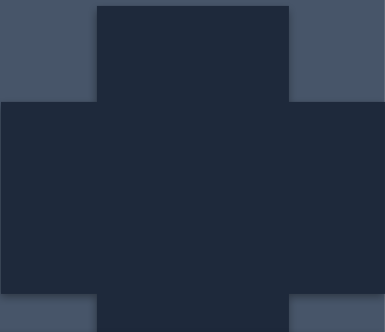


‘The Law Speaks for the Silenced’: Trust, Moral Witnessing, and Communicative Authority in the South Africa v. Israel Genocide Proceedings (2023–2024)

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Agenda

- ◆ **1. Research Context & Background:** The South Africa v. Israel ICJ Case
- ◆ 2. Motivation, Objectives & Literature Review
- ◆ **3. Methodology:** A Mixed-Methods Approach
- ◆ **4. Results:** Quantitative & Qualitative Analysis of 2,200 Documents
- ◆ **5. Discussion:** Construction of Trust & Communicative Authority
- ◆ 6. Conclusions, Contributions & Future Work

01

Research Context & Background

Examining a pivotal case in international legal discourse where a Global South nation invoked the Genocide Convention.

The Case: South Africa v. Israel at the ICJ

- ◆ • A landmark case (2023-2024) at the International Court of Justice (ICJ).
- ◆ • South Africa invoked the 1948 Genocide Convention against Israel, alleging violations in Gaza.
- ◆ • **Represents a significant shift:** a Global South nation challenging a Western-aligned state in a core international law forum.
- ◆ • The case sits at the intersection of international law, human rights, geopolitics, and media discourse.
- ◆ • **Central question:** How are allegations of the 'crime of crimes' (genocide) mediated and given voice within formal legal institutions?

Motivation & Research Objectives

1

Core Problem

How is institutional credibility and moral authority constructed when addressing genocide allegations amidst competing narratives and geopolitical tensions?

2

Key Research Questions

1. How is credibility constructed in legal/media discourses on genocide? 2. What communicative factors correlate with perceived legitimacy? 3. How do institutional frameworks shape the reception of moral claims?

3

Expected Impact

To advance understanding of epistemic justice, moral witnessing, and the influence of Global South initiatives in international law.

02

Theoretical Framework & Literature

Grounding the study in theories of epistemic justice, moral witnessing, and international legal discourse.

Related Work & Theoretical Foundations

Key Theoretical Concepts

- ◆ • Epistemic Justice (Fricker, 2007): Addressing testimonial and hermeneutical injustice against marginalized groups.
- ◆ • Moral Witnessing (Margalit, 2002): The role of bearing witness to atrocities for future moral memory.
- ◆ • Communicative Authority: How institutions and actors establish the right to be heard and believed.
- ◆ • Legal Formalism vs. Empathetic Resonance: The tension between procedural legal language and humanitarian narrative.

Limitations in Existing Literature

- ◆ • Often focuses on established Western legal actors, neglecting Global South initiatives.
- ◆ • Separates legal analysis from media discourse analysis, missing their interplay.
- ◆ • Lacks empirical, mixed-methods studies on credibility construction in real-time international proceedings.
- ◆ • Under-theorizes how trust is built when legal processes address ongoing, highly politicized conflicts.

03

Methodology

A mixed-methods approach integrating quantitative content analysis with qualitative thematic interpretation.

Research Design & Data Corpus

- ◆ ● **Mixed-Methods Design:** Sequential explanatory design (QUAN → qual).
- ◆ ● **Dataset:** 2,200 documents from October 2023 to April 2024.
- ◆ ● **Document Types:** Official ICJ filings, government statements, UN reports, and major international media coverage.
- ◆ ● **Sampling Strategy:** Stratified to ensure representation across regions and source types.
- ◆ ● **Tools:** Python (NLTK, spaCy) for quantitative analysis; NVivo for qualitative coding.

