

Gazacide- *The Demand for a New Legal Concept for Genocide in the Digital Age*

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ABSTRACT

This paper employs doctrinal legal analysis combined with interdisciplinary evidence to propose the concept of 'Gazacide' (الإبادة الغزية) as an expansion of the 1948 Genocide Convention. Drawing on empirical research conducted during the 2023-2024 Gaza genocide, we argue that contemporary genocide requires a sixth material element: the simultaneous public display of genocidal acts via digital media. The proposed concept rests on four pillars: classical material elements, special intent, visual-digital documentation, and international omission. This re-conceptualisation addresses the transformation of genocide from a crime discovered after the fact to one performed live before the world, with profound implications for preventive intervention and international criminal accountability.

The paper demonstrates that contemporary genocide has evolved from a crime committed in secrecy to one broadcast in real time, transforming global public space into a visible theatre for atrocity. This shift necessitates expanding the material element of genocide to include a sixth act: the simultaneous public display of genocidal acts, thereby multiplying their psychological and symbolic impact and establishing a state of international normalisation with mass destruction.

Keywords: Gaza Genocide, Psychology of Genocide, Epistemic Sovereignty, Breakdown of Civil Society, Collective Memory Destruction, Future-Fit Mindset, Erasure of Identity, Survival Psychology, Meaning-Making in Crisis.

BACKGROUND

Concerns that Raised the Necessity for a New Definition of "Genocide"

In the face of the Nazi genocide against multiple human groups during World War II, the victorious world confronted the horrors of genocide and assigned moral responsibility to the perpetrators by producing the term "Holocaust", to express the atrocity of crimes committed against civilians caught in the war, targeting multiple civilian human groups. The world later confirmed that the targeting was systematic and motivated by nationalist considerations related to a Nazi political doctrine based on the supremacy of the Aryan race. However, dissecting the phenomenon confirmed in detail that it was carried out for ideological considerations (such as communists), value-based and philosophical motives (including the disabled, homosexuals, and Roma), and for settling religious accounts concerning European Jews within the framework of implementing the "Final Solution to the Jewish Question." In this devastating context of the destruction of humanity—approximately 80 million direct war casualties, not counting other forms of psychological and social destruction—the term "Holocaust" in its tragic context represented a terminological and legislative innovation to describe and classify unprecedented criminal operations in their nature against defenseless civilians, encompassing them through sadistic killing methods, brutal treatment, mass shootings, lethal gases, and technically designed extermination centres to achieve the goal of genocide.

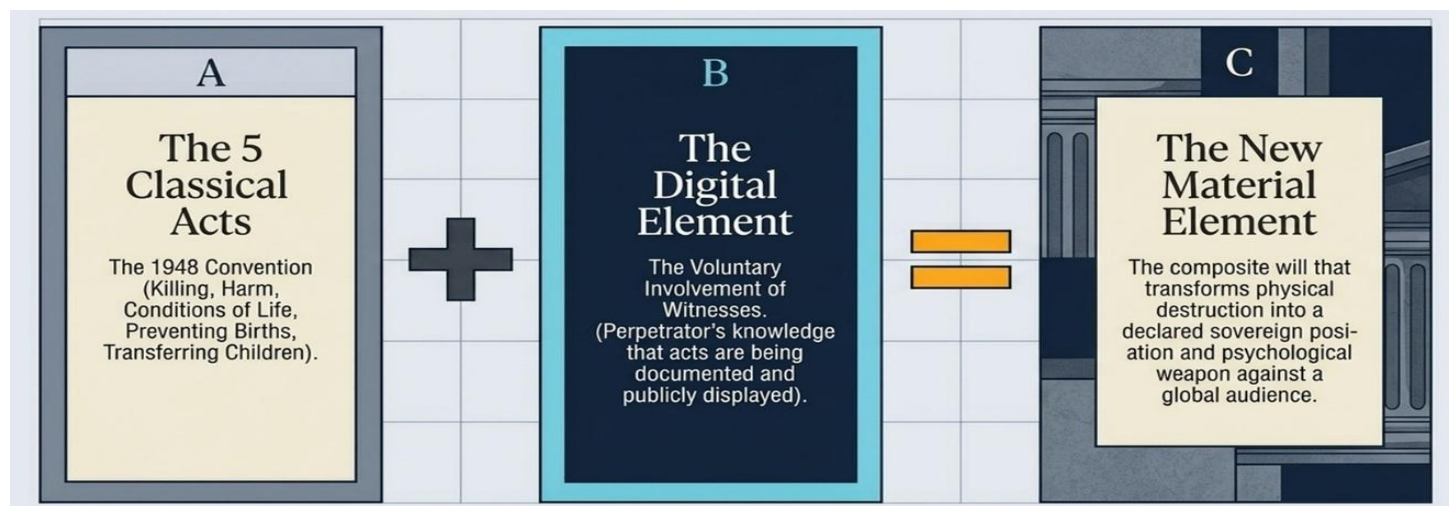
However, due to the convergence of interests between the victorious Western Allied powers—seeking to rid Europe of its Jewish population—and the Zionist movement aspiring to implement the "Zionist solution to the Jewish question" (Herzl, 1896), there occurred a gradual exclusion of other Nazi genocide victims from the implications of using the term Holocaust in Western culture (United States Holocaust Memorial Museum, n.d.). The term was restricted so that its usage came to exclusively denote Jewish victims, excluding millions of other civilian casualties of Nazi wartime atrocities. Holocaust, a Greek-origin word (holókaustos), refers to the complete burning of offerings presented to the gods (holó = whole, and kaustos = burnt). Garaudy (1996, p. 86) states: "The Holocaust better indicates the desire to make the crime against Jews an exceptional event incomparable to the massacres of other Nazi victims, and not even to any other crime in history, because Jewish suffering and death take on a sacred character."

It is important to emphasize that despite the density of mass massacres known to humanity in ancient or medieval history, the concept of "genocide" did not emerge as a ready-made legal description, nor did it crystallize as a modern legal concept except in the context of the civilizational shock left by World War II, particularly the Nazi crimes against Jews and other targeted groups. The Polish-Jewish jurist Raphael Lemkin formulated this concept in 1944 in his book *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress* (Lemkin, 1944), intending to describe a specific pattern of crime that goes beyond incidental individual or collective killing to a project of systematic destruction targeting the existential and symbolic existence of a human group as such (Lemkin, 1944). Lemkin recognized that the crime in this case transcends targeting bodies to targeting the total structure of life: memory, culture, reproduction, continuity, and the historical being of the group. Hence, the concept moved from the field of historical description to the field of international legislation when the United Nations adopted in 1948 the "Convention on the Prevention and Punishment of the Crime of Genocide" (United Nations, 1948), which constituted a foundational moment in the history of international criminal law, granting the concept a specific normative definition based on two interconnected elements:

The Material Element- It consists of the five acts stipulated in the Convention: killing, causing serious bodily or mental harm, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent births, and forcibly transferring children.

