

David Heyd*

Can Two Opposing Narratives Be Equally Valid? Reflections on Zreik's Reflections on the War in Gaza

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Abstract: The article critically examines the arguments of Raef Zreik regarding the 2023 war in Gaza. It first analyzes the use of the concept of *narrative* in defending political causes and actions. It shows that due to their subjective nature two opposing narratives can be equally valid as long as they satisfy conditions of internal coherence and fidelity to the facts. It then shows that Zreik's argument of 'fragmentation' is double edged and cannot be used for laying full responsibility on Israel. It then proceeds to criticize the claim that Zionism is a colonialist enterprise and shows that Zionism does not consist of all the basic characteristics of colonialism. Finally, it analyzes the common argument of self-defense as the only justification of starting a war and shows the limitation of such an argument in a theory of war, mainly because in most wars both sides have the right to defend themselves, including the allegedly unjust party. All that remains after showing the weakness of most arguments for this or that side to the conflict is the conclusion that *compromise* is the only way out of the deadlock, having the virtue of being pragmatic rather principled.

Keywords: narrative; morality of war; self-defense; colonialism; Palestine-Israel conflict

1 Introduction

Raef Zreik's article 'War and Self-Defense: Some Reflections on the War on Gaza', published in the previous issue of *Analyse & Kritik*, is a forceful and honest challenge. Unlike most academic articles, Zreik begins with the disclosure of his own national identity 'as a Palestinian and as an Israeli citizen' and with the declaration

*Corresponding author: David Heyd, Department of Philosophy, The Hebrew University of Jerusalem, Jerusalem, Israel, E-mail: david.heyd@mail.huji.ac.il

that the article is written from the particular point of view afforded by this identity. It would be not only fair but also philosophically significant that I proclaim that I am writing this article also from a point of view – that of a Jewish Israeli. The war in Gaza since October 7, 2023 has been a painful experience to both sides and their reflections should be taken seriously if we want to understand the deep conflict and – as Zreik commendably expresses his wish and hope – start a conversation.

The reader, who is interested in the moral analysis of the war in Gaza, may wonder whether he could gain insight from a discourse between two people who are deeply involved in the conflict in a way which makes their judgements biased and unreliable. Being aware of this potential methodological flaw, Zreik is explicit in announcing from the beginning that he is going to offer a *narrative*, his narrative, of the political and historical circumstances leading to the war in Gaza. The concept of a narrative is repeatedly used in his article, highlighting the perspectival approach to the subject. It is both natural and methodologically required that in my response to Zreik I should constrain my argument to a similar approach: I am going to offer an alternative narrative, that of an Israeli Jew.

After analyzing the methodological issue of a moral debate based on *narratives*, the plan of this article is to critically examine Zreik's diagnosis that the discourse on Palestine suffers from *fragmentation* – both historical and geographical. The main fallacy, according to Zreik, is treating the Gaza war only in its immediate context of the here and now, a fallacy which mars the discussion of other events in the one-hundred-and-twenty-year-old national conflict. It will be argued that the fragmentation argument is a double-edged sword which can be equally used by the Zionist side. The article will proceed in raising (yet again) the standard anti-Zionist accusation that Zionism is a form of *colonialism* and will try to show the limits of its validity. Finally, since the trigger for Zreik's article is the war in Gaza, this article will engage with the issues of *jus ad bellum* and particularly with Zreik's understanding of the right to self-defense. I will suggest a non-standard approach to the principle of self-defense which is derived from Hobbesian moral realism.

2 Narratives

The term 'narrative' has made an impressive career in the last half century. It has been widely used in various discourses: historical research, political debates (particularly in identity politics), as well as in the analysis of the meaning of life of an individual person. The term is of course borrowed from aesthetics and particularly from literary theory. But that analogy between fiction and real life is both the source of its power but also of its misleading potential. Human beings are creatures who tell stories, *homo narrans*, as they are described by Fisher (1984).

