THE SPECTATOR'S CONSCIENCE: INDIFFERENCE FROM AUSCHWITZ TO GAZA

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ABSTRACT

The persistent difficulty in defining genocide within institutional frameworks has systematically occluded recognition of Palestinian suffering, transforming moral witnessing into procedural formalism. This paper develops the concept of "procedural absolution"—a derivative of the double bind in genocide discourse—whereby institutional acknowledgment of definitional contestability paradoxically reinforces moral distance and inaction. Through critical analysis of institutional rhetoric and media representations, we trace how discourse oscillates between acknowledging the complexity of applying genocide frameworks to Palestine and re-imposing closure through technical-bureaucratic language that rationalizes erasure. Our contribution lies in demonstrating how this communicative structure enables continued violence through a façade of reasoned deliberation, where the very act of questioning whether genocide is occurring becomes a mechanism for its perpetuation. This paper argues that the spectator's conscience, shaped by institutional discourses of procedural absolution, sustains indifference not through ignorance but through a sophisticated epistemology of detachment that mistakes deliberation for moral engagement.

1 INTRODUCTION

It is difficult to define genocide. This definitional instability, rooted in the tension between legal precision and moral urgency, has profound implications for recognizing and responding to mass atrocities. The Palestinian case exemplifies this instability, where applying the genocide framework becomes a site of intense contestation. While suffering is visible through various media and institutional reports, its classification as genocide remains disputed, creating a paradoxical space where Palestinian experiences are simultaneously acknowledged and denied. This paper examines how discourse around genocide functions to normalize this erasure through sophisticated linguistic and institutional mechanisms.

The academic and legal discourse on genocide is characterized by a fundamental split between those emphasizing definitional contestability and those demanding rigid categorical boundaries. Scholars like Meiches (2017) highlight the inherent ambiguity in genocide discourse, arguing that this very ambiguity can serve political functions. Conversely, the legacy of Lemkin (1944) and subsequent legal frameworks push toward precise, actionable definitions that can trigger international response. This tension creates a double bind where the Palestinian case becomes trapped: insistence on definitional precision often leads to endless deliberation that forestalls action, while acknowledgment of contestability can justify inaction.

Within this definitional split, Palestine occupies a peculiar position of being hyper-visible yet systematically deniable. Digital media proliferation makes suffering in Gaza and the West Bank impossible to ignore, yet the language of "conflict" and "complexity" often supersedes that of genocide. As Butler (2009) suggests, certain lives are framed as more grievable than others, and this framing is structural rather than incidental. The discourse acknowledging Palestinian suffering often contains its moral and political implications, rendering it manageable within existing power structures.

This paper's purpose is to analyze not merely what "genocide" means in abstract terms, but how speaking about it functions within a socio-linguistic field that systematically normalizes Palestinian erasure. Following Bauman (1989), we examine how modern bureaucratic and linguistic systems render mass suffering into technical problems, thereby neutralizing moral imperatives. Discussing

genocide becomes, in many institutional contexts, a way of managing uncomfortable truths rather than confronting them directly.

Central to this analysis is the concept of "procedural absolution"—where adherence to certain discursive and institutional procedures provides a sense of moral resolution without requiring substantive action. This concept builds upon Arendt (1963) notion of the banality of evil, where ordinary people participate in horrific acts through routinized behavior. In genocide discourse, procedural absolution manifests through endless debates about definitions, jurisdictional issues, and evidentiary standards that, while important, often delay or prevent meaningful intervention.

This paper systematically unpacks these dynamics through three sections. First, it examines the historical and conceptual foundations of genocide definition, focusing on the tension between contestability and rigidity, and how this plays out in the Palestinian context through mechanisms where acknowledgment is simultaneously given and withdrawn. Second, it develops the theoretical framework of procedural absolution and double binds, drawing on Bauman (1989), Butler (2009), and Meiches (2017) to show how discourse functions to maintain moral distance. Finally, the conclusion synthesizes these insights to propose a reimagined approach to genocide discourse that prioritizes ethical responsibility over technical precision.

By tracing how language and institutional practices shape responses to potential genocide, this paper contributes to a critical understanding of contemporary moral spectatorship. It argues that the frameworks used to discuss and analyze genocide can, paradoxically, become tools for its perpetuation when they prioritize procedure over humanity. The Palestinian case serves not as an exception but as a revealing instance of how modern consciousness grapples with—and often evades—ethical responsibilities in the face of systematic violence.