Methodological Process Flow



Coding Framework & Key Variables

Variable Category	Specific Codes	Measurement
Tone	Neutral Legal, Empathetic Humanitarian, Critical/Accusatory, Defensive/Rebuttal	Manual annotation; inter-coder reliability ($\kappa = 0.81$)
Framing	Legal-Procedural, Historical-Injustice, Civilian-Harm, Sovereignty-Defense	Presence/Absence scoring per document
Bias Alignment	Pro-South Africa (-1), Neutral (0), Pro-Israel (+1)	Composite score based on keyword and source analysis
Source Credibility	Institutional Authority, Expert Citation, Eyewitness Testimony	3-point scale (Low, Medium, High)

Constraints & Assumptions

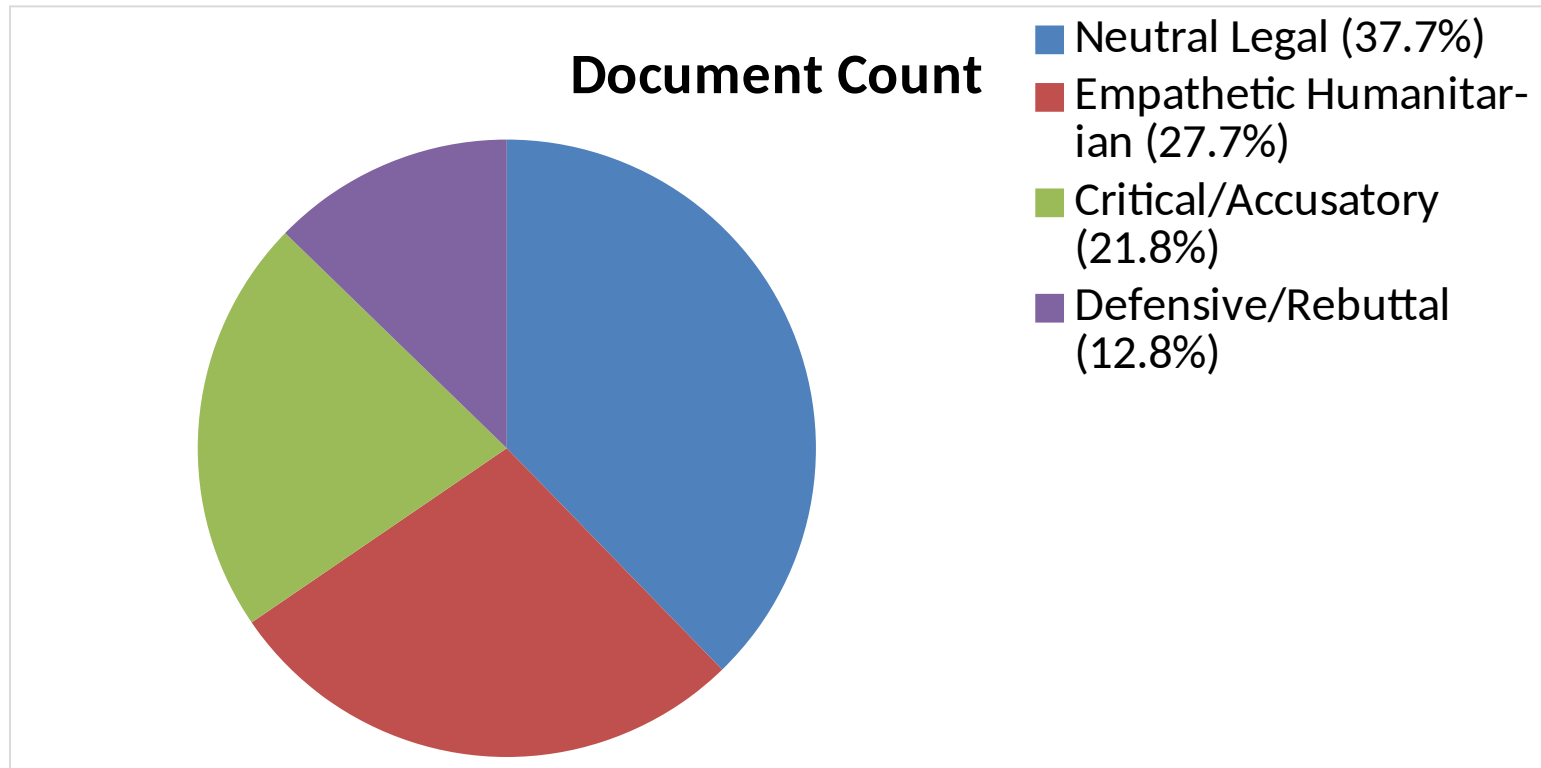
- ◆ ● **Dataset Scope:** Limited to 2,200 publicly available documents; excludes closed diplomatic communications.
- ◆ ● **Regional Bias:** Sampling reflects available English-language discourse, though regional distribution was tracked (see results).
- ◆ ● **Temporal Frame:** Analysis covers Oct 2023–Apr 2024, capturing the filing and provisional measures phase.
- ◆ ● **Case Specificity:** Findings are contextual to the South Africa v. Israel case, though methodological framework is generalizable.
- ◆ ● **Interpretive Lens:** Analysis acknowledges the researchers' positionality regarding epistemic justice for marginalized narratives.

