



From permanent exception to genocide: Contextualizing the Israeli regime in Gaza

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Abstract: This article interrogates the Israeli regime's approach to Palestinians—particularly in Gaza—through the lens of permanent exception, arguing that a triadic system of governance comprising normative, discursive, and performative dimensions of exception has created the structural preconditions for genocidal violence. Far from representing temporary responses to crisis, exceptional measures have become embedded within ordinary governance, enabling the systematic erosion of legal protections, the securitised construction of Palestinians as existential threats, and the routinised deployment of surveillance, bureaucratic arbitrariness and demographic engineering.

Situating this analysis within critical legal theory, the paper proposes a shift from intent-based approaches to genocide toward a context-based and socio-legal understanding that emphasizes cumulative state practices aimed at dismantling the conditions necessary for group life. Gaza, under prolonged siege and recurrent military assault, exemplifies how exceptionality transforms into an infrastructure of elimination—where legal norms are weaponised, rights systematically denied, and Palestinian existence rendered disposable.

Through detailed examination of Israeli legal history, political discourse, and daily practices of control, the article argues that genocide emerges not as an isolated rupture but as the culmination of normalised and prolonged state violence. In doing so, it reclaims genocide as a processual, socio-political and historically embedded phenomenon—one that demands urgent reconsideration within both international legal doctrine and global political consciousness.

Keywords: permanent exception; genocide; context-based approach; Gaza; Palestine; otherness; settler colonialism; structural violence; dehumanisation; group destruction.

EN De la excepción permanente al genocidio: contextualizando el régimen israelí en Gaza

Resumen: Este artículo examina el enfoque del régimen israelí hacia la población palestina—particularmente en Gaza— desde la perspectiva de la excepción permanente, y sostiene que un sistema triádico de gobernanza, compuesto por dimensiones normativas, discursivas y performativas de la excepción, ha creado las condiciones estructurales que posibilitan la violencia genocida. Lejos de representar respuestas temporales ante una crisis, las medidas excepcionales se han incorporado al funcionamiento ordinario del gobierno, permitiendo la erosión sistemática de las protecciones jurídicas, la construcción securitizada de los palestinos como amenazas existenciales y el despliegue rutinario de prácticas de vigilancia, arbitrariedad burocrática e ingeniería demográfica.

Ubicando este análisis en el marco de la teoría jurídica crítica, el artículo propone un desplazamiento desde los enfoques centrados en la intención hacia una comprensión contextual y sociojurídica del genocidio, que pone el foco en las prácticas estatales acumulativas orientadas a dismantlar las condiciones necesarias para la vida en grupo. Gaza, sometida a un prolongado asedio y a recurrentes ofensivas militares, ejemplifica cómo la excepcionalidad se transforma en una infraestructura de eliminación, donde las normas jurídicas se convierten en armas, los derechos son sistemáticamente negados y la existencia palestina es tratada como prescindible.

Mediante un examen detallado de la historia legal israelí, del discurso político y de las prácticas cotidianas de control, el artículo sostiene que el genocidio no surge como una ruptura aislada, sino como la culminación de una violencia estatal normalizada y prolongada. Al hacerlo, reivindica el genocidio como un fenómeno procesual, sociopolítico e históricamente arraigado, que exige una reconsideración urgente tanto en la doctrina jurídica internacional como en la conciencia política global.

Palabras clave: excepción permanente; genocidio; enfoque contextual; Gaza; Palestina; otredad; colonialismo de asentamientos; violencia estructural; deshumanización; destrucción de grupo.

Summary: 1. Introduction. 2. Normative exceptionality. 3. Discursive exceptionality. 4. Performative exceptionality. 5. Performative exceptionality. 6. Concluding remarks. 7. Bibliography.

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1. Introduction

Regimes of exception have long served as powerful instruments through which modern states –democratic and authoritarian alike– govern, discipline, and hierarchise populations. Far from being transitory responses to crisis, exceptional legal measures –emergency laws, discretionary executive powers, expansive security mandates– have increasingly been embedded into the fabric of ordinary rule, eroding the distinction between legality and its exception. This structural entrenchment is not only a juridical phenomenon but also a cultural and epistemic one, underwritten by racialised imaginaries and enduring colonial logics. Among the most entrenched and revealing contemporary examples is the case of Israel's regime of exception, in place for over seven decades, where exceptional measures have not only persisted but evolved into a permanent architecture of control and domination.

As Edward Said (1995) famously argued, imperial domination depends not solely on the exercise of law or force but on the prior construction of the “Other” as irrational, dangerous, and inassimilable. This epistemic violence transforms domination into necessity by reconfiguring the subject of rights into an object of suspicion. Within this discursive field, exceptional violence becomes not only possible, but legible and morally intelligible. In the case of Israel, Palestinians have long been situated within this symbolic architecture –as existential threats, demographic risks, and ontological enemies– thus enabling their systematic exclusion from the protections of law and normalising their permanent surveillance.

Yet as Patrick Wolfe (2006) incisively notes, settler colonialism is not merely a regime of representation—it is a structure, not an event. Its animating logic is not exploitation, but elimination. Unlike classical colonial regimes, which often sought to integrate native populations as labouring bodies, settler colonialism requires the erasure of the indigenous presence to secure sovereign claims over land and identity. Israel's prolonged use of emergency legal frameworks, its demographic engineering, and its spatial and political fragmentation of the Palestinian population must be read through this structural lens. These are not policy failures or excesses of state violence; they constitute the architecture of a long-standing project of elimination.

This paper argues that Israel's regime operates through a three-folded system of exceptionality: *normative* (legal exception codified into law), *discursive* (rhetorical dehumanisation and securitisation) and *performative* (the embodied, routinised experience of surveillance and control). These three dimensions do not operate in isolation; they reinforce one another, forming a coherent system of surveillance and control that has evolved over decades. While initially rationalised through colonial and security discourses, this regime has normalised itself within Israeli governance, producing what can no longer be understood as apartheid alone, but as a complex machinery that meets the structural, social, political and legal conditions to give rise to mass violence and even genocide.

Grounded in socio-legal and critical theory, the argument advanced here focuses not only on the formal architectures of law but on the interpretive, ideological, and material dimensions through which law operates within asymmetrical regimes of control. Against formalist readings that locate legality exclusively in statutes, court rulings, or institutional design, this approach insists on analysing how legal norms are interpreted, applied, and experienced in everyday life. Drawing on critical scholarship on exceptionality, settler colonialism, and genocide, this paper seeks to develop an integrated theoretical lens that can account for the cumulative and systemic nature of Israeli state violence. Rather than understanding genocide as a sudden rupture or the outcome of isolated intent, this framework situates genocidal processes within historical, social and political contexts and legally sanctioned structures—marked by the gradual normalisation of domination, the bureaucratisation of exclusion, and the routinisation of suffering. Genocide, in this context, emerges not from breakdowns in legality, but from its instrumentalization in the sustained unmaking of a group.

