

Israel and the Doctrine of Divine Right: When Survival Demands Resistance

“Those who make peaceful revolution impossible will make violent revolution inevitable.”

- John F. Kennedy

Introduction: When the Law No Longer Protects

International law was born to restrain power - to shield the vulnerable and restrain the strong. But in the case of Israel and Palestine, that promise has collapsed. Today, the law operates as a **shield for the occupier** and a **cage for the occupied**.

Palestinians are told that resistance - peaceful or armed - is illegitimate. They are condemned whether they march unarmed or resist with force. Meanwhile, Israel violates international law with impunity, backed by powerful allies and cloaked in narratives of security and historical trauma.

This essay argues that **peoples**, like states, possess an **inherent right to defend themselves against annihilation**. Just as Article 51 of the UN Charter affirms a nation's right to self-defense, so too must the **stateless and oppressed** be recognized as having a right to resist. When peaceful protest is crushed, and law is applied selectively, resistance becomes not only justified - but essential for survival.

Israel's Legal Impunity and the Collapse of International Standards

For decades, Israel has violated core principles of international law with impunity. The **International Court of Justice (ICJ)** ruled its occupation of Palestinian territory unlawful. Its ongoing settlement activity violates the **Fourth Geneva Convention**. Its blockade of Gaza - described by **Amnesty International** as collective punishment - has created a humanitarian crisis.

Despite these findings, **no real consequences** have followed:

- **No sanctions**, even after the ICJ's 2024 advisory opinion called for reviewing ties with Israel.
- **No ICC arrest warrants** tied to the Great March of Return, despite clear evidence of war crimes.
- **No enforcement** of international rulings by global powers.

International law only works if applied **universally**. When it punishes the weak and protects the strong, it loses its legitimacy. Palestinians are told to follow the law - but the law no longer protects them.

The Great March of Return: When Peaceful Protest Is Shot

In 2018, tens of thousands of Palestinians in Gaza joined the **Great March of Return** - a series of peaceful protests demanding the right to return to their ancestral homes and an end to the blockade. The response from Israel was not dialogue, but sniper fire.

By the end of 2019:

- **214 Palestinians were killed**, including **46 children**,
- Over **36,000 injured**, many permanently maimed,
- **156 limbs amputated**,
- **27 paralyzed** from spinal injuries.

The **UN Commission of Inquiry** found that most of those shot posed **no imminent threat**, and that Israel's conduct likely constituted **war crimes**.

And yet - no sanctions. No arrests. No trials. The world looked away.

If peaceful protest is met with bullets, what moral or legal system can demand nonviolence? In the face of this, **resistance is not extremism** - it is the last resort of the abandoned.

The Doctrine of Divine Right and the Return of Sovereign Immunity

Israel's justification for exclusive Jewish sovereignty over historic Palestine is often rooted not only in modern law but in **biblical promise** - that God granted this land to the Jewish people. This theological claim, widely supported by U.S. evangelicals, fuels both policy and impunity. Verses like *"I will bless those who bless you"* (Genesis 12:3) are used to sanctify state violence.

This echoes the **doctrine of divine right** once invoked by kings to justify absolute power:

- The right to tax arbitrarily,
- The **ius primae noctis** (a sovereign's right to violate),
- The power to declare someone an **outlaw**, stripping them of all legal protections.

Under that system, the king *was* the law - and those who resisted were **not citizens**, but criminals. Today, Palestinians face a similar reality. Israel functions as a sovereign above the law. Palestinians, criminalized for even symbolic resistance, are treated as **outlaws** - a population against whom **any force is permissible**.

This Is Not Antisemitism – It Is a Rejection of Zionist Entitlement

But **this is not Judaism**. Judaism teaches justice, not conquest. The prophets demand compassion, not domination:

“I am the Lord; I have called you in righteousness... I will give you as a covenant for the people, a light for the nations.”
- Isaiah 42:6

True Jewish ethics require humility, justice, and empathy for the oppressed. Zionism’s transformation of “chosenness” into **entitlement** is not an extension of Judaism - it is a **betrayal** of it.

Genetic Ancestry and the Law of Return: A Modern Theological Contradiction

Israel’s **Law of Return (1950)** grants any Jew - defined as anyone with one Jewish grandparent or a convert - the right to immigrate and gain citizenship, regardless of whether they or their ancestors have ever lived in the land. By contrast, Palestinians expelled in 1948 and 1967 - many of whom can trace ancestry in Palestine back millennia - are **barred from returning**.

The policy is framed as a response to Jewish persecution. But its theological undertones mirror **divine right** thinking: some people are *entitled* to the land by virtue of religious identity; others, even those born on it, are not.

Genetic research undermines this claim. **Palestinian Christians** and many **Palestinian Muslims** have been shown through genomic studies to be **direct descendants of ancient Levantine populations**, including Canaanites and early Israelites. Their connection to the land is **deeper, continuous, and place-based**.

Thus, the Law of Return is not only discriminatory - it is historically backward. It grants privilege to those with **theological or diasporic claims** while denying return to those with **ancestral continuity**.

Resistance as a Right: Survival and Self-Determination

Article 51 of the UN Charter affirms that all nations have an **inherent right to self-defense**. But what about peoples without a state? What of a population under siege?

Palestinians are not a military threat. They are a **stateless people** facing:

- Military occupation,
- Territorial fragmentation,
- Systemic dispossession,

- Ethnic cleansing.

They are denied water, healthcare, education, and basic mobility. Their children are tried in military courts. When they protest peacefully, they are shot. When they resist militarily, they are called terrorists.

In this context, resistance is not a luxury - it is a **biological imperative**. It is survival.

When Law Becomes Injustice: Rebels Who Became Heroes

Throughout history, when laws have protected oppressors and criminalized the oppressed, resistance has broken those laws - and changed the world:

- **Nelson Mandela**, jailed as a terrorist, later won the Nobel Peace Prize.
- **Rosa Parks**, arrested for civil disobedience, sparked a movement.
- **Claus von Stauffenberg**, executed for trying to kill Hitler, is now honored as a hero.

In the age of monarchs, **rebels were outlaws** - stripped of all rights, hunted by the state. But it was these rebels who brought about the end of **sovereign immunity** and birthed modern justice.

When the law no longer serves the people, rebellion is not criminal - it is **foundational**.

Conclusion: The End of Excuses, the Return of Justice

It is often said that Israel must be understood through the trauma of the Holocaust. That its fears are rooted in persecution, and that its harshness is a defensive reflex. And indeed, law often considers background - just as a judge might weigh the violent childhood of a defendant.

But **77 years** have passed since the Holocaust. Israel is not a traumatized child - it is a nuclear-armed regional superpower, occupying millions.

Trauma may explain behavior. **It does not excuse it forever.**

When a traumatized individual becomes an abuser, the law intervenes. When a traumatized state becomes a repeat offender, the world must act.

If international law is to mean anything, it must apply to **all**. If peace is to be possible, it must begin with **justice**. And when peaceful paths are blocked - when the law becomes a tool of oppression - **resistance becomes a duty**.

To fight back, then, is not a crime. It is a **moral obligation**. It is **an act of survival**. It is the moment when **the outlaw becomes the just**.