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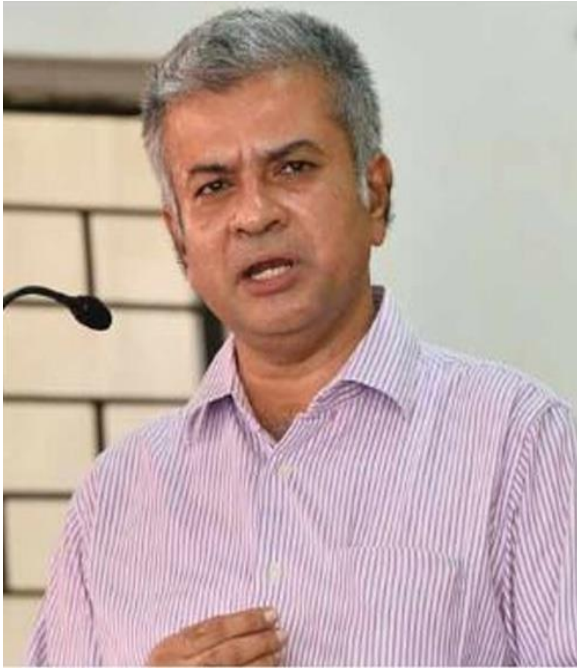
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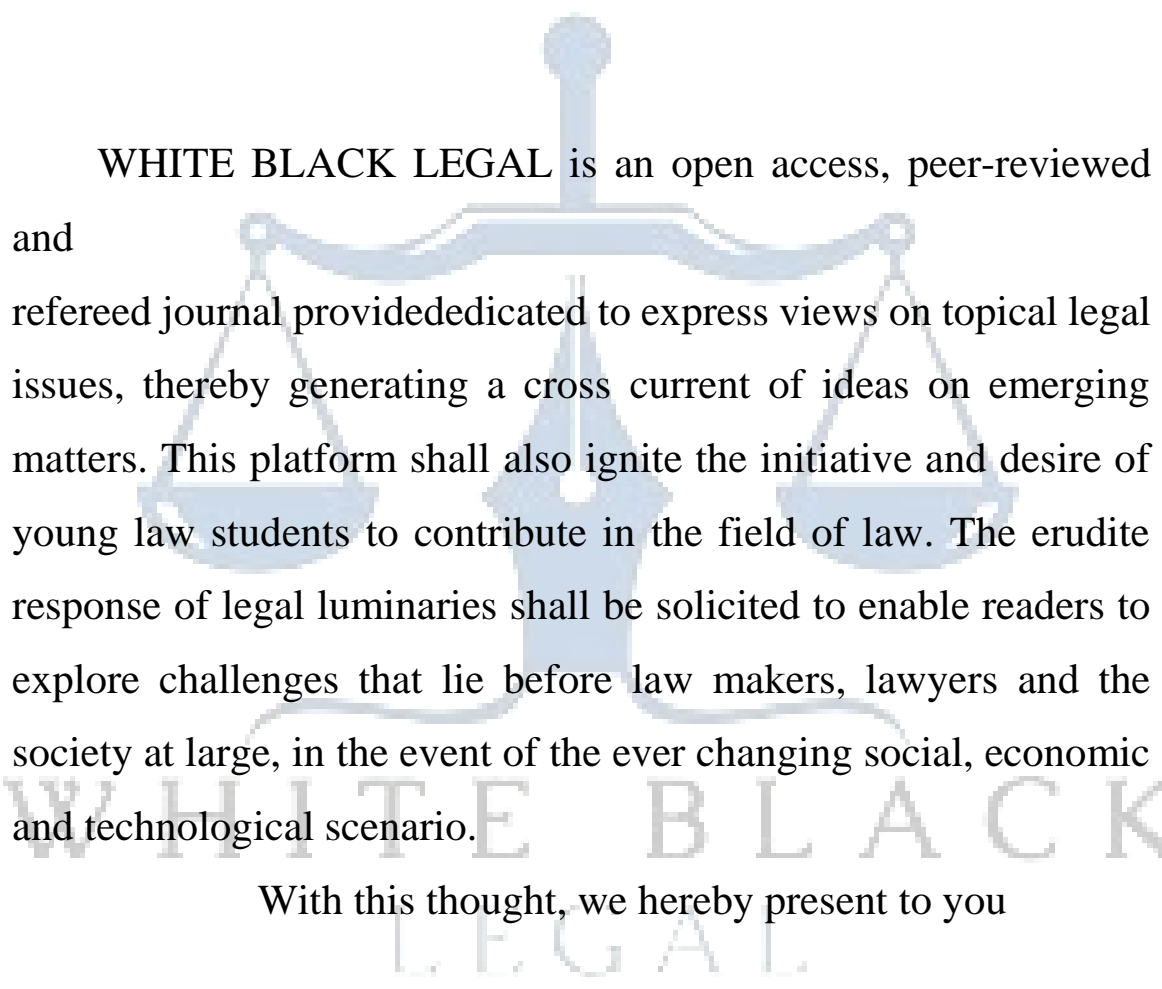


