

War on Palestine

How the fates of Gaza and Julian Assange are sealed together

Commentary: Were they being properly reported, two critically important court hearings in February 2024, in London and The Hague, would expose the US ‘rules-based order’ as a hollow sham. Both posed globe-spanning threats to our most basic freedoms. Neither received more than perfunctory coverage in Western establishment media such as the BBC. One was a week-long hearing by the International Court of Justice (ICJ) over a United Nations General Assembly request for an advisory opinion over Israel’s illegal occupation of the Palestinian territories and the other was a last-ditch appeal of WikiLeaks founder Julian Assange against efforts by the United States to extradite him so that he can be locked away for the rest of his life. If Assange remained free, and if the whistleblowers and people of conscience in the corridors of power felt emboldened rather than terrorised by his treatment, we might live in a society where our leaders dared not arm a genocide such as Gaza; and dared not conspire in the starvation of two million people.

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TWO legal cases posing globe-spanning threats to our most basic freedoms unfolded separately in Britain and the Netherlands in February 2024. Neither received more than perfunctory coverage in Western establishment media like the BBC.

One was the last-ditch appeal of Wikileaks founder Julian Assange in London against efforts by the United States to extradite him so he can be locked away for the rest of his life (Assange went ‘way beyond’ journalism, 2024). Assange’s crime, according to the Biden administration, is that he published leaks exposing the systematic war crimes signed off on by the US and British establishments in Iraq and Afghanistan. The British government, perhaps not surprisingly, has assented to his extradition (Grierson & Quin, 2022). In late May, after Washington refused to assure the High Court in London that Assange would receive a fair trial, it granted him the right to appeal the extradition case. However, Assange remains locked up in London’s Belmarsh prison.

The other case was heard by the International Court of Justice (ICJ) in The Hague. Weeks after the World Court judges deemed it plausible that Israel was carrying out genocide against Palestinians in Gaza, the US client state was back in the dock on a separate matter. The judges have been asked by the United Nations General Assembly to provide an advisory opinion on whether Israel's now-permanent occupation and colonisation of the Palestinian territories amounts to an illegal annexation of territory where it has established an apartheid regime (World Court to review 57-year Israeli occupation, 2024).

Separately, the Court ruled in late May that Israel must halt its attack on the city of Rafah, in Gaza, with the implication that its military operation there may amount to genocide. While the cases of Assange and Israel might appear to share little in common, they are, in fact, intimately connected—and in ways that have underscored the degree to which the West's so-called 'rules-based order' is being exposed as a hollow sham.

Media silence

One telling similarity is the limited media coverage each case has attracted despite the gravity of what is at stake. The BBC's main evening news dedicated mere seconds to the first day of the Assange hearing, and near the end of its running order. If the US gets its way, the courts would effectively hand the White House the power to seize any publisher who shines a light on US state crimes, and then disappear them into its draconian incarceration system.

The purpose of reclassifying investigative journalism as espionage is to further chill critical reporting and free speech. Any journalist contemplating taking on the US national security state would remember Assange's cruel fate.

But in truth, much of the establishment media appears to need no such threats, as confirmed by the many years of obedient, near-non-existent reporting on Assange's mistreatment by British and US authorities (Cook, 2022).

Meanwhile, if The Hague rules in its favour, Israel would be emboldened to accelerate its theft and colonisation of Palestinian land. The ethnic cleansing and oppression of Palestinians would deepen, with the risk that current regional tensions could further escalate into a wider war.

A win for Israel would rip up the legal framework written after the horrors of the Second World War and the Holocaust, stripping the weak and vulnerable of the protections supposed to be afforded to them by international humanitarian law. Conversely, it would signal to the strongest and most belligerent that they can do as they please. The legal clock would be set back eight decades or more.

Stinging hypocrisy

Yet strangely, both of these momentous cases—critical to the preservation of a modern liberal democratic order and the rule of law—have received barely a fraction



Figure 1: Julian Assange has already suffered a stroke amid his persecution and the 15-year confinement imposed on him by US and UK authorities.

of the interest and media attention dedicated to the death of Alexei Navalny, a critic of Russian President Vladimir Putin (Vock, 2024). In flaunting their concerns about Navalny, the Western media have once again echoed rather than tackled the all-too-obvious hypocrisies of Western governments (Snowden, 2024).

US President Joe Biden announced sanctions on 23 February 2024 against Moscow for the targeting of the Russian political dissident (Wright & Vernon, 2024). That is the very same Biden seeking, at the same time, to lock a dissident Australian journalist, Assange, out of sight for up to 175 years for bringing to light US war crimes (Oliver, 2024).

For years, the Western media have paraded their horror over Navalny's treatment and various attempts on his life, which they always ascribe to the Kremlin. But there has been barely an eyebrow raised over reported discussions by the CIA in 2017 plotting potential ways to abduct and assassinate Assange (Borger, 2021). Few have highlighted the fact that Assange has already suffered a stroke amid his persecution and the 15-year confinement imposed on him by US and UK authorities (Al Jazeera, 2021). He was too unwell to attend the February court hearings or even to watch the proceedings via a digital link from the court.

The former UN Special Rapporteur on Torture, Nils Melzer, has long warned that Assange is being slowly 'crushed' through isolation and psychological torture, with grave consequences for his health (Melzer, 2021).

Assange's lawyers have warned the High Court that there was a serious danger the US would add more charges once Assange was extradited, including

ones warranting the death penalty (Murray, 2024). This threat to the life of a Western journalist fell under the media radar. According to medical experts, and accepted by the first judge to hear the extradition case, Assange is in danger of committing suicide should he end up in the strict isolation of a US super-max prison (Sugue, 2021).