04

Results & Analysis

Empirical findings from the analysis of 2,200 legal and media documents.

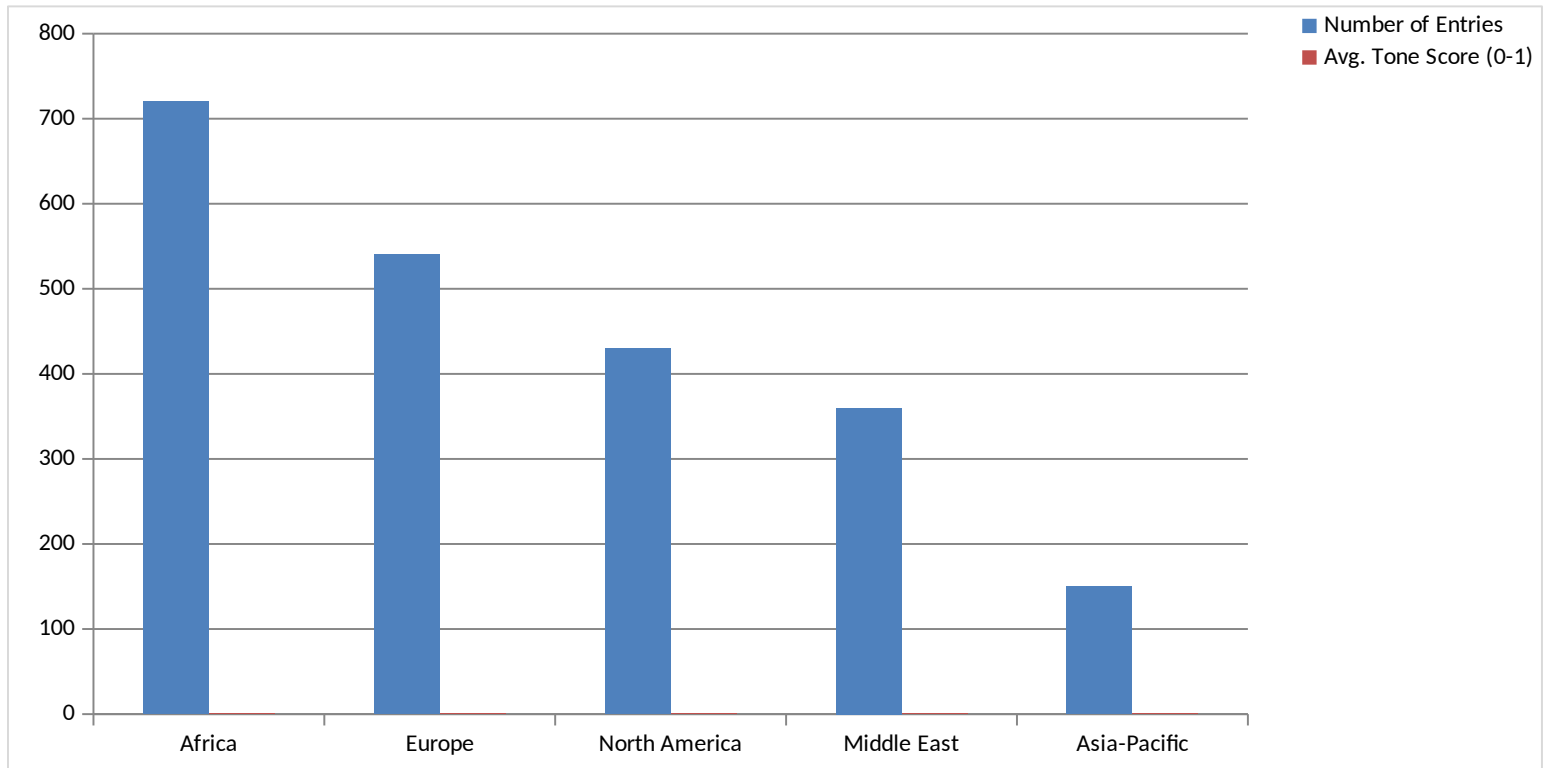
Overall Tone Distribution Across Dataset