The Special Moral Element- This includes the specific criminal intent (*dolus specialis*), consisting of the intention to destroy, in whole or in part, a national, ethnical, racial, or religious group as such.

Figure (1) Represents the 6th Material Element which emphasis Broadcasting as a Genocidal Act



This specificity is what makes genocide "the crime of crimes" as termed by William Schabas, because it targets the collective human right to existence itself, not the individual as an individual (Schabas, 2009). In this sense, the crime of genocide represents the apex of sovereign deviation when power transforms from an instrument for organising life to an apparatus for producing mass death, which makes the concept in its depth a philosophical and ethical one for understanding the limits of political evil when it reaches its most destructive manifestations.

Despite this "terminological privilege" in conferring a halo of special sacredness upon Jewish victims to the

exclusion of other World War II civilian casualties, through their practical and factual monopolisation of the term "Holocaust," Jews aspired to distinguish themselves with a purely Hebrew term that non-Jews could not subsume under its meaning. Therefore, the literature of the Zionist movement recommended rejecting the term "Holocaust" in favour of the term "Shoah" (المحرقة), due to the possibility of sharing "Holocaust" with other peoples among the Goyim (Gentiles), which Jews religiously reject. The origin of the term Shoah traces back to Hebrew, where it literally means: catastrophe, ruin, or annihilating destruction. The word derives from the Hebrew root (שואה), which appears in biblical texts to indicate sudden destruction or devastating calamity, as in the Book of Isaiah and the Book of Job (Bauer, 2001). However, its modern usage to refer to the Nazi genocide began early within Jewish discourse.

The Jewish historian and journalist Ben-Zion Dinur is considered among the first to use the term in this sense during the 1940s, before its usage expanded within Hebrew circles after the establishment of the "State of the Jews," where it came to refer to the event as a foundational catastrophe in modern Jewish consciousness (Novick, 1999). In contrast to the term Holocaust with its Greek origin and sacrificial connotations, the term Shoah acquired a more specific and sacred semantic function in the Jewish collective imagination because it embedded the event in the soil of theological connotations associated with the idea of "the destruction of God's chosen people." However, the term's widespread global dissemination was only achieved with the famous documentary film Shoah by French director Claude Lanzmann (Lanzmann, 1985), a work spanning over nine hours, based on live testimonies from survivors, perpetrators, and witnesses, without using traditional visual archives. This film constituted a major turning point in consolidating the term within global memory, transferring it from private Hebrew circulation to global philosophical, political, and media discourse, until Shoah became in much literature an ethical and historical synonym for the Nazi genocide of Jews (Laqueur, 2001). Thus, the evolution of the term reveals how words move from their ancient religious field to the space of modern memory, where they become tools for shaping narrative, producing meaning, and constructing historical identity.

Therefore, the choice of "Shoah" is an epistemological and ethical choice reflecting a struggle over the interpretation of the event itself and determining its location in modern historical consciousness, not merely a linguistic preference. The French Jewish journalist Jacques Sebag explains the philosophy of this choice in an article entitled: "Pour en finir avec le mot Holocauste" published in the French newspaper Le Monde on January 25, 2005, stating: "Shoah, because its Hebrew origin immediately allows identification of the victim, whereas the Nazi genocide mentions the aggressor and identifies the perpetrator. Shoah reveals the Jewishness of the victim and affirms, by right, their religious and cultural specificity" (Sabbagh, 2005).

The Crisis of Interpretation

The necessity for a new legal definition is further underscored by what Senoussi et al. (2026, p. 2) diagnose as the "gap between what we know and what we understand." In the digital age, we possess unprecedented capacities for data collection and documentation—evidenced by the real-time recording of the Gaza genocide—yet the "gap between knowledge and understanding continues to widen, leaving actors equipped with sophisticated tools yet deprived of coherent direction" (Senoussi et al., 2026, p. 1).

This paradox is central to the **Gazacide concept**: the very abundance of evidence that should compel action instead paralyses the international community, as events "lose their meaning, decisions lose their legitimacy, policies turn into improvised crisis management, and institutions lose their ability to guide collective action" (Senoussi et al., 2026, p. 4). The Gazacide concept addresses this interpretive crisis by providing a legal framework that transforms overwhelming evidence into actionable legal categories, thereby enabling the international community to move from passive witnessing to active prevention.

METHODOLOGY

This paper employs a mixed-methodological approach combining doctrinal legal analysis with interdisciplinary empirical synthesis, grounded in a critical legal studies perspective. The methodology is designed to address the central research question:

How can international criminal law be reconceptualised to address genocide committed in the digital age, where crimes are performed, documented, and broadcast in real-time?

Research Design

The research adopts a three-tiered analytical framework as shown in Table (1)

Table (1)

Tier	Focus	Method	Purpose
Tier 1	Legal Analysis	Doctrinal legal research	Examine existing legal frameworks, identify gaps
Tier 2	Empirical Synthesis	Interdisciplinary literature review	Document the factual reality of the Gaza genocide
Tier 3	Reform Proposal	Normative legal argumentation	Propose and justify the "Gazacide" concept

Legal Methodology (Doctrinal Analysis)

The legal analysis proceeds through four interconnected stages:

Primary Source Analysis

The paper systematically analyses:

- *Treaty Law*: The 1948 Convention on the Prevention and Punishment of the Crime of Genocide, including its travaux preparatoires and interpretive documents
- *Jurisprudence*: International Court of Justice (ICJ) decisions, particularly the Bosnia v. Serbia (2007) and Croatia v. Serbia (2015) cases; International Criminal Tribunal for Rwanda (ICTR) and International Criminal Tribunal for the former Yugoslavia (ICTY) jurisprudence; and the ongoing South Africa v. Israel (2024) proceedings
- *Customary International Law*: State practice and opinio juris regarding genocide, as evidenced in UN General Assembly resolutions, Security Council actions, and state responses to atrocities
- *Institutional Documents*: Reports from the UN Office of the High Commissioner for Human Rights (OHCHR), the Independent International Commission of Inquiry on the Occupied Palestinian Territory, and the International Criminal Court.

Analytical Approach: Each primary source is examined through the lens of teleological interpretation (interpreting legal texts in light of their object and purpose) and evolutionary interpretation (recognising that legal concepts can evolve to address new realities). This approach is justified by the ICJ's recognition in the Namibia advisory opinion (1971) that international instruments must be interpreted "in the light of the entire system of the law in force at the time of interpretation."

