

A Criminological Analysis of War Crimes in the Palestinian Crisis: A Constructivist Approach

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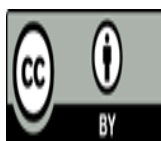
1-Introduction

The Palestinian crisis is one of the long-standing challenges in contemporary history, marked by numerous war crimes committed by various groups. War crimes refer to actions carried out during conflicts and wars against civilians and international laws, including intentional killings, torture, sexual violence, and the deliberate destruction of civilian infrastructure. The Palestinian crisis is one of the most complex international issues in the modern world, witnessing repeated war crimes over decades. This research aims to examine the causes and underlying factors contributing to these crimes using a criminological approach and the theory of constructivism in international relations. Constructivism is based on the premise that realities, meanings, and human understandings of the social world are not inherently or naturally given but are socially and culturally constructed. Within this framework, ethical concepts, identities, and definitions of the "other" or "enemy" are not based on objective realities but are shaped through social and cultural processes. According to this theory, war crimes may not only stem from individual decisions or political authorities but are also shaped by "social constructs." For example, the "demonization" of groups and the normalization of violent behavior can lead to the commission of war crimes. In the Palestinian crisis, various groups (such as Israelis and Palestinians) use social constructs to define each

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other as enemies or otherwise. These social definitions indirectly contribute to the formation and justification of violence and war crimes. Constructivism, by emphasizing the role of meanings, norms, and social identities, provides a deeper understanding of the behavior of actors in this crisis. The repetition of war crimes and international offenses in the Palestinian-Israeli crisis raises profound questions about the causes of these regional conflicts. These crises, which threaten regional peace and security, require a precise understanding of their criminological causes and social and political contexts. Examining these conflicts reveals that ideological and identity-based differences play a key role in the perpetuation of these crises. Constructivism, by emphasizing the role of identity and historical narratives, provides a suitable framework for understanding these developments.

2- Methodology and theoretical framework

This research adopts a descriptive-analytical approach, utilizing a documentary-library method for data collection and analysis. Data were gathered from a variety of sources, including scientific articles, legal documents, reports from international organizations, and historical records. The collected data were systematically categorized and analyzed within frameworks such as criminological dimensions, identity conflicts, and the role of international institutions. These methods were selected for their suitability in examining the historical, ideological, and structural dimensions of the crisis, providing a comprehensive understanding of the subject matter.

Constructivism, as a theoretical framework, highlights the critical role of identity and historical narratives in shaping these conflicts, offering valuable insights for addressing their root causes. Constructivism, as one of the prominent paradigms in international relations, asserts that social reality is constructed through ideas, shared beliefs, and identities. In the context of the Palestine-Israel crisis, constructivism provides a lens to analyze how identity conflicts and historical narratives influence political behaviors and decisions. Key Constructivist Insights:

Identity and Ideology: The crisis is deeply rooted in identity and ideological differences, which are perpetuated through historical and cultural narratives.

Normative Structures: Constructivism highlights the role of international institutions and global norms in either mitigating or exacerbating the crisis. It examines how these structures influence the behavior of states and non-state actors.

This theoretical framework offers a deeper understanding of how identity politics and historical narratives contribute to the perpetuation of the Palestine crisis and the occurrence of war crimes. According to constructivism, war crimes in this context are not merely the result of individual actions or state policies but are also driven by social and cultural processes that continuously shape identities and values. These processes reinforce divisions and justify violence. Therefore, to reduce war crimes, it is essential not only to reform political structures but also to transform social and cultural constructs. Such a shift would encourage dialogue, mutual understanding, and intergroup reconciliation, moving away from the perpetuation of enmity and violence.

3- Discussion

This study has identified several factors that have exacerbated the occurrence of war crimes in the Palestine-Israel crisis. Ideological and identity-based differences between Palestinians and Israelis have been the primary drivers of recurring conflicts. Historical injustices, such as the displacement of Palestinians and ongoing territorial disputes, have fueled deep-seated hostilities and provided justifications for continuation of violence. Additionally, the inability of international institutions to effectively address these crises has contributed to a culture of impunity and the persistence of violence. The research highlights the inefficacy of international institutions in mitigating the Palestine crisis. Political maneuvering and the absence of enforceable mechanisms have severely limited their capacity to prevent war crimes. Constructivism emphasizes the importance of regional frameworks in reducing tensions, and this study identifies regional cooperation as a viable solution. However, the involvement of external powers in the region has often exacerbated the crisis rather than reducing tensions. The present research underscores that the Palestine-Israel crisis is not merely a political conflict but a profound ideological and identity-based struggle. Historical injustices, religious and political narratives, and the

failure of international institutions are among the key factors perpetuating violence and war crimes.

4- Conclusion and Suggestions

This research aims to identify practical and preventive solutions to crises and international crimes in the Middle East. By addressing the root causes of these issues and proposing strategies to reduce tensions, it seeks to contribute to lasting peace and stability in the region. In conclusion, the findings of this research highlight that to prevent the recurrence of such crises and crimes in the future, the role of international organizations must be strengthened. These organizations should operate free from politicization, while political and religious discourses should be channeled through regional arrangements to foster cooperation. Additionally, the interference of external powers in the region must be minimized. Recognizing the state of Palestine based on international legal frameworks and adopting peaceful political approaches are essential steps toward preventing international crimes in the Middle East.

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