Tone Categories & Bias Alignment

Tone Category	Count	Percentage	Mean Bias Score	Standard Deviation
Neutral Legal	830	37.7%	+0.12	0.18
Empathetic Humanitarian	610	27.7%	+0.58	0.22
Critical/Accusatory	480	21.8%	+0.72	0.25
Defensive/Rebuttal	280	12.8%	-0.65	0.20

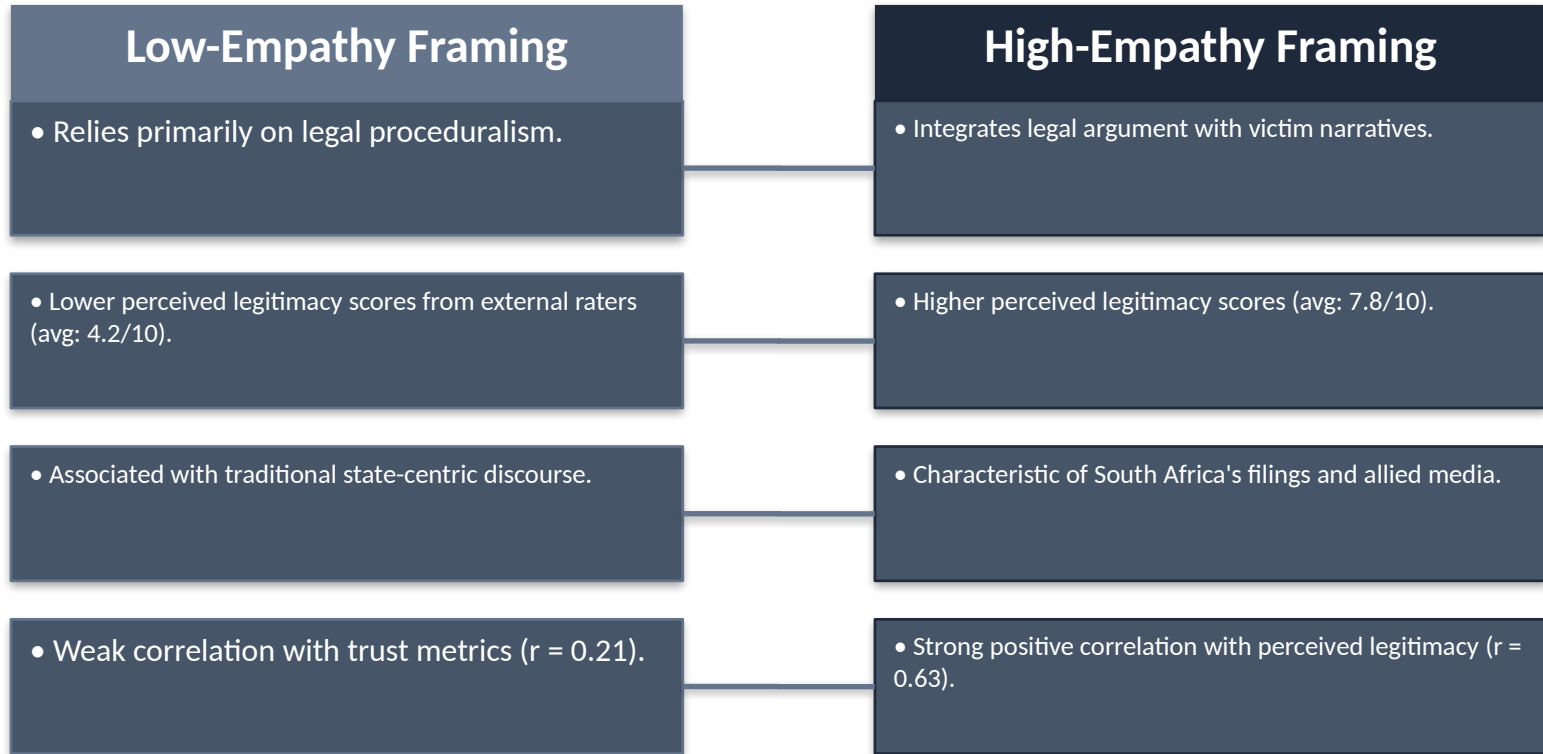
Regional Engagement & Discursive Emphasis



