

Genocide: A reading into the diverse conceptual meanings and genocidal manifestations in
Palestine- Gaza Collective Study

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Abstract:

This research paper addresses genocide at the conceptual level with the purpose of revealing the differences between the various definitions and approaches related to the concept of genocide, particularly as it is linked to Palestine. This paper provides insight into understanding the epistemological evolution of the concept, including a description of the ongoing violations occurring since October 7th in Gaza, which contributes to the level of the genocide. The paper also includes an explanation of the ongoing Orient-“Israeli” conflict and its dynamics which itself is structured around the concept of identity, underscoring that the dangers experienced by the Arab Orient area has a distinguishing characteristic that is different from that in the west, which necessitates an exploration on various levels. The seven approaches presented in this research focus on the historic events that led to the current situation in Palestine: the Jewish State Law; Israelization, Judaization and Palestinian citizenship; demographic dimension; a political and social perspective of the genocide; the standardized framework for genocides; stages of genocides; and the sociological dimension of the genocide with regard to Gaza and the social ramifications of the genocide.

Keywords: Genocide- identity – settlement – urbicide – criminal intent – community destruction – destruction of national patterns – Israelization – Judaization.

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The Introduction:

The governance's weakness in the Arab countries and the involvement of most of the peoples of the Arab countries after the Arab Spring in daily life concerns constitute an opportunity for the Israeli entity to continue to control people and impose its hegemony over the land in Palestine, that is, to impose policies of Israelization and Judaization. To confront this colonial settlement scheme, which uses both soft and hard power to achieve its demographic, educational, cultural and economic goals, it is necessary to approach the various dimensions from a political and social scientific perspective, to know the goals that the entity sought to implement before and after the events of October 7.

Given the fact that the Israeli entity controls security, land, and human in Palestine, especially since the Zionist movement knows that there is no possibility of establishing a comprehensive Palestinian program, the entity seeks to create what it calls a good Palestinian and Arab citizen, who accepts the colonial system and its internal and external influence in the Arab region.

Power relations are always determined between parties of a conflict. These relations, and their imbalance, are at the core of the Palestinian issue. This is because these relationships appear in emptying the geographical space of the indigenous population, so that the settler remains demographically superior. From here, we can understand the construction of settlements through the wall and tower that besiege each settlement, to highlight the geopolitical control of the colonizer and to achieve the Zionist scheme. The wall provides protection for the settlement from the indigenous population [i.e. Palestinians], and the tower provides permanent surveillance and early detection of potential threats. The entity believes that this geometric pattern provides security and permanent protection for it, so it built all the settlements in this way. The construction of settlements was linked to the space of superiority of power in favor of the settlers

in place and time, because the most prominent products of Zionist military architecture constitute an example of this settler-colonial spirit. Furthermore, the selection of the sites on which the settlements were established was not random, but was based on strategic Zionist planning that sought to create a network of settlement points in important locations on the highlands, to secure communication between them, and so that each settlement could request military assistance if needed [Rotbrad, 2003]. We conclude here that security influence is decentralized within the settlements, and is secured by the settlers. This influence is militarily centered outside the settlements, secured by the authority in the entity to ensure national unity. Therefore, the wall and tower settlements established an N-shaped geographic connection to the lands colonized by the Zionists, giving this geometric pattern an extremely important role in determining the path line of the partition of Palestine since the Nakba.

Since the 1880s, the Zionist settling has been characterized by the creation of small N-shaped communities through the possessing and controlling the lands of absent Arabs. This pattern was reinforced by local Jewish leaders [Mudde S.H.-h., 2020]. This network that was built in this way ensured the entity's topographic control over the land. The very presence of the settlement on the tops of the highlands allows facilitating the communication of settlements with each other, in order to annex the land and exclude the Palestinians [Brooks, 2006]. Here we conclude that the effort to attract the Jews of the world to Palestine and give them privileges indicates an effort specific to white Jews, as it is essential to consolidate their leadership, before the establishment of the state. [Human Rights Watch, 2021].

Since 2018, we have entered into the following equation: The Zionists consider that their right to land is enshrined in the law of the Jewish nation-state. It is required is to attract Jews from all countries of the world, to achieve their religious goals. Thus, they activated the role of organizations to create lobbies demanding that settling turns to a right of the Jewish national state. Thus, the Palestinians are facing a new stage in the confrontation, embodied in an executive plan whose goal is to cancel the Palestinian right to sovereignty, identity, and culture at the same time. Meanwhile, the political imagination of the settler-colonial scheme differs, as Raif Zreik says [Mudde S.H.-h., 2020] from other settling projects, because of the Zionists' self-image of returning to the ancient, invented Promised Land. The entity was built on the foundations of a colonial

strategy whose goal was complete control over the Palestinian interior and the entire Arab Levant. To implement this strategy, it [the entity] established a set of emergency legislation that is classified as a policy of death and exclusion, because it distinguishes between the Palestinian citizen and the Zionist citizen, regulating and controlling their lives, whether by the enemy's defense army and its security apparatus, or by the civil administrations. These daily exclusionary practices include raids, arrests, checkpoints, curfews, home demolitions, arrest, detention and torture of minors. This racist entity also monitors borders, constructs immigration policies, surveillance strategies, and census classifications as well as using invented histories based on state narratives, state history, state memory, and false traditions.

To reveal the truth, committed researchers played a prominent role in searching for and documenting the truth, especially since politicians seek to end conflicts under the pretext of achieving peace to escape accountability. There is no doubt that every conflict has its own characteristics, but this should not prevent the application of existing international legal rules in any conflict. The escalation of the events taking place in Palestine called for a study on war, genocide, and the brutality committed in the name of religion at times, the name of humanity at times and in the name of democracy at other times. This research was conducted by elite Lebanese academics at the Lebanese University, who are the most capable of reading social, political, and legal sciences, because of what is known to you. Lebanon has also suffered from the scourges of wars and conflicts, not the least of which is what is happening on its southern borders, including the killing and displacement of civilians, the destruction of homes and livelihoods and the emergence of major repercussions on children and women when it comes to the quality of life.

. Limits and Purpose of the Research:

This research, as its title indicates, "Genocide: A Reading of the Diversity of Conceptual Meaning and the Manifestations of This Phenomenon in Palestine [Specifically in Gaza] and the Policies to Confront It," seeks to read the events that prove the occurrence of genocide in Palestine, through the interpretation of a number of researchers' definitions of the concept of collective genocide as well as the attempt to link these definitions to the field events that took place since

October 7 in Gaza. The question that can be asked here: Why this region specifically?

Our choice of this approach aims to uncover the bitter reality that the peoples of this region are experiencing due to international failure and the failure to implement decisions and laws that respect the sanctity and dignity of the human being, any human being.

We are fully aware that the genocide witnessed in the Gaza Strip must be condemned by various means and fought through logic, science, law and respect for others. Therefore, in order to avoid future conflict, it must include what justice aims to achieve: prevention, deterrence, punishment and rehabilitation in a way that a common international legal system can be applied to diverse situations. We will refer to the titles according to the following topics:

The First Topic: The Evolution of Historical Events in Palestine: 82 Years of Israelization and Judaization

Since its establishments, the “Israeli” entity has sought to be the sole ruling power in the Arab Levant. Its plans in the beginning, from its inception until the year 2017, achieved near-complete control over Palestinian lands and extended its full influence over them.

However, in 2018, after 82 years of implementing Judaization and Israelization policies in occupied Palestine, the entity learned that only controlling the land remains incomplete unless it begins to implement a policy of normalization with Arab countries, which ensures the entity's proper communication with its surroundings, thus ensuring its sustainability.

It then moved to tighten its control over the Palestinian interior, especially the Gaza Strip, by building the huge wall that extends along the Strip for 65 km, costing an amount of \$3.5 billion according to the statement of the entity's defense minister in 2021, Benny Gantz, who indicated that “he is raising an iron wall between Hamas and the residents of south Isarel with the aim of protecting the settlements near the border strip” [Al Jazeera, 2016]. The “Israeli” Knesset passed the Jewish Nation-State Law, which states in its introduction that “Israel is the national state of the Jewish people.”

From the “Israeli” point of view, the entity represents a homeland for a population that is highly heterogeneous in terms of ethnicity, religion, culture, and social background.

Because the entity is composed of a new but old-rooted population that is still in the process of formation and growth [Kimmerling, 2011], it is imperative to seek to control the Palestinian territories and occupy all of Palestine. Ben-Gurion's idea began to materialize with the outbreak of hostilities in 1936, under successive “Israeli” governments that intensified the implementation of settlements to prevent the Palestinians from ever regaining their right to reclaim their land. He called for rapid Judaization to increase “Israel's” power to administer settlements and to strengthen its resilience, and to counter the nation-state law that denies the Palestinian people any right to their land. The latter called for rapid Judaization to increase the strength of Israeli settlements and the ability to confront them, and to confront the nation-state law that denies the Palestinian people any right to their land. The dawn of October 7 came to confront the de facto control of the land, sea, and airspace of the Gaza Strip and the siege that has been imposed on the Strip for 16 years.

The entity's hegemony was manifested through institutionalized discrimination against the Palestinian people and their land, which affected the political dimension, specifically the right to Palestinian national sovereignty over time by controlling the demographics, political authority and the land.

The “Israeli” authorities practiced brutality [Human Rights Watch, 2021] by forcibly dispossessing Palestinians and subjecting them to the harshest forms of persecution and apartheid. The entity remains an occupying force by virtue of its de facto control of the land, air, and sea areas of the Gaza Strip [Human Rights Watch, 2023].

The “Israeli” entity built its settlement strategy with the aim of encircling Arab settlements and lands through settlers, achieving control over 78% of the area of historic Palestine [Khatib, Natour, & Touma, 2006]. The consequences of the Judaization process were to determine the power and influence of the settlements due to their importance to the Israeli project and the fear of losing control [Goren, 2004, pp. 139-140].

The foundations of Judaization were built on the basis of demographics, which touches on the vision behind the Judaization process, and the Palestinian side had no choice but to defend its right to its land and protect its Levantine identity.

. The Evolution of The Act of Defending the Right:

During the British Mandate period, Palestinians had sufficient political awareness to recognize the Zionist dangers and greed in the land of Palestine. Since the Balfour Declaration in 1917, acts of resistance began inside Palestine, and the resistance experienced many milestones that influenced its course. After the establishment of the “Israeli” entity, multiple resistance groups emerged, and the idea of a political struggle emerged alongside the military role, considering that the military struggle is not enough to liberate Palestine.

