THE COURAGE TO EXIST: MORAL RESISTANCE AND THE PHILOSOPHY OF DEFIANCE IN THE PALESTINIAN HOLOCAUST

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ABSTRACT

The definitional difficulty of genocide becomes particularly acute when institutional frameworks systematically obscure Palestinian suffering, rendering their experiences illegible within dominant moral and political discourses. This paper employs the analytic device of the "double bind" to examine how moral resistance under genocidal conditions navigates the tension between the impossibility of ethical purity and the necessity of self-assertion. Our contribution demonstrates how institutional discourse acknowledges the contestability of genocide while simultaneously re-imposing closure through procedural and technical language, thereby enabling the rationalized erasure of Palestinian life. We argue that Palestinian acts of steadfast endurance—sumud—constitute a form of moral resistance that exposes the limitations of Western philosophical categories and demands a radical rethinking of ethics itself. By examining these dynamics, this paper illuminates how resistance becomes an ontological stance against annihilation, challenging philosophy to confront its own limitations and complicity.

1 INTRODUCTION

It is difficult to define genocide, a term whose legal and moral weight often obscures its operational instability in political discourse. The Palestinian case exemplifies this definitional precariousness, where systematic violence is rendered simultaneously visible through documentation yet persistently deniable within institutional frameworks. This tension between empirical evidence and political recognition creates a space where suffering can be acknowledged yet never fully admitted as genocidal, producing what **?** identifies as a fundamental double bind in contemporary human rights discourse.

The academic and legal treatment of genocide reveals a persistent schism between those who emphasize its inherent contestability and those who demand rigid, procedural definitions. While scholars like **?** established genocide as a crime targeting the essential foundations of group life, institutional applications often narrow this understanding to meet stringent evidentiary thresholds. This division creates a paradoxical space where the Palestinian experience becomes both recognized and erased—acknowledged as suffering yet denied the specific moral and legal categorization that would demand intervention. As **?** notes, this epistemological maneuver allows philosophy and law to maintain their coherence while excluding certain forms of violence from their purview.

Within this definitional split, Palestine occupies a particularly fraught position. The extensive documentation of displacement, cultural destruction, and mass casualties meets many criteria outlined in international conventions, yet institutional discourse consistently frames these events within the language of conflict rather than genocide. This framing, as **?** suggests, determines which lives become grievable and which forms of violence become recognizable. The Palestinian case thus becomes a test of how discursive practices can render systematic destruction simultaneously visible through evidence collection and deniable through categorical exclusion.

This paper's purpose extends beyond cataloging definitional debates to analyze how the very act of speaking about genocide functions within a socio-linguistic field that normalizes Palestinian erasure. Rather than asking whether Palestine constitutes a genocide in strictly legal terms, we examine how institutional language acknowledges contestability while re-imposing closure through technical and procedural mechanisms. Our analysis reveals how discourse moves from recognizing the instability of

genocide as a category to reinstating frameworks that rationalize the continued erasure of Palestinian life, thus performing what **?** identified as modernity's capacity to render violence bureaucratic and morally neutral.

Theoretical frameworks from **?** and **?** help illuminate the ethical implications of this discursive maneuvering. Levinas's ethics of the Other suggests that face-to-face encounter generates infinite responsibility, yet this encounter is systematically mediated and deferred through institutional language. Similarly, Derrida's work on monolingualism reveals how the colonized must appeal to the oppressor's vocabulary—a vocabulary inherently structured to negate their experience. These philosophical insights help us understand the double bind facing those who seek to name Palestinian suffering within dominant discursive frameworks.

A key contribution of this paper is the concept of "procedural absolution"—the mechanism by which institutions acknowledge the contestability of genocide while simultaneously deploying procedural requirements that foreclose its application to Palestine. This operates through what we term "institutional footnoting": the practice of acknowledging counter-arguments and complexities in footnotes or subordinate clauses while maintaining the primary narrative that excludes Palestinian experience from genocide frameworks. This linguistic maneuver, while appearing thorough and balanced, effectively neutralizes moral claims through exhaustive qualification.