The following analysis focuses specifically on the Israeli regime's long-standing and evolving practices toward Palestinians—within Israel, the Occupied Palestinian Territories, and most acutely, the Gaza Strip. It proceeds in four parts. First, it examines the normative dimension of exceptionality—the codification of emergency powers into ordinary governance. Second, it turns to discursive exceptionality, tracing how Palestinians are constructed as threats whose very existence justifies exceptional rule. Third, it analyses the performative dimension: the embodied violence, spatial disintegration, and demographic engineering that organise Palestinian daily life. Finally, it brings these dimensions together in the case of Gaza, arguing that the Israeli regime of permanent exception has laid the groundwork for genocidal violence.

2. Normative exceptionality

In contemporary legal and political systems, exceptional powers are not anomalous—they are deeply embedded within the constitutional fabric of modern states. Most national constitutions include provisions for states

of emergency, and nearly 90% of them contain explicit mechanisms to manage exceptional circumstances (Elkins *et al.* 2009). These mechanisms vary in their formulation: some invoke vague clauses authorizing the use of “all necessary powers”, while others enumerate with precision the conditions and limits of emergency authority. Despite their diversity, these regimes generally rest on a shared premise—that the conferral of extraordinary powers to the executive must be both exceptional and temporary.

Yet this foundational premise—the binary between normalcy and exception—is precisely what begins to collapse under a closer look. The classical architecture of emergency powers presumes that law operates through a stable distinction between ordinary governance and exceptional upheaval. This distinction not only legitimises the suspension of rights in the name of security but also sustains the illusion that such measures are reversible and temporary by nature. As Gross (2003) observes “in order for an emergency to be ‘normal’, it must be the exception to a general rule—it should last only for a relatively short period and produce no permanent effects” (1071). This binary also carries a profound ontological implication: that norm and exception represent two clearly distinguishable realities. While realist theorists argue that this distinction is objective and self-evident (Schmitt, 2007; Dyzenhaus, 2006), scepticals contend that there is no definitive proof of an emergency situation, making its declaration politically charged and contestable (Ferejohn and Pasquino, 2004; Agamben, 2005).

The notion of a permanent state of exception was first introduced by Walter Benjamin (2008) in his eighth thesis on the philosophy of history:

The tradition of the oppressed teaches us that the “state of emergency” in which we live is not the exception but the rule. We must attain to a conception of history that is in keeping with this insight (257).

Benjamin’s intervention challenges the liberal assumption that emergency measures are momentary disruptions to an otherwise stable legal order. Instead, he situates the state of exception as a structural and enduring condition experienced disproportionately by the oppressed. This critical insight gained renewed relevance in the aftermath of 9/11, as the global expansion of counterterrorism regimes drew scholarly attention to the normalisation of emergency powers. Agamben (2005) extended Benjamin’s insight, describing the state of exception as the dominant global paradigm on governance, where legal norms are indefinitely suspended under the guise of legality. In liberal democracies, counterterrorism has blurred the line between norm and exception, producing a scenario of permanent crisis. As UN Rapporteur Ní Aoláin (UNHRC, 2017: 5) observed, this has led to the normalisation of exceptional security powers within ordinary legal systems.

Israel stands out as a paradigmatic example of permanent normative exceptionality taken to its extreme, where reliance on emergency norms has reached unprecedented levels. Since its establishment in 1948, Israel has operated under a continuous state of emergency, formally declared only days after its founding and maintained uninterrupted ever since. The Israeli state inherited and repurposed the *Emergency Regulations of 1945*, originally instituted by the British Mandate in Palestine, integrating them into its foundational legal architecture. These colonial regulations, once denounced by Zionist leaders as repressive and undemocratic—even comparing them to the Nazi (Reynolds, 2017)—, became the cornerstone of a legal architecture designed to manage and control the non-Jewish population despite their questionable nature.

These emergency provisions played a central role in the establishment of the military regime that governed Palestinian citizens of Israel from 1948 to 1966. Of the 162 emergency regulations issued by the British Mandate, Israel implemented five key provisions to form the backbone of this regime. These included measures such as the creation of closed zones, movement restrictions, administrative detention, curfews, and house arrest—all directed primarily at the Arab Palestinian population, which was treated as a security threat subject to exceptional control.

Although the formal military regime was dissolved in 1966, Israel extended the use of the 1945 Emergency Regulations to the Occupied Palestinian Territories (oPt) after 1967, while simultaneously transferring many discriminatory national legal norms (from within Israel) to the oPt. These exceptional measures have become a permanent fixture of Israeli law for over 75 years, constituting not merely traces of coloniality but a direct transplantation of colonial legality. Normative exceptionality in Israel functions as an evolving continuum, adapting to changing political contexts and sometimes shifting form or name, but always persisting. It has penetrated deeply into social, political, and economic life, reflecting the ideological imperatives of the Jewish demographic majority (Rouhana, 1997).

Over time, the layers of exceptional legal measures in Israel have accumulated—sometimes overlapping, sometimes reinforcing one another—creating what Cohn (1998) vividly describes as a “patchwork of exception”, stitched together from fragments of different legal regimes, some inherited from the British Mandate and others developed domestically. These exceptional norms are neither abandoned nor replaced; they accumulate and adapt, forming a multilayered and evolving legal structure in which exceptionality becomes routine (de Prada, 2024).

This creeping normalisation of exceptional measures has produced five profound and far-reaching consequences in the Israeli context. First, the prolonged activation of emergency measures has gradually lowered the threshold for their use, increasingly blurring the boundary between crisis and normalcy. What begins as temporary becomes with the passing of time as part of the core legal system. Exceptional powers are continuously tested and pushed further, as the state seeks to explore the limits of what can be justified under the logic of exceptionality. It is particularly tempting for the executive to resort to rule by decree—avoiding the delays, negotiations, and checks inherent in parliamentary procedures—which results in the gradual erosion of legislative authority and the marginalisation of democratic oversight. Over time, the executive branch

has accumulated vast discretionary powers, weakening checks and balances and undermining democratic safeguards.