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BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

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With this thought, we hereby present to you



# **PRINCIPLE OF SOVEREIGNTY VS. HUMANITARIAN INTERVENTION: JURISPRUDENTIAL ANALYSIS OF THE ISRAEL-IRAN CONFLICT**

AUTHORED BY - KRITI KHANDELWAL

## **ABSTRACT**

*The paper dwells on modern effects on classical sovereignty ideas stated by Jean Bodin, Thomas Hobbes, and Immanuel Kant, and modern sovereignty stated by Stephen Krasner about the Israel-Iran-Palestine dispute. The sovereign notion of Bodin's notion of absolute sovereignty and Hobbes' notion of power centralization has been tested against Israel's military actions and territorial claims from the perspective of the two norms of sovereignty-in-theory embodied in differing views of realpolitik after considering the initial considerations of the requirement for control in contrast with two other norms of sovereignty. Kantian Perpetual Peace, which seeks a universal moral standard and goes much beyond mere custom, rejects Israel and Iran's selective use of sovereignty in this geopolitical disagreement. Meanwhile, Krasner's concept of organized hypocrisy exemplifies how sovereignty is exploited to achieve strategic goals, as shown in Iran's support of proxy groups and Israel's resistance to accept international scrutiny. Also, Mill's utilitarianism justifies the intervention to prevent suffering and violence against civilians.*

*The study focuses on how various theoretical frameworks provide unique perspectives on the conflict, namely the application of sovereignty, humanitarian obligations, and state power, highlighting persistent disputes and difficulties in balancing sovereignty and ethical imperatives by investigating these relationships. This analysis provides a nuanced picture of sovereignty's changing significance in global politics and calls for additional research into its impact on international relations.*

**Keywords:** Sovereignty, Humanitarian, Intervention, Conflict, International Law, Jurisprudence, Geopolitical strategies, Power dynamics, Obligation, Crisis.

## INTRODUCTION

What is sovereignty, a question certainly, we all seem to ask and try to conceptualize in our head, with an inability to do so as a result through it. And yet the only questions modern political science often testifies to its inability when it tries to define the concept and reality of sovereignty.

“The first proposition is that sovereignty is absolute power and authority and relatedly that sovereignty is indivisible”.<sup>1</sup> Sovereignty is a principle where the final and supreme authority of the state lies, and what counts it, depends on the structure and “nature of the International legal order”. *“Sovereignty as supreme power over a certain territory was a political fact.”*

The ongoing war between Israel, Iran, and Palestine exemplifies these conceptual difficulties. The counter-evidence of Israel's declaration of sovereignty, which included military incursions into Gaza and encroachments into the West Bank, reflects Bodin's and Hobbes' concerns about maintaining order and territorial integrity. According to Krasker, the rejection of international probes demonstrates that this order represents the pinnacle of sovereignty. “Mill's utilitarianism supports intervention only when it prevents widespread suffering or repression”. Kantian morals are critical to adequately understanding the R2P application, particularly in the context of humanitarian crises in Gaza and the West Bank. Iran's backing for Hamas and Hezbollah complicates the sovereignty debate, since an external actor exploits the sovereignty deficit to achieve its strategic information aims. This dissertation aims to analyze the evolving nature of sovereignty in a region marked by recurrent strife and power imbalances by comparing these ideas with the facts of the Israel-Iran-Palestine conflict. It explores the philosophical, legal, and practical ramifications of sovereignty, providing a thorough assessment of its significance and challenges in modern geopolitics. This study emphasizes not just the constant interplay between theory and practice, but also the ongoing importance of sovereignty in creating international law and conflict resolution.

### **Sovereignty v. Humanity**

The debate between sovereignty and humanitarian intervention centres on the tension between the state's right to govern and control its domestic internal affairs matters without the intervention of any external power and the moral obligation to intervene when there are any

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<sup>1</sup> Page 3 of sovereignty: History and Theory by Raja Prokhovnik



serious violations of human rights and humanitarian emergencies. There is no universal solution to this complicated and divisive problem, the one side argues about the responsibility of the international community towards humanity and the moral obligation to intervene in the case of crisis to their existence, while others contend about the supremacy of state sovereignty, to preserve peace and order averting outside intervention within the state affairs.

Sovereignty and humanitarian Intervention are two fundamental concepts in International Law, with complex and controversial relationships. Although there is no clear consensus on the legality of humanitarian intervention in the sovereignty of the state under international law, in certain situations, such as when a state is perpetrating genocide or other grave violations of human rights, humanitarian assistance is warranted.

