

“We are Fighting Nazis”: Genocidal Fashionings of Gaza(ns) After 7 October

Zoé Samudzi

To cite this article: Zoé Samudzi (18 Jan 2024): “We are Fighting Nazis”: Genocidal Fashionings of Gaza(ns) After 7 October, Journal of Genocide Research, DOI: [10.1080/14623528.2024.2305524](https://doi.org/10.1080/14623528.2024.2305524)

To link to this article: <https://doi.org/10.1080/14623528.2024.2305524>



Published online: 18 Jan 2024.



Submit your article to this journal [↗](#)



View related articles [↗](#)



View Crossmark data [↗](#)



“We are Fighting Nazis”: Genocidal Fashionings of Gaza(ns) After 7 October

Zoé Samudzi

Strassler Center for Holocaust and Genocide Studies, Clark University, Worcester, MA, USA

On 31 October 2023, Israel’s ambassador to the United Nations, Gilad Erdan, wore a *Judenstern* (“Jew’s star”) while addressing the United Nations Security Council. His provocative adornment of the patch, a symbol of the genocidal marking of European Jews during the Nazi Holocaust, was intended to remind the body of the consequences of “staying silent in the face of evil” in the wake of Hamas’ deadly attack on Israel on 7 October. Erdan swore the ambassadorial team would wear the star “as a symbol of pride” until the body formally condemned Hamas’ actions. In response, Dani Dayan, chairman of Yad Vashem, vehemently opposed the move saying that the “yellow star symbolizes the helplessness of the Jewish people”: that Jewish people now have “an independent country and a strong army” and must “place a *blue-white flag on the lapel*, not a yellow patch.”¹

Erdan’s performative gesture and condemnatory responses to it can be interpreted as a negotiation and strategic conflation of the two existentially threatening forces at the nucleus of the Zionist political imaginary. Through the discursive entanglement of the Nazi and the Palestinian, we see a political-cultural stage upon which the alienated diasporic European Jew of the twentieth century is articulated as vulnerable to a genocidal annihilation that the contemporary muscular Israeli Jew is no longer.² Through the evocation of historical Jewish suffering, the Gazan/Palestinian – and specifically, after the October attack, Hamas as a [Sunni] Islamic nationalist group – has been configured by Israel as *the* new Nazi force whose attempted violent incursion into Israeli territoriality constituted a twenty-first century iteration of an allegedly enduring genocidal threat. The use of aerial tactics, thus, has constituted both a calculated (i.e. purportedly precise) *and* widely annihilatory means of managing the civilizational threat of a Nazified Hamas/Gaza.³

CONTACT Zoé Samudzi ✉ zsamudzi@clarku.edu 📍 Strassler Center for Holocaust and Genocide Studies, Clark University, 950 Main Street, Worcester, MA 01610, USA

¹ Jacob Magid, “Erdan tells UN he’ll don yellow Star of David until it condemns Hamas; Yad Vashem fumes,” *Times of Israel*, 31 October 2023, <https://www.timesofisrael.com/erdan-tells-security-council-hell-don-yellow-star-of-david-until-it-condemns-hamas/>. Italics of Dayan’s quotation are my own.

² For more on the Zionist notion of the “muscular/muscle Jew” as an individual-national conception of a reborn post-World War II masculine Israeli Jew (against the stereotypically “meek, Yiddish-speaking Jew of the Eastern European shtetl”), see Todd Samuel Presner, *Muscular Judaism: The Jewish Body and the Politics of Regeneration* (London: Routledge, 2007).

³ This notion of Israel waging a war against Nazis has emerged from the statements of Israeli officials themselves. For example, in a Twitter/X post, Galit Distel-Atbaryan (now-former Israeli Minister of Information) wrote that “Gaza should be wiped off the map, and fire and brimstone on the heads of the Nazis in Judea and Samaria.” Tzipi Hotovely, the Israeli ambassador to the United Kingdom, positively compared the assault on Gaza to the Allied bombing of Dresden during World War II, and former Prime Minister Naftali Bennett said simply: “We are fighting Nazis.” In a 13 January

