Israel Is Not Committing Genocide: Exposing the Distortion of Law and Truth

written by Arsen Ostrovsky | 06.09.2025

As day follows night, recycled accusations of "genocide" are once again hurled at Israel by activists masquerading as "scholars."

This time, the charge comes from the International Association of Genocide Scholars (IAGS), a group that appears more interested in ideological posturing than in upholding intellectual integrity.

As a human-rights lawyer and a military expert, we come from different professional vantage points, yet we arrive at the same, unequivocal conclusion: Israel is not committing genocide in Gaza.

We have been to Gaza, led soldiers in battle, and practiced international law for over four decades combined. We have interviewed IDF commanders and soldiers on the ground, visited aid staging and distribution centers, and studied operational orders. From this vantage point, the accusation of genocide is not only false but obscene, a distortion of truth and complicity in Hamas's propaganda campaign.

The IAGS resolution itself exposes the hollowness of the claim. Barely 20 percent of members voted for it. Membership is open to anyone who can pay a $30 fee, without demonstrating academic rigor or expertise.

Parody accounts such as "Mo Cookie," "Emperor Palpatine," and "Adolf Hitler of Gaza City" are listed as members. That such unserious procedures can produce such a serious accusation should discredit the exercise outright. Yet the world's media, commentators, and lawmakers have rushed to amplify the libel.

Under the 1948 Genocide Convention, genocide is not a vague political term but a tightly defined legal crime: acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. The critical element is specific intent, what international tribunals have called dolus specialis. This

“intent to destroy” requirement is deliberately set as a very high bar. Without it, mass atrocities, however horrific, fall under other categories of international law, such as war crimes or crimes against humanity, but not genocide.

Nothing we have seen in Gaza remotely approaches proof of genocidal intent or action. The war is ugly, painful, and devastating, but it is fought by Israel in self-defense and in accordance with the laws of armed conflict. Hamas carried out the single worst massacre of Jews since the Holocaust on October 7, 2023, has vowed to repeat it “again and again” until Israel is annihilated, and still holds dozens of hostages.

Israel’s objective has never been to wipe out the Palestinian people. Its stated and demonstrated aim has been to dismantle Hamas’s military and governing capacity, prevent further terrorist atrocities, and return the hostages. Israeli leaders have said again and again that the war is with Hamas and not the Palestinian people, yet critics dismiss these statements as if they have no meaning.

Unable to prove genocidal intent, accusers instead point to the tragic effects of war: civilian deaths, destroyed buildings, food insecurity. They then argue that these outcomes prove genocide. But that is not how international law works. If devastation or high casualties alone proved genocidal intent, nearly every war in history could be branded genocide. Such reasoning strips the word of meaning.

Civilian suffering in Gaza is real, but responsibility lies primarily with Hamas, which has embedded its military machine inside homes, schools, hospitals, and mosques, deliberately using civilians as shields. This reality cannot be separated from the conduct of the war.

Israel, by contrast, has implemented measures unmatched by any modern military to mitigate civilian harm: advance warnings, leaflets, phone alerts, humanitarian corridors, pauses for evacuation, and canceling legitimate strikes when civilian risk was too high.

At the same time, Israel has facilitated unprecedented humanitarian assistance. More than two million tons of aid have entered Gaza since October 7, including food, medicine, fuel, and water. Israel has overseen the vaccination of Gaza’s entire child population, repaired water infrastructure, delivered medical supplies, and enabled fuel shipments to keep hospitals and essential services running.

These actions have taken place while Hamas still governs territory, still fires rockets into Israeli towns, and still holds hostages. There is no precedent for this.

On the battlefield, Israel has shown extraordinary restraint. The IDF has employed precision munitions, aborted strikes when children were visible, and deployed ground forces at great risk to its own soldiers precisely to minimize harm to civilians. This is the opposite of genocide.

Genocidal campaigns are defined by the intentional and systematic extermination of a people: Rwanda in 1994, Srebrenica in 1995, Darfur in the 2000s, or more recently, the attempted extermination of the Druze in Syria. To equate Gaza with these horrors is not only inaccurate but an insult to the memory of real victims.

Weaponizing “genocide” is not benign. It is part of a deliberate lawfare strategy designed to delegitimize Israel, isolate it diplomatically, and absolve Hamas of its crimes. By misapplying “the crime of crimes” to Israel, activists and so-called scholars cheapen the word, corrode the credibility of international institutions, and serve as pawns of Hamas, the only party in this war that has openly declared genocidal intent.

Words matter. So does law. Genocide is not a political football. When it is maliciously wielded against Israel, it demeans the victims of real genocides and undermines the integrity of international law itself.

The article was written with John Spencer, executive director of the Urban Warfare Institute. He is the coauthor of Understanding Urban Warfare.