Westphalian is one of those powerful words which has its existence as an active force within human consciousness. The expression of the 'Westphalian model' acts as an organic instrument and demonstrates the actual strategical and carries tremendous social power within and shared consciousness of the international community.<sup>2</sup> The Westphalian state-centric system was developed on an assortment of groundbreaking concepts, including the preservation of territorial integrity, the equal rights and responsibilities of the states, non-interference in the internal affairs of other states, the sovereignty, sovereign independence, and equality of nation-states, as well as the conduct of interstate diplomacy.

The **Treaty of Peace of Westphalia, 1648** the European settlements, which brought an end to the Eighty Years War between Spain and the Dutch. It is a principle under International Law, that each state has sovereignty over its territory and domestic affairs, to the extent of exclusion of all the external power outside the territory, works on the principle of non-interference in other country's domestic affairs, irrespective of the size of the state it shall be treated equally under the principle of International Law.

As The *Peace of Westphalia*<sup>3</sup> legitimated the right of sovereigns to rule their peoples free from outside interference, whether any such external claim of engagement rested on political, legal, or religious considerations, Sovereignty, as a notion, was the cornerstone of the superstructure

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<sup>2</sup> C K Ogden and I A Richards: The Meaning of Meaning -A Study of the Influence of Language upon thought and of the Science of Symbolism

<sup>3</sup> Peace of Westphalia, 1648.

of international relations constructed in 1648. “*Sovereignty was the crucial element in the peace treaties of Westphalia*, the international agreements that were intended to end a great war and to promote a coming peace.” The treaties of Westphalia enthroned and sanctified sovereigns and gave them powers domestically and independence externally.<sup>4</sup>

While **Indigenous sovereignty** appears to be a prized term within the discourse of indigeneity it refers to the variety of legal, social, economic, political and cultural rights. It is applicable to formulate rights to reverse progress colonial experiences, as well as to carry out local efforts to redeem ancestral lands, resources, self-governances, and cultural knowledge and practices. There is UN declaration of 2007 for the rights of Indigenous people marks a milestone in the articulation of Indigenous sovereignty.<sup>5</sup>

When comparing Westphalian and Indigenous sovereignty reveals that sovereignty is a contentious political issue. Both Westphalian sovereignty and Indigenous sovereignty are political constructs. They are ‘neither necessary nor essential’.<sup>6</sup>

### **Sovereignty in Classical Terms: Jean Bodin and Thomas Hobbes**

Jean Bodin, in his Six Books of the Commonwealth, describes sovereignty as absolute, perpetual, and indivisible, residing under a single authority that shares no interest in or is limited or constrained by external supplication. This model began to answer the need for central authority during the turbulence of early modern Europe. His model is congruent with a natural law notion of sovereignty, which is immutable and derives only from divine order.

Thomas Hobbes, in Leviathan, envisaged sovereignty to be equally necessary for preventing anarchy. His insistence was that the authority of the sovereign must not be challenged, to secure peace and order-the "mortal god", whose power must neither be shared nor obeyed by others. The classical theorists thus uphold the absolutist proposition of sovereignty, making it fundamentally incorrect with external interventions, whether on humanitarian grounds or otherwise.

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<sup>4</sup> *M S Janis: Sovereignty and International Law: Hobbes and Grotius' in R St J Macdonald (ed), Essays in Honour of Wang Tieya*

<sup>5</sup>

<sup>6</sup> *Jens Bartelson: A genealogy of sovereignty*

## Evolution of Sovereignty: Stephen Krasner and the Relational Models

Stephen Krasner has been unique in challenging this classicist understanding of sovereignty with his notion of "organized hypocrisy". According to him, wars, colonialism, and humanitarian crises all provide ample evidence that sovereignty might be frequently violated in practice. Sovereignty is not absolute; rather, it is contingent and shaped by the might of powerful states and the dynamics operating at the global level.

While modern scholars like Francis Deng redefined sovereignty through the lens of "sovereignty as responsibility", which asserts that state sovereignty encompasses obligations owed to its citizens, a state loses its claim to inviolability by failing in its duties, for instance, failing to protect its citizens.

## Sovereignty as a Legal Construct

The United Nations Charter forbids states from using force against one another, save in self-defence or when approved by the Security Council. Nonetheless, some academics contend that the Charter implicitly grants the right to humanitarian intervention, while others contend that this is a breach of sovereignty. Since the use of force is only prohibited under *Article 2(4) of the Charter* when it is done in a "*manner inconsistent with the purposes of the United Nations*," proponents of establishing the legitimacy of humanitarian intervention contend that the provision does not specifically forbid humanitarian intervention. However, the obligation to avoid human rights breaches aligns with the stated goals. This is because the Preamble to *the U.N. Charter*, which reflects the goals of the organization, contains the words "*reaffirming faith in fundamental human rights*" and "*saving succeeding generations from the scourge of war*," which are important to stopping these breaches, and thus *article 1(3)* emphasizes about this.