Second, as a result of this power concentration, tools originally designed to be used under exceptional circumstances are repurposed to govern areas far removed from emergency, including ordinary crime, political dissent, and social unrest. This leads to the extension of exceptionality into increasingly broader areas of everyday life. This legal elasticity is exemplified by the 2021 proposal from Israeli police authorities to expand the use of administrative detention—an exceptional measure that can only be used under exceptional circumstances—into the domain of ordinary criminal law. The proposed policy would have allowed for the detention of individuals suspected of murder, even in the absence of sufficient prosecutorial evidence (Times of Israel, 2021). Although the measure was not ultimately enacted, the mere willingness to contemplate such an extension illustrates how permanent exceptionality invites continual expansion and erosion of legal boundaries.

Third, the prolonged application of emergency law has produced what Nasser Hussain (2007) terms “hyperlegality”: a hypertrophic expansion of legal instruments, often through bureaucratic, secretive, and technocratic mechanisms that fragment justice while preserving the appearance of legality. Israel’s legal regime exemplifies this through its reliance on multilayered legal classifications to refer to Palestinians in different contexts—citizen, resident, present absentee, infiltrator, stateless, security threat, terrorist, unlawful combatant—that mirror colonial logics of racialised suspicion. Administrative detention, military courts, permit regimes, and secret evidence are not legal anomalies; they are embedded and routinised features of a bureaucratic state of exception. Rather than diminishing the presence of law, Israel’s system expands it—creating an environment in which legal abundance becomes a mechanism of domination, particularly over Palestinian subjects. This legal architecture intersects directly with the discursive and performative dimensions of exceptionality, manifesting in the daily governance of Palestinian existence.

Fourth, the long-term entrenchment of normative exceptionality has reshaped public attitudes. As security rhetoric becomes a procedural formality and a performative attitude, the appeal to emergency measures loses its urgency and becomes normalised in society. Citizens develop a myopia: they no longer recall what legal normalcy once looked like. Gross (2003) likens this to the growing tolerance the body builds toward painkillers—requiring ever-stronger doses for the same effect. In Israel, each new emergency measure uses previous limits as its baseline, shifting the threshold of what is socially and legally acceptable ever further. Far from being a temporary deviation from democratic norms, exceptionality becomes a structural logic embedded in legal and political life. This scaffolding has proven fertile ground for legal experimentation, enabling provisional emergency provisions to harden into ordinary law. As a result, over decades, successive layers of emergency law have dissolved the distinction between exception and norm.

Fifth, and perhaps most crucially, the burden of Israel’s exceptional legal regime is not borne equally across society. It manifests most acutely as a regime of hyperregulation for Palestinians, for whom these instruments do not appear as deviations from the law but as the very infrastructure of daily life. Palestinians are consistently constructed as existential threats, and the tools of exceptionality are selectively deployed to target their presence, rights, and mobility. As Cole (2002: 957) argues, this reflects the broader liberal paradox of sacrificing the liberties of the few to preserve the security of the many. In Israel, this paradox has become structural: exceptional legal measures have become a stable mechanism for consolidating ethno-national supremacy and securing the consent of the majority around a regime of “permanent insecurity”.

What emerges from this intricate legal architecture is a core reality: exceptional norms—initially rationalised as temporary or preventive—have been systematically deployed, both during the colonial period and in the present, as instruments of domination and oppression over targeted populations (Reynolds, 2017; Mehozay, 2012). Rather than being dismantled, these mechanisms have been expanded, rebranded, and folded into the ordinary legal framework (Rouhana, 1997). Their endurance and adaptability over time reveal a coherent strategy: the transformation of exception into rule, and the legal codification of apartheid through the sustained subjugation of those deemed outside the “national body” (Wolfe, 2006; 2016).

In fact, this complex legal framework has served to sustain dual legal system that lies as the base of the apartheid regime: civil law for Jewish Israeli citizens and military law for Palestinians. Nowhere is this more visible than in the oPt, where Palestinians are governed not as rights-bearing citizens but as administratively managed subjects. Drawing on Agamben’s (1998) notion of “bare life”, the normative dimension of exceptionality renders Palestinians as bodies exposed to law without protection by it—lives that can be detained, surveilled, displaced, or killed with minimal legal recourse. It is codified and enforced through discriminatory laws and practices: denial of the right of return, criminalisation of protest, prolonged administrative detention, and enforcement of movement restrictions through checkpoints, permits, and military orders (UNHRC, 2022; ICJ 2024). These are not exceptional measures in the traditional sense—they are the ordinary tools through which Palestinians are ruled.

This legal logic was further entrenched with the enactment of the *Basic Law: Israel – The Nation-State of the Jewish People* (2018), which codifies Jewish ethno-national supremacy; and subordinates Palestinians and other non-Jewish groups present in the state. By creating a formal distinction between civic citizenship and Jewish nationality, the law institutionalizes a legal hierarchy in which full rights are reserved for Jews. This juridical stratification materialised through the years in a layered system of differential rights: Jewish Israelis, enjoying full inclusion and rights; Palestinian citizens of Israel, facing systemic discrimination; Palestinian residents of East Jerusalem, holding a precarious and even revocable status; Palestinians in the West Bank, governed under Israeli military law; and Palestinian refugees, categorically denied by Israel their right of return (Human Rights Watch, 2021; Amnesty International, 2022; B’Tselem, 2022).

What emerges from this intricate legal architecture is a central truth: exceptional norms —originally introduced as temporary or preventive— have been systematically deployed as racialised control, both during the colonial period and in the contemporary Israeli state (Reynolds, 2017; Mehozay, 2012). These norms have not been dismantled; they have been expanded, rebranded, and integrated into the ordinary legal framework (Rouhana, 1997). Their longevity and adaptability reveal a coherent strategy: the transformation of exception into rule, and the legal codification of apartheid through the enduring subjugation of those deemed outside the national polity (Wolfe, 2006; 2016).

Yet the reach of exceptionality is not exhausted in its normative form. Its full implications become most visible in its discursive and performative dimension: in the everyday materialisations of legal violence, in the administrative routines of dispossession, and in the normalisation of a juridical order that sustains inequality not as a crisis but as a condition of political life. Discursively, this is manifest in the systematic construction of Palestinians as security threats and demographic risks. Political rhetoric frequently relies on tropes of dehumanisation and denial. In the present case we can find references by Israeli officials to Palestinians as “human animals”, or public assertions that the Palestinian people do not exist. Such framings do not merely reflect prejudice; they actively enable and legitimize the exceptional legal and administrative measures that define the lives of Palestinians under occupation and within Israel, and ultimately enable the societal acceptance of genocidal acts perpetrated by state actors.