2 Related Work

The academic literature on genocide has long grappled with the tension between legal definitions and political realities. Foundational work by Lemkin (1944) established the concept of genocide as a crime against human groups, while subsequent scholarship has examined how institutional frameworks shape recognition and response. Shaw (2007) discusses Shaw's argument that the politics of genocide often involves strategic denial and recognition, where powerful states and institutions deploy definitional debates to avoid responsibility. This political dimension is particularly relevant to the Palestinian case, where the application of genocide frameworks becomes contested terrain. The politics of genocide recognition and denial has been extensively analyzed by scholars examining how powerful states strategically deploy definitional ambiguity to avoid political responsibility (Moses, 2021). Influential scholarship by Hinton (2019) has similarly examined how genocide definition debates often reflect broader power dynamics and colonial legacies, with particular attention to how certain atrocities become recognized while others remain contested. The strategic deployment of definitional ambiguity to avoid political responsibility has been extensively analyzed in scholarship on genocide denial and recognition politics, with empirical studies demonstrating how media coverage systematically withholds genocide terminology based on political considerations (Hama, 2019). Scholars like Shaw (2007) have further developed this analysis, examining how the concept of genocide functions within global power structures. Similarly, Feierstein (2014) analyzes how genocide functions as a social practice that reorganizes social relationships. Our work builds upon this foundation by examining how procedural mechanisms within institutional discourse can systematically normalize indifference to suffering, extending the critical analysis of Bauman (1989) and Meiches (2017) to contemporary contexts of moral spectatorship.

3 Discussion

This discussion synthesizes our analysis of how procedural absolution functions within genocide discourse, particularly in relation to the Palestinian case. Our examination reveals that institutional credibility-building processes, while ostensibly neutral, often distance moral responsibility rather than foster ethical engagement. The theoretical framework established by Bauman (1989) and Arendt (1963) illuminates how bureaucratic rationality transforms moral imperatives into technical problems, enabling what we term "procedural absolution." This phenomenon manifests when institutions

prioritize methodological rigor over immediate ethical response, creating a buffer between knowledge and action.

The communicative dynamics identified demonstrate a complex interplay between emotional resonance and bureaucratic detachment. While documentation of suffering establishes epistemic authority, it often does so at the cost of moral urgency. Sontag (2003) observed that repeated exposure to images of suffering can paradoxically numb viewers, and our analysis extends this to institutional discourse where verification becomes a substitute for intervention. Archival neutrality, while valuable for credibility, can reinforce moral distance by framing atrocities as objects of study rather than urgent ethical crises.

Institutional framing significantly shapes moral responses to potential genocide. Digital mediation of suffering, while expanding the scope of witnessing, often transforms it into spectatorship rather than a catalyst for action. This aligns with Butler (2009) concept of "grievability," where certain lives are systematically framed as less worthy of mourning. Procedural consistency, while establishing credibility, contains the political implications of Palestinian suffering, rendering it manageable within existing power structures resistant to fundamental change.

Our findings both confirm and extend existing scholarship. While Meiches (2017) identified double binds in genocide discourse, procedural absolution reveals how these binds become institutionalized and normalized. Bauman (1989) analysis of modernity's role in the Holocaust finds contemporary relevance in how digital technologies and bureaucratic systems enable moral distancing. Our contribution lies in demonstrating these mechanisms within Palestinian suffering, where institutions tasked with documenting atrocities may inadvertently normalize them through excessive proceduralism.

An unexpected insight concerns how language of "complexity" and "conflict" reinforces procedural absolution. While these terms reflect real aspects of the situation, they often privilege endless deliberation over decisive action. This extends beyond Meiches (2017) double binds to encompass "discursive deferral", where acknowledging complexity becomes an excuse for inaction. The humanitarian apparatus itself, despite noble intentions, can become complicit by framing suffering as inevitable or insoluble.

Several limitations merit acknowledgment. As a philosophical study, our approach prioritizes theoretical insights over empirical data. The perspective draws primarily from Western critical theory, and future work would benefit from incorporating Palestinian perspectives and non-Western philosophical traditions. Additionally, focusing on institutional discourse may overlook grassroots movements and alternative witnessing outside formal channels.