Scholarly responses to the ongoing war have been mired in competing historical and socio-legal interpretations of the very concept of genocide, and these fundamental disagreements are partially owed to deep divisions within the field of Genocide Studies itself. On one hand, some claim that Hamas' massacres and hostage-taking of Israeli civilians constitute genocidal acts in themselves: violences that are inextricably linked to a global rise in antisemitism and the ongoing denial of both Jewish people's and the state of Israel's right to existence. While rightfully expressing horror at the brutality of Hamas' attack, others still situate the enduring armed struggle within an ongoing process of settler colonial violence that has structured Palestinian life since the massacres and mass expulsions of 1948 Arab-Israeli War. Even as Genocide Studies is meant to exist as a transdisciplinary field accounting for a global scope of genocidal atrocities, its disciplinary core remains the Holocaust as an exemplar sine qua non of genocide following relatively conservative interpretations of Raphael Lemkin's conception and its translation into the United Nations Genocide Convention.

These divergent epistemic structures – a divergence in which orthodox interpretations of genocide proceeding from the exceptionality of Nazi crimes are challenged by more troubled considerations of genocide within histories of colonial race-making and more multidirectional memory⁴ politics – represent an overdue disciplinary engagement of the so-called "Palestine Question."⁵ This, in turn, bears implications for the overwhelming limitations of international law in questions of genocide and our overreliance on its narrow interpretive power.⁶

Truncated History of Palestinian Anti-Zionism and/as Nazism

We might understand the genesis of the Palestinian-as-Nazi ontology as the undeniably real but nevertheless oft mythologized 1941 meeting between Adolf Hitler and Amin al-Husseini, by then the Grand Mufti of Jerusalem. An Arab nationalist and anti-colonial figure, al-Husseini vehemently opposed both British rule in Mandatory Palestine and the Zionist proposition of a Jewish state. His participation in protests against Jewish

2024 statement marking 100 days of the ongoing war against a force attempting "to perpetrate another Holocaust against the Jews," Prime Minister Benjamin Netanyahu stated that "Israel, the IDF and our security services are fighting a moral and just war that is without parallel, against the Hamas monsters, the new Nazis": he claimed the IDF had allegedly "found copies of Hitler's *Mein Kampf*" in a Gazan tunnel, as well as "a child's tablet with a picture of Hitler as the screensaver." He also repeated a statement made by German Chancellor Olaf Scholz at a joint press conference in Tel Aviv on 17 October 2023: "Hamas are the new Nazis" (Scholz's sentence finishes with "Hamas is ISIS, in some instances worse than ISIS"). Prime Minister's Office, "Statement by PM Netanyahu," 13 January 2024, <https://www.gov.il/en/departments/news/spoke-press130424>.

⁴ See Michael Rothberg, *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization* (Stanford: Stanford University Press, 2009).

⁵ See Haifa Rashed, Damien Short, and John Docker, "Nakba Memoricide: Genocide Studies and the Zionist/Israeli Genocide of Palestine," *Holy Land Studies* 13 (2014): 1-23; Haifa Rashed and Damien Short, "Genocide and Settler Colonialism: Can a Lemkin-inspired Genocide Perspective Aid our Understanding of the Palestinian Situation?" *International Journal of Human Rights* 16, no. 8 (2012): 1142-69. For a disciplinary engagement of Palestine that was denounced as a "minimization of the Holocaust, delegitimization of the State of Israel, and repeat[ing] common themes of contemporary antisemitism," see Amos Goldberg et al, "Israel Charny's Attack on the Journal of Genocide Research and its Authors: A Response," *Genocide Studies and Prevention: An International Journal* 10, no. 2 (2016): 3-22.

⁶ On describing the law's inertia on matters of genocide and how it is "much easier to consider genocide in the past tense rather than contend with it in the present," Palestinian human rights attorney Rabea Eghbariah poses the always unspoken question: "Is genocide really the crime of all crimes if it is committed by Western allies against non-Western people?" Rabea Eghbariah, "The *Harvard Law Review* Refused to Run This Piece about Genocide in Gaza," *The Nation*, 21 November 2023, <https://www.thenation.com/article/archive/harvard-law-review-gaza-israel-genocide/>.

immigration eventually led to his emigration to evade arrest by British authorities: first to French Mandatory Lebanon and Iraq in 1937, and then eventually to Fascist Italy and Nazi Germany in 1941. A slippage between antisemitism and anti-Zionism troubles al-Husseini's legacy as his support for the Nazi Party's ascent to power in 1933 was informed by his desire to curb Jewish immigration to Palestine; his desire for a political axis between the Arab world and fascist European powers, too, was predicated upon their recognition of Arab statehood and diplomatic reversals of the progress made towards the establishment of a Jewish state.