The resistance in Palestine witnessed an escalating process, the most prominent of which was the 1936 revolution. The internal resistance was effective and continued until 1948, when the situation changed with the establishment of the “Israeli” entity.

We witnessed a new phase when political Palestinian factions began to emerge, and the term armed struggle began to be used to refer to forms of armed resistance.

In detailing the role of the resistance, it can be said that from that period, armed revolutionary operations began to spread, until they covered most of Palestine under the leadership of Haj Amin al-Husseini, averaging fifty operations per day, and the number of revolutionaries increased until it reached about five thousand resistance fighters.

Following the partition decision, armed resistance broke out on a large scale, but this did not prevent the creation of the state of Israel. The leader of the resistance at the time, Haj Amin al-Husseini, was exiled. This led to the spread of Palestinian resistance abroad, and resistance groups began to form what became known as factions, most notably Fatah, which began organizing cross-border attacks against Israel from Lebanon and Jordan in 1965.

The 1967 war was an important milestone in the course of the Palestinian resistance, as its activities began to escalate from Jordan, especially after Jordan lost control of the West Bank of Palestine in 1967. However, this role ended in Jordan in 1970, and the resistance factions and their leaders moved to operate in

Lebanon. They were a group of factions that joined under what was called the Palestine Liberation Organization [PLO]. In the 1970s, the Palestinian resistance developed its mechanisms of action, and the PLO and other armed Palestinian organizations began a series of plane hijackings, targeting Israeli and international flights with “Israelis” and Jews on board.

The Palestinian resistance continued to operate from Lebanese territory until 1982, when Israel's invasion of Lebanon prompted the PLO to leave for Tunisia. During that period, the resistance began to regain its effectiveness inside the Palestinian territories, culminating in the First Intifada in 1987, which was characterized by popular resistance. The Intifada was first organized in Gaza, then spread to cities, villages and camps throughout Palestine. It resulted in the martyrdom of about 1,300 Palestinians, and continued until 1991, when negotiations between the Palestinians and Israel began. It finally ended in 1993 with the signing of the Oslo Accords. During the first intifada in 1987, a new factor in the level of resistance work happened with the emergence of a faction with a religious ideology, represented by Hamas and later the Palestinian Jihad, alongside the other existing factions.

Despite the signing of the Oslo Accords, the Palestinians were unable to attain their demands, which led to the outbreak of the Second Intifada in 2000, in which some 4,500 Palestinians were martyred.

The Second Intifada lasted until 2005. Since the “Sword of Jerusalem” battle in May 2021, the Palestinian resistance has set a new and escalating course for its behavior and actions in face of the occupation's violations in Jerusalem, the West Bank and the Gaza Strip. The Palestinian resistance has set broader parameters for its action, with the aim of countering Israel's attempt to impose its control in the West Bank and Jerusalem, to annex them, and to expand settlement by adopting strategies of Israelization and Judaization.

2. Israelization Policies:

The Zionist entity's securitization policies [(BADIL, 2019)] are reflected in the practices of imposing comprehensive restrictions on the movement of 4.7 million Palestinians [Human Rights Watch, 2021, p. 6] by imposing a permit system, setting criteria for a good Palestinian, imposing sanctions policies, targeting education and the Palestinian value system, fabricating lies to perpetuate division

among the Palestinian people and spreading values that perpetuate a state of Palestinian defeatism.

The Arabic language and symbols of Palestinian identity are under attack, especially after the enactment of the Nationality Law, which called for the cancellation of Palestinian educational curricula and the use of Israeli educational programs that falsify the history and geography of Palestine. Here we are faced with legalized violations of political, social and economic rights.

The occupation began by consecrating Israelization with the aim of erasing Arab identity, and imposing a new reality that was enshrined in the Nationality Law, recognizing Jerusalem as the capital of the usurper entity, and reshaping the demographic composition.

After the “Israelis” tightened control over the Palestinian interior administratively and economically, it led to economic dependency, which is reflected in the living conditions of Palestinian citizens.

Administrative efforts succeeded in changing the demographics of most Palestinian governorates, with the exception of the West Bank and Gaza Strip [Farah, 1989, pp. 239-240]. The entity had to seek to control the rest of historic Palestine, which was cemented by the imposition of the Jewish nation-state law.

The Second Topic: The Nationality Law Consecrates Judaism and Cancels the Palestinian Identity:

The law presented by the former head of the Internal Security Service [Shabak], Knesset Member, Avi Dichter [Dichter, 2021, p. 8] and approved by the Ministerial Committee for Legislation, states that “the State of Israel is the national home of the Jewish people.” Therefore, the Jewishness of the state is an expression of the national-regional Zionist interpretation of Jewish history, and that the Jews’ relationship with the “Land of Israel” is exclusive and national, as defined by the law itself. According to the Zionism allegations, it lacked the Jewish sovereignty over the empty “Land of Israel”. This means, it eliminated the Palestinians from history.

This law was not enacted out of a desire to organize Israeli society, but rather resulted from thinking about creating a globally, culturally and religiously recognized state that represents the Jew wherever he may be. The insistence on the Jewishness of the state is closely linked to what is called the Jewish question.

This issue is considered one of the fundamental points for Israel, by giving Jews their rights and stripping non-Jews of all their rights.

Therefore, it is necessary to know the impact of the Israeli nation-state law on the concept of Palestinian citizenship, its background and roots.

1. The Israeli Nationality Law of 2018, Its background and Roots.

In July-June 2018, the Israeli Knesset passed the “Basic Law: Israel, the Nation State of the Jewish People,” or the so-called Nation State Law, which was the thirteenth Basic Law in a series of Basic Laws, which required an affirmative vote from 61 of the 120 members, enacted by the Knesset since its establishment in 1949 (Micheal, 1999, p. 28]. The most important feature of the Nationality Law is its declaration that the right to self-determination in the State of Israel is a right limited to the Jewish people, and ignores the rights of the Palestinians in the state. It differs from the essential documents that preceded it by omitting overarching principles such as democracy and equality.

The enactment of the Jewish Nationality Law represents the culmination of a series of racist laws since 1950, when it was first drafted by the extreme right at the Institute for Zionist Strategy. The process of proposing the racist law continued, but it was not presented to a vote due to internal disputes. Benjamin Netanyahu reintroduced it in an amended form on November 23, 2014 until it was approved as a law.¹

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¹ Review: The Basic Law in Israel: A National State for the Jewish people, which includes cognitive and skill principles, taught in Israeli schools according to detailed lessons that justify the law and refute the opinions of those who oppose it in the Israeli street. The general guide consists of 13 pages.

1- "The Land of Israel", which is historical Palestine, is a historical homeland for the Jewish people only. Likewise, exercising the right to self-determination in the "State of Israel" is exclusive to the Jewish people, and considering that the Land of Israel - Eretz Yisrael - is the historical homeland of the Jewish people, and in it the State of Israel was established.

2- The "Israeli State" is a state open to the return and arrival of diaspora Jews.

These two principles mentioned in this paragraph were also mentioned in the Declaration of 1948. Resolution issued by the United Nations General Assembly 181, dated November 29, 1947, called, according to the Declaration, for the establishment of a Jewish state in the land of Palestine. It must be noted here that the General Assembly resolution also stipulated the partition of Palestine and the establishment of an Arab state. The assertion that "the exercise of the right to self-determination" is exclusive to the Jewish people was to remove any doubt about what is involved in considering Israel a nation-state.

The law also stipulated other standards related to the symbolism of the state, as it specified the name of the state as "The State of Israel," and its flag was white with two blue stripes and a blue Star of David in the middle. This law specified the capital, which was Jerusalem. The official language is Hebrew. With regard to the Arabic language in terms of its regulation and use in official institutions, it is according to a law. The law also included that the state be open to the arrival of Jews and the gathering of the diaspora. It works to preserve the Jewish cultural, historical and religious heritage of the Jews of the diaspora. Therefore, the state considers the development of Jewish settlement to be of national value and works to encourage it and support its establishment and stabilization.

There is no doubt that the Israeli Nation-State Law of 2018 opened the door to the issue of ignoring the state borders set by Resolution 181 issued by the United Nations General Assembly on November 29, 1947 (Mansour K., 2023). This law gave subsequent justification for Israeli expansion when conditions were right. As for exercising the right to self-determination in the State of Israel and its exclusivity for the Jewish people, it aims to remove any doubt that Israel is considered the nation-state of the Jewish people, and that it will guarantee complete equality in political and social rights for all of its residents, regardless of religion, race, or gender. Israel aimed to reassure the United Nations that the new

state agreed to the principles of democracy, citizenship, and equality explicitly mentioned in Resolution 181.

According to this law, the matter becomes as follows: “Palestine is a land without a people for a people without a land.” This is what was enshrined in the Israeli Nation-State Law in 2018. The goal behind enacting this law is to settle Palestine, bring the Jews to it, expel and disperse the Palestinian people, and obliterate The Arab right and the replacement of an entity in the place of the original state. The Zionists see that Palestine is the place where the Zionist project is realized, and it can be said that the Zionist settlement aims to replace the indigenous population with a single Zionist human mass. In general, the Zionist settlement is distinguished from all settlement projects in the modern era. It is a replacement evacuation settlement, in which the population is changed and the identity is changed. This type of non-classical colonialism does not only take the form of an army defeating the army of another country, or occupying land to exploit its economic and human potential for the benefit of the invading country, but rather it takes the form of the transfer of Jewish human surplus from different homelands to different countries towards Palestine to occupy it. [Habib, 2006].

2. Palestinian Citizenship under Israeli Law

In 1895, Herzl wrote in his memoirs: “When we occupy the land, we will have to quietly carve out the lands - that is, the people of Palestine - beyond the borders, offer them work in the countries to which they cross, while we must prevent them from working in our land” [Obeid, 2001].

Before establishing its state, Israel expelled and displaced the indigenous population, and confiscated their lands for the benefit of the new settlers. When the state was declared in 1948, Israel considered that every Palestinian who left his home before August 1, 1948 was considered absent. Under this decision, two-thirds of the lands that belonged to the Palestinians were confiscated [Obeid, 2001].

In addition, the Israeli historian Ilan Pappé [Pappé, 2006, p. 11] spoke in his book “The Ethnic Cleansing of Palestine, Le Nettoyage Ethnique de la Palestine” that in March 1948, the Daleth Plan was drawn up, according to which eight hundred thousand Palestinians were displaced from their homes and lands. 531 villages were destroyed and the area was evacuated of its residents.