Comparative Legal Analysis

The paper employs comparative methodology to:

- *Contrast the classical genocide framework* with the realities of the Gaza genocide
- *Compare the Gaza genocide with historical genocides* (Holocaust, Rwanda, Srebrenica) across key dimensions: concealment, documentation, international response, and role of media
- *Examine how other international crimes* (crimes against humanity, war crimes) have evolved to address new factual circumstances
- *Assess how the principle of nullum crimen sine lege* (no crime without law) operates in the context of evolving international criminal law

Analytical Framework:

The comparison is structured along five dimensions:

Dimension	Classical Genocide	Digital-Age Genocide (Gaza)
Temporal nature	Crime of retrospective discovery	Crime of simultaneous witnessing
Spatial nature	Hidden or concealed	Publicly performed
Evidentiary basis	Post-hoc investigation	Real-time documentation
Perpetrator posture	Denial/Concealment	Assertion/Broadcasting
International response	Often post-factum	Failure despite immediate knowledge

Critical Legal Analysis

The paper adopts a critical legal studies approach to examine:

- *Structural power asymmetries*: How the "three immunities" (infallibility, accountability, impunity) operate to protect certain states from accountability.
- *Epistemic injustice*: How knowledge production about genocide is shaped by political and institutional power.
- *The politics of definition*: How the Holocaust/Shoah terminology debate reflects broader struggles over victimhood, memory, and legal recognition
- *International law's complicity*: How legal formalism can enable atrocity through inaction and procedural delay.

This critical approach is informed by the work of scholars such as Martti Koskenniemi, David Kennedy, and Antony Anghie, who have examined how international law can function as an instrument of power while claiming neutrality.

Normative Legal Argumentation

The paper's central contribution—the "Gazacide" concept—is developed through:

- *Analogical reasoning*: Drawing parallels between the evolution of other international crimes and the proposed evolution of genocide
- *Purposive interpretation*: Arguing that the Convention's purpose requires adaptation to new circumstances
- *Systemic integration*: Demonstrating how the proposed concept aligns with broader developments in international criminal law
- *Feasibility analysis*: Assessing the practical implications of adopting the new concept

Empirical Methodology (Interdisciplinary Synthesis)

Given that the first author is a legal scholar, and the second author is a multidisciplinary researcher, the empirical component relies on systematic synthesis of existing interdisciplinary research rather than primary data collection. This approach is appropriate and methodologically rigorous given the following considerations:

Table (2) review encompasses research published between October 2023 and July 2026.

Table (2)

Domain	Key Sources	Focus
Public Health	Shorrab et al. (2024), Hassoun et al. (2024)	Health system collapse, famine creation
Psychology	Buheji (2024), Buheji & Buheji (2024)	Trauma, resilience, child development
Economics	Buheji (2025)	Infrastructure destruction, "genocide economy"

Education	Iriqat et al. (2025)	"Educide," systematic destruction of schools
Sociology	Buheji & Muhorakeye (2025), Al-Muhannadi & Buheji (2024)	Social fabric destruction, community resilience
Gender Studies	Buheji et al. (2024)	Gendered dimensions of genocide
Youth Studies	Migdad et al. (2024)	Impact on children and youth
Political Science	Hasan & Buheji (2024), Mokhiber (2023)	International response, legitimacy crisis

Philosophical and Conceptual Methodology

Conceptual Analysis

The paper employs conceptual analysis to examine:

- The concept of genocide as it has evolved
- The relationship between legal concepts and factual reality
- The meaning and implications of key terms: genocide, Holocaust, Shoah, Gazacide
- The relationship between law, ethics, and politics in atrocity prevention

Hermeneutic Approach

A hermeneutic approach is applied to:

- Interpret legal texts in their historical and political context
- Understand the meaning-making processes surrounding genocide terminology
- Examine how legal concepts are shaped by—and shape—political reality

Critical Discourse Analysis

Critical Discourse Analysis (CDA), drawing on the work of Fairclough and van Dijk, is employed to:

- Examine how the discourse of "self-defense" and "anti-Semitism" functions to immunise certain actors
- Analyse the construction of victimhood and perpetration in legal and political discourse
- Identify the power relations embedded in legal terminology

Positionality and Epistemological Foundation

The authors acknowledge their positionality: one as a legal scholar and the other as multidisciplinary scholars from the Global South (Morocco and Bahrain), writing about a conflict in Palestine. This positionality:

- Informs perspective: The authors observe international law's application to conflicts affecting Arab and Muslim populations from a non-Western perspective
- Provides insight: The authors bring perspectives from legal systems not centred in the Global North.
- Requires reflexivity: The authors acknowledge their investment in the subject matter while grounding analysis in universal legal principles.

Epistemological Framework

The research is grounded in a critical realist epistemology, which:

- Acknowledges that an external reality exists (the facts of the Gaza genocide).
- Recognises that our knowledge of that reality is mediated through social, political, and legal frameworks.
- Rejects both naive empiricism (facts speak for themselves) and pure constructivism (reality is only discourse).

This framework enables the authors to:

1. Assert the factual reality of genocide in Gaza
2. Acknowledge the constructed nature of legal categories
3. Argue for changing legal categories based on changed reality

Methodological Limitations and Mitigations

Limitation	Mitigation
Doctrinal analysis alone cannot establish new legal categories	Supplemented with evidence of state practice and opinio juris (e.g., ICJ proceedings, state statements)
Empirical evidence is derived from secondary sources	Sources are cross-verified; reliance on peer-reviewed research; acknowledgement of evidence limitations
Positionality may influence interpretation	Explicit acknowledgement of positionality; grounding in universal legal principles; use of mainstream legal methodology
The Gaza genocide is ongoing	Evidence is time-bound; paper acknowledges ongoing nature; analysis may require update
Focus on Gaza may limit generalizability	Paper explicitly argues for generalizable framework; demonstrates applicability to other contexts (Myanmar, Darfur)
Lack of primary empirical data	Research question is primarily legal; empirical data supports legal argument rather than standing alone

Integration with the Paper's Argument

The methodology serves the paper's overarching argument by:

1. Establishing the factual basis for the proposed legal evolution
2. Demonstrating the gap between existing law and contemporary reality
3. Providing the legal foundation for the Gazacide concept
4. Supporting the normative argument for legal change

The paper's legal analysis is grounded in established doctrinal methodology, while its factual claims are supported by rigorous interdisciplinary synthesis. The proposed legal reform is presented as both normatively desirable and practically feasible.

THE PHILOSOPHICAL FOUNDATIONS OF THE PROPOSAL

Palestine was occupied in stages: (First), the British occupation phase (1920-1948), called a "Mandate" after the Treaty of Sèvres signed in France on August 10, 1920, which stripped the defeated Ottoman Caliphate of the Arab region territories and parts of Anatolia, placing them under British and French disposal; (Second), the consolidation phase of Jewish occupation with British and Western support, leading to the declaration of the establishment of the "State of the Jews" (1948) and the integration of armed Zionist organizations into a unified

army; (Third), the occupation phase of all of Palestine (1967), following the Six-Day War, in which the "State of the Jews" annexed Egypt's Sinai and Syria's Golan Heights. During these three phases, the Palestinian people experienced a long history of systematic oppression to empty the land of its indigenous inhabitants and settle colonists coming from Europe and various world countries, within the framework of the "Aliyah" (ascent) movement toward the "Land of Israel."