The infamous meeting between the Grand Mufti and Hitler took place on 28 November 1941. During the meeting, al-Husseini reaffirmed his commitment to alliances between Arabs and Nazi Germany because they had shared enemies in "the English, the Jews, and the Communists." In return, Hitler reassured him that Germany stood both "for uncompromising war against the Jews" and in "active opposition to the Jewish national home in Palestine."⁷ This meeting – and an additional telegram from *Reichsführer*-SS Heinrich Himmler⁸ – is taken as evidence of a political commitment and global racialized conspiracy of both al-Husseini and "the Arabs of Palestine and the Arab World" with the Nazis' aspirations of eliminating global Jewry.⁹ Many retellings of this meeting, however, over-assert the Grand Mufti's influence on Hitler's plan: as told (multiply) by Prime Minister Benjamin Netanyahu and others, al-Husseini's rejection of the prospect of Jewish immigration from Germany/Europe is interpreted as ultimately *influencing* Hitler's pivot from mass expulsion to mass murder. The genocidal Final Solution, however, had already begun by the pair's meeting: Hitler had already begun his invasion of the Soviet Union, and gangs of *Einsatzgruppen* had already begun mass killings of Jews, Roma, and partisans, including the September 1941 massacre at Babi Yar in Kyiv, Ukraine.¹⁰

This purported Nazi-Arab axis of antisemitism is further articulated by *democratic* Israel's existence in a region described as a "hostile neighborhood/environment" because of the antagonisms of neighbouring Arab states (including states whose territories and sovereignties have been undermined by Israeli annexation).¹¹ This

⁷ Ranier Schulz, "Netanyahu, the Grand Mufti and the Holocaust: Why it is Important to Get the Historical Facts Right," *The Conversation*, 23 October 2015, <https://theconversation.com/netanyahu-the-grand-mufti-and-the-holocaust-why-it-is-important-to-get-the-historical-facts-right-49617>.

⁸ See Joel Fishman, "The Recent Discovery of Heinrich Himmler's Telegram of 2 November 1943, the Anniversary of the Balfour Declaration, to Amin al-Husseini, Mufti of Jerusalem," *Jewish Political Studies Review*, 27, nos. 3–4 (2016): 77–87.

⁹ In "Collaboration with the Third Reich: The Wider Historical Debate and the Role of Haj Amin al-Husseini, Mufti of Jerusalem," Johannes Houwink ten Cate suggests al-Husseini's "recruitment of Muslims for the Waffen-SS clearly belongs to the most extreme form of collaboration, namely, unconditional collaboration." Instead, I am insisting, first, on a largely *tactical* rather than simply antisemitic consideration of al-Husseini's proposed collaboration animated by anti-colonial concerns around the establishment of a Jewish state, and second, that al-Husseini's claim to be a representative of the Arab/Muslim world in toto cannot be used as a means of projecting *his* political alignments onto all of the region's Arabs/Muslims and, specifically, onto Palestinians. Johannes Houwink ten Cate, "Collaboration with the Third Reich: The Wider Historical Debate and the Role of Haj Amin al-Husseini, Mufti of Jerusalem," *Jewish Political Studies Review* 26, nos. 3–4 (2016): 91–113. For careful historical disaggregation of Nazis' racial ambitions for conquest from Arab anti-imperialism and how the latter was deployed in Nazi propaganda for Arab audiences, see Thomas J. Kehoe, "Fighting for Our Mutual Benefit: Understanding and Contextualizing the Intentions behind Nazi Propaganda for the Arabs during World War Two," *Journal of Genocide Research* 14, no. 2 (2012): 137–57. For more on Islamophobic conspiracy thinking (and its racial intimacies with antisemitism), see Reza Zia-Ebrahimi, "When the Elders of Zion relocated to Eurabia: Conspiratorial racialization in antisemitism and Islamophobia," *Patterns of Prejudice* 52, no. 4 (2018): 314–37.