After the declaration of the Hebrew state, the Jewish military organizations of the Irgun, Stern, and Haganah [Mansour A., 2015, p. 558] carried out terrorist operations against Palestinian civilians, affecting their property, homes, and livelihoods, leaving behind the destruction of thousands of homes and the death of thousands of victims as a result of their exposure to organized and planned mass massacres. This created an atmosphere of panic and fear, forcing hundreds of thousands of Palestinians to forcibly flee their lands, to find refuge in neighboring countries such as Lebanon, Syria, Jordan, Egypt and others, under compelling and painful humanitarian conditions that went beyond imagination. Today, the number of Jews arriving from diaspora since 1948 is equivalent to the number of displaced Palestinians outside their homeland. Today, Palestinian refugees are distributed as follows:

42% inside historic Palestine

46 % are distributed in Jordan, Syria and Lebanon

6% in Arab countries that do not have borders with Israel.

6% in foreign countries.

With this distribution, it becomes clear that 88 percent of the Palestinians currently live in Palestine and its Arab surroundings. Based on the above, the entire Nationality Law erased the political rights of Arabs and ignored their civil rights as well. It is as if Israel does not have a historical group with a national or cultural characteristic other than the Jewish group. This law caused the Arabic language to lose its status as an official language, replacing it with the Hebrew language. This law actually undermined the political-social status that the Palestinians had been able to consolidate within Jewish society since the establishment of the Israeli entity. It further provided a constitutional justification for the confiscation of Arab lands. This practice was justified as “appropriation for the public interest.” The Israeli entity has been violating the international law’s rules since 1948, by depriving millions of Palestinians around the world of their rights of a Palestinian citizenship. Therefore, we must demand that Israel be held accountable for violating international law, by depriving millions of Palestinians who were expelled from Palestine in 1948 and 1967 and denied their right to Palestinian citizenship. There is no doubt that the Nationality Law enshrines Judaism and entrenches Zionist symbols in the state, aiming to abolish the Arab

identity and collective rights of the Palestinian people. It paves the way for apartheid through discriminatory legislation and laws that pave the way for the abolition of the Palestinian presence inside. This Israeli law constitutes an existential threat to the 1948 Palestinians on whom Israeli citizenship was imposed, denies their right to citizenship, strips them of all rights, and turns them into mere residents without a state [Hejazi F., 2016].

This law, which established settlements and abolished the Palestinian identity and the right of the Palestinian people to their land came in harmony with the demographic measures that the entity had taken since its establishment on the land of Palestine.

The Third Topic: The Demographic Approach

The Zionist movement used demographics as an essential tool to achieve its ultimate goal of establishing a Jewish state on the lands of Palestine. The only way that allowed them to establish a state in a place where there are no Jews, except as a small minority that has inhabited the lands of the Levant centuries ago, was through a set of demographic measures:

- Bringing in Jewish immigrants from abroad and planting them in the countryside initially, then building settlements that form belts that strangle Palestinian towns and cities besieging them from all sides.
- Displacing the original people of the land from Palestine.
- Implementing population policies aimed at enhancing the number of Jews, naturally by encouraging Jewish fertility, and artificially by implementing the laws of Judaization and Israelization.
- Implementing policies of population displacement, oppressing the indigenous people who remained steadfast in their lands and working to reduce their number gradually over long periods.

The organized immigration movement to Palestine began in the middle of the nineteenth century, with the support and encouragement of Jewish financiers, before the establishment of the Zionist movement. The founding fund of the Zionist Congress, Keren Hayesod, played the major role in transporting immigrants to Palestine. The fund received these people from all countries of the

world, and sent them to special camps set up in Haifa and Jaffa before redistributing them to Palestinian cities and villages. [Arnaud, 1927, pp. 284-285]

At the end of the nineteenth century, the percentage of Jews in the Palestinian territories did not exceed 7.8% of the total population. However, it rose to 33.1% on the eve of the declaration of the “Israeli State” in 1948. From these figures, we find that the average annual population growth for Jews from 1922 to 1948 amounted to 13.3%, while for non-Jews it didn’t exceed 4.5% annually. These numbers can only be achieved through the Jewish immigration to Palestine.

Table 1: Percentage of Jews in the Palestinian Population

Year	Their percentage of the total population	Source
The end of the 19th century	7.80%	Mille, 1899, p. 162)
1920	10%	[Augustin, 1924, p. 78]
1922	11.10%	[Augustin, 1924, p. 78]
1931	16.85%	[Hijazy, 2015, p. 18]
1948	33.10%	[Al-Qutb, 1990, p. 411]

After the establishment of the entity, more than a million Palestinians were displaced from their lands, while the Jews enjoyed numerical and relative superiority over the rest of the other residents of Palestine.

These measures fall within the category of Judaizing the population. To reinforce this reality, and in parallel with the continued incoming Jewish immigration and the displacement of Palestinians from their land, and the refusal to bring back even a single Palestinian refugee to the interior of Occupied Palestine [Morris, 2013, pages 277-297], the occupying state began to consolidate its grip on power, and follow the policies of Israelization, by issuing laws of “The Israeli Jewish

element” and its legislation on the rest of the population. Among these laws what was issued in 1950, which is the Law of Return, which encourages every Jew, wherever he was born to “return” to Israel. Then, two years later, the Nationality Law was issued granting these immigrants Israeli citizenship. This is in addition to the laws and legislation that encourage Jewish women to give birth [Murtada, 2003].

After 1967, Israel escalated the pace of Israelization and Judaization in line with its settlement project, through a policy of liquidating the camps and converting them into residential neighborhoods belonging to Israeli municipalities and local authorities in cities. This means placing the refugees under the direct control of the Israelis. The declared goal of the occupation government was to work to get rid of the “swamp of camps” and integrate the refugees into the cities surrounding them. However, the real goal was to push the Palestinians abroad, away from their land, after the “Israeli” economy was able to eliminate Palestinian productive work, and turn the Palestinians into unemployed consumers, searching for a way to seek refuge abroad. Departure is “voluntary” when forced deportation fails to achieve its goals [Hilal, 1975, pp. 261, 267].

The occupation spared no effort to remove the Palestinians from their land as it continued to displace them, even after the end of the 1967 war. In 1968, the deportation of more than 22 thousand citizens to Jordan was recorded. In the following years, it [Israel] practiced a policy of forced deportation by exiling Palestinian activists and resistance members abroad. A company, supported by International Zionism, was also established to provide free travel, accommodation for a few days, and work permits for Palestinians wishing to immigrate to Europe. The number of people who left the West Bank between 1967 and 1973 is estimated at an average of 68 thousand people. The majority of these are males between the ages of 20-44 years [Hilal, 1975, pp. 270-271].

After the collapse of the Soviet Union, the last decade of the twentieth century witnessed the most prominent wave of immigration to Israel. This migration provided the entity with about one million people over a period of five years. This number compensated for the population decrease resulting from the return of large numbers of settlers to their original places, following the outbreak of the first intifada. The impact of the "Soviet immigration wave" was extremely

important on the continuity of the entity, which is evident through the following four drawings:

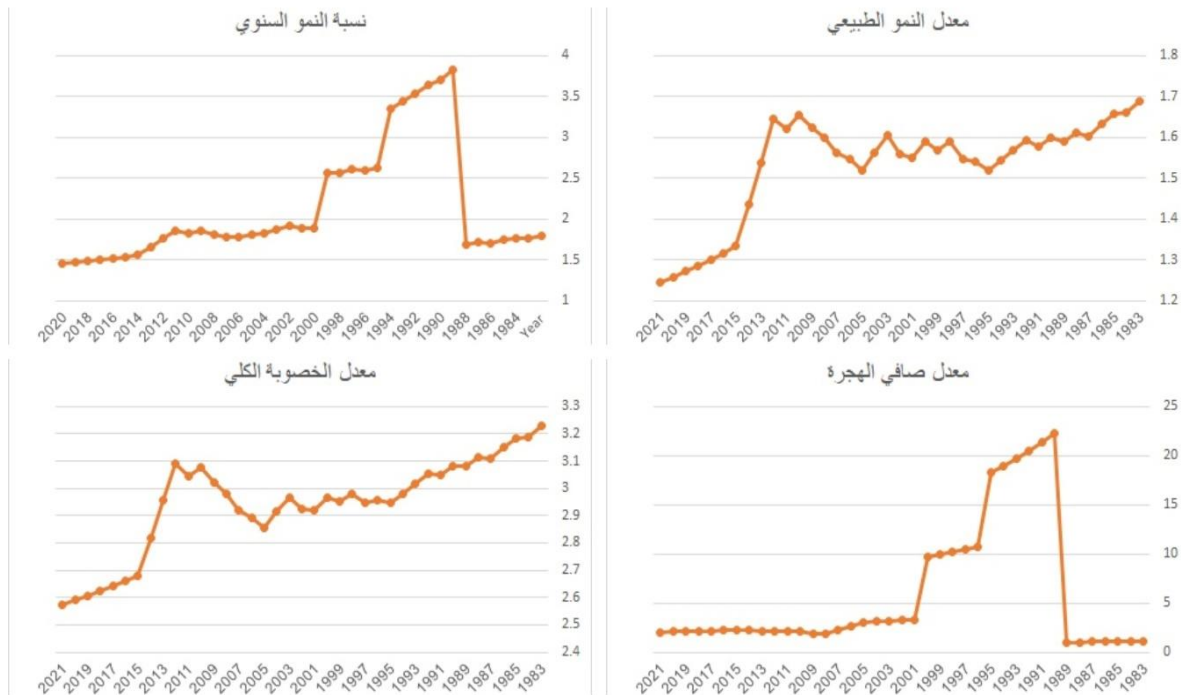


Chart 1: Demographic data for the “Israeli” entity, 1983-2021 [The researcher’s drawing is based on data from The US Census Bureau, 2022].

The composite drawing shows the prominent impact of the second wave of immigration between 1989 [the highest rate in terms of immigration], all the way to 1995, while it continued at a slow pace, until it stopped in 2001, and continued to decline until today². This immigration led to a significant increase in the rate of population growth, while the natural growth of the population in “Israel” was in a declining movement throughout the aforementioned period, up to the years 2005-2015, when it rose significantly, only to decline again to lower levels than it was in 2005. This clear increase in fertility is due to the increase in the fertility of Haredi women, as the percentage of Haredim in Israel increased from 10% to 13% between 2009 and 2020, while the percentage of other Jews decreased from 70% to 61% in the same period [JVL, 2022].

