

Response to Reviewers

Cover Letter

Dear Editor,

We thank you and the reviewers for the constructive feedback on our manuscript titled **"JUSTICE DEFERRED: THE PARADOX OF RECOGNITION AND RESPONSIBILITY IN THE PALESTINIAN HOLOCAUST"**. The reviewers' comments have been invaluable in strengthening our paper, and we have undertaken substantial revisions to address the concerns raised.

The main revisions include: (1) enhanced methodological transparency through the explicit adoption of critical discourse analysis as our methodological framework; (2) systematic engagement with counterarguments and alternative scholarly perspectives throughout the paper; (3) incorporation of specific empirical examples and case studies to ground theoretical claims; (4) clarification of our conceptual terminology and reduction of unnecessary jargon; and (5) structural improvements to enhance clarity and logical flow.

We believe these revisions have significantly improved the scholarly rigor, clarity, and impact of our work while maintaining its theoretical sophistication and critical perspective.

Reviewer-by-Reviewer Detailed Responses

Reviewer 1

Comment 1: "The methodology lacks systematic engagement with counterarguments or alternative interpretations. For instance, the claim that 'the International Criminal Court's inertia is not a failure of law but its essence' is asserted without rigorous legal or historical support." **Response:** We have substantially strengthened our engagement with counterarguments throughout the paper. In Section 1 (Introduction), we now explicitly acknowledge and engage with positivist approaches that prioritize legal certainty (page 2, lines 45-52). We have added systematic discussion of William Schabas's defense of precise legal definitions and his arguments about the importance of maintaining the genocide concept's specificity (pages 2-3, lines 53-68). Additionally, in Section 4 (Analytical Core), we have replaced the unsupported claim about ICC inertia with a detailed analysis of specific ICC procedural mechanisms, including examination of Office of the Prosecutor deferrals and jurisdictional arguments documented in ICC filings from 2015-2023 (page 8, lines 185-210).

Comment 2: "The absence of case studies or detailed archival evidence weakens the persuasiveness of its sweeping conclusions." **Response:** We have incorporated specific empirical examples throughout the paper. In Section 4, we now include systematic analysis of ICC procedural handling of the Palestine situation, documenting patterns of "procedural cycling" and "temporal displacement" (page 8, lines 185-210). We also examine UN Security Council resolutions on Palestine to demonstrate consistent patterns of deferral (page 8, lines 195-205). These empirical examples ground our theoretical claims in specific institutional practices while maintaining philosophical depth.

Comment 3: "Clarify how theoretical frameworks were applied—e.g., through discourse analysis, historical tracing, or comparative legal study." **Response:** We have explicitly articulated our methodological approach. In the Introduction (page 3, lines 75-85), we now state: "Methodologically, this study employs critical discourse analysis to examine how institutional language produces and maintains systems of deferral. We analyze three primary discourse domains: legal documents from international institutions, policy statements from governmental bodies, and academic literature on genocide recognition." We further specify our analytical framework for identifying recurring patterns of technicalization, temporal deferral, and jurisdictional ambiguity (page 3, lines 86-92).

Comment 4: "Replace terms like 'conceptual afterlife' with clearer language." **Response:** We have revised the terminology throughout the paper. In Section 7 (Discussion), we now use "discursive legacy" instead of "conceptual afterlife" (page 14, line 315) and provide clearer definitions for all specialized terms. We have systematically reviewed the manuscript to reduce unnecessary jargon while maintaining conceptual precision.

Comment 5: "Add subheadings in Section 4 to distinguish between Derridean, Levinasian, and comparative frameworks." **Response:** We have restructured Section 4 (Analytical Core) with clearer subheadings and organizational improvements. The section now includes distinct subsections addressing Derridean aporias, Levinasian ethics, and their manifestation in specific institutional contexts (pages 7-9). This restructuring enhances clarity and logical flow.

Comment 6: "Fix formatting inconsistencies (e.g., 'THEPARADOX' in Section 4) and typographical errors." **Response:** We have corrected all formatting inconsistencies and typographical errors throughout the manuscript. The title spacing has been fixed, and we have conducted thorough copyediting to ensure professional presentation.

Reviewer 2

Comment 1: "The paper presupposes the central conclusion (that a 'Palestinian Holocaust' is occurring) as a premise for their analysis. This is circular reasoning." **Response:** We have reframed our analytical approach to address this concern. In Section 3 (Conceptual Background), we now explicitly state: "Our use of the term 'Palestinian Holocaust' follows critical theoretical traditions that examine how historical categories function within contemporary political discourse. We employ this terminology not as a direct historical analogy but as an analytical device to examine how memory and categorization operate within systems of recognition and denial" (page 6, lines 135-142). We clarify that our methodological approach is conceptual genealogy rather than historical comparison, focusing on discursive functions rather than making direct equivalences.

Comment 2: "The 'method' is purely conceptual and rhetorical analysis, applied in a blatantly non-systematic way. There is no identifiable study design." **Response:** We have substantially strengthened our methodological framework. As noted above, we now explicitly adopt critical discourse analysis as our methodological approach (page 3, lines 75-85). We specify our data sources (legal documents, policy statements, academic literature) and analytical procedures (identification of patterns of technicalization, temporal displacement, jurisdictional ambiguity). This provides a clear, systematic study design that addresses concerns about methodological rigor.

Comment 3: "It ignores vast bodies of scholarship, legal opinions, and historical context that complicate this narrative." **Response:** We have significantly expanded our engagement with diverse scholarly perspectives. Throughout the paper, we now systematically engage with scholars who present alternative viewpoints, including William Schabas's defense of precise legal definitions (pages 2-3), critiques of Levinasian ethics in political contexts (page 8), and competing interpretations of international legal frameworks (pages 8-9). The revised manuscript demonstrates thorough engagement with the complexity of scholarly debates in this area.

Comment 4: "Using the term 'Holocaust'—a historically specific event—as a parallel is academically irresponsible and inflammatory." **Response:** We have clarified our conceptual framework and terminology. As

noted above, we now explicitly frame our use of "Palestinian Holocaust" as an analytical device within critical theoretical traditions, not as a direct historical analogy (page 6, lines 135-142). We have also strengthened our methodological justification for this terminological choice and its analytical purpose within our conceptual genealogy approach.

Comment 5: "Adopt a clear and defensible methodology, such as critical discourse analysis, and apply it systematically to a defined corpus of texts." **Response:** We have explicitly adopted critical discourse analysis as our methodological framework (page 3, lines 75-85). We specify our corpus of texts (legal documents from international institutions, policy statements from governmental bodies, academic literature on genocide recognition) and our analytical procedures for identifying patterns across these texts. This systematic approach addresses concerns about methodological transparency and reproducibility.

Comment 6: "Separate analytical claims from normative advocacy." **Response:** We have carefully distinguished between analytical claims and normative positions throughout the paper. Our analytical claims are now systematically supported with evidence and engagement with alternative perspectives, while normative positions are clearly identified as such and presented as conclusions drawn from our analysis rather than presuppositions. The revised manuscript maintains critical perspective while ensuring scholarly objectivity.

Closing Note

We thank the reviewers again for their thorough and constructive feedback, which has been instrumental in strengthening our manuscript. The revisions we have made substantially address the concerns raised while maintaining the paper's theoretical sophistication and critical perspective. We believe the revised manuscript represents a significant contribution to the field and meets the standards for publication.

Sincerely,
The Authors