During this period, approaching eighty years, the "State of the Jews" consistently acted as a state without a constitution, without borders, and without any compliance with international legitimacy decisions. Rather, it always acted as an expansionist occupation state based on theological and political foundations, and on a doctrine of offensive realism relying on deterrence through force, control, and exploiting negotiation for peace to consolidate the reality of occupation and expansion. The practices of the "State of the Jews" following the eruption of Palestinian anger in the form of "Al-Aqsa Flood" on October 7, 2023, constituted a "classic case of genocide" as expressed by Craig Gerard Mokhiber in his resignation letter dated October 28, 2023, from his position as Director of the New York Office of the United Nations High Commissioner for Human Rights (Mokhiber, 2023). He added that "the European settler-colonial project in Palestine has entered its final phase, toward the rapid destruction of the last remnants of indigenous Palestinian life in Palestine. Moreover, the governments of the United States, the United Kingdom, and much of Europe are fully complicit in this horrific assault. Not only do these governments refuse to fulfil their treaty obligations 'to ensure respect' for the Geneva Conventions, but they are actually actively arming the assault, providing economic and intelligence support, and providing political and diplomatic cover for the atrocities being committed by Israel..." The same letter contained an explicit accusation against the United Nations for failing to move to ensure neutrality, fairness, and cessation of aggression. The genocide in Gaza has been characterised by its comprehensive nature, encompassing not only physical destruction but also what can be termed a "genocide economy" (Buheji, 2025), where economic infrastructure is systematically dismantled as part of the genocidal strategy.

Since the establishment of the "State of the Jews" in occupied Palestine in 1948, the settler-colonial project has fortified its material and moral existence in the world through the integration of support and mutual dependence between the material power provided by its Western imperialist-background host and the moral power produced by generating and promoting a dense narrative to convince the peoples and states of the world of the legitimacy of the "Zionist solution to the Jewish question." The Zionist movement invested these material and moral components to fortify the "State of the Jews" with three "sacred immunities" in the history of international relations: (First) "Immunity of Infallibility" which makes the "State of the Jews" in the collective unconscious of the vast majority of Western elites and peoples immune from committing violations, because it is in an eternal state of "legitimate self-defense" ; (Second) "Immunity from Accountability" when the "State of the Jews" happens to be the subject of a complaint against its documented violations by any party that dares to violate the sacred immunity of infallibility, because this immunity cannot tolerate doubt that it protects from error; and (Third) "Immunity from Impunity" even when serious damages of violations are proven by reference to international instruments and laws, because the notional status of the "State of the Jews" as an eternal victim of the Nazi final solution to the Jewish question and of Western power dynamics that support this belief places it above all international laws. These three immunities continued to function securely and effectively within a political and media system active in monitoring, deterring, or dismantling opponents with the ready-made charge: anti-Semitism.

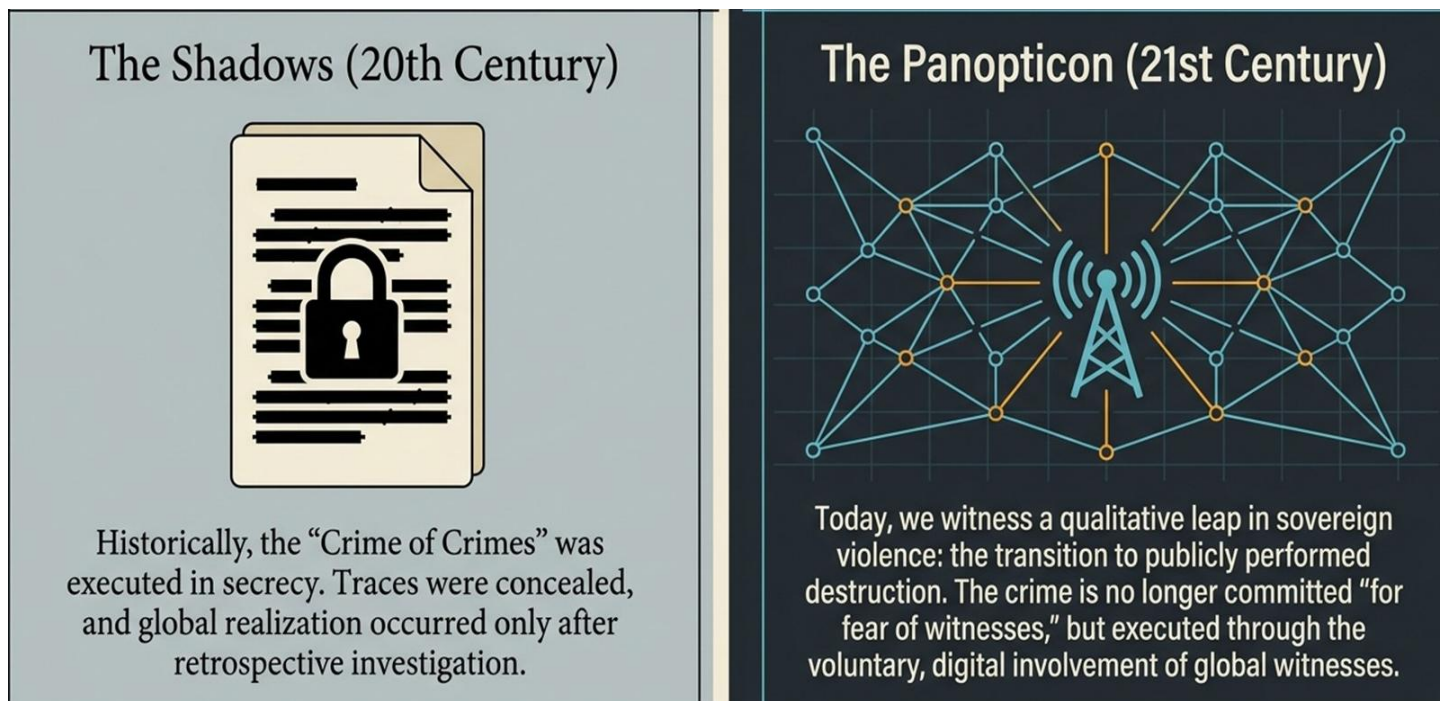
The systemic nature of the assault on Gaza has been documented across multiple dimensions. Hasan and Buheji (2024) argue that the world is witnessing a loss of legitimacy as Gaza transitions from collective punishment to ethnic cleansing and genocide. Buheji and Muhorakeye (2025) have drawn parallels between the Rwandan genocide and the Gaza context, emphasising the importance of home-grown solutions for post-genocide reconstruction. Furthermore, research has documented the disproportionate impact on vulnerable populations, with Buheji, Migdad, Muqdad, and Miqdad (2024) examining the specific experiences of Palestinian women in the shadow of genocide in Gaza. Despite the devastation, studies have also documented remarkable resilience and inspiration emerging from Gaza, even amid genocide (Buheji, 2024; Migdad et al., 2024), with Al-Muhannadi and Buheji (2024) exploring how social problem-solving and resilience have been sustained during the genocide period. The war has also raised critical concerns about children's development, with Buheji and Buheji (2024) examining the risks of slow child development due to the war on Gaza, highlighting the intergenerational impact of genocide.