² Population growth results from adding total migration to natural growth, which resembles the difference between births and deaths

Moreover, as the effects of the major Soviet migration fade, the future demographic reality of the entity will not be comfortable. Therefore, it was necessary to rely on parallel immigration measures to support Jewish population growth in the occupied territories. These measures appeared to revive the concepts of transfer, which is the organized deportation of population groups and their replacement with other groups. In addition, new methods of confrontation against the Palestinians were invented.

The idea of transfer was not new to the Israelis. The organized deportation of the Palestinians they carried out after 1948, and the bringing in of thousands of immigrants from all countries of the world to reside in settlements built specifically for them, was nothing but a type of transfer. However, the idea returned to a number of right-wing Israelis, such as Ariel Sharon and Evgdor Lieberman in particular and others. These trends were evident in several conferences held after the year 2000, to deport Palestinians to neighboring countries such as Iraq and Jordan. In addition, laws related to combating what the occupation authorities considered to be abnormal social phenomena that would increase poverty and backwardness, especially the issue of polygamy and high childbearing, was proposed. [Mortaza, 2003].

Zionist measures aimed at Israelizing and Judaizing the demographics in historical Palestine continued. These measures seek to reduce the number of non-Jews, in exchange for increasing the number of Jews. One of the most important measures taken is those related to encouraging the births of Israeli Jewish women. Mizrahi Jews were the most responsive to the incentives provided by the “state”.

Given that the “Israelis’ realized the seriousness of their demographic situation, they sought a number of measures that can be divided into two types: direct demographic response, and cordoning off the results of Palestinian demographic superiority.

The first type of measures was manifested in encouraging childbearing among Israeli women. The Israelis succeeded in this to a great extent, as the fertility of Jewish women approached that of Arab Muslim women. This is most true for Mizrahi Jewish women, especially in the settlements, as fertility reached 3.16 births for a Jewish woman, compared to 3.29 for a Muslim Arab woman, and 2.05 for a Christian Arab woman [Al-Saleh, 2020].

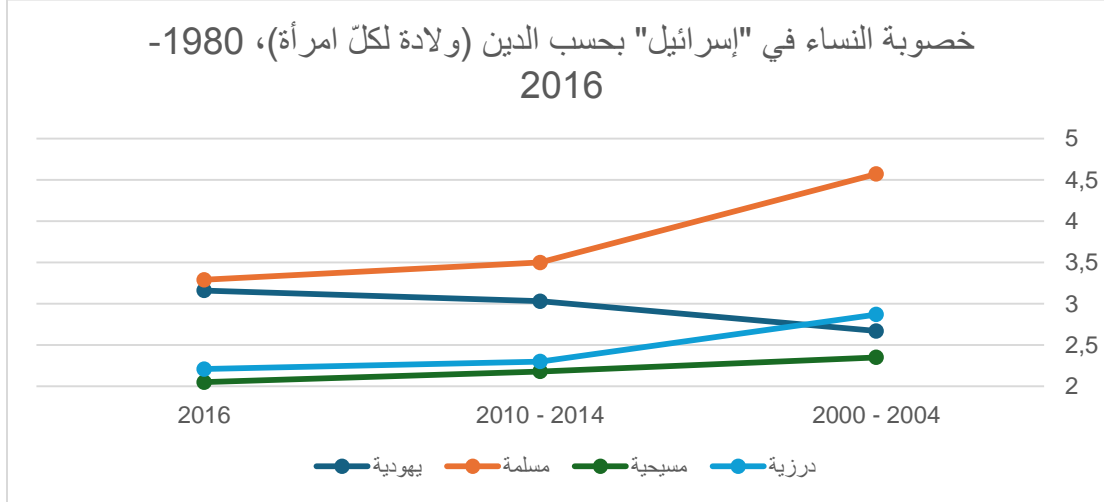


Chart 2: The change in women’s fertility in Israel according to religion from 1980-2016 [Al-Saleh, 2020].

The measures to encircle the Palestinian demographic dynamism aimed at strengthening the Jewishness of the entity by removing everything that was non-Jewish from it. The most prominent of these measures is the construction of the apartheid wall by the occupation authorities. However, the implementation of the Jewish state law was the most prominent “racist achievement” aimed at completing the Judaization of the entity. Add to this all the killing and harm done by the Israeli authorities to Arab youth, which can be considered intentional actions that can might amount to war crimes. The killing of a child, or the harm of a young man, does not target him for his own sake, but rather this act resembles a direct attempt to eliminate his descendants, by eliminating the opportunity for their existence.

The number of Palestinian martyrs from 2008 until October 7, 2023 was 6,665 martyrs in the West Bank, Gaza and Jerusalem. The number of martyrs [prior to sending this paper for printing]³ exceeded 35,000 verified martyrs in addition to an unknown number of martyrs who are still under the rubble [Palestinian Central Bureau of Statistics, 2024]. These numbers are to be added to approximately

³ The Last update: 04-05-2024

5,500 martyrs in the first and second intifadas [OCHA, 2023]. Thus, the number of martyrs exceeds 47000 martyrs over 36 years.

Table 2: Number of Palestinian martyrs since the first intifada until May 2024⁴

	Actual number	The expected number of martyrs if they remained Alive until 2050
Martyrs of the first intifada	1162	6265
Martyrs of the second intifada	4412	16684
Martyrs from 2008 to 2023	6665	18754
Martyrs after Al-Aqsa Flood	35000	75480
The total	47239	117183
Sources: [NPR, 2023] [Palestinian Central Bureau of Statistics, 2024] [ANERA, 2024]		

Assuming that these people are still alive, their number would have been more than 117 thousand in the year 2050, which represents 0.84% of the total current population present throughout the Palestinian territories and approximately 1.7% of the total Palestinian population. Here we can realize that the plans taking place today to displace the Gazans that can be displaced come to serve the Israeli demographics first, by emptying Palestine of its original inhabitants in the present and in the future.

Reports dating back to February 1, 2024, indicate that more than a third of Gaza City is now destroyed, and that 69000 homes have been completely destroyed. The number of completely demolished buildings exceeded 22000, and 360000 residential units were damaged. [NPR, 2023] [Palestinian Central Bureau of Statistics, 2024] [ANERA, 2024]. These numbers prompted international experts

⁴ The way followed to calculate future population numbers if they had not been martyred: applying the population growth equation for each category from the end date of the event till 2050 while using the population growth rate for the Palestinians.

to push the concept of residential disinfection to the forefront as an expression of what is afflicting Gazans.

Displacing more than 1.5 million residents to date constitutes a primary “Israeli” goal. This goal is to rehouse them in camps on the borders of Egypt, with the aim of deporting them abroad, or in camps inside the destroyed Gaza Strip, in an area narrower than what they were living in, in the hope that they will leave. This is how Israel wants to get rid of millions of Palestinians so that its demographics can be comfortable.

The demographic and legal dimensions were not the only coercive tools practiced by the entity on the land of Palestine, but over time, the Israelis tightened their control over the air, the borders, and the movement of people and goods, and registered the population in what it saw fit its interests, ignoring rights and legal status. Political Judaization was accompanied by the construction of Jewish settlements [Farah, 1989, p. 230] as a legitimate Israeli national goal. About 50 settlements were built in what is known as the Gaza envelope. The number of settlers in this area rose to about 55 thousand settlers [Al-Ghoul, 2023]. According to the law, all Jewish Israelis were granted a higher status than Palestinians people living in the same cities, whether in terms of freedom of movement, construction, or granting rights to relatives. The Netanyahu government pledged to formalize the prevailing reality of domination and systematic oppression [Human Rights Watch, 2021]. We witnessed this oppression in the Battle of Al-Aqsa Flood, in which the Israeli occupation army practiced the most horrific types of genocide.

Fourth Topic: Genocide: Conceptual Definition:

In 1948, the United Nations Convention for the Prevention and Punishment of the Crime of Genocide was drawn up, and what was drafted was seen as a way to ensure that the world “would never do that” [Alton, 2022]. However, the atrocities that we have witnessed over the past years have confirmed that the legal hurdle is high, because there is no ability to deter the genocides and mass atrocities that occur, especially what happened recently in Palestine. As impunity for perpetrators increases, the normative framework in international conflicts appears in the Geneva Conventions of 1949, which include the way of protecting civilians in war times. However, crimes against humanity were not embodied in a

specialized framework that could clarify some of the ambiguous points related to crimes of genocide and crimes against humanity, because the Convention required the presence of a specific intention, and this is something that is difficult to prove in many cases. In the normative framework, a basis consisting of two duties appears: the duty to prosecute or extradite, which is mentioned in the Geneva Conventions of 1949, and the duty to cooperate between states and punish those convicted, because this matter contradicts the Charter of the United Nations and the standards of international law as there cannot be any legal limits to these crimes.

The legal literature reveals that international crimes, such as genocide and war crimes, rise to the level of jus cogens, that is, binding rules in international criminal law, which is the highest hierarchical position among all rules and principles.

Genocide has a specific legal meaning, and is defined, according to the 1948 Genocide Convention, as acts committed with the intent to destroy, in whole or in part, a citizen belonging to a specific national, ethnic, racial, or religious group. [Alton, 2022].

Here we are talking about the destruction of a people, of their ability to reproduce and the destruction of the family. This is the essence of the crimes committed in Palestine. Therefore, genocide requires a high evidentiary burden, which includes acts related to killing, physical and mental harm, as well as the forcible transfer of people from their lands. These are all legal requirements for genocide. We should be in no doubt that we are here dealing with genocide. The number of people who were left and displaced until the date of preparing this paper, and who were killed, reached 35500 Palestinian martyrs and more than 80000 wounded during the Al-Aqsa Flood operation. [Palestinian Central Bureau of Statistics, 2024].

While the word genocide should not be used for rhetorical effect, and we should not allow it to become a taboo or a word that we do not dare to use, the experiences of researcher Raphael Lemkin have confirmed that the use of this term is permissible when there exists a process of cutting individuals from the human family occurs, and separating groups of people on the basis of race or ethnicity, religion or differences [Alton, 2022]. What is happening in Gaza is brutal

and barbaric, and it is a long history of cruelty practiced by the Israeli against the Palestinian, derived from the rules of the game itself in destroying the Palestinian national identity and culture.