3. Discursive exceptionality

Discursive exceptionality precedes and underpins other forms of exception, serving as the foundational mechanism through which states construct existential threats and justify exceptional rules and measures. It refers to securitizing discourses that frame the existence of a danger to society, enabling legal, political, and social structures of domination. This process is not episodic or reactive; rather, it constitutes a structural, ongoing mechanism embedded in the very fabric of modern governance.

To fully understand this dimension of exceptionality, a fundamental question must be asked: *who is the target of exceptional measures?* In crisis settings of political nature —namely, armed conflict, terrorism, political dissent, or mass migration— political leaders often employ militaristic binaries to create an artificial division in society. This results in the (in)famous binaries: good/citizen/us vs bad/enemy/other. This binary constructs the “enemy-other” as a permanent threat to the state and its citizens, which in turn legitimises the extension and normalisation of exceptional measures. The *enemy-other* embodies the threat to security —materializing the crisis itself— and, consequently, the duration of the state of exception remains intrinsically linked to the persistence of that threat. Only once the enemy is neutralised is a return to “normalcy” envisioned, although this aspiration is often deferred, if not perpetually postponed. As a result, the continual construction and reproduction of the threat render exceptional rule a permanent feature of the political landscape, blurring the line between crisis/exception and normalcy (Agamben, 1998).

The genealogy of “otherness” is closely tied to the birth of the modern nation-state. The nation-state project relies on the myth of a homogeneous identity rooted in a common “blood and race”: a shared territory, language, religion, and history (Hall 2019: 45). A constructed narrative that not only fabricates an illusion of natural unity but also necessitates the production of a racialised “other” against which the national “self” defines itself, thereby legitimising exclusion, marginalisation, and systemic practices of domination. This “imagined community” necessitates the exclusion of what is different or foreign, positioning the state as a generator of *otherness* (Anderson, 1983). In defining the nation, early declarations of rights simultaneously delineated those who belong —its citizens— and those excluded —the foreigners—, reflecting a binary logic that stabilises and homogenises identities by producing an exteriority that systematically expels the *other* and erases difference (Segato, 2015: 125). The emergence of citizenship rights was thus accompanied by practices of exclusion; whereby national belonging implied the marginalisation or expulsion of the *other*.

This binary is intertwined with the concept of biopolitics developed by Foucault (2003), wherein state power manages life by deciding who must live and who can die. Agamben (1998) deepens this analysis by describing a condition in which individuals are deprived of political recognition and reduced to existence solely as vulnerable bodies, unprotected by rights or legal safeguards —reduced to bodies to be managed rather than citizens to be protected (bare life). In contemporary systems of governance, certain populations are pushed to the outer edges of legal and political recognition —systematically excluded from the political sphere— and governed instead through regimes of security. Cast as permanent outsiders, they become the targets of securitised policies that expose them to violence while stripping them of legal and political protections.

Securitisation discourses, deeply informed by colonial legacies, amplify existing prejudices and stereotypes, portraying entire communities as existential threats. The construction of “suspect communities” (Hillyard, 1993) facilitates the deployment of surveillance, control, and repression, often without substantive evidence of individual wrongdoing. Belonging to the suspect group alone suffices to justify the use of exceptional measures. These are lives whose rights must be curtailed for the sake of the majority, and whose bodies must be subjected to the technologies of state surveillance and control. Crucially, individuals belonging to these suspect groups need not engage in any act that poses an actual threat; suspicion is inscribed upon them solely by virtue of their group identity, thereby criminalizing their very existence.

In colonial contexts, these patterns were systematised under the guise of the “civilising mission”, embedding racial hierarchies and myths of native inferiority (Green, 1995; Memmi, 1957). For instance, the British systematically attributed traits of criminality to communities perceived as potential threats to the Crown and its interests. Through the construction of the “suspect native”, they established the discursive and legal

foundations that would legitimize the use of harsher and extraordinary measures against these populations (Reynolds, 2017: 88). This practice was not merely a reflection of colonial prejudice but a deliberate strategy of governance, where the production of suspicion justified the suspension of ordinary legal protections and normalised the recourse to exceptional violence. The figure of the “suspect native” became central to the administration of colonial territories, enabling the British Empire to manage dissent and resistance through a permanent logic of exception. The British Mandate in Palestine exemplifies very well this dynamic. British colonial authorities established a racialised hierarchy in which they positioned themselves at the apex, European Jews in an intermediary position, and Arab Palestinians at the bottom (Reynolds, 2017). This framework not only justified unequal treatment and repression but also established enduring modalities of control.

The Zionist movement, which began to take shape in the late nineteenth century, was deeply embedded in the colonial logics of its time, drawing heavily from European discourses of civilisational superiority, racial hierarchy, and territorial entitlement. Within this ideological framework, the Palestinian population was constructed not simply as a demographic obstacle, but as a civilisational threat to the realisation of a Jewish ethno-national homeland. This narrative —reproduced through political discourse, the media, settler literature, and diplomatic advocacy— served to legitimise the displacement, marginalisation, and eventual expulsion of Palestinians of their own land (Lustick, 1980).

But this epistemic and political erasure did not occur in a vacuum. The Zionist project inherited and repurposed the racialised hierarchies already established under British colonial rule during the Mandate. The foundational violence of Israel’s establishment in 1948 —including the Nakba— was therefore neither incidental nor defensive, but structurally encoded within a project that rendered Palestinians unfit for national coexistence. In this context, the early Israeli leadership pursued an aggressive demographic and territorial restructuring aimed at erasing the indigenous Palestinian presence and replacing it with Jewish settlers cast as the rightful, even “native”, inhabitants of the land. As Wolfe (2006; 2016) argues, settler colonialism is driven by a logic of elimination, and in the case of Israel, this logic was enacted not only through physical expulsion but also through the symbolic recoding of the land and its history. The Palestinians who remained within Israel’s borders were not regarded as citizens-in-waiting but as an internal threat, a dangerous remnant. Their continued presence was thus treated as a security problem to be managed —if not resolved— through exceptional measures. The erasure of Palestinians, in this light, was not the tragic byproduct of nationalist fervour but a rationalised state imperative anchored in settler colonial governance.