The paper proceeds in three parts. First, we examine the definitional contestation surrounding genocide and how institutional footnoting functions to maintain Palestinian exclusion. Second, we analyze the conceptual systems and double binds that structure discourse around genocide, drawing on **?** to understand how sovereignty operates through the power to dictate which lives matter. Finally, we conclude by reflecting on how this analysis demands a radical rethinking of ethics itself, moving beyond Western philosophical categories that have proven inadequate to address the systematic erasure of Palestinian life. Through this structure, we aim to show how resistance becomes not merely political but ontological—an insistence on existence in the face of discursive and material annihilation.

2 Related Work

The study of genocide has evolved significantly since Lemkin's initial conceptualization, with scholars examining both historical cases and theoretical frameworks. Seminal works by scholars such as Helen Fein **?**, Leo Kuper **?**, and Israel Charny **?** have expanded our understanding of genocide's sociological and psychological dimensions. Legal scholars like William Schabas have further examined how international legal frameworks, while providing important mechanisms for accountability, often struggle with the application of genocide definitions to contemporary cases, particularly those involving colonial continuities **?**. While more recent scholarship has examined the role of state institutions, ideology, and colonial legacies in enabling systematic destruction. Michael Mann's work on ethnic cleansing and genocide provides important insights into how democratic societies can perpetrate mass violence, particularly through institutional mechanisms that normalize exclusion and destruction **?**. Mann's comprehensive analysis in *The Dark Side of Democracy* demonstrates how ethnic cleansing emerges from the intersection of democracy, nationalism, and state power, providing a crucial framework for understanding how ordinary political processes can enable extraordinary violence **?**.

More recent scholarship has examined how colonial frameworks shape the discursive construction of genocide and resistance, with Mahmood Mamdani's analysis of how colonial categories influence contemporary understandings of mass violence providing crucial insights into how the distinction between political and criminal violence often serves to delegitimize anti-colonial resistance while normalizing state violence **?**. Postcolonial approaches to genocide studies have further examined how colonial legacies shape both the perpetration of mass violence and its subsequent recognition, with scholars like Jeremy Sarkin-Hughes analyzing how colonial genocides are systematically excluded from dominant frameworks **?**, and more recent work examining the specific mechanisms through which colonial violence is rendered invisible within genocide discourse **?**.

3 DISCUSSION

Our analysis reveals that the construction of credibility in naming genocide operates through a complex interplay of institutional validation and discursive framing. The Palestinian case demonstrates how trust arises not merely from empirical evidence but from the alignment of multiple authoritative sources, yet this very alignment is systematically undermined by what we term "procedural absolution." This finding extends beyond traditional understandings of credibility construction, showing how institutional frameworks can simultaneously acknowledge evidence while foreclosing its moral implications through technical language and bureaucratic processes. The double bind identified by **?** manifests here as a tension between the need for institutional recognition and the impossibility of achieving it within frameworks designed to exclude Palestinian suffering.

The theoretical frameworks of **?** and **?** provide crucial insights for understanding these dynamics. Levinas's ethics of the Other suggests that moral responsibility arises from face-to-face encounter, yet our analysis shows how institutional language mediates and defers this encounter through procedural mechanisms. Similarly, Derrida's critique of monolingualism illuminates how Palestinians are forced to appeal to a moral vocabulary that inherently structures their exclusion. This extends Derrida's work by showing how institutional footnoting operates as a linguistic technology of erasure, acknowledging complexity while maintaining exclusionary narratives.

The significance of our findings lies in their reconfiguration of moral resistance under genocidal conditions. By examining how Palestinian acts of sumud constitute ontological resistance **??**, we challenge Western philosophical categories that privilege intentional agency over steadfast endurance. This has profound implications for understanding ethics in contexts of systematic annihilation, suggesting that moral courage may manifest not through heroic action but through the daily insistence on existence itself, echoing forms of everyday resistance theorized by **?**. Our analysis thus demands a radical rethinking of ethical frameworks to account for forms of resistance that operate outside traditional binaries of activity and passivity.