The Genocide Convention provides a legal definition of genocide in Article 2. Genocide means any of the following acts committed with intent: to commit -in whole or in part- a national, ethnical, racial or religious group, racial destruction based on national or ethnic identity as:

- (a) Killing members of the group
- (b) Causing serious physical or mental harm to members of the group
- (c) Deliberately imposing specific living conditions on the group. Causing total or partial physical destruction of it
- (d) Imposing measures aimed at preventing births within the community
- (e) Forcibly transferring children of the group to another group

The main elements of the definition will be briefly considered. What are the elements that match with the Palestinian cause? Since genocide is considered a crime above all crimes, the question arises here: What are the basics of genocide?

Lemkin gave the following definitions of genocide [Alton, 2022]: Anyone who, motivated by hatred towards an ethnic, religious or social group, or with the aim of exterminating it, destroys the life, physical integrity, dignity, economic existence, or artistic and cultural heritage of people. Lemkin sent the proposal and reports to the Fifth Congress, to unify the Madrid Penal Code, but he was not allowed to attend the Congress. However, Lemkin later wrote that the word genocide means the destruction of a nation or ethnic group, and this concept is of Greek origin and its verbal definition is linked to the killing of a race or tribe, so this concept corresponds to tyranny and murder. In parallel, Lemkin proposed that this definition includes the destruction of the primary foundations of the life of the national group with the aim of exterminating it. The objectives of this work revolve around a plan that leads to the disintegration of political, social, cultural, religious and economic institutions, the destruction of personal security, freedom, health and dignity, the confiscation of property, the occupation of residents' land and the deprivation of their rights to individual property [this is what happened in

the Al-Jarrah neighborhood]. Genocide is directed against a group of citizens, so Lemkin believes that the response to genocide must be international, which means building an international consensus to recognize genocide as an international crime, because the disease of crime, if left unchecked, turns contagious.

As for Lemkin, responsibility falls on those who carried out the actions and implemented the orders, and on the members of the government and political bodies that organized and tolerated the genocide. Responsibility is equal between the one who planned and the one who implemented it. The United Nations Security Council must take action and ask the International Court of Justice to issue a decision to determine the case of genocide that is taking place.

However, Lemkin's definition of genocide deviated from the crime that was linked to identity towards focusing on biological destruction, and this was confirmed in the demographic approach previously. However, the Genocide Convention identifies four types of groups to which the convention applies exclusively: national, ethnic, racial, and religious groups. In order for this definition to be met, it must be ensured that the people targeted are from one of the four groups that have been identified.

For his part, Martin Shaw [Verdeja, 2010] considered that genocide is not just the physical destruction of a group, but also the destruction of the group's identity, thus destroying its culture or the basic social and material conditions necessary for the life of the group, and ultimately eliminating the way of life, social networks, institutions and values of society under attack. This amounts to destroying the social power of the targeted groups and the foundations of social life. Thus, genocide constitutes a key concept for various forms of violence because it aims to eliminate the identity and life of a group of victims. This formulation proposed by Shaw avoids artificial conceptual division, which helps researchers explain many cases, while maintaining accuracy and conceptual coherence. Here, Shaw emphasizes that genocide is a crime and a form of war, but the target here is the civilian population, and their civilian identity is what makes them targeted, because the perpetrators reimagine civilians as military enemies, and thus they are destroyed. This will be explained later when talking about abolishing the national style.

Shaw's formulation [Verdeja, 2010] serves two purposes:

First, it provides a critique of definitions of legal war, which assume a distinction between legitimate fighting and unlawful slaughter, while highlighting the expansion of war to include forms of attacks on civilians.

Second, it provides a sociologically rich formulation, because it talks about the complex social interactions between perpetrators and victims.

We will place these legal definitions within their standard framework to document the intent of the crime.

When we think of genocide, we associate it with the criminal act and prohibited acts, because we think of mass graves, of bodies in the streets, and because killing is the most well-known and most shocking prohibited act, especially if the killings involve entire communities including the elderly, mothers, children and non-combatants. Killing is one of the determinants of genocide and not the only one. Article 2 of the Genocide Convention specifies four other prohibited acts that occur when genocide occurs: “the total or partial national, ethnic, racial or religious destruction of a group.” It should be noted that genocide as defined in customary international law does not involve the immediate destruction of a group, but rather the proof of the criminal act of genocide, which could be causing serious physical or mental harm to members of the group. [Torture, inhuman punishment, sexual violence, serious injuries to external and internal organs, humiliation, enslavement, starvation, displacement, persecution, detention in slums, transit camps and concentration camps in conditions of denial of their rights as human beings added to suffering, torture and psychological damage].

For its part, violence is the infliction of physical and mental harm on people, and intentionally harming the living conditions of the group to achieve physical destruction. These methods can take the form of subjecting the group to an inadequate diet and health care, as well as expelling group members from their home or creating conditions that lead to slow death, such as lack of food and water... given the criminal intent, which is a specific intent to destroy, in whole or in part. Here, destructive intent distinguishes genocide from other violations of international law. Intent to destroy can be inferred from the nature of the

atrocities, or it can also be from policies or laws established by the state, and these are essential elements in establishing genocide.

The Fifth Topic: The Normative Framework for the Crime of Genocide

The term “the crime of genocide” has returned to international circles and the global media, following the war launched by the Israeli army on the Gaza Strip. Accordingly, on January 26, 2024, the International Court of Justice issued its decision regarding the precautionary measures requested by the Republic of South Africa in the context of its lawsuit against Israel for the crime of genocide it is committing against the Palestinian community in the Gaza Strip. The Court ruled that the “The State of Israel, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, shall take all measures within its power to prevent the commission of any act within its scope against the Palestinians in Gaza, in implementation of Article 2 of the Convention [Tai, 2024].” Since then, the term “crime of genocide” is more frequent, and many cognitive questions revolve around it. It also raises questions about the standard of genocide, and the elements that constitute this crime, as well as its prosecution and punishment. Therefore, we will try, in this paper, to answer these questions which raise the normative framework for genocide. What are these standards and what are the elements of the crime of genocide?

1. Elements of The Genocide Crime in International law

The crime of genocide is one of the most serious crimes that can be committed against humans, on a large scale. These crimes, with no doubt, directly affect human lives and all their belongings, and are committed for political, racial or religious reasons. This is what happened during World War II, which actually led to the destruction of the structure and foundations of human life, and the violation of human rights on a large scale through the use of various means of killing.

International crimes are considered crimes of international law, and they violate the rules applicable in accordance with the requirements of this law, which can affect world peace in many cases, and they are “an aggression against an interest protected by international criminal law” [Ziyad, 2014, p. 99]. The jurist Jean Siropoulos defined it as “acts that the state commits or allows to be committed in violation of international law, and entails international responsibility, as it harms individuals or the international community” [Ziyad, 2014, p. 100]. It has also been defined as “every act or omission committed by a criminally responsible person causing harm to an important interest of the international community. The international community believes that the perpetrator deserves the punishment that derives its origins from the rules of international criminal law” [Al-Alimat, 2007, p. 109].

There is no doubt that a crime is considered international when it affects international peace and security, and its elements are derived from what is established by international criminal law, and it has a material element represented by the prohibited conduct or actions that lead to it, that harm international interests and expose them to danger. It also has a moral component represented by the will and intent of the crime. The elements of international crimes were determined by the International Criminal Court, which stated this based on the agreement of the parties in the Rome Statute of the International Criminal Court at its first session, that was held in New York from 3 to 10 September 2002.

These crimes require two important principles, namely the principle of the universality of the right to punishment, regardless of the nationality and place of the committed crime. This is added to the principle of no obsolescence of for penalties related to international crimes. Article 1 of the Convention established the non-applicability of obsolescence of limitations for war crimes and crimes against humanity. This is because it affirmed that no obsolescence of limitations applies to the crimes/war crimes defined in the Statute of the Nuremberg International Military Tribunal issued on August 8, 1945, and the “serious crimes” enumerated in the Geneva Convention of August 12, 1949 for the Protection of Victims of War as well as for crimes against humanity, whether in times of war or in times of peace. The crime of extermination of the human race is considered one of the most serious crimes, because it threatens a person's life, health, and

dignity, and its gravity stems from the fact that it threatens to exterminate a religious, racial or ethnic group.

The elements of the crime of human genocide have been defined, which are killing members of the group, causing serious physical or mental harm or damage to them, subjecting the group to harsh living conditions intended to destroy it partially or completely, forcibly transferring children to another group and hindering procreation within the group. The 1948 Convention on the Prevention and Punishment of the Crime of Genocide defined these elements by indicating in its second article that “genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group.
- (b) Causing serious physical or mental harm to members of the group.
- (c) Intentionally subjecting the group to living conditions that are intended to bring about its physical destruction, in whole or in part.
- (d) Imposing measures aimed at preventing the birth of children within the group.
- (e) Forcibly transferring children from the group to another group.⁵

These elements are defined, according to the International Criminal Court, as:

- 1- The perpetrator kills one or more people.
- 2 - That the person or persons belong to a specific national, ethnic, racial or religious group.
- 3 - That the perpetrator intends to destroy that national, ethnic, racial or religious group, in whole or in part.
- 4 - This behavior occurs in the context of a clear similar pattern of behavior directed against that group, or the behavior is likely to cause that destruction by itself.⁶

⁵ Article 2 of 1948 Convention on the Prevention and Punishment of The Genocide's Crime.

Most of these elements were present after the Al-Aqsa Flood operation. Since October 2023, the Israeli army has launched a large-scale attack on the Palestinian Gaza Strip, with full support from the USA and European countries. This led to the martyrdom of 35500 Palestinians, including 15162 children, 10018 women, and 492 medical personnel.

In addition, there are 7000 missing people [Palestinian Central Bureau of Statistics, 2024]. In this war, 87000 housing units were completely destroyed, 2,010 buildings were demolished, 297000 were partially damaged, 33 hospitals were out of service, 604 mosques and 3 churches were destroyed, 103 schools and universities were completely destroyed, and 313 schools and universities were partially destroyed. [Palestinian Central Bureau of Statistics, 2024].

According to the Palestinian Central Bureau of Statistics, a total of 35709 Palestinians were killed in the Gaza Strip and 514 were martyred in the West Bank, according to the last update on 22/05/2024. Children constitute 42.45% of the total number of martyrs in the Gaza Strip, as their number reached 15162 child martyrs. As for female martyrs, their number reached 10018 martyrs, or 28.05% of the martyrs in the Gaza Strip. [Palestinian Central Bureau of Statistics, 2024].