THE STRUCTURE OF THE NEW DEFINITION OF "GAZACIDE"

The definition of the crime of genocide, as formulated by Raphael Lemkin in 1944 and then codified by the United Nations in the 1948 Convention, is no longer sufficient to accommodate the structural transformations that genocidal patterns have undergone in the digital age. The classical concept was founded on two essential pillars: the material element consisting of legally prescribed acts of destruction, and the moral element based on special intent (*dolus specialis*) aiming at the total or partial elimination of a protected group. However, what Gaza has revealed today imposes a profound revision of this conceptual structure; for the first time in the history of international crimes, genocide is no longer committed in the shadows or discovered later and retroactively, but has become executed under live broadcast, within an open global visual space, where documentation itself becomes part of the criminal structure.

This concerns a qualitative leap in genocidal action: the transition from unwitnessed genocide to genocide proclaimed before the world, and from a crime whose traces are concealed to a crime sovereignly declared by a political entity registered in the United Nations, without fear of deterrence. This transformation necessitates expanding the material element of the crime to include a new sixth element: the simultaneous public display of the genocidal act, thereby multiplying its psychological and symbolic impact and establishing a state of international normalisation with mass destruction. Hence, this paper proposes a conceptual and legal development under the name "**Gazacide**" (الإبادة الغزية), as a new legal description of a pattern of genocide characterised by the conjunction of three elements: systematic destruction, instantaneous documentation, and international inability to intervene despite abundant evidence. Gazacide constitutes an emerging and unprecedented legal category within international criminal law, not merely a circumstantial label related to Gaza, which necessitates redefining the relationship between proof and time, between vision and responsibility, and between observation and protective obligation.

Figure (2) Illustrates the Evolution of Atrocity: from Concealment to Broadcast



Developing the concept of "genocide" in light of what is happening in the war on Gaza is no longer deferrable by actors in the international criminal legal field, because the crime has become visible in real time in the era of the digital revolution, which makes refraining from preventing it more than just a political shortcoming, as it constitutes a form of direct contribution to the continuation of the international crime. In this sense, humanity urgently needs new normativity to protect international law from erosion in the face of new forms of globalized sovereign and sadistic evil. The genocide in Gaza has revealed how international inaction, despite overwhelming evidence documented in real-time, transforms passive observation into active complicity (Hasan & Buheji, 2024; Buheji, 2025).

The concept of "**Gazacide**" is informed by interdisciplinary research that has documented the multifaceted nature of the Gaza genocide. Buheji (2025) introduces the concept of a "genocide economy," observing how the economic infrastructure of Gaza has been systematically dismantled as part of the genocidal strategy. This economic dimension complements the traditional understanding of genocide as primarily involving physical destruction, adding another layer to the legal conceptualization needed to address contemporary genocidal practices. Similarly, the work of Al-Muhannadi and Buheji (2024) on sustaining resilience during genocide in Gaza highlights the psychological dimension that must be accounted for in legal frameworks. The documentation of waves of inspiration among Palestinian youth and children during genocide (Migdad et al., 2024) further underscores how the genocide's impact extends beyond the material to encompass the psychological, spiritual, and existential dimensions of collective existence—precisely the aspects that Lemkin (1944) originally emphasized as central to the concept of genocide.

The health dimension of the genocide has been extensively documented by Shorrab et al. (2024), who analyse the multifaceted health risks of the 2023 war on Gaza, demonstrating how the destruction of healthcare infrastructure constitutes a central component of the genocidal strategy. Hassoun et al. (2024) have documented the trajectory from acute food insecurity to famine, showing how the war on Gaza has dramatically set back Sustainable Development Goal 2 to end hunger, with the deliberate starvation of the population representing a clear genocidal act under the 1948 Convention. Buheji and Mushimiyimana (2023) have examined Gaza's survival capacity in the face of violence, drawing lessons from historical war survival stories to understand the resilience mechanisms that have enabled Palestinians to endure the genocide. The systematic destruction of the education system, documented by Iriqat et al. (2025) as "educide amid conflict," reveals another dimension of the genocidal strategy—the deliberate dismantling of the intellectual and cultural infrastructure necessary for collective survival and continuity as a people. Buheji and Buheji (2024) have further explored the risks to children's development, highlighting how the genocide creates intergenerational trauma that extends far beyond the immediate physical destruction.

THE NEW PROPOSED DEFINITION OF THE CRIME OF GENOCIDE-THE GAZACIDE

In order to emphasise the Necessity of the International Recognition of the Concept of "**Gazacide**", the authors propose

The Explanatory Preamble

Since Raphael Lemkin formulated the concept of genocide in 1944, and then the United Nations adopted it in the 1948 Convention, the legal definition has remained based on a classical conception of the crime as a material act coupled with special intent aiming at the total or partial destruction of a national, ethnical, racial, or religious group. However, the development of weapons of war and the transformation of the digital sphere into a direct space for documenting, managing, and publicising crime reveal a structural deficiency in the classical concept, especially when genocide transforms from a crime concealable before being later discovered, to a crime broadcast, displayed, and publicly managed before the peoples and states of the international community. Contemporary facts related to Gaza have highlighted a qualitative transformation in the structure of international crime, because mass destruction is not carried out in secrecy as in the Holocaust, but has become practised in the age of live broadcasting, with the circulation of images, live scenes, orders, and immediate results, without this necessarily leading to deterrent intervention. This transformation, inseparable from the effects of the digital revolution, now imposes on international law the transition from the concept of genocide as a "crime of material destruction" to a broader concept: "witnessed and publicised genocide."

The Gaza genocide has been extensively documented across multiple dimensions, including its impact on social fabric (Buheji & Muhorakeye, 2025), economic structures (Buheji, 2025), psychological well-being (Buheji, 2024), and specific vulnerable populations such as women (Buheji et al., 2024) and youth (Migdad et al., 2024). This comprehensive documentation, occurring in real-time, provides the empirical foundation for the legal reconceptualisation proposed in this paper. The interdisciplinary research conducted during and after the events of 2023-2024 offers unprecedented evidence of the multifaceted nature of contemporary genocide, which classical legal frameworks were not designed to address (Hasan & Buheji, 2024). The systematic destruction of

the education system (Iriqat et al., 2025), the collapse of healthcare infrastructure (Shorrab et al., 2024), and the deliberate creation of famine conditions (Hassoun et al., 2024) all point to a comprehensive genocidal strategy that targets every pillar of societal existence. Buheji and Mushimiyimana (2023) have contextualised this within broader patterns of historical violence, while Buheji and Buheji (2024) have highlighted the intergenerational impact on children's development.