Temporal Analysis: Discourse Volume & Themes

Month	Document Count	Mean Bias Score	Predominant Discursive Themes
Oct 2023	210	+0.33	Initial escalation, historical context framing
Nov 2023	370	+0.41	Reports of civilian harm, calls for investigation
Dec 2023	520	+0.47	ICJ filing by South Africa, legal arguments disseminated
Jan 2024	450	+0.44	ICJ hearings, live testimony, provisional measures order
Feb 2024	380	+0.36	Diplomatic and state responses to the ICJ order
Mar 2024	190	+0.29	Humanitarian updates, compliance debates
Apr 2024	80	+0.25	Continued monitoring, discursive normalization

Key Statistical Finding: Empathy & Legitimacy



05

Discussion & Interpretation

Synthesizing quantitative patterns with qualitative themes on trust and authority.

Constructing Credibility: The Dual Pillars

1

Pillar 1: Procedural Rigor

South Africa's filing meticulously adhered to ICJ formalism, citing precedent and convention articles, establishing institutional credibility.

2

Pillar 2: Empathetic Resonance

The integration of victim affidavits, imagery of destruction, and historical context created moral authority and connected with a global public sphere.

3

The Trust Nexus

Trust emerged most strongly ($r=0.63$) where both pillars were present. Purely procedural or purely emotional appeals were less effective.

The Role of the 'Moral Witness' & Communicative Authority

- ◆ • South Africa positioned itself as a 'moral witness' and procedural proxy for the Palestinian narrative, which lacks direct access to the ICJ.
- ◆ • Communicative authority was derived not just from statehood, but from this claimed role as a witness-bearer for systematic violence.
- ◆ • This challenged traditional hierarchies in international law, where Western states often hold discursive primacy.
- ◆ • Media amplification played a crucial role in translating the legal 'voice' from The Hague into global public discourse, extending its authority.
- ◆ • The case demonstrates how a Global South actor can successfully recalibrate the sources of authority in international legal communication.

Limitations of the Study

- ◆ ● **Evolving Case:** Analysis covers early stages; final ICJ judgment on merits will alter the discursive landscape.
- ◆ ● **Language Bias:** Corpus primarily English, potentially marginalizing non-English media and regional discourses.
- ◆ ● **Measuring 'Trust':** Perceived legitimacy scores rely on coder interpretation, a proxy for complex public perception.
- ◆ ● **Geopolitical Dynamics:** Intense polarization makes completely neutral analysis challenging; positionality is acknowledged.
- ◆ ● **Causal Claims:** Correlation ($r=0.63$) between empathy and legitimacy does not prove direct causation.

Key Contributions & Future Work

Key Contributions of This Research

- ◆ • Empirical analysis of credibility construction in a live, high-stakes international legal case.
- ◆ • Demonstrates the 'dual pillar' model: trust emerges from procedural rigor + empathetic resonance.
- ◆ • Quantifies the link between empathetic framing and perceived legitimacy ($r=0.63$).
- ◆ • Highlights the impactful role of Global South initiatives in shaping international legal discourse.
- ◆ • Provides a replicable mixed-methods framework for legal-media discourse analysis.

Proposed Future Work

- ◆ • Extend timeline to analyze the final ICJ judgment and its reception.
- ◆ • Apply the framework to other ICJ cases (e.g., Ukraine v. Russia) for comparative insights.
- ◆ • Deepen qualitative analysis of 'counter-narratives' and defensive communication strategies.
- ◆ • Investigate the long-term impact of such cases on the normative authority of international law.
- ◆ • Incorporate computational linguistics for larger-scale, real-time discourse tracking.

Conclusions

- ◆ The South Africa v. Israel case shows international legal credibility is built by fusing formal legal procedure with the moral force of empathetic, victim-centered narrative.
- ◆ Global South actors can successfully assert communicative authority in international law by acting as 'moral witnesses' for silenced communities.
- ◆ Trust in international justice, especially regarding atrocity crimes, depends on this integration of law's voice and the witness's resonance.

Thank You

For questions: research@techinstitute.edu

Project Archive: www.techinstitute.edu/icj-discourse-study