These discursive practices resonate Butler’s (2010) concept of “grievability”, which reveals how lives deemed *ungrievable* —denied recognition in death— are excluded from normative humanity, enabling their symbolic erasure and the material toleration of violence. In the Israeli-Palestinian context, Palestinian lives are routinely rendered *ungrievable* through a combination of political rhetoric, media framings, and institutional discourse that portrays Palestinians as inherently dangerous, irrational, or disposable. This devaluation is reinforced by legal structures that deny Palestinians equal status and protection, framing them as security threats rather than rights-bearing subjects. The result is a normalised state of exposure: Palestinians are made vulnerable to dispossession, displacement, and death, often without eliciting outrage or even acknowledgement from the dominant public sphere. *Grievability*, then, is not simply a cultural or emotional category—it is a political one, central to the functioning of regimes that rely on the differential allocation of precarity as a technique of control.

Nowadays in Israel, the discursive construction of Palestinians as dangerous *others* persists as a defining feature of the political rhetoric espoused by the parties that have historically held power. This focus on the *enemy-other* recalibrates the balance between freedom and security, creating, as a result, a security state where exceptional violence becomes routinised, and constitutional guarantees are subordinated to security imperatives. Public declarations by Israeli senior government officials —ranging from the denial of the Palestinian people’s very existence to overtly dehumanising language— actively erase Palestinian identity, culture, and collective rights. This dehumanisation does not merely accompany state violence; it functions as its ideological justification, fostering a political climate in which hostility and aggression toward the Arab minority are normalised and even valorised by the Israeli population and public opinion (Topolski, 2013). These narratives shape public consciousness, solidifying racialised perceptions and stigmatising Palestinians as inherently suspect and threatening, thus foreclosing meaningful avenues for reconciliation or peaceful coexistence. In the end, this rhetorical regime of dehumanisation and erasure entrenches a structure of domination that not only marginalises Palestinians within the state but systematically obstructs the recognition of their fundamental human rights and their legitimate claim to self-determination through the establishment of a Palestinian state.

Discursive exceptionality thus functions as the keystone of the entire architecture of domination. It is not merely a rhetorical phenomenon; it is a material force that shapes legal structures, everyday practices, and societal attitudes. By constructing Palestinians as a permanent threat, the Israeli state justifies extraordinary measures, framed not as violations of rights but as essential acts of self-defence and national preservation, reinforcing the normality of violence. Furthermore, the narrative of existential threat is deeply embedded in Israeli national identity. Educational curricula, media representations, and political discourse consistently reinforce the idea that Palestinians constitute an existential danger to the Jewish state. This pervasive narrative shapes public opinion, fostering widespread acceptance of discriminatory laws embedded in the apartheid regime and violent policies and practices, and facilitating in last instance the societal acceptance of practices that align with mass violence and even genocidal outcomes. In other words, discursive exceptionality precedes and sustains normative and performative dimensions of exceptionality by framing an entire group as dangerous and a threat to the state, and embedding apartheid and genocidal practices within the very fabric of Israeli governance.

4. Performative exceptionality

The third and final dimension –performative exceptionality– refers to the concrete, routinised practices through which exceptional governance is enacted and normalised in daily life. If normative exceptionality codifies the legal infrastructure that legitimises inequality, and discursive exceptionality acts as its argumentative anchor, performative exceptionality gives it life: it translates legal abstraction into embodied experience, into physical and psychological realities that Palestinians must navigate each day. This dimension reveals how the logic of exception is sustained not only through law, but through policies, and practices that produce and regulate the everyday existence of those who have been placed under the lens of suspicion.

At the core of this performative dimension lies the normalisation of surveillance and control. Within both Israel and the oPt, the Israeli state has developed an extensive and multifaceted apparatus of surveillance operating across multiple layers: checkpoints, facial recognition software, biometric data collection, and other forms of digital monitoring of movement and communications. These technologies do not function merely as passive tools of security; they are actively deployed to monitor, control, and discipline a population perceived as permanently suspect. As Sa'di (2014: 52) argues, this “panoptic regime” imposed on Palestinians has transformed their daily life into one of constant visibility, where even the most mundane acts are exposed to foreign eyes and subject to scrutiny. In this context, surveillance becomes performative: it not only tracks behaviour but produces compliant subjects, internalising the logic of control.

A more mundane form of performative exceptionality can also be found in bureaucratic arbitrariness. In the Israeli context, this is evidenced by the regime of permits, revocation of residency rights, administrative detentions or house demolitions; as they allow for a significant amount of discretionality in its application (Al Haq, 2022). They operate through a logic of anticipation and pre-emption, targeting individuals and their loved ones not for what they might have done, but for what they might represent: the *other-enemy*, a threat to Israeli national security.

As we can see, bureaucratic arbitrariness does not operate outside the law but rather within a legal void structured by discretion, where the rules are so vague, expansive, or selectively enforced that they become indistinguishable from the absence of law. As Giorgio Agamben (1998) argues, the state of exception becomes most visible where legal norms are suspended not through formal declaration but through the institutionalisation of discretion, creating a space where subjects are exposed to the force of law without access to its protections. These practices discipline the population not only through visible coercion, but through the constant uncertainty of administrative power: permits can be denied without reason, detentions can occur without charge, appeals can vanish into opaque procedural mazes.

Drawing on Michel Foucault's (1995) analysis of disciplinary societies, all these mechanisms aim not only to enforce order but to produce “docile bodies”—individuals who internalise the logic of control and adjust their behaviour accordingly. In this sense, checkpoints, permits cards and IDs, and military patrols that operate in the oPt are not anomalies or exceptions; they are the daily enactments of governance itself. Performative exceptionality thus describes the quotidian presence of “structural violence” (Galtung, 1996), materialising itself in every border crossing, in every denied permit, in every administrative detention, in every house demolition. These are not disruptions; they are the routine.

All these control technologies have a dual function: to dominate and to exclude. Performative exceptionality carried out by Israel thus sustains apartheid not only by controlling and dividing populations, but by actively reshaping the demographic and spatial landscape in the oPt. Policies framed under the “national security” framework operate as techniques of territorial segregation and demographic engineering. These policies mechanisms reach beyond the individual sphere to reshape whole communities. They alter how people organise, move, and relate. They fragment Palestinian society, separating West Bank, Gaza and East Jerusalem, and villages, communities and families from each other. They constantly reconfigure land use and restrict Palestinian urban growth and available land for cultivation and farming. They undermine the conditions necessary for Palestinian cultural growth, political articulation and collective resistance.