Justifications for the Amendment

The crime of genocide in its classical form assumes a material element based on the five known acts. However, modern experience reveals a sixth element that should be added, consisting of: [Committing genocidal acts with the perpetrator's knowledge that they are documented, transmitted, or declared in a direct or repeated manner, reflecting a composite will that is not content with destruction but transforms destruction into a sovereign position declared before the peoples and states of the world].

This new element reveals a dangerous philosophical and legal transformation in the thinking of the perpetrator of the "crime of Gazacide": the crime is no longer committed "for fear of witnesses," but is committed through "the voluntary involvement of witnesses." This represents what Hasan and Buheji (2024) characterise as a world losing its legitimacy, where the perpetrators of genocide operate with impunity, broadcasting their crimes in full view of the international community.

The Psychological Dimension of Gazacide

As documented by Buheji (2024) in "Streams of Inspiration from Gaza Despite Genocide," reveals how the perpetrators' assumption of impunity has become so deeply embedded that the crime is openly performed, transforming the visual documentation from a potential deterrent into an instrument of psychological warfare. The deliberate starvation of the population (Hassoun et al., 2024), the destruction of educational institutions (Iriqat et al., 2025), and the collapse of healthcare systems (Shorrab et al., 2024) are all performed with the knowledge that the international community is watching, yet failing to intervene. This transforms the very act of witnessing into a component of the crime itself.

The distinctive psychological trauma in Gaza is characterised by the simultaneous occurrence of physical destruction and an active effort to erase the collective identity and historical narrative of the population.

- *Destruction of the "Archive"*: Unlike historical genocides where the goal was physical extermination (e.g., the Holocaust or Rwanda), the systematic destruction of cultural heritage, universities, libraries, and archives in Gaza serves a specific psychological function. It targets the "epistemic sovereignty" (El Choubani et al., 2026) of the population, creating a sense of existential void.
- *Loss of Historical Continuity*: The destruction of physical evidence of the past disrupts the transmission of collective memory, leading to a "crisis of understanding" (Senoussi et al., 2026) where the community struggles to anchor its identity and history. This is a psychological weapon aimed at disconnecting the present from any historical claim.
- *The systematic destruction of cultural heritage, universities, libraries, and archives in Gaza serves a specific psychological function that extends beyond physical erasure.* As Senoussi et al. (2026) argue, we are living through an acceleration in the "shattering of meanings" where "events no longer wait for their interpretation to be complete before being overtaken by other events." In Gaza, this acceleration is weaponized: the perpetrators of genocide deliberately create conditions where "the symbolic systems that used to frame collective understanding—from grand narratives, interpretative models, and normative frameworks—have become incapable of keeping pace with the intensity and sharpness of change" (Senoussi et al., 2026, p. 4). The destruction of the archive is therefore not merely an attack on memory but an assault on the very capacity for meaning-making, rendering the present "suspended time that cannot be read as an extension of a prior experience, nor is it lived as a step towards a comprehensible future, but as a permanent state of emergency". Senoussi et al. (2026, p.11)

Figure (3) Illustrates the Israeli Aggression to Erase the Epistemic Sovereignty



One could also see that the psychology of this genocide is uniquely defined by the modern condition of being witnessed in real-time, yet feeling globally unheard. This creates a specific form of psychological paralysis.

- *The "VUCA Trap"*: The situation in Gaza represents the ultimate expression of the VUCA world. The scale of destruction is Volatile and Uncertain, the interconnected issues are Complex, and the international response is Ambiguous. Civilians and mental health professionals are trapped in this, unable to plan for the future.
- *Psychological paralysis*: This is induced by the Gaza genocide and can be identified as the collapse of sensemaking processes—the inability to link events to a shared narrative that gives them context, sequence, and direction (Senoussi et al., 2026, p. 5). Senoussi et al. (2026, p. 5) diagnose this condition as a "crisis of understanding" where "failure often results not from a lack of data or weakness in technical analysis, but from the collapse of sensemaking processes." In Gaza, this collapse is deliberately engineered by the perpetrators, who ensure that "the event becomes without a stable interpretation, and the decision becomes a circumstantial reaction, not a conscious strategic choice" (Senoussi et al., 2026, p. 5). The "more we know, the less we understand" paradox identified by Senoussi et al. (2026, p. 5) captures the condition of a population bombarded with real-time documentation of its own destruction while simultaneously being deprived of the interpretive frameworks necessary to process that information.
- *Destruction of Future-Fit Mindsets*: The "Future-Fit Mindset," a core component of the Inspiration Economy (Buheji, 2026), is systematically dismantled. By targeting children, schools, and professionals, the conflict intentionally eliminates the possibility of long-term regeneration, making "regenerative abundance" an unattainable concept.

The psychology of survival in Gaza forces a unique form of "engineering of strategic significance."

- *Meaning-Making Through Persistence*: As Senoussi et al. (2026) argue, finding meaning in an era of transformation is a crisis of understanding. The psychological resilience and insistence on remaining in Gaza, despite the devastation, represent an attempt to engineer strategic significance by refusing to be displaced and preserving a foothold in the homeland.

- *Re-defining Authority:* The crisis of meaning in the diaspora, where the international community is viewed as complicit, shifts the focus of legitimacy entirely toward the "will to persist" within the territory. The state of being "unfree" (under siege) creates an existential paradox where survival itself becomes an act of resistance and collective purpose.

Breakdown of the "Genetic Code" of Civil Society

As established in the paper, civil society is built upon the "three existential needs of the individual" (Choubani, 2024). The psychology of the genocide in Gaza is deeply intertwined with the systemic destruction of these foundations.

- *Destruction of Free Political Contracting:* The complete blockade and dismantling of governance structures have made free political contracting and collective decision-making virtually impossible, pushing individuals into survival mode and depriving them of political agency.
- *Elimination of Participatory Decision-Making:* The destruction of civic institutions, civil society organisations, and community networks has eliminated the "mediating bridge" between citizens and any form of state structure. This creates a profound sense of isolation and powerlessness.

THE NEW PROPOSED DEFINITION OF "GAZACIDE"

This text proposes the adoption of a new legal concept under the name: "Gazacide" (الإبادة الغزية), defined as:

[Any act of genocide stipulated in the 1948 Convention, committed with the intent to destroy, in whole or in part, a protected group, characterised by being executed, documented, broadcast, or declared in a direct, digital, or media manner, transforming the global public space into a visible theatre for the crime, and multiplying its symbolic, psychological, and humanitarian impact].

Elements of the New Crime of the "Gazacide"

The Gazacide is based on four pillars:

Pillar 1- The Classical Material Element

Killing, causing serious bodily or mental harm, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent births, and forcibly transferring children. This includes the systematic destruction of economic infrastructure, which Buheji (2025) identifies as a "genocide economy," the deliberate creation of famine conditions (Hassoun et al., 2024), the destruction of healthcare systems (Shorrab et al., 2024), and the systematic dismantling of educational institutions (Iriqat et al., 2025).

