a war crime contrary to articles 8(2)(b)(i), or 8(2)(e)(i);
- Extermination and/or murder contrary to articles 7(1)(b) and 7(1)(a), including in the context of deaths caused by starvation, as a crime against humanity;
- Persecution as a crime against humanity contrary to article 7(1)(h);
- Other inhumane acts as crimes against humanity contrary to article 7(1)(k).

However heinous the crimes Hamas committed on October 7, they do not justify—or excuse—the crimes committed by Israel since. That is why Khan wants to see Sinwar and Netanyahu side by side in the dock at the Hague.

Deif, like Haniyeh, is now dead, another victim of Israel’s [patented brand](#) of summary justice. Haniyeh was taken out by a precision strike—the full details have not yet been made public—on the house where he was a diplomatic guest in Tehran. Deif, on the other hand, was “[eliminated](#)” in an Israeli air raid on Khan Younis on July 13.

It should not by now surprise us to learn that [at least](#) 90 Palestinians were killed and around 300 wounded in the strike.

Bringing it all back home

There are many ways of measuring the evil that Israel has done to Palestinians, both during the decades of occupation before October 7, and in the ten months since.

But the true measure of *our* evil lies in the West's complicity in maintaining Israel's illegal occupation of Palestinian land, and in particular, in the support it has offered Israel in its genocidal assault on Gaza in response to October 7.

That support runs from supplying Israel with weapons, economic aid, and diplomatic cover, through mass media recycling Israeli propaganda and suppressing Palestinian voices, to [university presidents](#) firing faculty and unleashing police on students who are peacefully protesting Israel's genocidal war. Seldom has the postwar West seen such a concerted crackdown on [freedom of expression](#) and political dissent.

The world's highest courts have now made it clear that to continue this support is to act as an accessory to war crimes, crimes against humanity, and ([possibly](#)) the worst crime of all—genocide. Israel is not fighting a “war of civilization against barbarism” ([Netanyahu](#)) and nor are we.

The West has long since lost any right to pontificate about human rights or the rule of law. Its vaunted “rules-based order” died on the killing fields of Gaza.

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