Israel asserts its sovereignty to justify military responses against Hamas and regional threats, invoking its right to self-defence. Conversely, Palestinian claims for sovereignty highlight decades-long grievances regarding Israeli occupation and systemic repression. Iran leverages its interpretation of sovereignty to support Palestinian resistance, framing its actions as solidarity rather than interference, despite its alleged role in destabilizing the region.

Israel asserts its sovereignty and right to self-defence under Article 51 of the UN Charter. Its actions in Gaza, the West Bank, and against Hamas are framed as essential to maintaining

territorial integrity and protecting its citizens from acts of terror. However, this stance is contentious given the international consensus that the Palestinian territories are under occupation, invoking responsibilities under the Fourth Geneva Convention to protect civilians and avoid disproportionate use of force. It is argued that Israel's prolonged blockade of Gaza and military actions often constitute collective punishment, conflicting with its legal obligations.

### **Humanitarian Intervention: A Philosophical Justification**

**Kantian Ethics:** Immanuel Kant's cosmopolitanism prioritizes a global moral order where individual rights supersede state sovereignty. In *Perpetual Peace*, Kant views states as moral agents with a duty to uphold universal human rights, legitimizing intervention to protect these rights. Kant's idea of a moral global order finds resonance in international criticisms of Israel's actions. Kantian ethics would demand humanitarian intervention in Gaza to uphold universal human rights, transcending Israel's claims to sovereign immunity.

**John Stuart Mill:** Mill's utilitarianism supports intervention only when it prevents widespread suffering or repression. He cautions against imperialist exploitation, emphasizing interventions must be proportionate, rational, and genuinely aimed at alleviating human suffering. Utilitarianism provides an important perspective, with the focus on military action in Gaza provoking debate as to whether they serve the greater good or perpetuate suffering. Iran's rhetoric of supporting Palestine often cloaks ulterior motives, including regional hegemony and ideological advances, which indicates the danger of manipulating humanitarian grounds.

**Natural Law and Jus Cogens Norms:** Hugo Grotius' natural law asserts that certain rights, such as freedom from genocide and slavery, are universally binding. **Inalienable Rights vs. State Actions:** Under natural law and jus cogens principles, acts such as targeting civilian infrastructure or imposing life-threatening blockades contravene fundamental rights, irrespective of sovereignty claims. The indiscriminate violence seen in the region, whether through Israeli airstrikes or Hamas's rocket attacks, underscores violations of these inviolable norms. Iran's involvement further complicates compliance, as its support for armed groups undermines the international prohibition on terrorism and acts of aggression.

### **Doctrine of Responsibility to Protect (R2P)**

According to the *Responsibility to Protect (R2P)* philosophy, which was endorsed by the UN



*General Assembly in 2005*, nations are primarily responsible for safeguarding their citizens against crimes against humanity, war crimes, ethnic cleansing, and genocide. The international community must step in and defend civilians when a state is unable to safeguard its citizens. Despite not having legal force behind it, the Responsibility to Protect (R2P) theory has been invoked to support humanitarian interventions around the globe, including the intervention in Kosovo (1999) and the intervention in Libya (2011).<sup>7</sup> While sovereignty is a cornerstone of international law, its invocation in the Israel-Palestine-Iran conflict reveals selective and often self-serving applications. Humanitarian intervention, though morally compelling, risks further destabilization and exploitation as a pretext for geopolitical agendas. The lack of consensus on civilian protection mechanisms underscores the enduring tension between state rights and human rights.

Since the commencement of the escalation, over 22,000 Palestinians, women, and children inclusive, have died due to various Israeli airstrikes. Hospitals, schools, and refugee camps were destroyed, which has worsened the humanitarian crisis in Gaza, all with the involvement of the complete blockade of ordinary food, water, and medical supplies: actions criticized as possible war crimes under the Geneva Conventions, international calls for humanitarian intervention followed. However, such acts hold the risk of infringing Israel's sovereignty and thus placing themselves in a lesser category of further regional instability. Attacks by Hamas in October 2023, which destroyed the lives of more than 1,400 Israelis and nabbed hostages, are blaring violations of international humanitarian law. The morality of justifications for intervention that focus only on Israeli behaviour is undermined by these crimes.

### **Sovereignty in classical terms**

Bodin described sovereignty as the 'absolute and perpetual power of a commonwealth'. He emphasizes the distinction between sovereignty and governmental authority, stating that "Sovereignty is the supreme power over citizens and subjects, unrestrained by law." By identifying sovereignty as everlasting, Bodin emphasizes the quality of duration as opposed to temporary or delegated power, which expires or can be repealed. The everlasting essence of sovereignty ensures continuity and stability in governance. He believed that dividing sovereignty would cause conflict and destruction within the unity of the state, stating that "The sovereign power is one and cannot be shared; divided sovereignty is the cause of anarchy."