¹⁰ Schulz, "Netanyahu, the Grand Mufti and the Holocaust."

¹¹ Following the Six-Day War (5–10 June 1967), the Golan Heights were occupied after capture from Syria, the West Bank (which includes East Jerusalem) was captured from Jordan, and the Sinai Peninsula and Gaza Strip were taken from Egypt.

characterization exploits Orientalist characterizations of Arabs as counter-civilizational and anticipates Samuel Huntington's post-Cold War articulations of an increasingly illiberal and fundamentalist "Islamic civilization" posing a threat to western liberal democracy. In the present (as in the past), Hamas' attack is attributed to an antisemitism inherent to Islam or Arab nationalism rather than situating it in expressed Palestinian opposition, albeit violent, to unyielding Israeli occupation and dispossession. Comparably labelled as "immoral and terroristic" violence akin to Nazi fascism, Zionist commentators of the time similarly delegitimized the 1936 Arab uprising in Mandatory Palestine rather than engaging how "the parliamentary road to Arab sovereignty was obstructed by the Zionists until 1939," the year of the revolt's conclusion.¹² These characterizations complement the fabrications of Palestinians systemically produced in ethnocentric Israeli society in a way that justifies the state's drive for permanent security through territorial expansion and carceral controls.¹³

The seeds that would eventually become Hamas were initially sown out of a frustration with the secular Palestine Liberation Organization's failure to end the Israeli occupation. The expansion of Islamic political formations was enabled when, in 1976, Hamas' eventual founder Sheikh Ahmad Yassin "applied to the Israeli occupation authorities for a license to establish the Islamic Association" as a cover for its various infrastructural and service work within the Gaza Strip. His application was approved the following year, and the Israeli government "hoped that cultivating the brotherhood would produce a counterforce that could weaken other Palestinian nationalist movements."¹⁴ Contra to the Oslo Accords-created Palestinian Authority and the concessions it was willing to make through diplomatic engagement with Israel, Hamas' political strategy revolved and continues to revolve primarily around rejections of "further concessions from the Palestinian side, including any commitment to disarm the resistance factions or to halt fire."¹⁵

From its participation in the First and Second Intifadas to its electoral successes and assumptions of power (particularly after taking control of the Gaza Strip following Israel's 2005 disengagement),¹⁶ the party has metastasized into something capable of producing the kind of violent militarized confrontation witnessed on 7 October. Characterized as the largest loss of Jewish life since the Holocaust (and the bloodiest in Israeli history), the language of "pogrom" was used to describe the attacks on the Nahal Oz, Kfar Aza, Magen, Sufa, and Be'ri communities. The Hamas-coordinated aggressive of secular and Islamic resistance groups ossified this anti-Jewish threat whereby the

¹² Philip Mattar, "The Mufti of Jerusalem and the Politics of Palestine," *Middle East Journal* 42 (1988): 228–40; Benny Morris, *Righteous Victims: A History of the Zionist-Arab Conflict, 1881–2001* (New York: Vintage Books, 2001), 136; A. Dirk Moses, "Paranoia and Partisanship: Genocide Studies, Holocaust Historiography, and the 'Apocalyptic Conjunction,'" *The Historical Journal* 54, no. 2 (2011): 553–83

¹³ While not coined by him, I am utilizing a similar critique of genocide vis-à-vis permanent security offered by A. Dirk Moses. See *The Problems of Genocide: Permanent Security and the Language of Transgression* (Cambridge, UK: Cambridge University Press), 35–43 (its introduction and definition). For more about the situation of Palestinians into a "usable past" (12) in Israeli education – i.e. a historiographic fashioning that can then be deployed for geopolitical and military ends – see Nurit Peled-Elhanan, *Palestine in Israeli School Books: Ideology and Propaganda in Education* (London: I.B. Tauris, 2012).

¹⁴ Tareq Baconi, *Hamas Contained: The Rise and Pacification of Palestinian Resistance* (Stanford, CA: Stanford University Press, 2018), 17.

¹⁵ *Ibid.*, 80–81.