Table 4: Number of martyrs in Gaza Strip

Martyrs of Gaza Strip	Number
Children	15162
Women	10018
Elderly	1049
Medics	492
Journalists	147
Total number of martyrs in Gaza Strip	35709

⁶ The Assembly of States Parties to the Rome Statute adopted the ICC [The International Criminal Court, Elements of Crimes] at its first session held in New York from 3 to 10 September 2002.

The Palestinian Central Bureau of Statistics also indicates that the number of completely demolished housing units reaches 87000 units, and that the number of partially damaged housing units is 297000 units.

Table 5: Damaged built units in the Gaza Strip

Housing units and buildings	Number	Housing units and buildings	Number
Partially damaged residential units	297000	Destroyed churches	3
Destroyed housing units	87000	Destroyed mosques	604
Destroyed buildings	25010	Destroyed government headquarters	189
Hospitals out of service	33	Schools and universities completely destroyed	103
Damaged hospitals	25	Partially destroyed schools and universities	313

According to the United Nations Population Fund [UNFPA], about 1.7 million people in Gaza have been forced to leave their homes since the beginning of the Al-Aqsa Flood events [UNFPA, 2024].

2. Genocide in the rules of international law

In 1948, the United Nations Convention on the Prevention and Punishment of the Crime of Genocide was established. What was formulated is seen as a way to ensure that the world “will not do that.” However, the atrocities that we have witnessed over the past years have confirmed that the legal hurdle is high, because there is no ability to deter the genocides and mass atrocities that occur, especially what happened recently in Palestine, with increasing impunity for perpetrators [Ochab & Alton, 2022]. The normative framework in conflicts of an international nature appears in the four Geneva Conventions of 1949, which include how to protect civilians in times of war. However, crimes against humanity were not limited within a specialized framework that could clarify some of the ambiguous points related to genocide and crimes against humanity as the agreement stipulated the existence of a specific intention required by the agreement, and this is often difficult to prove.

In the normative framework, there exists the basis of the duty to prosecute or extradite. It is mentioned in the Geneva Conventions of 1949, and it includes the duty of cooperation between countries and that of punishing those convicted, because this matter contradicts the United Nations Charter and the standards of international law there cannot be any legal limits to these crimes. The legal literature reveals that international crimes, such as genocide and war crimes, are crimes that rise to the level of *jus cogens*, that is, binding rules in international criminal law, which is the highest hierarchical position among all rules and principles. The effects resulting from *jus cogens* are obligatory ones, not optional rights. This means that describing crimes as *jus cogens* places the mandatory on them not to deny immunity to the perpetrators of such crimes especially since such crimes are considered part of general customary law, which indicates that they have a higher status at the international level because some crimes affect the interests of the international community as they threaten peace and security, and shock the human conscience. And the genocide to which the Palestinian people are subjected has shocked the conscience of humanity.

The seriousness of this crime lies in the fact that it does not constitute an assault on a single individual, but rather an aggression against entire communities [Belkacem, 2020, p. 32]. International law considered this crime to be punishable, especially since it could be considered a threat to international peace and security. According to Article 32 of the Fourth Geneva Convention, “The High

Contracting Parties expressly prohibit all measures that would cause physical suffering or extermination to protected persons under their authority. This prohibition is not limited to murder, torture, corporal punishment, mutilation, as well as medical and scientific experiments not required for the medical treatment of the person.” It also includes any other acts of brutality, whether carried out by civilian agents or military agents.

“All countries are committed to taking legislative measures and cooperating with each other to try or extradite persons suspected or accused of committing the crime of genocide, in application of the principle of extradition. This principle is complementary to the system of extradition or trial of criminals to avoid impunity for the perpetrators of genocide crimes.”

The punishment for these crimes is initially based on the criminal responsibility of individuals in international criminal law, with the aim of achieving justice and preventing impunity, based on the fact that individuals are the entities that commit crimes. The theory of criminal responsibility of individuals appeared after World War II, when the Nuremburg and Tokyo courts resorted to stipulating “the criminal responsibility of individuals,” whereby, under these courts, the individual became criminally responsible for the actions he committed. Then the International Criminal Court, according to the Rome Statute, came to confirm this. However, states still have the right to bring genocide to justice before the International Court of Justice, in accordance with Article 9 of the Genocide Convention, in order to limit these crimes and take measures to stop them.

Therefore, this crime is one of the crimes that caught the attention of the international community due to its seriousness, as it is considered an international crime, entails serious human losses, and affects basic human rights. It is considered one of the basic rules that are prohibited from being violated by the rules of international humanitarian law. There is no room for any exception in violating it, just like any other peremptory rule, especially since the punishment for this crime is not subjected to being dropped by obsolescence, in addition to the right of having the perpetrator punished for it globally.

After we have explained the normative framework of genocide, we must move to the theoretical approach to the concept of genocide, which will allow us to explain the act of killing and its relationship to genocide.

Topic Six: The Theoretical Approach to Understanding the concept of Genocide

Modern societies have demonstrated, as the United Nations has pointed out, the inability of their neoliberal economic systems to confront the escalation of violence we are witnessing today. This shows our urgent need to know the reasons for the weakness of the United Nations and its inability to prove its ability to build peace, one of the goals of its existence. The practice of impunity has become the political price paid to ensure an end to violence. This lived reality inevitably leads us to approach the following two sociological theories:

- Weberian individual theory.
- Durkheimian deterministic theory.

These two theories allow us to distinguish the sharp division between Lauterpacht and Lemkin, because Lauterpacht [Ochab & Alton, 2022, p. 20] considers that the law helps prevent mass murder by “protecting the individual”, while Lemkin links this matter to “protecting the group.” This is what distinguishes between the individual approach, based on protecting the individual and the deterministic approach, based on protecting the group. For Lauterpacht, killing individuals, if part of a systematic plan, would be a crime against humanity. As for Lemkin, the focus was on genocide, that is, killing many with the intention of destroying the group. We will analyze this difference between the two researchers in terms of the violence that was applied in the war on Gaza to erase the Palestinian national pattern.

According to Lemkin, genocide takes place in two stages [ABED, 2006]:

A - The first stage: the destruction of the national pattern of the oppressed state, which involves mass physical death and the destruction of social relations, identity and community life.

Gaza: An “Israeli” war of annihilation targeting the Palestinian in his identity and society. Here we are in front of preventing mass murder by protecting the identity of the individual.

We’re in front of war of extermination, whose schemes are drawn by the geography of the physical and societal annihilation of the besieged Palestinian people, committed by the Israeli occupation against wounded Gaza. The war has entered its eighth month, and the number of martyrs has exceeded 35000, including more than 15000 children, added to the 10000 missing persons and about 80000 wounded and disabled people [Palestinian Central Bureau of Statistics, 2024]. These are frightening and unprecedented numbers for what is witnessed in the modern era, in a small geographical area such as Gaza, which is only 365 square kilometers. It is a crime of genocide that mimics the international definition of genocide.

In 1948, the United Nations General Assembly approved the Convention on the Prevention and Punishment of the Crime of Genocide, which entered into force three years later. As of 2015, 146 countries had ratified the convention. However, the provisions of the Convention apply even to countries that have not ratified it, according to a ruling issued by the International Court of Justice, which considered the Convention for the Prevention of the Crime of Genocide to have codified customary international law. This was reinforced by the report of the Secretary-General of the United Nations on the establishment of the International Criminal Tribunal for the former Yugoslavia, in which it stated that the agreement formed part of martial law, and the Security Council reaffirmed this when it adopted the report in its 1993 resolution. [Bouchier-Saulnier, 2013].

The Israeli entity committed genocide in Gaza. The crime’s chapters are still continuing in a way that makes the countries that cover that crime complicit in it. The Israeli occupation has drawn, with fire, on Gaza’s land the framework of deception so that it moves on with its barbaric war. The occupation claimed that his war was a war of self-defense, while using the weapon of propaganda he obscured the difficult scene of life in besieged Gaza, with its horrific details, in the period before the Al-Aqsa Flood operation on October 7, 2023, when Hamas’ military operation was a reaction to a long period of persecution. International law requires the prosecution of Israel, the direct perpetrator of the crime of

genocide, noting that “genocide is prohibited in times of peace as well as in times of war, in accordance with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide” [Bouchier-Saulnier, 2013].

The Polish lawyer Rafaen Lemkin coined the term “genocide” in his book “Axis Rule in Occupied Europe,” published in 1944, against the backdrop of the actions of the German occupation in some European countries. In general, the crime of genocide does not necessarily mean the immediate and direct destruction of a nation, but rather this term is intended to denote a coordinated plan of various actions aimed at destroying the fundamental foundations of the life of national groups, with the aim of annihilating the groups themselves [Al-Din, 2017].

Genocide is clearly defined in articles of the Convention, such as Article 2, which states that acts “committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group because of its description,” are genocide, including: “the killing of members of the group; Serious physical or moral harm to members of the group; intentionally subjecting the group to living conditions intended to bring about its complete or partial physical destruction; imposing measures aimed at preventing the birth of children within the group; forcibly transferring children from the group to another one.”

There is a definition in Article 3 that stipulates the punishment for the following acts: “Conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide and participation in genocide.” [Bouchier-Saulnier, 2013].

For eight months, the crimes in the Gaza Strip are not the only ones considered genocide, but what was practiced for many years in the Strip was also considered genocide. Surgeon Ghassan Abu Sitta says that during his volunteer work in hospitals in the Gaza Strip, and when he and his colleagues checked up the wounded children, he found that the bodies of the injured suffered from a lack of growth, as those bodies bore the effects of the long siege on the Strip, so you see a boy whose weight is much less than of a child his age, as malnutrition over the years of siege led to a lack of growth [Khoury and Mohsen, 2014].”

Genocide then applies to what happened and is happening in the Gaza Strip, as people in Gaza are “deliberately subjected to living conditions intended for their physical destruction, in whole or in part,” as stated in Article 2 of the Genocide

Convention, through the siege and the imposition of limited entry of foodstuffs. The entire population is affected by this, especially the children who survive suffering from stunted growth, which means the future killing of an entire group of people, as the Yugoslavia and Rwanda Tribunals defined genocide. This targeting of the group is interpreted as the destruction of social relations, identity and community life.