Fanon's (2002) analysis of the colonial city as a space of racialised compartmentalisation is especially resonant here. Israeli governance in the oPt produces a territory fragmented into rigid zones: areas A, B, and C; closed military zones; settlements; checkpoints; buffer zones; and restricted roads. The spatial logic is one of exclusive racialised partitioning. Nowhere is this clearer than in Area A –nominally under full Palestinian control– which has been fragmented into approximately 227 non-contiguous enclaves, 88 percent of which are smaller than two square kilometres and surrounded or severed from each other by Israeli-controlled land, highways and checkpoints (Amnesty International, 1999: 9). This division is not only horizontal but also has a vertical representation, as Achille Mbembe (2011) notes. Israeli settlements are strategically placed atop hills for surveillance advantage; settler highways are elevated over subterranean Palestinian roads and tunnels, dramatizing a vertical hierarchy. In cities like Hebron, traditional Palestinian neighbourhoods have been physically buried beneath Israeli settlement architecture, literalising the colonial layering of domination.

Demographic engineering is the second central element of the performative character of exception in the oPt. Israel's policies systematically pursue the consolidation of a Jewish demographic majority while containing and disaggregating the Palestinian presence (both inside Israel and in the oPt). This is achieved not only through physical control, but by recalibrating population distributions: expanding and incentivising Jewish settlement growth –larger, denser, and strategically located– while concentrating Palestinian populations into limited, overcrowded, and often agriculturally marginal zones. These policies pursue explicit

demographic goals, such as favouring Jewish majorities in contested areas like Jerusalem, reinforced by natalist incentives, immigration, and restrictions on Palestinian family life. These practices function together to engineer a landscape where demographic balance is not a natural outcome but a militarised, bureaucratized, and racialised objective—deeply inscribed into the terrain and inseparable from Israel’s broader project of settler colonial governance.

Performative exceptionality also reconfigures temporality. Waiting becomes a political condition. Time spent at checkpoints, delays in permits, indefinite administrative detentions—all function as technologies of domination. Palestinians are placed in a state of temporal suspension, neither fully included nor fully excluded. Their futures are bureaucratically stalled, their present made precarious. This temporal violence is especially acute for women, particularly wives and mothers, whose lives are upended by the sudden arrest and disappearance of their husbands, sons, or fathers under administrative detention (Addameer, 2025). With time suspended, so too are their daily lives: Who will now work and bring food to the table, in a context where paid labour is overwhelmingly gendered and male? What will happen to the family home—will it be demolished in retaliation? Will their names or their children’s be added to the blacklist? These women are left in a state of prolonged uncertainty, where the state’s performative exceptional power is felt not only in the prison cell or checkpoint, but in the kitchen, the classroom, the hospital, and the neighbourhood. What results is a form of collective punishment disproportionately borne by women and children, whose emotional, economic, and social lives are fractured by a regime that governs through the slow violence of bureaucratic and disciplinary techniques.

Ultimately, performative exceptionality reveals the state of exception not as an aberration, but as the lived, routinised condition of apartheid: a regime sustained not only by legal codes but by routine, repetitive, and invisible acts of oppression and domination of the Palestinian people.

5. Permanent exception as the roadmap to genocide

We have traced the contours of a regime that does not simply rely on episodic states of emergency, but has transformed the logic of exception into a permanent form of governance. This regime is characterised by the normalisation of legal suspension (*normative exceptionality*), the dehumanisation of targeted populations through pervasive narratives (*discursive exceptionality*), and the routinisation of systemic violence under the guise of security imperatives (*performative exceptionality*). Collectively, these modalities do not merely sustain the regime of occupation and apartheid in place for many decades in the oPt, but crucially, they constitute the foundational architecture through which the social, material, and decision-making infrastructures of mass violence—and, specifically, genocide—are operationalised (UNHRC, 2024).

This interpretive framework is grounded in a socio-legal and critical understanding of genocide as a historically contingent, politically organised, socially acknowledged, and structurally enacted process (Hinton, 2002; Moses, 2008; Straus, 2012). Rather than anchoring the analysis exclusively in the perpetrator’s individual intent—a criterion that has proven both conceptually restrictive (and even simplistic) vision of the slide into violence and judicially unworkable (Schabas, 2009; de Prada, 2019a)—, this approach emphasises the broader constellation of social, political, and institutional dynamics (much more complex) through which genocidal violence materialises. Instead, we focus on the dismantling of the conditions that sustain group life and its continuity, as highlighted by scholars advocating for contextual, processual, and collective-based approaches to genocide (Greenawalt, 1999; Kreß, 2005; Van der Wilt, 2006; Drumbl, 2007). From this perspective, genocide does not require intent to be tied to individual will, which psychologises and personifies the decision (*purpose-based approach*), but may instead reside in a collective subject—whether formal or informal—or even emerge through a sequence of external acts, within which another act is embedded (*knowledge-based approach*).

Genocidal processes are not improvised; they are planned and organised. Genocide is not the result of spontaneous eruptions of ethnic hatred or “ancient” animosities. It emerges from deliberate planning, often undertaken by state or state-like actors with access to bureaucratic and military structures. The notion of improvisation must be rejected in favour of a conception that recognizes genocide as a rationally organised process of destruction (Straus, 2006). What we see in Gaza is the gradual solidification of an infrastructural system that not only anticipates recurrent waves of mass violence but is explicitly designed to manage a population as a chronic security threat. The violence that unfolds is not reactive, nor is it born of episodic instability. In this context, permanent exception functions not as a deviation from the law but as the law’s enabling condition, facilitating policies that cumulatively erode the conditions necessary for the group’s physical (and cultural!) survival.

Ghanim (2008) and Shalhoub-Kevorkian (2015) consider this logic as a form of “thanatopolitics”—the management of life through the politics of death. Rather than focusing solely on the spectacular or immediate act of killing, *thanatopolitics* illuminates how states create conditions of protracted dying, where populations are governed through exposure to abandonment, insecurity, and slow violence. We face a deeply reductionist dominant vision of genocide, one that narrowly equates it with mass killings or direct extermination. However, this view obscures other equally destructive mechanisms: the systematic siege on civilian populations, the denial of medical and humanitarian aid, the planned starvation of entire communities, the erosion of sexual and reproductive rights and, most acutely, the targeted deprivation of children’s right to live and grow.

To fully apprehend the logic of genocidal regimes, we must shift our analytical gaze from acts of killing to the structures of death. This shift foregrounds genocide as a process, not only an event. As Achille Mbembe (2011) argues, the oPt represents one of the most complete manifestations of “necropower”, where

sovereignty is enacted not only through control of movement and resources, but through the calibrated exposure of populations to injury and death. Disciplinary, biopolitical, *thanatopolitical* and *necropolitical* forms of domination converge to produce a system in which the state's power over life is ultimately realised as the power to orchestrate vulnerability, suffering, and disposability.