¹⁶ Even though Israel dismantled settlements and withdrew its military from the Gaza Strip in 2005, the blockade it nevertheless has maintained on Gaza's land, sea, and air plausibly constitutes occupation.

ontological singularities of perceived genocidal antisemitism and Jewish existential possibility are sublimated into Nazism and a twenty-first century re-enfleshment of the Holocaust, respectively. Per this discourse, then, survival of a reiterated attempt at Jewish annihilation necessitates and *justifies* an unrestrained military response.

Vanquishment by any Means

Following this reparative teleology of the establishment of a Jewish state, the evocation of Israel's right to self-defense¹⁷ operates as a present-day permanent security campaign *and* a historicized articulation of a protective Jewish fortressing and securitization that was not possible during the Holocaust but has since been actualized by the Israeli state. This is the essence of Dayan's clarification. Israel swiftly responded to the October attacks with a campaign it has called "Operation Iron Swords," and as an alternative to ground invasions that would make Israeli soldiers particularly vulnerable, unmanned aerial systems and autonomous weapons systems were paired with conventional manned aerial warfare. But the euphemistically described "surgical strikes" these systems produce utilize a machine learning logic of threat assessment and preemptive striking whose technological evolution has advanced from typical "colonial paradigms of dominion into imperial methods of remote disciplinary control."¹⁸ Beyond merely identifying and eliminating threats in the present, Anthony Downey emphasizes that this "neocolonial 'algorithmic command'" is "crucially and irrevocably implicated in the martial and political will to occupy the future."¹⁹ Thus, inherited within this strategy, within Israel's retaliatory campaign on Gaza, is a transtemporal logic of genocide that attempts to neutralize the Gazan Palestinian in the present so as altogether displace and/or eliminate its presence and foreclose the possibility of its future.

These algorithmic logics operate within a process of always already genocidal statecrafting that is not necessarily illegal because of how coloniality is imbricated within the international legal system: the perpetual war of permanent security, even as it annihilates, is not inherently criminal because it is simply operating in service of the quotidian Euromodern racial order. Notably, Bedour Alagraa describes catastrophe not as a chronology of discrete and individuated events, but as "a structural condition, and a *way of life* imposed as a form of political and social domination, beginning with the New World colonial encounter(s)." Evoking the "cruel mathematics" that formulate necropolitical calculations, the "smart" calculations of Palestinian military targets are a feature of another structuring process of catastrophe: the Nakba of 1948, literally "The Catastrophe" as proper noun in Arabic, which initiated the present and ongoing colonial epoch of Palestinian elimination.²⁰

¹⁷ While Article 51 of the United Nations Charter upholds "the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations" (Israel has been a member since 1949), there is debate over whether Israel's military actions in the Occupied Palestinian Territories constitute legitimate self-defense. There are two main arguments that undermine this claim. First, the doctrine of self-defense does not apply to occupying powers and the blockade of Gaza, to many, constitutes occupation. Second, Israel's actions in Gaza – namely an overwhelming and disproportionate retaliatory force, the collective punishment of civilians and combatants alike, and the withholding of electricity, water, and other humanitarian resources – constitute a violation of the international humanitarian law that governs military conflict.

¹⁸ Anthony Downey, *Neocolonial Visions: Algorithmic Violence and Unmanned Aerial Systems* (Ljubljana: Aksioma-Institute for Contemporary Art Ljubljana, 2023), 7.

¹⁹ *Ibid.*

Weeks into the assault, details emerged about Habsora (“The Gospel”), a system of target calculation “which is largely built on artificial intelligence and can ‘generate’ targets almost automatically at a rate that far exceeds what was previously possible.”²¹ According to the Israel Defense Forces, the system produces recommendations for air-strikes “with the goal of a complete match between the recommendation of the machine and the identification carried out by a person.” While the exact calculations for targeting are fairly opaque, the system “typically analyze large sets of information from a range of sources, such as drone footage, intercepted communications, surveillance data and information drawn from monitoring the movements and behaviour patterns of individuals and large groups.”²² Coupled with a greater permissiveness for civilian targeting and the claim that Hamas operatives are embedded in civilian infrastructure, this technological production of “legitimate military targets” proceeds also from the political imaginary in which all Gazans – including children, who comprise a devastating proportion of casualties – are collectively rendered as terroristic colluders with Hamas, thus justifying what immediately became a total war against the Palestinian “Other.”²³ (Despite the use of this “smart” guided technology, unguided “dumb bombs,” whose destructive capabilities pose an even greater threat to civilians, nevertheless comprise nearly half of all aerial strikes.²⁴)