Unlike arguments, which are abstract entities, stories are essentially acts of communication.¹ They are told *by* someone *to* someone (even if this someone can be the storyteller herself). They are performative acts which accordingly are always embedded in a context. Thus, much depends on the pragmatic circumstances of their telling: who is the story teller and who is the addressee? What is the purpose of telling them? Their contextuality is one of the sources of their rhetorical power. Another source of their meaning is their structure. Unlike life itself which often looks to us chaotic, lacking rhyme and rhythm, stories have an inner logic. They are “words and/or deeds that have sequence and meaning for those who live, create or interpret them” (Fisher 1984, 2). Hence, the deep role of stories is providing our life – both individual and communal – with *meaning*. Some liberal philosophers describe living as the writing of the story of one’s life. I think this is a misleading metaphor because we are not the authors of our lives in the literary sense. Life is something that happens to us no less than created by us. But in *retrospect* we give meaning to our life by reconstructing it as a story, by telling ourselves a story based on our life. So although we are not the authors of our lives, we are the writers of our (written or unwritten) autobiographies.

The same applies to nations (like Israel and Palestine). They emerge and develop through a long series of acts, decisions, choices, and pursuit of ideals; but these are often unrelated or unintended. However, looking back at them, we form in our minds a story, some coherent history, which serves both as explanation and as a source of meaning. Furthermore, these stories partly constitute our individual and communal identity. Historians study the rise of nations, but they do not determine their cultural and political identity. Who am I is a question which can only be answered by me. The same applies to national identity (who is a Palestinian or who is a Jew or an Israeli). And of course, the basis for such identity is essentially *subjective*. Its first-person perspective is what provides it with its authority. But due to this authority and importance for people, the objective analysis and also moral judgments must take such a national narrative seriously because it motivates people and peoples to action. In short, identities can neither be imposed nor denied because they are based on narratives told by the individual or communal subjects to themselves and to the world. When narratives clash, bridging between them by a third, more common, narrative may open the way to reconciliation. But the growing religious dimension in the narratives of the Palestinians and the Israeli Jews makes

1 Fisher argues that a good story is more convincing than a good argument (Fisher 1984), which explains the particular force of narratives in the context of political debates and conflicts like the one discussed in this article. And in the same vein, as Zreik nicely puts it, “stories capture something that arguments may overlook” (Zreik 2024, 196). I assume that he means exactly that subjective dimension which abstract impersonal argumentation considers as irrelevant.

the gap between them more difficult to bridge and hence to aim at some form of compromise or the hope for achieving in the future some narrative common to both (although see the model of a common narrative in the political treaties between Israel and the Gulf states which shrewdly were named ‘Abrahamic’, strongly alluding to the common ancestral origin of the two peoples).

But despite being subjective, narratives and stories are subject to constraints. We know what makes a story a good story, a convincing one, or aesthetically valuable. It must be coherent, make sense in its logical and psychological structure. But beyond this condition of *rationality*, historical and biographical narratives must – unlike fictional narratives – satisfy the requirement of *fidelity*. The events and details which constitute them should correspond to facts in the world. This requirement is not easy to satisfy since the subjective motives behind the story tend to distort, bias, and idealize or under-rate the way events actually happened in the world. Thus, narratives are open to criticism both for their lack of coherent structure and for their deviation from the truth. Only those who have lost faith in the possibility of truth claim that there is no gap between narrative truth and fictional truth. My principal point is, however, that despite their subjectivity, opposing narratives may be compatible with historical truth in the objective sense and hence that two – even rival – narratives can be compatible with truth and hence equally valid. This can happen only on the level of national narratives, where there are two *competing* narrative descriptions of historical events, but not on the individual biographical level, where there is only one subjective story told about a life (the psychoanalyst’s description of that life is more similar to the impersonal historical rendering than to a subjective competing report or narrative). The analogy on the individual context may be two autobiographies written by a man and his spouse describing their marriage crisis.