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<sup>7</sup> Sovereignty v. Humanitarian Intervention: A Legal Perspective

## **Legitimacy and Moral Obligations**

As stated by Bodin, sovereignty is based on a social agreement within the society in which citizens need to give up some of their liberties for the sake of order and protection provided by the government of the state. The sovereign's authority is not arbitrary; it is based on the people's collective desire.

While Bodin emphasizes sovereignty's absoluteness, he also recognizes that it acts within the framework of natural law, divine law, and basic principles of justice.

The sovereign has a moral obligation to prioritize the wellbeing of the commonwealth, and states that "Sovereignty must serve the common good, not the private interests of the ruler."

Jean Bodin asserts that sovereignty is not arbitrary but derives its legitimacy from the order of natural law, ensuring the fulfilment of justice and morality within the society. Sovereignty is not arbitrary but a natural conduct.

## **Thomas Hobbes**

For Thomas Hobbes, sovereignty was an essential characteristic of the state. By contracts of authorization or of submission, 'the Multitude' are 'united in one Person' or commonwealth.<sup>8</sup> 'This is the Generation of that great LEVIATHAN, or rather (to speake more reverently) of that Mortall God, to which wee owe under the Immortall God, our peace and defence.'<sup>9</sup> This uniting of a number of men into a body politic, creating a real union of them all has, in all three versions of Hobbes's political philosophy, similar consequences.<sup>10</sup> The moral and political systems of Hobbes were ice palaces: crystalline, geometrically proportionate, majestic, a pleasing sight for the untrained eye; just as slowly did it succumb to the warm-heartedness of human sympathy before it was dissolved into muddy water in the lamination of genuine philosophy.

Hobbes' theory is read 'for its accounts of human nature and the logic of the social contract rather than its defence of absolute government'.<sup>11</sup> This suggests that his defence of absolutism defined as 'unconditional and unified sovereign authority; no collective right of resistance' is

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<sup>8</sup> Hobbes's 'Mortall God': Is there a Fallacy in Hobbes's theory of Sovereignty- M.M Goldsmith

<sup>9</sup> Leviathan: C.B. Macpherson (Harmondsworth, 1968)

<sup>10</sup> Supra 8

<sup>11</sup> The Need for Absolute Sovereignty: How Peace is Envisaged in Hobbes' Leviathan- Thomas Walsh

separated from his explorations of human nature and the logic of the social contract before being discredited.<sup>12</sup> Hobbes refers nature of the state as brutish, cruel, nasty, solitary and short, and “state of nature is a state of absolute freedom and therefore of constant mortal danger”.

Considering Hobbes' perspective, human beings are naturally such that they find a right to self-preservation, forcing them often to acquire power for their security from others. In the context of this natural equality between individuals, therefore, everyone else is associated with threats. The freeing would be from the constant possibilities of rushing attacks upon one another and inhospitable brutality. To escape this chaos of a "state of nature," Hobbes prescribes a social contract whereby each individual would transfer their natural rights to an absolute sovereign. This sovereign, ultimately to act in a legislative capacity, should now become the highest arbiter, stopping violence from one person to another by removing any personal interpretation of rules, making one obey them and enforcing the order. Hobbes would not wish to see any limitation upon a sovereign's power, as such restriction would return just such disputes over rule interpretation and render society undone and left deserted again in a Homeless Nature characterized by ceaseless conflict.

### **Absolute Sovereignty- Hobbes'**

Thomas Hobbes' argument for absolute sovereignty is grounded in the character of human nature and the operations of the state of nature. Hobbes argues that human beings, being self-preserving and more or less equal, would be condemned to violence due to anticipatory assaults of others, occurring to secure survival. Thus, the civil war is inscribed in his very heart, Hobbes proposes to put into action the antidote to avoid this lasting conflict; that is the basis of this social contract, where individuals would divest themselves of their natural rights to an absolute sovereign, which is vested with the only power to rule and enforce peace. Additionally, Hobbes asserts that natural equality is not absolute, as certain circumstances can lead to conflicts that favour specific individuals, thereby making violence a persistent risk.

Thus, Hobbes' argument provides a clear rationale for absolute: restoring order and mitigating the violent nature of human interactions in the absence of authority is both feasible and essential.

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<sup>12</sup>Ibid

## Evolution of Sovereignty

**Stephen Krasner**, in his work “Sovereignty: Organized Hypocrisy” tangles through the conceptual misinterpretation and misuse of the term “sovereignty”. He uses a Four-part classification approach for the “taxonomy of sovereignty”.

**Interdependence Sovereignty:** This concept addresses the state’s ability to control the movement across borders, and articulated it in language like "state sovereignty is eroding due to globalization." Krasner contends that such bromides conflate "control" with "authority."<sup>13</sup> States are losing control over cross-border movements of people, goods, capital and information.