Because of the legal impunity that Israel has enjoyed, the question of genocide in Palestine transcends the applicability of the Genocide Convention (though, arguably, present violence in Gaza includes nearly every act outlined in Article II) and can be better sociologically understood through the eight techniques of genocide outlined by Lemkin himself: a comprehensive frame of “political, social, cultural, economic, biological, physical, religious and moral” destruction that accounts for the more totalized “destruction of the national pattern of the oppressed group.”²⁵ The bombing of universities, cultural institutions, refugee camps, religious sites, hospitals, and entire neighbourhoods; the targeted assassinations of journalists and killings of retreating and fleeing civilians; the deprivation of humanitarian aid, water, electricity, and the enforcement of the ongoing blockade²⁶ constitute a wholesale attack of Gazan life far beyond any conceivably proportionate military response.²⁷ This total war is figured through both infrastructural

²⁰ Bedour Alagraa, “The Interminable Catastrophe,” *offshoot*, 1 March 2021, <https://offshootjournal.org/the-interminable-catastrophe/>.

²¹ Yuval Abraham, “A Mass Assassination Factory: Inside Israel’s Calculated Bombing of Gaza.” *972 Magazine*, 30 November 2023, <https://www.972mag.com/mass-assassination-factory-israel-calculated-bombing-gaza/>.

²² Harry Davies, Bethan McKernan, and Dan Sabbagh, “The Gospel: How Israel uses AI to Select Bombing Targets in Gaza,” *The Guardian*, 1 December 2023, <https://www.theguardian.com/world/2023/dec/01/the-gospel-how-israel-uses-ai-to-select-bombing-targets>.

²³ Collective punishment, a war crime, describes any kind of non-individual punitive measure or sanction imposed upon all individuals of a group for actions they did not commit. Article 33(1) of the Fourth Geneva Convention states: “Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.”

²⁴ Natasha Bertrand and Katie Bo Lillis, “Exclusive: Nearly half of the Israeli munitions dropped on Gaza are imprecise ‘dumb bombs,’ US intelligence assessment finds,” *CNN*, 14 December 2023, <https://www.cnn.com/2023/12/13/politics/intelligence-assessment-dumb-bombs-israel-gaza/index.html>.

²⁵ Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation – Analysis of Government – Proposals for Redress* (Washington, D.C.: Carnegie Endowment for International Peace, 1944), 79–95; Rashed and Short, “Genocide and Settler Colonialism.”

²⁶ Since the Nigerian government’s famine-producing blockade of Biafra during the Nigerian Civil War (1967–1970), the question of whether blockades constitute genocidal action has been a part of scholarly debates given that starvation as warfare was prohibited in Protocol I, the 1977 amendment to the Fourth Geneva Convention (1949). See Mary-Noelle Ethel Ezeh, “Genocide by Starvation,” in *The Nigeria-Biafra War: Genocide and the Politics of Memory*, ed. Chima J. Korieh (Amherst, NY: Cambria Press, 2012), 91–110.

destruction and spatio-cidal attempts to make Palestinian land unlivable,²⁸ and displacement and forced evacuations per the goals of the originary Nakba.²⁹

Disciplinary Possibilities

Rather than contending with the materialities of the violence at hand, the casting of Palestinians and Muslim armed resistance as the primary postwar threat to Jewish Israeli existence creates an irresistible maneuver. Capturing Palestine in the ongoing western moral correction of the Holocaust mystifies the geopolitical machinations that produce ordinary processes of “demarcation, exclusion, elimination, and political reassertion” and necessitate mass death for particularly racialized people around the world.³⁰ With Gaza, and in the broader discourse around Palestine, the coincidental recognition of genocide as the “crime of crimes” and a definitional near-singularity of Nazi violence elides acknowledgement of a constructed asymmetry in genocide recognition: a failure to robustly confront the mass violence intrinsic to the Westphalian order. If “capitalism’s calculus of the necessary destructions of lifeworlds” animates the political economic arrangements of racial capitalism, how does Genocide Studies reckon with “the crime of genocide in a world where masses of people were never meant to survive”?³¹