Drawing on Agamben's (1998) notion of the camp as the space where the law is suspended and life is reduced to its most bare form, Gaza emerges not as an anomaly but as a paradigmatic site of contemporary sovereign power: a permanent zone of exception in which the destruction of legal protections becomes the condition for governing. In Gaza—one of the most densely populated areas on the planet—this regime of suffering and death is not only present, but intensified to the point of saturation. Following Israel's 2005 “disengagement”, the closure of all land, air, and sea access points transformed the territory into a besieged enclave, effectively turning it into a sealed zone of managed unliveability. The imposition of a blockade and the intentional restriction of essential goods—including food, medicine, and fuel—codified in the Israeli “Red Lines” policy, sustained over more than a decade and reinforced by repeated military assaults, created the conditions for a protracted humanitarian crisis that has deteriorated even more the living conditions of the population. Periodic large-scale offensives—such as those in 2008–2009, 2014, and most recently in 2023–2026—, the deliberate targeting of civilians confined within an inescapable territory or the deployment of white phosphorus in densely populated urban areas, are not deviations from a norm of control but its most visible expression. This framework has subjected the population of Gaza to a protracted regime of deprivation, collective punishment, and forced confinement for over a decade. In this sense, Gaza exemplifies the full realisation of biopolitical, *necropolitical* and *thanatopolitical* governance: the transformation of an entire population into killable bodies—stripped not only of protection, but of visibility, futurity, and political legibility.

Genocidal violence emerges not as an isolated rupture but through the cumulative deployment of state practices aimed at reorganizing the social and political order. It unfolds through a cumulative logic that is both structured and sustained. To capture this cumulative logic, the “triangle of genocide” model identifies three interrelated components that structure genocidal processes: systemic discrimination, exclusion and dehumanisation; marginalisation and destruction of collective identity and cultural cornerstones; and physical or biological destruction (de Prada, 2019b). This model resonates with Johan Galtung's triangle of violence, where direct, structural, and symbolic forms of violence are not isolated, but co-constitutive. Just as Galtung (1996) underscores that visible violence rests upon less visible foundations, so too does genocide rely on normalised regimes of discrimination, exclusion and symbolic erasure before it manifests as more direct forms of physical destruction. The violence inflicted on Gaza's population mirrors this logic. These elements are not merely stages, but mutually reinforcing layers of a process that renders a population increasingly illegible as a rights-bearing collective (UNGA, 2024). Seen through this lens, genocide is not simply a matter of physical destruction, but of a sustained project of unmaking—of systematically dismantling the symbolic, material, and institutional conditions that make collective life possible.

Furthermore, these practices do not emerge in isolation. They are embedded in a coherent and historically continuous political project aimed at subordinating, fragmenting, and ultimately eliminating the viability of Palestinian collective life. As Van der Wilt (2006) notes, genocidal acts typically occur within institutional frameworks that facilitate execution. These are not incidental outcomes of conflict, but the cumulative effect of a policy architecture that seeks to neutralize the group's capacity to sustain collective life. In Gaza we have witnessed the deliberate attacks on civilians and civilian infrastructure, obstruction of humanitarian aid, the systematic destruction of sexual and reproductive healthcare facilities, the widespread use of sexual and gender-based violence (UNHRC, 2025; Amnesty International, 2024). These are acts that, taken together, in a context where civilian population cannot fly the scenario of violence, dismantle the essential infrastructures of life. They make the collective survival of the population increasingly untenable, not through a singular exterminatory event, but through gradual and systematic attrition. All of these contribute not only to the immediate material suffering of the population, but to the long-term erosion of its future as a group.

The temporal dimension is critical here: what is occurring in Gaza is not reducible to a single offensive, nor can it be fully understood through isolated episodes of violence. It forms part of a broader historical sequence in which coercive measures are not only repeated but progressively institutionalised. The baseline conditions in the oPt—marked by decades of military occupation, legal disenfranchisement, spatial segregation, and systemic apartheid—have created a structural context in which large-scale violence is both administratively viable and socio-politically legitimised. Within this context, the extraordinary scale and intensity of the Hamas-led attacks on 7 October, while unprecedented in scale, did not initiate this context of hostility (we must remember that Gaza was already under siege, overpopulated and under very dire living conditions). Rather, they served as a political rupture that enabled the intensification of pre-existing mechanisms of repression, accelerating the implementation of destructive policies under the guise of national security.

Traditional legal framings of genocide often seek a singular triggering event to which genocidal intent can be ascribed. This method risks obscuring the cumulative and adaptive nature of genocidal violence. As Hinton (2002) argues, genocide does not always begin with a single decision; it evolves in relation to shifting political and social conditions. In the case of Gaza, the October 2023 attacks did not create a new context of hostility but intensified an existing architecture of domination, enabling the expansion of destructive policies already in place. The regime of permanent exception, decades of military occupation and apartheid have already produced the structural conditions for large-scale violence. What we are witnessing in the aftermath of October 2023 is not the sudden emergence of a new logic of elimination, but its radical acceleration: an escalated deployment of force and policy that builds upon and magnifies the foundational mechanisms of control, containment, and collective punishment. Within this context, the line between protracted structural

(and cultural) violence implemented through a regime of permanent exceptionality and the crime of genocide cannot be clearly traced; becoming a continuum, in which the existing regime provides both the infrastructure and the legal-political logic for the enactment of group destruction on an unprecedented scale.

This, however, does not exclude the existence of what Jacques Semelin (2013) has termed a “core impulse” at the highest levels of power—an initiating and sustaining force behind the genocidal process that essentialises the idea of *dolus specialis* required in the most restrictive formulations of the genocidal intent. In the recent case of Gaza, this *core impulse* has been made explicit through a series of public statements by high-ranking officials and members of the Israeli government, which reveal the underlying logics of collective elimination. In the case of Gaza, this impulse has been explicitly voiced by senior Israeli officials in ways that directly align with the structural conditions of group destruction. Defence Minister Yoav Gallant’s statement on October 9, 2023—announcing a “complete siege” and referring to Palestinians as “human animals”—exemplifies a discursive and policy framework that dehumanises the population and legitimises indiscriminate violence (Pita, 2024). Likewise, President Isaac Herzog’s assertion that “the entire nation” of Gaza is collectively responsible for Hamas’s actions dissolves the civilian/combatant distinction (Pita, 2024). Far from rhetorical excess, these declarations articulate and reinforce a governing logic that sustains the destruction of the group as a group, both ideologically and operationally.