Since narratives give much weight to values, it should not come as a surprise that they heavily use *thick* concepts, i.e. concepts that combine descriptive and evaluative elements that cannot be separated from each other (e.g. terms like noble, courageous, aggressive, or despicable). Thick concepts are unavoidable in almost any discourse, particularly moral or political (maybe in physics they can be completely circumvented). But they often open the discourse to criticism regarding the fidelity requirement. Some such uses by Zreik’s narrative may illustrate this controversial use of thick concepts. He describes the war in Gaza as the “destructive war of annihilation by Israel” (191); unless he means ‘annihilation’ in a metaphorical sense, the expression may not correspond to the facts or at least would need further corroboration. Even the International Court of Justice in The Hague did not find Israel guilty of genocide. Or consider the following statement: “It [Israel] controls the amount of food [in Gaza] by restricting it to the bare minimum” (196). Surely, before October 7 despite Israeli restrictions imposed on the importation of various

goods and material to Gaza, Gazans had more than the 'bare minimum' to eat. No complaint of starvation was raised. The metaphors of 'prison' and 'siege' to describe the Gaza Strip have become commonplace. But Zreik ignores the fact that beyond the borders of Gaza with Israel (and the Mediterranean coast which is controlled by Israel), Gaza has always had a common border with Egypt, a mostly friendly country with free movement of goods and people in and out. And to the extent that Egypt refused to allow certain movements of goods and people, Egypt should be equally blamed for imprisoning Gazans in their small and densely populated territory.² Finally, the Palestinian attack of October 7 cannot be justified in terms of 'reclaiming land' since the territory attacked was part of Israel within the internationally recognized 1949 borders (including the recognition of the Palestinian Authority).

Beyond the use of thick concepts, the rival Israeli and Palestinian narratives use different key concepts to name the same territories or to describe the same events. The Palestinian West Bank is called by official Israeli authorities Judea and Samaria; the Haram al Sharif is referred to by the Jews as The Temple Mount. Deeper is the gap between the ways in which the year 1948 is perceived by the two rival narratives: *nakba* (catastrophe) on the one hand; war of independence on the other. One could think that the use of purely geographical terms to describe a territory would be of use in neutral discourse without prejudging moral issues. But the slogan 'From the river to the sea' has lately become politically and emotionally charged to the extreme. And, of course, the avoidance of the name 'Israel' in the more radical rhetoric which uses the term 'The Zionist entity' or the denial of the existence of 'Palestinians' in Golda Meir's language, who preferred calling them 'Arabs'.

Most complicated and narrative dependent is the title of Palestinians carrying an Israeli passport. They were once referred to as Israeli Arabs, but later defined themselves as Israeli Palestinians, or in the case of Zreik 'Palestinians who are Israeli citizens'. Jamil Hilal (2018, 123) goes further in using the thick concept of "Palestinians of the territories occupied in 1948", highlighting the claim that there is no difference between the status (or rather lack thereof) of the pre- and post-1967 Israel, occupation equally characterizing both. And to sum up this illustration of the narrative dependent use of language, I want to turn attention to the very title of Zreik's article which looks innocent politically and morally speaking but by using a small word, a mere preposition, sends a strong normative message. It refers to the war *on* Gaza rather than what is considered in Israel as the war *in* Gaza! The war on Gaza alludes to a unilateral aggressive act of one party on the other. The war in

2 Since I am relating here specifically to Zreik's article, I do not mention a similar list of terms used in Israeli rhetoric which are no less thick and no less controversial or misleading. On the top of this list stand the various uses of the adjective 'Nazi' to describe Hamas members and their deeds.

Gaza denotes the war in a certain territory which is the location of belligerent acts by both sides.

