

Amid Israeli Destruction in Gaza, a New Crime Against Humanity Emerges: Domicide

Friday 5 January 2024, by [AHITUV Netta](#) (Date first published: 4 January 2024).

Observers of Israel's fierce bombing campaign in Gaza are invoking the term 'domicide.' Will the deliberate and systematic destruction of homes and basic infrastructure soon be legally defined as a crime against humanity - and where does this leave Israel?

Devastation in the Gaza Strip. "Israel's actions amount to domicile," says MIT Prof. Rajagopal, "and may now very well constitute acts of genocide as well." Credit: Adel Hana/AP

In the late 1930s, following the rise of Nazism and burgeoning antisemitism in Europe, Polish-Jewish lawyer Raphael Lemkin fled to the United States, arriving there in 1941. As a lecturer of criminal law at Yale University, he researched cases in history in which one people deliberately set out to annihilate another. It was he who coined the term "genocide," an amalgam of the Latin words *genos* (race, people) and *cide* (act of killing).

Now a new, war-related concept and term may enter the list of crimes against humanity. "Domicide" ("domestic" or "domicile," plus "cide") refers to the deliberate and systematic destruction of homes and basic infrastructure in a manner that renders them uninhabitable. This term repeatedly been mentioned recently at academic conferences, hearings held by international organizations and in the media. Israel, according to scholars and other observers, is wreaking [devastating destruction upon Gaza](#) and its residents, and as such is guilty of crimes against humanity.

According to an investigative report published last week by [The Washington Post](#), 37,000 buildings in the Strip have been damaged during the war so far. Of them, 10,000 have been entirely demolished. These numbers are extraordinary by any measure. In Aleppo, which paid a heavy price during the war between Syrian President Bashar Assad's forces and rebel troops, some 4,700 buildings were entirely destroyed over three years. Israel destroyed double that number of structures in seven weeks. Comparisons to other conflicts are no kinder to Israel, either: In the first week of the war alone, Israel dropped 6,000 bombs on the Strip, more than the annual total used by the United States in Afghanistan.

Destruction in the Jabalya refugee camp in November. In the first week of the war alone, Israel dropped 6,000 bombs on the Strip, more than the annual total used by the United States in Afghanistan. Credit: Reuters

According to satellite images, entire neighborhoods in Gaza have been all but wiped off the face of the earth, among them Al Karama in the northern part of Gaza City; the Jabalya refugee camp; Beit Hanoun in the northern section of the Strip (the Israel Defense Forces said that the city was a Hamas hub and one of the places from which terrorists departed on Black Saturday); and other locales. All told, some 350 schools and 170 [houses of worship](#) have been damaged or destroyed, roads have been reduced to rubble, and electric, water and sewage infrastructure have been obliterated. According to Shelter Cluster, an umbrella organization of relief groups that assist

populations in areas of conflict and disaster, it will take at least a year to just clear the rubble from the places that were destroyed and to ensure that no dangerous materials remain.

Does the systematic nature of the destruction in Gaza amount to a crime against humanity? “Domicide” was initially used in the 1970s to describe the destruction of what is referred to as the family cell under any conditions. It assumed its present meaning – as a crime perpetrated, during combat, against personal property and basic infrastructure in residential areas, making them uninhabitable – only in 2022, in a report drawn up for the United Nations by Balakrishnan Rajagopal, a professor of law and development in the Department of Urban Studies and Planning at MIT. Rajagopal used the term “domicide” to describe the physical destruction wrought by Assad’s forces in Aleppo.

In a conversation with Haaretz, Rajagopal emphasized that, “the chance that destruction of homes will be recognized as domicile is higher than ever, as we are all seeing too many recent instances of such massive destruction around the world including now, tragically, in Gaza. Destroying a home is not just about a physical loss of brick and mortar, which can be replaced. A home is also a repository of our past memories, and our future dreams, and of course, a secure and safe place to live in the present. Losing a home is a profound loss that can make us lose our humanity. And when masses of homes are destroyed and entire neighborhoods are leveled as in Gaza, or Aleppo, or Mariupol, it is a crime against humanity.”

Destroyed buildings in Gaza in October. According to relief organizations, it will take at least a year to just clear the rubble. Credit: Fatima Shbair/AP

He adds: “I do believe that Israel’s actions amount to domicile, and may now very well constitute acts of genocide as well. The attacks by Israel have destroyed not just homes, but hospitals... historic streets, public buildings holding important records and archives... the main public library, all four of Gaza’s universities, Gaza’s old city, the ancient port of Gaza, and many museums including the newly opened Rafah Museum of Palestinian Heritage. This utter annihilation of Gaza as a place erases the past, present and future of the Palestinians.”

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Balakrishnan Rajagopal

Dr. Fatina Abreek-Zubiedat, a senior lecturer at Tel Aviv University’s School of Architecture, explains that domicile is an expansion of the concept of “urbicide,” referring to the destruction of a city. That term was coined in the 1990s in the context of the war in the Balkans, in which entire cities, and especially numerous public structures, were laid waste.

According to Oren Yiftachel, a professor of geography and urban planning at Ben-Gurion University, domicile refers primarily to “the impossibility of returning home at the end of a war, because there

is no place to go back to.”

For his part, Dr. Ziv Bohrer, an expert in international law at Bar-Ilan University, and a researcher at the Begin-Sadat Center for Strategic Studies, observes that “if domicide is recognized as a crime against humanity, international legal authorities will no longer be looking to accuse a brigade commander of destroying a neighborhood, but will aim the arrows of prosecution at the leadership of the army or of the state.”

Destruction south of Gaza City in October. “Losing a home is a profound loss that can make us lose our humanity,” says Balakrishnan Rajagopal, a professor of law and development at MIT. Credit: Reuters

There’s [no shortage of evidence](#) of what could be seen as domicide perpetrated on purpose by Israel, including public statements by figures in the governing coalition. Intelligence Minister Gila Gamliel wrote an article for [The Jerusalem Post](#) in which she urged “[promotion of] the voluntary resettlement of Palestinians in Gaza, for humanitarian reasons, outside of the Strip.” By expressing that idea, Gamliel seems to have revealed the government’s intent, or hope, that Gazans will not return home when the war is over, but rather will immigrate to other countries – another, second dimension of the crime of domicide, in addition to possible irreversible destruction: also not going back to their former lives.

In addition, Heritage Minister Amichai Eliyahu said that dropping an atomic bomb on Gaza “is one possibility.” And coalition MK Yitzhak Kroizer (Otzma Yehudit) said, “The Gaza Strip should be flattened and ... wiped off the map.” Even Maj. Gen. (res.) Giora Eiland, a former director of the National Security Council, who is considered a moderate figure, stated in an article in the daily Yedioth Ahronoth: “The State of Israel has no choice but to transform Gaza into a place that is temporarily, or permanently, uninhabitable.”

Meanwhile, according to international law expert Prof. Amichai Cohen, from Ono Academic College, “international jurists are collecting statements of the sort that ministers are making here about Gaza and compiling them in order to file a suit against Israel.”

Netta Ahituv

P.S.

• Haaretz. Jan 4, 2024 8:13 pm IST:
<https://www.haaretz.com/israel-news/2024-01-04/ty-article-magazine/.highlight/amid-israeli-destruction-in-gaza-a-new-crime-against-humanity-emerges-domicide/0000018c-d585-d751-ad8d-ffa5965e0000>