The crisis of Genocide Studies, the rationale for its allergy to and general non-engagement of Palestine, lies in its uncritical promotion of legal normativities: a taken-for-grantedness of the delimiting of the “human” in human rights discourses and its de facto non-universality.³² Mainstream Genocide Studies fails to approach genocide as a *productive* practice of modern statecraft, meaning that it also often fails to consider how imperial practices and definitions of citizenship and belonging – i.e. quotidian designations of the populations that could be killed and/or enslaved – still inform legal discourses of

²⁷ The doctrine of just war theoretically guides wartime actions, in part, by the ethical principles of distinction (discernment between civilians and combatants) and proportionality (attacks should be based on legitimate military objectives and take care to not cause undue or excessive damage to civilian life or property).

²⁸ Sari Hanafi has described the Israeli settler colonial project not as genocidal, but “spacio-cidal” . . . in that it targets land for the purpose of rendering inevitable the ‘voluntary’ transfer of the Palestinian population primarily by targeting the space upon which the Palestinian people live.” One example of this specific targeting of land is in the Israeli military’s flooding of Hamas’ tunnels near al-Shafti refugee camps in northern Gaza using water pumped from the Mediterranean Sea. This practice will pollute the soil and render it nonarable, and it will further contaminate already barely potable water in Gaza with seawater and untreated wastewater. On the concept of spacio-cide, see Sari Hanafi, “Explaining Spacio-cide in the Palestinian territory: Colonization, Separation, and State of Exception,” *Current Sociology* 61, no. 2 (2012): 190-205.

²⁹ This notion of a reiterated Nakba has emerged from the statements of Israeli politicians themselves. For example, Finance Minister Bezalel Smotrich called for the “voluntary emigrations of Gazans,” and Minister of Agriculture Avi Dichter said that Israel is “now rolling out the Gaza Nakba.” Summarizing these expressed goals and complementary policy, Paula Gaviria Betancur, Special Rapporteur on the human rights of internally displaced persons, stated that: “As evacuation orders and military operations continue to expand and civilians are subjected to relentless attacks on a daily basis, the only logical conclusion is that Israel’s military operation in Gaza aims to deport the majority of the civilian population en masse,” a repetition of “a long history of mass forced displacement of Palestinians by Israel.” United Nations Media Center, “Israel Working to Expel Civilian Population of Gaza, UN Expert Warns,” *United Nations Office of the High Commissioner of Human Rights*, 22 December 2023, <https://www.ohchr.org/en/press-releases/2023/12/israel-working-expel-civilian-population-gaza-un-expert-warns>.

³⁰ Zoé Samudzi, “Against Genocide: Introduction,” *The Funambulist*, no. 37 (2021), <https://thefunambulist.net/magazine/against-genocide/against-genocide-introduction>.

³¹ Zoé Samudzi, “Genocide: When Does State Violence Pass the Threshold?” *The Funambulist*, no. 50 (2023), <https://thefunambulist.net/magazine/redefining-our-terms/genocide-when-does-state-violence-pass-the-threshold>.

³² For more on the relationship between juridical conceptions of humanity and imperialism see Samera Esmeir, “On Making Dehumanization Possible,” *Publications of the Modern Language Association* 121, no. 5 (2006): 1544-51; Walter D. Mignolo, “Who Speaks for the ‘Human’ in Human Rights?” *Hispanic Issues On Line* 5, no. 1 (2009): 7-24.

genocide as the ultimate crime or political transgression. In this vein, rather than being examined as a settler colonial state whose establishment necessitated the elimination of existing populations, Israeli policy is interpreted solely as part of the aftermath of western resolutions of the consequences of the Nazi Holocaust. And in ideological and material relation with other settler states³³ (namely, the United States) whose own denunciations or justifications of genocide are a matter of political utility or self-protection, these settler imaginaries at the heart of state formation come to define the legal grounds upon which the crime of genocide is argued. Invoking how the settler geographic imaginary of the American frontier is transplanted upon and duly fashions conceptions of Palestine, Moses writes that the claims made by “Israeli colonists trump the Palestinian right of self-determination in the minds of those who identify the Palestinians with ‘red Indians’ and associate the colonists ... with their forebears who conquered the American interior.”³⁴ The International Court of Justice’s adjudication of South Africa’s charge of genocide against Israel, then, is competing with the political understanding that Palestinians can be killed and dispossessed as a necessary consequence of Israeli statecraft and that Israel is within its legal and political right to kill and dispossess them.