Based on what was documented and reported in the Gaza Strip, and with reference to the wide extent of documented sabotage bombing, and the direct targeting of Palestinians in a specific area, through the practice of killing, siege, and forms of collective physical, psychological and mental torture against them, as well as the destruction of living conditions through partial or total cuts of water, electricity, fuel, and means of communication, the complete or partial obstruction of the entry of humanitarian aid [food and medical], the bombing of hospitals and ambulances, and the death of patients and children because they could not be treated; it has become clear that legal elements that show that Israel is implementing a genocidal operation in the besieged Strip are present.

The independent United Nations Special Rapporteur on the situation of human rights in the occupied Palestinian territory, Francesca Albanese, confirmed that “the threshold indicating that Israel has committed genocide in Gaza has been reached, and called on states to ensure Israel’s compliance with the Convention on the Prevention and Punishment of the Crime of Genocide.” The UN Rapporteur’s words came in a report she submitted to the UN Human Rights Council in Geneva, in which she said, “Israel committed three acts of genocide: causing serious physical or psychological harm to members of a group of people, intentionally imposing living conditions on the group with the aim of physically destroying it.” in whole or in part, and to impose measures aimed at preventing childbearing within the group.” The Special Rapporteur stated that Israel destroyed Gaza during months of military operations. She pointed out that “the horrific number of deaths, the irreparable harm inflicted on survivors, the systematic destruction of every aspect necessary for the continuation of life in Gaza [from hospitals to schools, from homes to arable land], and the particular harm inflicted on hundreds of thousands of children, pregnant mothers and girls.”

cannot be explained, except that it constitutes apparent evidence of the intention to systematically destroy the Palestinians as a group [UN Rapporteur: Genocide in Gaza, escalation of the process of erasing Palestinians from their land, 2024].

The massacres committed by Israel in Gaza since October 7 were not separated from a long history of massacres in the Strip, as massacres were committed in the years 2008, 2012, 2014 and 2021. Indeed, the history of Israel resembles a witness to genocidal crimes across Palestine. Back to the 1940s, Israel expelled residents from their lands to neighboring countries, from their villages and cities inside Palestine to other villages and cities. It's worth mentioning that the forcible transfer of population as well as dozens of mass massacres committed in 1948 all level to the crime of genocide [Abu Aisha, 2022].

The Possibility of Prosecuting Israel and Its Supporters:

The Convention on the Prevention and Punishment of the Crime of Genocide stipulates that not only the perpetrator of the crime should be prosecuted, but also those who support the perpetrator and cover up his crime, and it is applicable in times of peace and war alike.

Article Three of the Convention, while stipulating the punishment of the perpetrator, punishes the conspirator and the direct and public instigator of the attempt to commit or participate in the commission of genocide. According to Article 4, "All persons who commit such acts must be punished, whether they are constitutional rulers, public officials, or individuals. Whatever a person's official position, he cannot benefit from any form of immunity." Articles 5 and 7 stipulate "to take the necessary legislative measures to punish the perpetrators of crimes and to fulfill the request for unconditional extradition to the requesting countries." According to Article 8, "Any of the contracting parties may request 'the competent organs of the United Nations to take, in accordance with the

Charter of the United Nations, such measures as it deems appropriate to prevent and suppress such acts.” [Bouchier-Saulnier, 2013]

While Article 6 of the Convention stipulates that perpetrators can be tried before the competent local courts, it permits trial before the International Criminal Court. Israel and its courts have long proven their failure to pursue any case related to Palestinian citizens, which necessarily refers them to the International Criminal Court. “Because the crime of genocide is one of the worst crimes, it can also be tried before any national court, on the basis of the principle of universal jurisdiction, provided that the country’s national criminal system includes a jurisdiction clause regarding crimes committed by non-nationals outside the national territory” [Bouchier-Saulnier, 2013]. Israel and its supporters will not be immune, one day, from accountability, as “the crime of genocide, whether committed in time of war or in time of peace, is not subject to obsolescence of, stipulated in the Convention on the non-Applicability of obsolescence to war crimes and crimes committed against humanity” of 1968. Therefore, judicial procedures can be initiated regardless of the period of time that has passed since the crime was committed. [Bouchier-Saulnier, 2013].

The Second Stage: Imposing the National Pattern of the oppressor. This imposition means removing the population and colonizing the region by the oppressor

Genocide and the imposition of the national pattern of the oppressor, the “Iron Swords” as an example:

One of the ironies of talking about the crime of “genocide” is the character of the Polish Jewish lawyer [1900-1959], Raphael Lemkin, who is credited with coining the term, in his book *Axis Rule in Occupied Europe: Occupation Laws, Government Analysis, Proposals for Redress* [Lemkin, 1944], published in late 1944. In the popular literature, it was presented that this person is a fighter against genocide and the crime of atrocity [which he suggested earlier], and he is the person who was able to push for the adoption of the famous “Convention on the Prevention and Punishment of the Crime of Genocide” in 1948. He is the one who suffered the loss of dozens of his family members in the Holocaust”, which

made him devote himself to legalizing the fight against these crimes and imposing appropriate punishments for them.

The paradox lies in the contradiction between discourse and reality, in something similar to denial or separation from reality. For example, in 2017, the specialist in Jewish history, James Loeffler, wrote a study on Lemkin's Zionism [Loeffler, 2017], in which he stated that the latter urged Jews to work for "the Jewish state in the process of being established" in Palestine, and that the mission of the people and particularly the Jewish goal is to "become a permanent national majority in his homeland [i.e. Palestine]" and stressed that nothing is more important than "our colonial work" in Palestine!

This is how the discourse of those in charge of occupying and killing peoples vanishes, without any feeling of shame. Whoever called for the criminalization of genocide supported it enthusiastically in Palestine. But his theoretical analysis can be benefited from at some point, as he said: "Genocide takes place in two stages: the first is the destruction of the national pattern of the oppressed group, and the second imposes the national pattern of the oppressor," which is similar to the theory of demolition and construction in psychology. Was this applied in Palestine? If we want to analyze this difference, we must compare the American development experience with the Israeli experience in Palestine, to know the difference between the mechanisms adopted for control.

The American development experience: During their occupation of Vietnam, the Americans tried to impose their structural model on the rural society of South Vietnam, in an attempt to implement the development theories of Almond and Powell, and to rule the country by framing it and then managing it. They imposed imported constitutional forms on the agricultural civil society, creating for them a parliament based on popular vote, a regular army, and other democratic institutions, according to the narrative promoted by the West. The experiment failed miserably, and it collapsed before the American armies left after sustaining 58000 deaths, according to its admission.

When US President Bill Clinton visited Vietnam in the 1990s, one of the first things he said was: We won in Vietnam. What the armies failed to achieve, was achieved by economy, exercising power and pressure until submission. The Americans learned their lesson a little. When they occupied Afghanistan in 2001, they did not

repeat the mistake of Vietnam, and they tried to identify with the existing social structures in this afflicted country. They established the loyajirga and cooperated with the local authority. However, again, with a very high human cost, paid first by the Afghan people. The experiment also failed.

The "Israeli" experience in Palestine: One of the lies spread by the Zionists to justify their occupation of Palestine is that it is a land without a people. This claim is strange. If there was some truth in it, the League of Nations would not have "mandated" Britain to take charge of its people, nor would the division of Palestine have been proposed later. This talk collapsed over the years, and it became clear that there existed an entire people who were expelled from their land arbitrarily and aggressively. In the 1967 war alone, 58% of the Palestinians were displaced from their land. In 1948, that is, the year the occupying entity was established, the percentage of lands owned by Jews in Palestine was 6%, as certified by the United Nations. This small number clarifies this suspicion. Of this 6%, 4.5% were apparently due to purchases.

In fact, the processes of transferring land ownership from Palestinians and others to Jewish landowners varied, taking more than one form. Some of them were ordinary sales, and some of them took place with feudal families from outside Palestine. If we examine what happened at that time, we discover that the British occupation played a major role in pushing some sales operations, and the reason was its restrictions on Arab land owners and preventing them from investing in their lands. Moreover, the possession of some lands by wealthy Jews came in the form of British gifts to them without any right, and by force of occupation. In those years, great efforts were made to prevent the sale of lands to Jews. In 1935, the First Conference of Palestine Scholars issued a fatwa prohibiting the sale, and Muslims responded by purchasing lands, and sometimes stopping them, to limit the expansion of Jewish ownership by purchase or imposition. After the war in 1967, the Palestinians lost 77% of their land by force of war.

The model of land control is an example of the oppressor's imposition of control, which entails the expulsion of indigenous people, and a lack of respect for the occupier's responsibility over the lands it has occupied. Then comes the imposition of racist laws and the severe restrictions on all aspects of normal life among the people suffering from occupation, in what applies to the crime of

“deliberately subjecting a group to living conditions intended for its physical destruction, in whole or in part,” as stipulated in paragraph [c] of Article 2 of the Genocide Convention, which is the convention to which the entity has acceded. Denying the existence of a people in Palestine, and considering it a “homeland” for another people, as Lemkin wanted, is an advanced level of genocide, which takes the form of a colonizing occupation.

The Israeli experiment did not succeed in exterminating the Palestinian people. Eight decades later, the entity's leaders and elites are still asking existential questions about whether or not they will survive in the future. We find evidence of this in the “Iron Swords” operation that they launched in response to the hugely impactful Al-Aqsa Flood operation carried out by the Palestinians of Gaza. The Israeli military performance against the Palestinians, announced through shameless public statements of their criminal intent, represents a living example of genocide and the imposition of the occupier's own rules on the oppressed people.

Imposing The Israeli Model of Genocide: The word genocide combines [Geno], that means race or tribe, and [Cide], that means killing in Greek. As it is known, genocide means the killing, injuring, subjugating, imposing measures or transferring the children of a national, ethnical, racial or religious group, with the intent to destroy it, in whole or in part. All of these elements stipulated in the Genocide Convention occurred in Palestine. At the beginning of the Israeli attack on Gaza after the Al-Aqsa Flood, Israeli Defense Minister Yoav Galant told his soldiers the following: “We have abolished all the rules of war. Our soldiers will not bear any responsibility. There will be no military courts.” As a result, on average, every quarter of an hour, a child is killed in Gaza.