The deep philosophical question is can two opposing narratives be equally valid (i.e. coherent and true to the facts). John Strawson (neither an Israeli Jew nor a Palestinian), puts it in neutral terms that are not narrative dependent:

The events of 1948 were to imprint themselves on the narratives of Palestinians and Israelis. For the Palestinians the nakba was central to forging the discourse of dispossession; for Israelis 1948 was the moment of national liberation. The tropes of homelessness and return were to be reversed; exiled Jews had returned home, Palestinians had been exiled [...] These discourses thus developed mutually exclusive elements: Jewish survival was linked to Palestinian defeat while restoration of Palestine required the removal of the Jews. Both peoples thus sought survival in the destruction of the other. (Strawson 2024, 123)

The two narratives are surely mutually exclusive and hence the war between the two sides and the sense of its irresolvability. But the logic of narratives does not mean that they cannot be both true, correspond to the facts or valid from the point of view of an impartial spectator or judge. An exemplary illustration of this possibility is Jonathan Glover's fine book on Israelis and Palestinians which exactly takes this methodological (and moral!) approach by systematically following the history of the Israeli-Palestinian conflict by juxtaposing the two narratives (rather than the approach of professional historians). Glover, who is an 'impartial observer', in being neither Israeli nor Palestinian, can both sympathize and critically examine the two narratives (Glover 2024, 92–7). His constitutive metaphor regarding conflicting narratives is the famous rabbit-duck: we can see the image in two valid (true) ways which are mutually exclusive (we cannot see them both at once).

So it seems that narratives have no *normative* force. If we want to decide the justice of claims and counterclaims in conflicts such as the Israeli-Palestinian one, we should appeal to rational arguments (based on justice) which do have normative force. Unlike narratives, moral arguments and counterarguments cannot be both valid. The narrative of victimhood (which happens to be summoned by both Israelis and Palestinians) cannot decide who is right and who is wrong. The same history can be described in opposite descriptions by two parties which subjectively interpret it in the light of their own beliefs, aspirations, history and cultural and political identity.

So, what is the use of debating narratives? Why listen to the two parties which are so deeply involved in the conflict rather than appeal to an impartial observer? Narratives compensate for their lack of objectivity by their first-person familiarity with the complexity of the conflict, its implications in real life, and the depth of its effects on their identity. They are the stakeholders and as such they deserve to be heard also by those who try to reach an objective judgement. But beyond serving as

a necessary input to the 'objective' discourse on the conflict, the mutual engagement of the two rival sides is a better way than an argumentative discourse if they wish in Zreik's laudable phrasing to "reach out for a conversation that allows new discourse to emerge" (191).

But since narratives as we have characterized them are expected to satisfy the condition of fidelity to facts and since Zreik's article is not exclusively concerned with the Palestinian narrative but also refers to abstract arguments, there is value in examining it also in a critical manner (to which purely fictional stories are not subjected).

3 Fragmentation

Narratives, as we have seen, must be coherent. They should have an internal structure. They should enjoy some kind of unity. But stories of human lives – individual or collective – do not usually lend themselves to such unity. They are not 'closed' in the sense that unlike a novel, the collective stories of nations do not have a determinate beginning (like birth), nor a definite end (since they describe an ongoing process extending into the future, which is still unknown when the story is told). And they have sub-plots which do not always easily fit the grand story. Accordingly, Zreik considers *fragmentation* as a real threat to the Palestinian narrative which is expected to unite rather than divide the Palestinian people. This is a very helpful conceptual tool that Zreik adds to the analysis of the Israeli-Palestinian conflict. He applies the concept of fragmentation on both the geographical (spatial) and the historical (temporal) levels.

The fragmentation of the Palestinian story is a tragedy because it reflects the fragmentation of Palestinian identity or at least the fragmentation of the political and institutional representations of this identity. But how did this process of fragmentation emerge? It seems that there were two crucial points in time which led to this process: 1948 and 1967. The *nakba* of 1948 meant the dispersal of Palestinians living in Palestine into various locations: Lebanon, Jordan and other countries hosting them as refugees; the West Bank where they became Jordanians, or at least subject to Jordanian rule; the Gaza strip in which they became subject to Egyptian rule; Western countries where they have become European or American citizens; and of course those who stayed in Palestine/Israel who became Israeli citizens. This dispersal had a disastrous effect on the Palestinian identity but it can hardly be seen as Israel's responsibility. The Partition Plan, dividing Palestine into two separate sovereign entities – Jewish and Arab, was passed by the UN general assembly in November 1947 and accepted (with joy) by the Jewish community of Palestine at the time. The Palestinians and Arabs rejected it and immediately started a

campaign of violent attacks against the Jews (which the British refused to stop). This led to a fully-fledged war declared by Arab countries on the new Jewish state on May 15, 1948. And this war caused the *nakba* and the displacement of hundreds of thousands of Palestinians who dispersed geographically throughout the Middle East and the world. Israel on its part, although accepting the Partition Resolution, refused to follow the UN resolution that all Arab refugees must be allowed to return to their homes.