Another key element to allow the emergence of mass violence and genocide lies in the discursive field, as it renders the target of that destruction morally expendable. In this configuration, Palestinians in Gaza are not merely subjected to physical violence; they are discursively produced as *homo sacer*—in Agamben’s terms, a figure who may be killed but not sacrificed, whose life is excluded from the protections of the law while remaining fully exposed to its violent enforcement (Agamben, 1998). The legal abandonment and the linguistic dehumanisation converge to construct a subject whose elimination is both juridically unpunishable and politically normalised. This convergence is not incidental—it is constitutive of the genocidal logic operating within the regime of permanent exception.

Once this figure is constituted—stripped of rights, expelled from the domain of political subjectivity, and exposed to destruction—genocidal violence no longer needs to be concealed. On the contrary, it often finds tacit or active resonance in the broader public sphere. Genocide frequently relies on the mobilisation—or, at minimum, the passive acquiescence—of the wider population. As Tacitus observed, “the worst crimes are committed by a few, desired by many, and tolerated by all”. In Israel, Gaza is not portrayed as a space of civilian life, but as a hostile entity, an incubator of terror, or a “human shield” zone. This framing collapses the distinction between civilian and combatant, reconfiguring the entire built environment and its inhabitants as a single, undifferentiated threat. In such a discursive order, language itself performs violence: educational institutions are redescribed as indoctrination centres; hospitals are recharacterized as command bases. The effect is cumulative—each iteration reorders the moral and perceptual field in which violence is interpreted. The population ceases to be a collective of political subjects and becomes instead a faceless and generalised danger, whose erasure is either justified or rendered unremarkable.

Importantly, these narratives do not arise solely in times of open conflict. They are sustained across time, recalibrated with each escalation, and echoed by state officials, military spokespersons, and international allies. Discursive exceptionality is not merely a precursor to violence—it is embedded within it. Through the technologies of dehumanisation, securitisation, and racialisation, an entire population is rendered illegible as a rights-bearing subject, rendering their elimination either necessary or unremarkable. The process of *otherisation* has been completed, producing a de-identification or deculturation that expels these individuals from the larger community, falling outside of what Helen Fein (1979, 4) calls “the universe of obligations”—the group of people whom a society feels morally or legally obligated to protect. This process of ontological degradation culminates in a moral separation that is essential to the success of genocidal strategies: it silences empathy, dissolves legal protection, and reconfigures the target population as expendable within dominant frameworks of national security and territorial purification. As we observed earlier, mass violence requires not only mechanisms of execution, but also legitimating narratives that mobilize support or ensure indifference, as social participation might also take the form of a “crime of silence”.

To speak of genocide in Gaza is not to engage in rhetorical hyperbole, but to confront, with analytical sobriety, the structural dynamics and evolving modalities of violence that shape the present. What we observe is not a sudden rupture, nor an aberration of war, but a continuum of control, oppression and domination—embedded in routinised normative, discursive and performative exception—now intensified to a degree that aligns with internationally recognised patterns of genocidal violence. This is not a regime that merely permits mass violations of rights; it systematically generates and sustains them through a governing logic predicated on permanent exception and the securitised construction of an *enemy-other*. Within this framework, the Palestinian population—particularly in Gaza—is subjected not simply to acts of aggression, but to a sustained process of dehumanisation, containment, and degradation that undermines the very conditions for collective survival.

The concept of permanent exception thus emerges as a critical analytical lens for understanding how genocide becomes not only conceivable, but operable within the mechanisms of state power. It reveals how the architecture of elimination is not always inscribed in explicit declarations or singular events, but built incrementally—through policy, law, embedded narratives and silence—within the normalised functions of a sovereign regime. Recognising this does not dilute the gravity of genocide as a legal (social or moral) category; on the contrary, it restores its explanatory capacity by reconnecting it to the realities of slow, organised, and structurally embedded group destruction. It is in this sense that Gaza must be read: not merely as a humanitarian catastrophe, but as the outcome of a political order whose logic—if left unchallenged—risks rendering genocide part of a bureaucratic routine.

6. Concluding remarks

Through these pages we have argued that the Israeli regime's approach to Palestinians—particularly in Gaza—must be understood not as an isolated instance of excess or aberration, but as the logical culmination (given a series of elements in an evolving context) of the structurally entrenched regime of permanent exception. By dissecting the normative, discursive, and performative dimensions of this permanent exceptionality, we have exposed the deep interconnections between legal codification, ideological production, and material and daily violence. It is in the cracks of normalised violence, bureaucratic silence, and discursive dehumanisation that the seeds of mass atrocity are sown. What emerges is a coherent architecture of permanent control over a part of the population intertwine into the current genocidal scenario in Gaza.

Rather than locating genocide solely in spectacular ruptures or in explicit declarations of exterminatory intent, this study has foregrounded its slow and cumulative dimensions: from the bureaucratic erosion of legal protections, the spatial and demographic fragmentation of a people, the routinisation of dispossession, or the discursive construction of the *enemy-other*, to the direct exposure to death. This framework reveals genocide not as a singular event, but as a protracted social, legal, and epistemic project of unmaking—a logic of elimination structurally embedded in the very institutions and discourses of governance.

The theoretical framework advanced here also pushes against the limitations of dominant legal interpretations of genocidal intent, advocating instead for a socio-legal and structural reading that centres the experience of the targeted population and the superlative importance of the contextual elements. In so doing, it aligns with a growing body of critical scholarship that shifts the focus from the more direct forms of killing towards more sophisticated policies of elimination as the systematic dismantling of the conditions that make group life possible.

In this light, Gaza stands today not only as a site of suffering, but as a mirror in which we can read the failures of international law, the complicity of geopolitical arrangements, and the dangers of accepting exceptionality as a mode of governance. The longer this regime endures, the more deeply its *necropolitical* logic takes hold—not only in Israel's treatment of Palestinians, but in the global toleration of slow, accumulative, and bureaucratically organised group destruction. It is here, in this normalisation of exception, that we find the road to genocide—not as a deviation from the political order, but as its logical and horrifying fulfilment.

To confront this reality requires more than humanitarian concern or legal reform. It demands a radical rethinking of the frameworks through which violence is recognised, narrated, and adjudicated. The language of rights, if severed from the structural conditions of power and exclusion, risks becoming a vehicle for disavowal. Conversely, the concept of genocide, when grounded in socio-historical continuity and structural analysis, regains its critical force as a lens through which to name, contest, and resist the systematic destruction of a group.

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