The Israelis tried, through war and negotiation, to impose its conditions on the people of Gaza. These are conditions that will lead to emptying the Gaza Strip of its 2.3 million people population, or to being content to accept a portion of them under the shade of their iron swords. On the sidelines of the hostilities in the Gaza Strip, thousands of Palestinian detainees suffer from inhumane conditions in Israeli prisons, which are actively trying to erase the natural personality from the detainee’s soul. In addition, the procedures related to the government administration in the occupied territories resemble another type of control which

reach the level of controlling the specialization with which the Palestinian youth wants to enter the university, or imposing forced detention on children, who have electronic collars in their hands, preventing them from moving outside their homes, or continuing to endlessly replay “The Israeli National Anthem” through the loudspeakers. These are examples that lead to one place: the goal is either to get rid of the Palestinian, or to Israelize him so that he is subject to the will of the occupier.

The discussion in this area is long, but due to the requirements of extreme brevity, and by benefiting from the experience of the Al-Aqsa flood and the Palestinian insistence not to surrender, we find that the occupation’s settlement project did not succeed in breaking the will of liberation among the Palestinian people. There are new generations in Palestine who are watching and learning, and they know that there is no salvation from the occupation except by confronting it. The occupier did not succeed in imposing its full will on the people who expanded at his expense, and with the support of the major powers, it reached a stage in which the entity no longer found an internal solution to its crisis, and all of its options remain weak. We conclude that the methods and techniques used to kill groups and individuals, no matter of the various intents of the perpetrator, are the only ones that distinguish genocide from other forms of mass violence. This is what we will explain in the sociological perspective of genocide.

The Seventh Topic: Genocide from a Sociological Perspective

Sociology begins to study genocide as a social phenomenon dating back to the beginnings of history and even before it. However, what interests it today is the quantitative and qualitative move that our region is witnessing. Peoples have always witnessed destruction based on identity, and genocides have always combined complex processes of violent behavior aimed at eliminating protected and safe groups.

The concept of genocide arose and developed into an agreement that imposes obligations on states and responsibilities on individuals. However, not acting in face of genocide constitutes recognition of the principle that one national group has the right to attack another national group, because of its supposed racial

superiority. This principle calls for expanding such practices beyond the borders of the aggressor state, and this means wars of aggression [Ochab & Alton, 2022, p. 13].

Genocide is inextricably linked to Western imperial expansion since the fifteenth century. Moreover, what established its existence is an interconnected global system of nation-states that finally reached its full fruition in the twentieth century. It was accompanied by a comprehensive political agenda and cultural discourse in which genocide was considered acceptable [Jones, 2017, p. 175].

Sociologists have produced many comprehensive theories, considering genocide as an extreme form of organized violence. But its social impact remained limited. The view on genocide has receded into a legal rather than a sociological phenomenon. From a sociological perspective, genocide does not necessarily mean the immediate destruction of a nation, except when it is carried out by the mass killing of all its individuals. Rather, the concept aims to refer to a coordinated plan consisting of various actions, aimed at destroying the fundamental basis of the life of national groups, with the aim of eliminating the groups themselves [Malcevic, 2023, p. 274]. Harm may result from other prohibited collective acts, such as starvation, deportation, and persecution (Ochab & Alton, 2022, p. 24] as well as the planned dismantling of political and social institutions, language, patriotism, religion, freedom, health, dignity,... and the destruction of a protected group requires that the perpetrator undermines the social, political, economic, cultural, demographic and other conditions that allow individuals to relate each other in the way described by [Abed, 2015]. Here, the conflict is no longer a circumstantial conflict with a narrow scope against civilians, but rather large-scale social destruction moved by special ideological ambitions. Accordingly, genocide becomes a historically specific and extreme form of organized violence, in which armed and ideologically committed social organizations participate in the social destruction of unarmed populations, in a way that leads to widespread human losses as well as the uprooting of social relations and the corresponding cultural infrastructure. [Malcevic, 2023, p. 83].

One option might be to claim that genocide is worse than mass murder and other crimes against humanity because of the extremely serious harm it inflicts on victims. The only explanation for this harm, which would be considered a

classification criterion between genocide and mass murder, is that aspect that places a strong emphasis on the value of group membership [Abed, 2015]. This confirms the availability of the essential element in the sociological understanding of genocide, as it focuses on the broader historical and social contexts that actually make genocide possible. This includes the historical events that a group experienced, in a historical context that allows understanding its dynamics in the long term, even while recognizing the role of individuals who have the power to initiate, coordinate and order acts of genocide [Malcevic, 2023, p. 278].

Therefore, we find that when confrontations, cases of rape, persecution, massacres, and wars end, the perpetrator considers what happened merely as an implementation of orders, i.e. a principle and a rule for his actions. As for the leaders, they consider what happened essential for protection and preservation from disappearance [Baberovskis, 2020, pages 15-16]. Here, we are faced with problems of justification:

It is widely believed that the perpetrators of genocide are, by nature, sadistic individuals who enjoy torturing and killing other human beings. We do not deny that some killers suffer from mental and psychological diseases and disorders that destroy their sense of empathy. But there are many cases that occur as a result of gradual radicalization, through the propaganda speeches that the perpetrator presents to his members, about the opponent groups in order to delegitimize them, reinforce their dehumanization and attribute the increasing losses in the relative battle to universal principles, thus opening the possibility of believing that killing others does not violate ethical standards. However, deteriorating living conditions and increasing feelings of fear reinforce the lack of empathy. In such an environment, radicalism presents individuals with choices: either embrace extremist doctrines, reject such actions and risk receiving punishment, or ignore actual social reality and pretend that such violent goals did not occur [Malcevic, 2023, p. 314].

In parallel, with reference to racial and ethnic theory, one of the basic forms of Zionist violence is the Zionists' refusal to accept Arab reality and history in Palestine, considering that the Zionist and Jewish self is the center of this reality and its only reference. Therefore, the Zionists exclude the basic [non-Jewish] elements that make up the reality of Palestine and its history from their

conscience, vision and cognitive map. Thus, Zionist terrorism becomes an attempt aimed at imposing the reductive Zionist vision on the complex reality. Therefore, it can be said that terrorism is armed violence versus cognitive violence [Al-Messiri, 2001, pages 31-32].

The Zionist movement was not only a colonial movement, but rather a colonial settlement movement, which means the necessity of depriving the land in which the Zionist scheme will be implemented on the indigenous population, and this can only be done through the utmost levels of theoretical violence and actual terrorism. Zionism is the heir to the Jewish solutionist class, which is a secular, solutionist and latent doctrine that forms a system wrapped around itself by imposing holiness on it and making it the subject of solutions, secrecy and hides it from others [who fall outside the circle of holiness]. Thus, by this action, they deprive them their rights and annihilate them as they are not the subject of solutions. Zionism inherited the legacy of the Jewish functional group with its sharp separation between the holy people and the good, and the double standards that characterize it, making the other completely permissible and making the use of violence towards them acceptable.

And as violence turns into power, once it's given more time; those who witnessed violence adapt to this because of their fear, with the continued threats of tyrants, who, as soon as they show weakness, their power ends [Babrovskis, 2020, p. 176]. Therefore, rapid and direct intervention is necessary, because what is happening in Palestine today is the deliberate abolition and removal of the Palestinian people and the Palestinian issue that is inherited from one generation to another. The state of social alienation that the Palestinian people are experiencing today, which constitutes a fundamental aspect of the genocide, will cause them to lose the remaining social ties between generations, and their descendants may become estranged by birth.

Conclusion and Recommendations

Based on the above, we consider that what is currently happening in Gaza, through the social, political and anthropological approaches that we have presented, is a genocide based on multiple humanitarian and legal standards. The continuation of killing, displacement and destruction is not a current matter, but

rather a planned action within a pre-determined time frame. The hostile intentions towards the defenseless Palestinian people aim to end the Palestinian presence on all Palestinian lands, not just Gaza. What is happening in the West Bank and the 1948 Arabs' regions confirms this trend. From this standpoint, we, as researchers, Anthropologists, Jurists and historians raise our voices loud, demanding that these actions be stopped immediately, and that the aggressor and his supporters be punished, because the future repercussions will be disastrous and bloodier. This ordeal, which lasted approximately for 76 years against this oppressed people is nothing but an instigator for more tension, frustration, poverty, hostility and for an escalated resistance and uprising, whether peaceful or military one, depending on the course of events and their effects. All of these factors will exacerbate the conflict further. The will of the people, as historical experiences in Europe, Asia, Africa and Latin America have taught us, will prevail. No right has ever died when supported with rightful claims.

The Most Prominent Recommendations:

- Focusing on socio-political studies that place the Arab-Israeli conflict within the framework of protecting national security in the region.
 - Supporting and establishing interdisciplinary scientific research focused on memory preservation and targeting all elements related to: a) the experienced and lived reality of atrocities committed during the war – genocide, massacres and mass killings; b) Preserving cultural identity, which was and still is threatened by oblivion, which requires focusing on cultural genocide - in its material and non-material aspects.
- Working to create an archive of all atrocities committed against people [men, women and children, with a focus on specific groups, including journalists, reporters, healthcare workers, academics, professionals, artists and intellectuals], and the demographic impact of figures killed and places [including hospitals, schools, universities and libraries, public monuments, cultural elements related to historical heritage, mosques, churches, etc.] that were targeted and destroyed.

- Creating an archive of stories of people's daily experiences and lives, which allows that narrative about and through the people, which would become part of the discourse about Palestine in all legal, political, social and other spheres, now and in the future.
- Archival documentation with photographs and narratives of all types of human rights violations and acts of violence committed, with an emphasis on the impact on the collective memory of future generations of Palestinians, people in surrounding countries and the entire world - this discourse would produce affirmation stances in face of any attempt to forget or erase.
- Focusing on anthropological studies by dealing with societies that produce informational textures through dense descriptions and detailed experiences that are often ignored due to the micro-analysis of genocidal processes. These studies would humanize events and preserve human dignity through memory.
- Conducting a critical study of the "social imaginary" that would produce and shaped descriptions of what happened in Gaza through the media at the global level and how this has allowed the atrocities committed to be "justified," highlighting how the events have been interpreted by creating a constellation of meanings that serve the aggressor. This makes it possible to combat the dominant discourse that silences the experiences and memories of victims and their way of dealing with and responding to genocide.
- -Supporting and establishing multidisciplinary scientific research that focuses on preserving memory, building transitional justice and targeting all elements related to the experienced and lived reality of the atrocities committed against the Palestinian people.

رئيس مركز الأبحاث

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مركز الأبحاث في ميدان العلوم الاجتماعية

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