The deliberate uncoupling of genocide from the study of [settler] colonialism in the case of Palestine not only produces an ahistorical record of the Israeli state, it also perpetuates an irrefutably exceptional Eurocentric ontology of victimhood in which “the moral caché of indigenous survivors of colonialism is less than that of [Jewish victims of Nazism].”³⁵ Indeed, Lemkin’s conception of genocidal Nazi occupation is informed by his study of colonization in the Americas: his identified second phase of genocide, the imposition of the colonizer’s “national pattern,” may “be made upon the oppressed population which is allowed to remain, or upon the territory alone, after the removal of the population and the *colonization* of the area by the oppressor’s own nationals.”³⁶

The denazification of the Palestinian, so to speak, can only proceed through the following. First, it must allow a consideration of Palestinians as people with historical agency and a diversity of political goals not defined solely by their interpolation into the afterlife of the Holocaust. And second, it must cease the allowance of any equations of Palestinians (and Arabs) with Nazis as the allegedly *natural* enemies of Jewish people, as well as Zionism’s forced synonymy of the existence of the state of Israel with the survival of Jewish

³³ The relationship between the United States and Israel (as well as Australia, New Zealand, Canada, and apartheid Rhodesia and South Africa) can be understood within the context of a settler international: the means through which settler colonies with complementary racial orders support one another. This is not simply reducible to good geopolitical relation, but rather an “organization of power informing all settler society policies including foreign policy,” which is how these “white settler colonies form alliances based upon recognizing each other as in a mirror.” Jimmy Johnson, “Settlers Supporting Settlers: Towards an Explanation of the US/Israel relationship,” *Mondoweiss*, 12 May 2015, <https://mondoweiss.net/2015/05/supporting-explanation-relationship/>.

³⁴ Moses, *The Problems of Genocide*, 508-9.

³⁵ A. Dirk Moses, “Conceptual Blockages and Definitional Dilemmas in the ‘Racial Century’: Genocides of Indigenous Peoples and the Holocaust,” in *Colonialism and Genocide*, ed. A. Dirk Moses and Dan Stone (London: Routledge, 2007): 148-80. For a consideration of Hamas’ attack in relation to the 1904 uprising of the indigenous Ovaherero people in the German colony of South West Africa (present-day Namibia) and Germany’s annihilatory response, see Didier Fassin, “Le spectre d’un genocide à Gaza,” *AOC*, 1 November 2023, <https://aoc.media/opinion/2023/10/31/le-spectre-dun-genocide-a-gaza/>, and his contribution to this forum, “The Rhetoric of Denial,” *Journal of Genocide Research* (2024).

³⁶ Michael A. McDonnell and A. Dirk Moses, “Raphael Lemkin as Historian of Genocide in the Americas,” in *The Origins of Genocide: Raphael Lemkin as a Historian of Mass Violence*, ed. Dominik J. Schaller and Jürgen Zimmerer (London: Routledge, 2009), 57-85.

people. Truly egalitarian assessments of genocide and the ongoing question of Palestine must transcend the moral and historical fixity of victimhood that perpetually immiserates Palestinians of their humanity, rights, and claims to self-determination and aspires, instead, towards redressing the violences of colonial modernity.

Disclosure Statement

No potential conflict of interest was reported by the author(s).

Notes on Contributor

Zoé Samudzi is the Charles E. Scheidt Visiting Assistant Professor of Genocide Studies and Genocide Prevention at the Strassler Centre for Holocaust and Genocide Studies at Clark University. A sociologist with a PhD in Medical Sociology from the University of California, San Francisco, her research is primarily concerned with German imperialism, the Ovaherero and Nama genocide and its afterlives, and the settler international. Her work also engages visibility and violence, human remains and restitution, genocide denialism, and the spatialities of racecraft and dispossession.