Pillar 2- The Special Intent Element

The intention of mass destruction (*dolus specialis*), which Hasan and Buheji (2024) argue has been demonstrated through the progression from collective punishment to ethnic cleansing and finally to genocide. The comprehensive nature of the destruction—targeting not only physical existence but also health, education, food security, and child development (Buheji & Buheji, 2024)—demonstrates the specific intent to destroy the Palestinian people as a group.

Pillar 3- The Visual-Digital Element

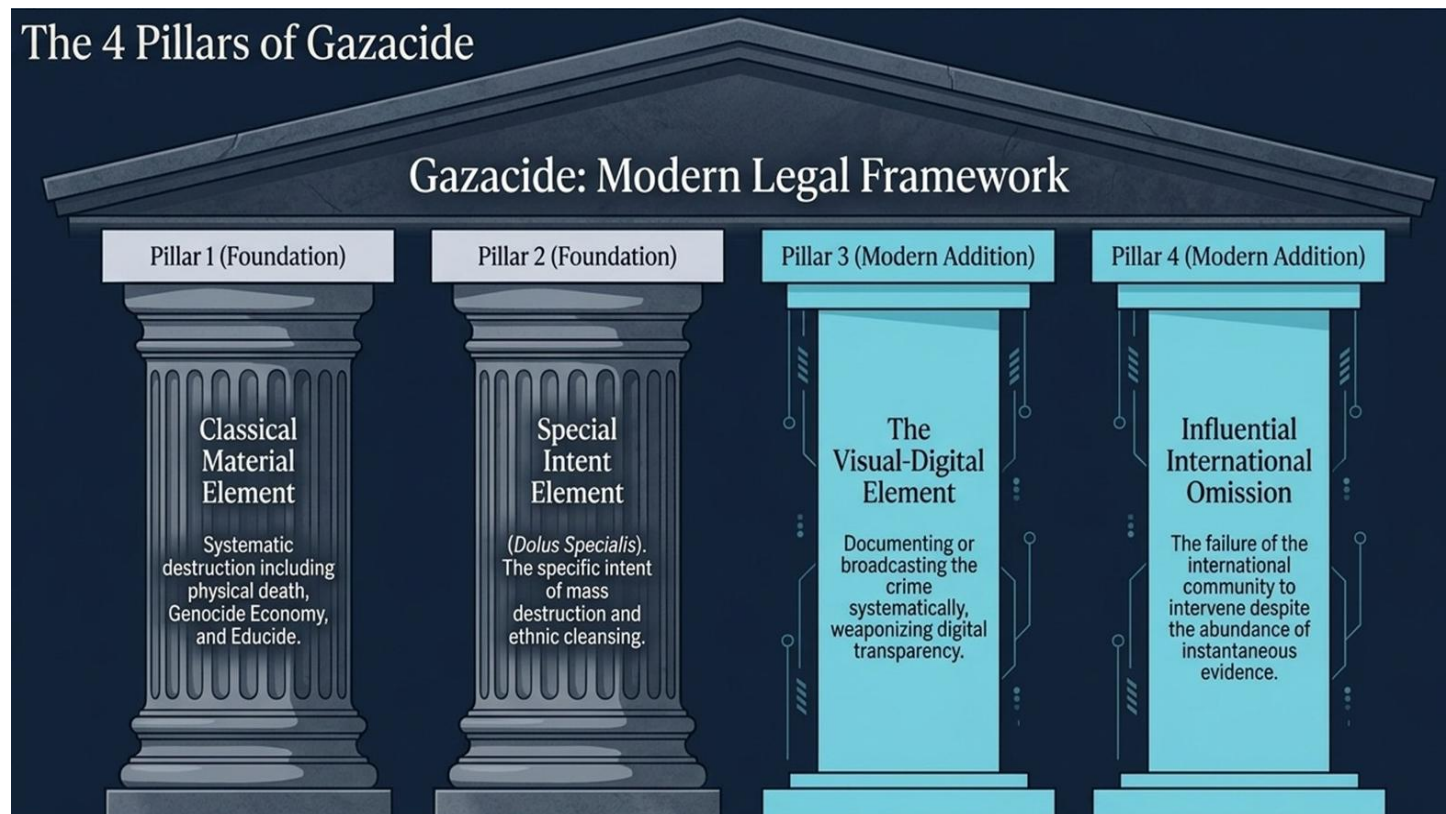
Documenting, broadcasting, or declaring the crime in a repeated or systematic manner. This element is uniquely present in the Gaza genocide, where perpetrators have openly broadcast their actions while the international community has failed to intervene (Al-Muhannadi & Buheji, 2024). The live broadcasting of destruction,

starvation, and death transforms the global audience from passive observers into complicit witnesses, as the perpetrators demonstrate their power through the very transparency of their crimes.

Pillar 4- The Influential International Omission Element

The failure of the international community to intervene despite the abundance of instantaneous evidence. This omission has been extensively documented (Hasan & Buheji, 2024) and constitutes a fundamental element of the Gazacide concept, as it transforms passive observation into active complicity in the continuation of the crime. The international community's failure to enforce the Genocide Convention, despite overwhelming evidence of genocide, represents a systemic failure that the concept of Gazacide seeks to address.

Figure (4) Illustrates the Four Pillars Proposed for Gazacide



The Legal Value of the Gazacide Concept

This amendment aims to develop the concept of genocide in response to the transformations of the era derived from the genocide in Gaza in the age of the digital communication revolution. Genocide in the twentieth century was a crime discovered after its occurrence, whereas in the twenty-first century it has become a crime witnessed in its most important details while occurring. This transformation in the sadistic dimension of sovereign state crime constitutes a qualitative development in the crime, not merely a quantitative accumulation in its atrocity and tragedy.

The interdisciplinary research conducted during the Gaza genocide provides crucial evidence for this legal reconceptualisation. Studies on the genocide's impact on women (Buheji et al., 2024), youth (Migdad et al., 2024), education (Iriqat et al., 2025), health (Shorrab et al., 2024), food security (Hassoun et al., 2024), and child development (Buheji & Buheji, 2024) demonstrate the comprehensive nature of the destruction, which encompasses not only physical existence but also psychological, social, economic, and intellectual dimensions of collective life. The concept of a "genocide economy" (Buheji, 2025) and the identification of "educide" (Iriqat et al., 2025) further expand the understanding of how contemporary genocide systematically dismantles all pillars of societal existence, supporting the need for an expanded legal definition. Buheji and Mushimiyimana (2023) have provided historical context by examining survival strategies in the face of violence, demonstrating both the resilience of the Palestinian people and the unprecedented nature of the current genocide.

Figure (5) emphasises that "Gazacide" as a terminology represents a transition from genocide with deferred proof to genocide simultaneous with proof.