Future research should explore comparative studies of how different atrocities are framed institutionally, revealing whether procedural absolution is general or context-specific. Investigating social media's role in challenging or reinforcing these dynamics would be valuable, particularly given Butler (2009) work on media frames. Research into moral psychology's interaction with institutional discourse could explain resistance to procedural absolution. Finally, developing pedagogical approaches to cultivate resistance to distancing mechanisms represents crucial practical application.

The broader implications extend to genocide studies, human rights practice, and ethical theory. If procedural absolution functions as described, improving documentation processes may be insufficient without attention to how they affect moral engagement. This suggests need for what Levinas (1969) might call an "ethics of interruption" disrupting bureaucratic comfort with systematic violence. Institutions must examine whether their practices contribute to the problems they address.

Synthesizing our argument, procedural absolution represents a sophisticated mechanism sustaining indifference to atrocity. This is not merely individual moral failure but a structural feature of modern institutional life enabling spectatorship to masquerade as engagement. The significance lies in making visible how responses to suffering are shaped by the very systems trusted to address them. Naming procedural absolution contributes to reimagining moral responsibility beyond technical-bureaucratic solutions.

Critically engaging with scholarship, solutions focusing solely on improving definitions or verification may be inadequate. While Lemkin (1944) remains foundational, its legal-institutional legacy has been perhaps too uncritically embraced. Following de Beauvoir (1948), we might emphasize ambiguity and situated judgment over procedural certainty. Similarly, Nussbaum (2001) work on emotions suggests

reintegrating affective responses into overly rationalized practices. The challenge is maintaining rigor while resisting moral distancing.

Addressing these challenges requires theoretical innovation and practical reform. Philosophical work must continue critiquing ethical responses to suffering, while developing engagement models resisting procedural absolution. The Palestinian case urgently reminds that how we discuss suffering matters as much as whether we discuss it—true moral witnessing demands not better procedures, but better ways of relating to those who suffer.

4 Conclusions and Future Work

This paper has traced the persistent paradox within genocide discourse: while the field proclaims definitional contestability as a theoretical virtue, it systematically reproduces closure in practice, particularly regarding Palestine. The tension between acknowledging ambiguity and demanding categorical precision creates a double bind that renders Palestinian suffering simultaneously visible and deniable. As Meiches (2017) demonstrates, this bind is not incidental but structural to modern political discourse about mass violence. The Palestinian case exposes how institutional mechanisms of "procedural absolution" transform moral imperatives into technical debates, enabling a sophisticated form of indifference that masquerades as rigorous deliberation.

The central claim emerging from our analysis is that the crucial task is not to perfect genocide definitions, but to unbind the discourse itself—to alter the fundamental rules of speaking such that Palestinian life is neither footnoted nor administratively absolved. Following Butler (2009), we must challenge the frames that determine which lives appear grievable and which remain politically and morally marginalized. This requires moving beyond the proceduralism critiqued by Bauman (1989) and Arendt (1963) toward a discourse that recognizes its own implication in the suffering it describes. The goal is not better categorization but more responsible engagement.

This unbinding demands radical changes in how institutions approach potential genocide. Rather than prioritizing methodological rigor at the expense of moral urgency, we must develop practices that maintain evidentiary standards while resisting the distancing effects of bureaucratic language. Levinas (1969) ethics of interruption offers a valuable framework here, suggesting the need to disrupt comfortable proceduralism with the disruptive presence of the Other. Humanitarian organizations and international bodies must critically examine whether their current practices, however well-intentioned, contribute to the rationalized erasure they purport to oppose.

Following Meiches (2017) style of meta-reflection, philosophy must rigorously examine its own conditions of speech to avoid complicity in rationalized erasure. The academic discourse on genocide cannot remain a neutral observer; it must acknowledge its position within power structures that enable certain forms of suffering to persist. As de Beauvoir (1948) reminds us, ambiguity is not an obstacle to ethics but its very condition—we must learn to act decisively in the face of definitional uncertainty rather than using that uncertainty as justification for inaction.

Looking forward, the challenge is to cultivate what might be termed an "ethics of proximity" that counters the spectator's conscience analyzed throughout this paper. This involves reimagining moral responsibility not as a burden to be managed through procedures, but as an immediate relation to those who suffer. The case of Palestine serves as a crucial test for whether we can move beyond the comfort of distance toward a more demanding form of engagement. True moral witnessing requires not just seeing suffering, but allowing that sight to fundamentally disrupt our ways of being in the world.

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