**Domestic Sovereignty:** It is associated with the theories of Thomas Hobbes, Jean Bodin, and Jean-Jacques Rousseau, as the Western tradition of political philosophy is deeply rooted in it. Krasner highlights the internal authority within the structure of the state, which necessitates a centralized locus of control in preserving order, but he also calls attention that authority can be distributed, diffused and challenged within the state.

**International Legal Sovereignty:** Krasner proposed that a higher degree of normative content exists than just *domestic sovereignty*. He suggested tests to assess internal legitimacy, which include the following criteria: first, recognition by other states as an independent actor; second, juridical equality in the international arena, regardless of a state's size or power; and third, the provision of diplomatic immunities as a representative of the state. Krasner argues that this recognition often depends on power dynamics and geopolitical interests rather than strict adherence to legal norms.

**Westphalian Sovereignty:** This reaffirmed the principle of "cuius regio, eius religio," which means that the ruler's faith became the official religion of the state. Krasner referred to this concept as Westphalian, based on the principles of territorial integrity and non-interference, calling it "Organized Hypocrisy." While states emphasize the importance of non-interference, independent actors may violate this principle when it serves their interests.

In Krasner’s view, sovereignty is a legal fiction of malice, which intercepts international discourse while being subordinated to the exigencies of *realpolitik* strategically. The “organized hypocrisy” undermines the rigid doctrine of sovereignty and presents it as both a normative ideal and a practical tool by providing a realist nuanced perspective.

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<sup>13</sup> Rethinking the Nation-State: the Meanings of Sovereignty



**Let us analyze Bodin's framework which stresses over indivisibility of sovereignty and its alignment with natural law, in context with Israel's rejection of external interference and its policies in Gaza and the West Bank.**

Israel declares its statehood rights over the Gaza Strip, West Bank, and East Jerusalem. Israel regards its sovereignty in these territories as non-negotiable and immune to foreign monitoring, justifying acts, as necessary for growth for settlement and military operations to maintain stability and security. The Israeli government's approval of approximately 13000, additional settlement units in the West Bank in 2024, exemplifies this strategy, claiming historical and security justifications. Although widely condemned for breaking international law, these measures certainly align with the principles of Jean Bodin that sovereignty necessitates complete territorial control. Similarly, Israel resists external judicial and political oversight, rejecting International Criminal Court (ICC) investigations into alleged war crimes and dismissing United Nations resolutions as biased encroachments on its statehood and judicial independence.<sup>14</sup> Following the Hamas-led attack on October 7, 2024, Israel intensified military actions in Gaza, invoking its sovereign right to self-defence under Article 51 of the UN Charter. These measures, including airstrikes and blockades, reflect Bodin's notion that sovereignty entails maintaining security and order. However, the significant civilian toll, with over 30,000 reported deaths, has raised profound ethical and legal concerns internationally, highlighting the tensions between absolute sovereignty and humanitarian obligations.<sup>15</sup>

This approach mirrors Bodin's concept of absolute sovereignty, emphasizing unchallenged authority over territorial and judicial matters. However, Israel's actions, particularly settlement expansions and military operations in Gaza and the West Bank, have drawn significant international criticism for exacerbating instability in the region. These policies contribute to the displacement of Palestinians, heighten tensions, and undermine efforts toward a two-state solution. Unlike Bodin's theoretical framework, modern statehood interacts with international law and human rights norms. Israel's assertion of absolute sovereignty clashes with global principles, such as jus cogens norms, which mandate the protection of civilians and prohibit disproportionate military actions.

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<sup>14</sup> Israel- Iran conflict: Its origins explained, and what could happen next, Monash University

<sup>15</sup> Ibid

## **Iran's Role; Challenging Israel's Sovereignty**

Iran's support for Hamas and Hezbollah stands to directly challenge Israel's sovereignty, provision with funds, weapons, and strategic assistance from Iran undermines the territorial sovereignty and security of Israel. In April 2024, Iran expanded its involvement in the war by directly attacking Israel, using vast amounts of drones and missiles, most of which were intercepted by Israel's more capable systems. The nonstop, steady barrage of these attacks speaks to Iran's continuing procurement of support to undermine Israeli sovereignty indirectly through a strategy of avoiding direct conflict by manipulating maximum disruption. Additionally, Iranian supreme leader Ali Khamenei and other officials actively issued public declarations of persecution against Israel, contextualising their actions as part of a broader backdrop of the coalition against Zionist incursions, raising the stakes in the region in territorial claims and national autonomy while escalating another facet of the larger geopolitical conflict. Iran's actions make it very complicated to apply Bodin's theory of sovereignty to the present situation, as they blur the boundary between state and non-state actors. Iran's proxy policy thus undermines the classical model centred around centralized authority and has severely hampered Israel's attempts to maintain Independence. On the other hand, Iran's unwillingness to fight directly makes this preference a probable strategic guide or frame for consequences next time it intervenes.

This tension illustrates the evolving complexities of sovereignty in the context of international accountability.