The media's tears for Navalny sting with their hypocrisy.

Blank cheque

Another revealing similarity between the Assange and Israel cases is that both are in front of the courts only because Washington has dug in its heels and refused to resolve the legal issues, despite their deeply ominous implications. Were the US to withdraw its extradition request, Assange could be set free immediately. The oppressive cloud hanging over the future of a free society, one that has the right and ability to hold its officials to account for wrongdoing, would instantly lift.

Basic freedoms, such as those enshrined in the First Amendment of the US Constitution, are being shredded only because a consensus reigns among the US political class—from Democrats to Republicans—to snuff out such rights. Similarly, were the US to insist that the mass slaughter of children in Gaza stop – more than 12,000 have died so far – Israel's guns would fall silent immediately (Amer & Mali, 2024).

Were the US to demand that Israel bring to an end its occupation of the Palestinian territories and 17-year siege of Gaza, and were the US to take a genuinely even-handed approach to peace talks, the World Court could set aside its hearings against Israel (Gaza siege, 2024). Its opinion would be superfluous. Washington, whatever its protestations, has such power. It is the US and its allies supplying Israel with bombs and ammunition (US plans to send weapons, 2024). It is the US and its allies providing the military aid and diplomatic cover that allows Israel to act as an attack dog in the oil-rich Middle East.

Israel's intransigence, its hunger for others' land, its dehumanisation of the Palestinian people, and its constant resort to military options would have to be abandoned, however unwillingly, were it not being written a blank cheque by the US. Instead, the US cast a veto on 21 February 2024, its third such veto since 7 October 2023, at the Security Council, blocking efforts to impose a ceasefire to end the genocide (*Middle East Eye*, 2024). The UK abstained.

Also, US officials told the World Court's judges they should not call for Israel to end its occupation anytime soon. In Orwellian fashion, decades of violent oppression by Israel and the illegal settlement of Palestinian land were characterised by the US as "Israel's very real security needs" (Borger, 2024).

Intimidation campaign

The cases are connected in yet another way. In the Assange case, the US demands an absolute global legal jurisdiction to hound critics, those who wish to pull away the veil of secrecy that shields Western officials from accountability for their crimes. It wishes to silence those who would expose its lies, deceptions and hypocrisies. It hopes to be able to disappear into its prison system those seeking to enforce the West's self-professed commitment to a democratic order and lawful behaviour.

In parallel, and for similar reasons, Washington demands the opposite for itself and client states such as Israel. It insists on absolute global legal immunity, whatever they do. Its veto at the Security Council is wielded to that effect, and so is its campaign of intimidation against judicial authorities who entertain the fanciful notion that the same international law used to rein in enemies might constrain Washington and its allies.

When the ICJ's sister court at The Hague, the International Criminal Court, sought to properly investigate the US for war crimes in Afghanistan, and Israel for atrocities in the occupied Palestinian territories, Washington went on a rampage. It placed financial sanctions on leading figures of the ICC and blocked entry to its investigators so they could not carry out their duties (US sanctions on the International Criminal Court, 2020). Israel has similarly barred a series of UN special rapporteurs from entering the occupied Palestinian territories to report on human rights abuses there (UN rapporteur, 2024).

Just as the persecution of Assange is meant to terrorise other journalists from considering holding US officials to account for their crimes, the bullying of the highest legal authorities on the planet is intended to send a clear message to national court systems. Certainly, that message appears to have been loudly received in London.

Information void

Another connection is perhaps the most significant. Assange once observed: 'Nearly every war that has started in the past 50 years has been a result of media lies' (Rattansi, 2024). It is only because of a void of real information—whether omitted by journalists for fear of upsetting powerful actors, or shielded from view by those same powerful actors' self-serving secrecy policies—that states can persuade their publics to get behind wars and violent resource grabs. The only people to gain from these wars are a tiny, wealthy elite at the top of society. All too often it is ordinary people who pay the price: either with their lives or through damage to the parts of the economy on which the public depends.

The continuing proxy war in Ukraine—a Nato-funded and armed war with Russia, using Ukraine as the battlefield—is a perfect illustration. It is ordinary Ukrainians and Russians who are dying. Despite the West spurring on the bloodshed, European



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'Don't Shoot the messenger-Hands off Assange', a protest bag at a pro-Palestine demonstration in Auckland, Aotearoa New Zealand, on 2 June 2024.

economies have been wrecked and further deindustrialised, while as a direct result of the fighting, yet another surge in consumer prices has hit the most vulnerable. But a few—including major energy corporations and arms manufacturers, as well as their shareholders—have reaped a large windfall from the war (Sweney, 2024; Jolley, 2024). It has been precisely the same game plan in Gaza.

It is the job of the media to connect the dots for Western publics by serving as a watchdog on power. But once again, they have failed in this, their most important professional and moral duty. The villains have yet again gotten away with their crimes.

It is the war criminals and genocide enablers in Washington who are free, while Assange is locked up in a dungeon and the people of Gaza are slowly being starved to death. Assange's project was designed to reverse all that. It was about bringing the war criminals in Western capitals to book through truth-telling and transparency. It was about pulling back the veil.

If Assange remained free, and if the whistleblowers and people of conscience in the corridors of power felt emboldened rather than terrorised by his treatment, we might live in a society where our leaders dared not arm a genocide such as Gaza; and dared not conspire in the starvation of two million people.

This is why the fates of the people of Gaza and Julian Assange are so tightly sealed together.

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