Our findings both confirm and extend previous research on genocide and resistance. While **?** established genocide as targeting the foundations of group life, our analysis shows how resistance can operate precisely at this level through cultural preservation and daily endurance. Similarly, **?** insights into totalitarianism help explain the systematic nature of erasure, yet our work extends this by examining how resistance persists even when traditional political action becomes impossible. The concept of sumud as ontological resistance offers a new lens through which to understand both historical and contemporary instances of moral courage under genocide.

An unexpected finding concerns the sophisticated nature of institutional discourse in managing moral claims. Rather than outright denial, we observed a more subtle process of "institutional footnoting" that acknowledges complexity while maintaining exclusionary conclusions. This finding suggests that contemporary mechanisms of erasure operate through apparent openness and procedural rigor rather than overt rejection **?**, echoing what **?** terms "transformative exclusion"—the institutional mechanisms that systematically exclude transformative discourse while maintaining procedural legitimacy. The implication is that challenging such discourse requires not merely presenting evidence but deconstructing the very frameworks through which evidence is evaluated and incorporated.

Our analysis strongly aligns with **?** work on frames of war and grievability, yet extends it by examining how these frames are maintained through institutional language. Butler's insight that certain lives are rendered ungrievable finds concrete manifestation in the procedural mechanisms we've identified. However, our contribution lies in showing how resistance can operate precisely by asserting grievability through acts of cultural preservation and daily endurance, thus challenging the frames that would render Palestinian life disposable.

Several limitations must be acknowledged in our analysis. First, as a philosophical perspective paper, our arguments are primarily theoretical rather than empirical, though they are grounded in documented instances of Palestinian resistance. Second, our focus on institutional discourse may underemphasize the role of grassroots movements and international solidarity in challenging genocidal frameworks. Third, the comparative analysis with Holocaust resistance, while illuminating, risks flattening important historical and contextual differences between these distinct instances of systematic violence.

The communicative factors identified in our research questions reveal a complex relationship between emotional testimony and bureaucratic detachment. While institutional frameworks often privilege detached, quantitative evidence, we found that the moral force of Palestinian resistance frequently emerges through personal narratives and cultural expressions that bypass procedural barriers. This suggests that effective challenge to institutional erasure may require combining empirical documentation with affective appeals that render Palestinian life concretely grievable rather than abstractly debatable.

Our findings have significant implications for decolonial thought, particularly building on **?** and **?**. Fanon's analysis of violence and liberation finds new resonance in understanding how resistance operates under conditions of ontological erasure. However, our work suggests that Fanon's focus on revolutionary action might be complemented by attention to forms of resistance that operate through cultural preservation and daily endurance. Similarly, Said's critique of Orientalism helps explain how Palestinian resistance is often framed within Western discourse, yet our analysis shows how this framing is maintained through institutional language.

? concept of necropolitics provides a crucial framework for understanding how sovereignty operates through the power to dictate who may live and who must die. Our analysis extends this by showing how resistance to necropolitical power can manifest through what we term an "ontology of endurance"—the insistence on life in the face of systematic death-making. This represents a significant contribution to understanding how moral courage operates under conditions where traditional political agency is severely constrained.

Future research should explore several promising directions. First, empirical studies could examine how institutional footnoting operates across different contexts and document its effects on policy outcomes. Second, comparative analysis could investigate how forms of ontological resistance manifest in other contexts of systematic violence. Third, philosophical work could further develop the ethical implications of sumud and related concepts for rethinking moral philosophy beyond Western frameworks. Finally, research could explore how digital technologies might either reinforce institutional erasure or provide new avenues for resistance and witnessing.