**Let us analyze, Thomas Hobbes's theory of sovereignty in context with the present conflict of Israel- Iran, apply the theories within specific conflict dynamics and analyze the implications of the political turmoil.**

### **Israel's defense mechanism- Hobbesian Sovereignty**

Hobbes's principle for absolute sovereignty manifests itself in how Israel has reacted to the Hamas attacks on October 7, 2023; its aerial bombardments, the ground invasion of Gaza, and a blockade against all things Palestinian exemplify Hobbes' claim that sovereignty must be absolute if the state is to be secured against internal and external threats. In the aftermath of the attacks, Israel declared war on Hamas and entered into measures such as mass evacuations and border sieges—which can be framed as exercises of a sovereign right to self-defence to assure the protection of populations and territory. These actions of defence align, with the theory Hobbes that statehood's primary duty is to preserve and protect itself from external threats

within its domain. Israel's resistance against any foreign interventions such as those by the International Criminal Court regarding alleged war crimes. Seeking cover of sovereignty, *Israel argues that no external body is permitted to interfere with its internal governance and defence decisions*. For Hobbes, any such intervention would amount to a **delegitimization of the sovereign** as it would be wounding the sinews of its monopoly of power to maintain peace.

### **Iran's view through Hobbes**

Iran's funding, weaponry, and military training for the Hamas and the Hezbollah are apparent challenges from external forces regarding Israel's sovereignty. In Hobbes' view, interference is a transgression of the accumulation of sovereign power through force, thus making the entire region precarious. Iran's support of these non-state actors enables conditions alike to Hobbes's nature of the state, whereby splintered authority engenders incessant conflicts.

A Hobbesian conception of sovereignty emphasizes the need for a prime power. Modern developments, like standards like jus cogens principles and humanitarian laws, challenge this absolutism. Israel's blockade of Gaza, leading to more than 20,000 deaths and a humanitarian crisis, raises ethical and legal questions about the limits of sovereignty when juxtaposed against international human rights obligations. This statement is general information well-known to historians and political theory experts.

Thomas Hobbes lays the foundation for the Israel-Palestine-Iran war by describing the need and problems of ultimate sovereignty in the context of shattered and interwoven geopolitics. The extent of Israel's operations and its refusal of foreign control are aligned with Hobbes' precepts, but the lack of Palestinian unity and proxy participation from Iran highlights the difficulty of applying Hobbesian ideas in the modern world.

Let us analyze

Stephen Krasner's view

Stephen Krasner invented the term "organized hypocrisy" for those countries exhibiting a pragmatic and selective exercise of sovereignty. According to Krasner, sovereignty varies within its diffusion and range of use by states depending on their varying strategic goals considerable deviation from and betrayal of the norms established by the United Nations of theoretical non-interference, the prohibition regarding territorial integrity, and recognition in the international community when political advantage presents. This theoretical standpoint is

particularly handy in examining complex dynamics in the Israeli-Palestinian-Iranian conflict. In this regard, Israel has selectively invoked sovereignty in resisting external investigations, including ICC inquiries into alleged war crimes, a classic example of "organized hypocrisy" in Krasner's thinking of sovereignty, in which norms are maintained when favourable. In the meantime, its military actions in the Palestinian territories and Lebanon linked to national security violate Westphalian sovereignty to show how determined these countries are in practising such principles. The strong support given to Israel by the United States, in light of international disapproval on the grounds of alleged human rights violations, provides a clear-cut view that it is only those great powers that hold sovereign fragile alliances hostage to an ongoing proper application of sovereignty norms. The persistence of violated Palestinian sovereignty is pure hypocrisy of international relations, wherein general expedience continually trumps normative commitments. By proxy wars, Iran has blatantly exploited, or has established in concrete movement, holes in structures of sovereignty and begun a chain of events that has created and perpetuated chronic destabilization and the erosion of domestic sovereignty for Israel and Palestine. This demonstrates Krasner's pragmatic power-centered view of sovereignty.

**Let us analyze Immanuel Kant and Stuart Mill's theory in context with humanitarian intervention a need of an hour, or a wake-up call for the world to come together.**

### **Immanuel Kant's Perpetual Peace: Palestinians Rights**

A Philosophical Sketch depicts a situation in which peace is not the natural condition but is to be created employing deliberate legal and moral constraints. Some of the more essential elements in his theory, such as universal moral duty, the establishment of a "join of nations," and the rule of law in the relations between states, give much room for analyzing the ongoing Israel-Palestine conflict and broader regional dynamics related to Iran.