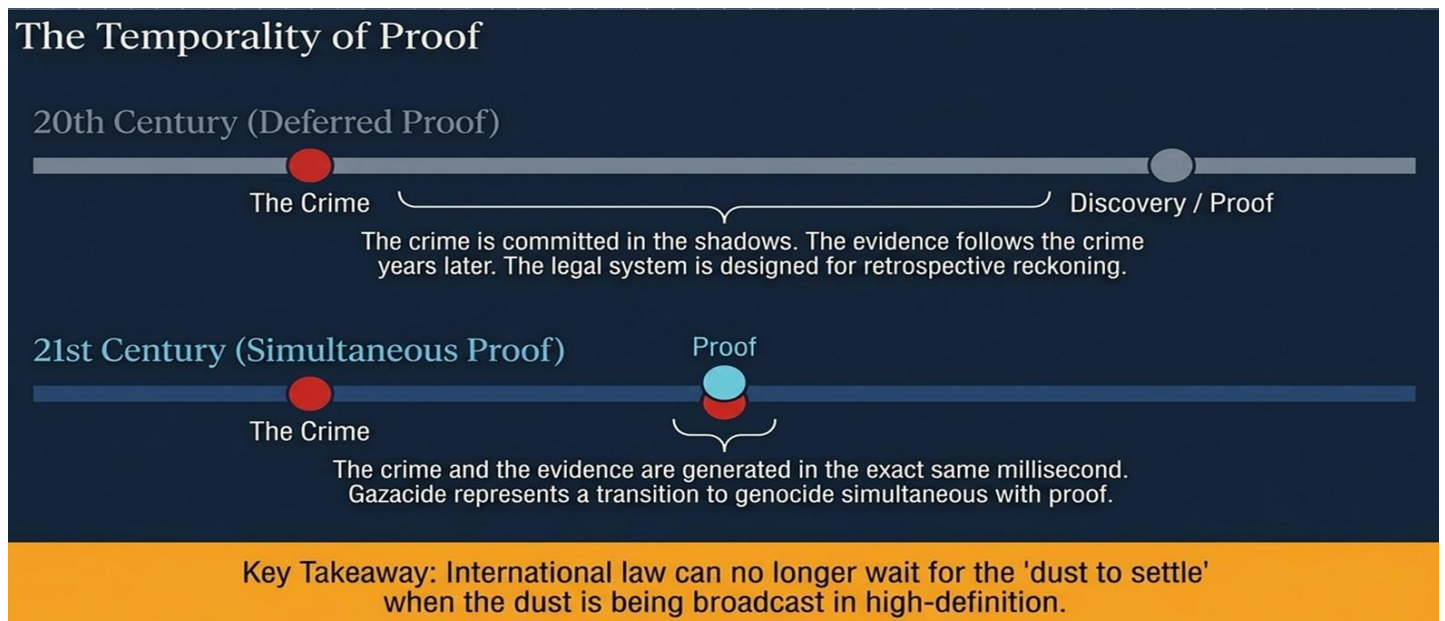


Figure (5) imposes new legal implications, the most important of which are:

- 1- Accelerating institutional international preventive intervention mechanisms.
- 2- Criminalising intentional international omission to deter.
- 3- Expanding criminal responsibility to include the instigating or legitimising media structure.
- 4- Recognising the collective psychological impact of repeated broadcasting as part of the genocidal element.
- 5- Incorporating economic destruction as a component of genocidal intent (Buheji, 2025).
- 6- Recognising the destruction of educational systems ("educide") as a genocidal act (Iriqat et al., 2025).
- 7- Acknowledging the deliberate creation of famine and food insecurity as genocidal acts (Hassoun et al., 2024).
- 8- Including the destruction of healthcare infrastructure as a component of genocidal intent (Shorrab et al., 2024).
- 9- Acknowledging the comprehensive impact on all segments of society, including vulnerable populations (Buheji et al., 2024; Migdad et al., 2024; Buheji & Buheji, 2024).
- 10- Recognising the intergenerational impact of genocide on children's development (Buheji & Buheji, 2024).

CONCLUSION

This paper's proposal aims to develop international criminal law to keep pace with the occurrence of crimes and the transformations of historical evil in the era of the digital communication revolution. It is thus a contribution to inaugurating an international advocacy situation that does not merely seek to amend texts but aims to establish a qualitative cultural transformation in the field of international criminal law through developing its concepts, in response to protecting civilians caught in wars from the sadism of criminality armed with live broadcasting techniques of the facts of the crime of genocide.

If the twentieth century gave birth to the concept of "Genocide" with Raphael Lemkin, the twenty-first century imposes on the global legal conscience the recognition of a new concept: "Gazacide," as the appropriate legal designation for the crime of genocide in the era of digital transparency, biased media partnership against genocide victims, and international moral paralysis. The genocide in Gaza has demonstrated the inadequacy of existing

legal frameworks and the urgent need for reconceptualization that accounts for the unprecedented characteristics of contemporary genocide: its performance under live broadcast, its comprehensive nature encompassing economic, social, health, educational, psychological, and physical destruction, and the international community's willing complicity through inaction despite overwhelming evidence (Buheji, 2025; Hasan & Buheji, 2024; Al-Muhannadi & Buheji, 2024; Hassoun et al., 2024; Iriqat et al., 2025; Shorrab et al., 2024).

The research on Gaza during the genocide period has revealed patterns that challenge traditional legal understandings. The systematic dismantling of economic infrastructure (Buheji, 2025), the deliberate creation of famine (Hassoun et al., 2024), the destruction of healthcare systems (Shorrab et al., 2024), the systematic demolition of educational institutions (Iriqat et al., 2025), the targeting of vulnerable populations including women, children, and youth (Buheji et al., 2024; Migdad et al., 2024; Buheji & Buheji, 2024), the destruction of social fabric (Buheji & Muhorakeye, 2025), and the remarkable resilience demonstrated despite the genocide (Buheji, 2024; Al-Muhannadi & Buheji, 2024; Buheji & Mushimiyimana, 2023) all point to the need for a legal framework that can adequately address the comprehensive nature of contemporary genocide. The concept of "Gazacide" provides such a framework, recognising that genocide in the digital age operates through a synergy of physical destruction, psychological warfare, economic dismantling, educational destruction, healthcare collapse, starvation, and the exploitation of digital transparency to normalise atrocity.

Furthermore, the concept of "Gazacide" proposed in this paper finds important theoretical support in the emerging literature on strategic meaning. Senoussi et al. (2026, p. 15) argue that the "production of meaning becomes one of the central functions of strategic intelligence" because it "allows action within it without collapse, and gives the decision its continuity, the choice its legitimacy, and the direction its coherence over time." In the context of genocide in the digital age, this insight carries direct legal implications. The sixth element of Gazacide—the visual-digital element—targets not only physical destruction but the semantic framework through which destruction is understood, narrated, and contested. When genocide is broadcast live, the perpetrator seeks to establish a "meaning framework" that normalises atrocity and delegitimises resistance. The Gazacide concept responds to this by recognising the destruction of meaning-making capacity as a distinct dimension of genocidal intent, thereby addressing what Senoussi et al. (2026, p. 15) identify as "the loss of meaning as a structural symptom of major transformations."

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