The broader implications of our analysis for philosophy and ethics are profound. By showing how Western philosophical categories fail to account for forms of resistance under genocide, we join **?** in calling for philosophy to confront its limitations and complicity. The Palestinian case demands not merely application of existing ethical frameworks but their fundamental transformation to accommodate modes of moral courage that operate outside traditional understandings of agency and resistance. This represents both a challenge and an opportunity for philosophy to become more adequate to the ethical demands of our time.

Synthesizing our argument, we have shown how the double bind of speaking about genocide creates conditions where moral courage must operate through ontological insistence rather than procedural appeal. The significance of Palestinian resistance lies not merely in its political dimensions but in its philosophical challenge to Western ethical categories. By enduring in the face of systematic erasure, Palestinians enact a form of moral courage that exposes the limitations of frameworks that would judge resistance by standards developed under conditions of privilege and security.

Our contribution to understanding resistance under genocide lies in theorizing how daily acts of cultural preservation and endurance constitute meaningful moral and political action. By examining the Palestinian case through the lens of double binds and institutional discourse, we have shown how resistance operates at the intersection of material survival and philosophical significance. This perspective offers new ways of understanding both the persistence of oppression and the creativity of resistance in contexts where traditional political action appears foreclosed.

4 Conclusions and Future Work

This paper has demonstrated how the discourse surrounding genocide operates through what we term "procedural absolution"—a mechanism where institutional language acknowledges the contestability of genocide while simultaneously deploying technical and procedural requirements that foreclose its application to the Palestinian case. The double bind identified by **?** manifests here as a profound tension: the need for institutional recognition confronts the impossibility of achieving it within frameworks designed to systematically exclude Palestinian suffering. Through the analytic device

of institutional footnoting, we have shown how moral claims are neutralized through exhaustive qualification, rendering Palestinian life simultaneously visible through documentation yet persistently deniable within dominant discursive frameworks.

Our contribution lies in theorizing Palestinian acts of steadfast endurance—sumud—as a form of ontological resistance that challenges Western philosophical categories **??**. By examining how daily acts of cultural preservation, education under siege, and spiritual practice constitute moral courage, we have redefined resistance beyond traditional binaries of activity and passivity. This reconfiguration exposes the limitations of ethical frameworks that privilege intentional agency over steadfast endurance, demanding a radical rethinking of moral philosophy itself. The significance of this contribution extends beyond academic discourse to challenge the very foundations upon which we understand human dignity under conditions of systematic annihilation.

The broader implications of our analysis are profound for philosophy, ethics, and political discourse. By showing how Western philosophical categories fail to account for forms of resistance under genocide, we join **?** in calling for philosophy to confront its limitations and complicity. The work of **?** and **?** helps illuminate the ethical stakes, yet our analysis reveals how their frameworks must be transformed to address the specific dynamics of Palestinian resistance. Similarly, **?** insights into grievability find concrete application in understanding how institutional language renders certain lives disposable while maintaining the appearance of procedural rigor.

This research advances the field of genocide studies by shifting focus from definitional debates to the discursive mechanisms that enable erasure. By examining how language functions to normalize violence, we extend **?** analysis of modernity's bureaucratic rationality to contemporary institutional practices. Furthermore, our engagement with decolonial thought, particularly through **?** and **?**, demonstrates how resistance operates through cultural preservation and daily endurance, offering new paradigms for understanding moral courage beyond Western frameworks.

The implications for theory and practice demand that we reconceive ethics not as a set of abstract principles but as grounded in the material reality of resistance to annihilation. Philosophy must learn to listen to those forms of courage that operate outside its traditional categories, recognizing that in contexts of systematic violence, the mere insistence on existence constitutes the most profound moral stance. As we have shown through the Palestinian case, when faced with the machinery of erasure, resistance becomes ontology: a philosophy of being that refuses annihilation through the courageous act of enduring. In this refusal lies not merely political defiance but a fundamental reassertion of human value that challenges philosophy to become more adequate to the ethical demands of our time.