Kant argued that states have a moral obligation to prioritize peace and human rights over self-interest. He presupposes a world federation of states to enforce values propounded. This "league of Nations" would become the moral checkpoint for preventing wars and ensuring justice. But the Israeli-Palestine conflict lays bare the inherent contradictions of such frames. Israel's actions in Gaza and the West Bank: Israel justified military operations concerning the October 7 attacks by HAMAS, in conformance with Article 51 of the Charter of the United Nations; but the sheer scale of those actions, including airstrikes and blockades imposing enormous suffering on civilian populations, raises ethical questions about proportionality and



the protection of non-combatants, central to Kantian ethics. Palestinian Sovereignty and Self-determination: Palestinians call for their right to self-determination and sovereignty, corresponding to Kant's own beliefs regarding autonomy and the dignity of people. The botched two-state solution reflects a failure to abide by these universal principles, breeding cycles of violence and mistrust.

### **Stuart Mill's Perspective on Intervention:**

Utilitarian justification for intervention, advanced by John Stuart Mill, argues that intervention is permissible only when it averts great suffering within affected populations, rendering general happiness. He warns, however, against humanitarian justifications as a pretext for imperialism and advances genuine relief operations rather than taking ever the imposition of power in solving conflicts locally or externally. This analysis might serve as a key to the moral and pragmatic arguments in the ethical scaffolding of intervention. Military Blockade and Humanitarian Crisis in Gaza For more than 16 years, Gaza has been under siege by Israel's military blockade, which has severely restricted humanitarian aid, food, water, and medical supply access. Following the October 2023 Hamas attacks, the humanitarian situation has worsened tremendously with 27,000+ dead and 90% of the population experiencing food insecurity from a Millian perspective. The blockade creates the conditions under which intervention may be morally requisite for averting mass suffering. However the difficulties presented by the conflicting claims of sovereignty with humanitarian obligations are formidable.

*Is the justification for intervention congruent with the Milli standard?* At this juncture, it could be argued that the array of humanitarian crises consuming the Gaza Strip-injury and death of many civilians and deteriorating conditions in the living environments have met Mill's criteria for intervention for the sake of prevention from suffering. There exists, therefore, great urgency for world attention to the plight of the Palestinians due to the lack of just a few necessities and safeguards against violators of human rights. But one must have, however, an eye out for Mill's observation against intervening for the sake of imperialist considerations. Any intervention in such a politically subjected conflict would risk increasing the power disparity among the competing stakeholders, particularly where external stakeholders act in self-interest under the guise of humanitarian protection of the population. An Insight into Mill for the Israel -Palestine Conflict. The Grazing Nature between sovereignty and humanitarianism. Mill's theory pre-supposes that the second-order moral duty to intervene to stop severe suffering must entail

neither slighting the recognition of the sovereign state nor ensuring, through the same intervention, that empire-building interests are fulfilled. In the case of such occupation in Gaza and the West Bank, interventions must, by design, save the affected people while eschewing unclear colonial gains in the sensitive political context.

## **CONCLUSION**

The growing concept of sovereignty, which emerges from classical and more recent jurisprudence ideas, is critical to understanding state international contacts and behavior, particularly in crisis scenarios such as the Israel-Iran-Palestine conflict. Jean Bodin's theory of absolute sovereignty, Thomas Hobbes' emphasis on centralized authority, Immanuel Kant's moral cosmopolitanism, John Stuart Mill's utilitarianism, and Stephen Krasner's critique of "organized hypocrisy" all provide legitimate and fertile ground for exploring tensions between state sovereignty and global humanitarian intervention. According to Krasner's concept of organized hypocrisy, Israeli military actions and settlement policies make a claim against sovereignty that is consistent with both Bodin's and Hobbes' theories as well as the selective application of the laws of sovereignty. The presentation of Kantian cosmopolitan principles creates an ugly dissonance between unfolding Israeli acts and the norms of international law, suffocating the Palestinians' sovereign claims day in and day out with every bit of pressure to violate their normal lives. It also highlights the profound challenges of humanitarianism and sovereignty in the state of clinical insurgence. However, the Mill-like rationale only allows intervention if a strong humanitarian case is shown, balanced against state-centric objectives, stating that boosting happiness and reducing suffering would be the lesser of two evils.

According to R2P, a contemporary definition of sovereignty, international intervention is acceptable when a state's wrongdoing results in war crimes or genocide. R2P itself can be quite troublesome in light of the changes occurring in Israel, Iran, and Palestine. The need to strike a balance between intervention autonomy and sovereignty always seems risky in situations involving widespread violence.

This study seeks to develop a balanced framework for reconciling the moral and legal imperatives sovereignty with the demands of global human rights duties. International law must evolve to ensure that sovereignty cannot be used to avoid accountability for human rights crimes. A nuanced evaluation of state authority and accountability for humanitarian abuses

may pave the path for more realistic solutions to current conflicts. Such a framework necessitates the existence of strong international institutions capable of implementing human rights standards, and the political will to apply them consistently, especially in conflict zones where the moral imperative of international law should take precedence over politics of sovereignty. This study contributes to the ongoing discussion about the future of sovereignty in the twenty-first century by establishing that a more balanced and moral understanding of sovereignty could help to resolve modern conflicts and pave the way for a more just international order.