The rejection of the Partition Plan put an end for many decades to the idea of *compromise*, the attempt to solve the conflict between the two national movements aspiring to self-determination by dividing the territory into two separate states (today referred to as ‘the two-state solution’, which still enjoys the support of roughly half of the Jewish Israelis). It is noteworthy that 1947 does not play any significant role in Zreik’s narrative. If a Palestinian state is created some time in the future it will consist of 22 % of the whole of Palestine/Eretz Yisrael, whereas the Partition Plan gave the (at that time called) Arab state 45 %.³ One can debate whether the evacuation of so many Palestinians from their homes was voluntary or forced, and here the two narratives sharply conflict, and maybe the truth is that some left voluntarily and some were expelled by force by the Israeli military. But the Arab refusal to accept a territorial compromise recognized by much of the world and the UN cannot be denied as a matter of fact.

Of course, one may argue that the Partition Plan was rejected by the Palestinian side because it was deemed unjust, but then one cannot complain for being given *only* a small chunk of the land, implying that one deserves a much larger chunk. This complaint assumes that partition is just, but the sizes of the parts are to be negotiated. However, the refusal of the Partition Plan was not based on the size of the Arab State allocated to the Palestinians but on the lack of recognition of any right of the Jews to enjoy political sovereignty in Palestine. Partition seems to be the ‘just’ solution for conflicting rights to self-determination on a piece of land to which Palestinians have well-grounded claims. And even if no consent can be reached about this just solution, partition may be the rational way to solve the conflict by compromise, as I will suggest in the conclusion of this article.

A further milestone in the fragmentation process took place in the Six-Day War of 1967. Many Palestinians in the West Bank became refugees in Jordan, East

³ This raises the question of *post bellum* justice, to which I don’t have sufficient place to discuss. It should just be said that there is reason in arguing that the aggressor, after having lost the war, cannot claim the return to the exact conditions preceding the war. The victorious party can claim some of the territory won in the war as a security zone (France over Alsace after the First World War), or the demilitarization of the aggressor’s territory (the allies regarding Germany and Japan after the Second World War, or Egypt after the 1967), or monetary compensation (the allies from Germany in the Versailles treaty).

Jerusalem was annexed to Israel (although giving Palestinian Jerusalemites only limited political rights) and both the West Bank Palestinians and the Gazans became in a way reunited but this time under Israeli military occupation. Again, this war was forced on Israel by both Egypt and Jordan, although admittedly the Palestinians themselves cannot be blamed for the belligerent attack of the two Arab states. In the Oslo agreements of the 1990's further distinctions in the status of Palestinians came into effect by the division of the West Bank into three regions having different status of Palestinian autonomy. In this case the fragmentation was an outcome of a peace accord to which the Palestinians were direct voluntary partners. The last phase of the geographical slicing of Palestinian political rule came in 2005 with the Israel withdrawal ('disengagement') from Gaza which led to a split between the West Bank and Gaza with the Palestinian Authority (PA) ruling over the West Bank and Hamas over Gaza. This split is the immediate background of the current war in Gaza. And again, the split was the outcome of free elections of the Palestinians in Gaza and the violent expulsion of the PA from its territory by Hamas.

Now the Gazans claim that despite the withdrawal of all civil and military forces from their territory they are still under occupation due to the strict control over the border, the air and maritime siege and dependence on Israeli supply of water and electricity. This is a reasonable claim, but it means that Israel, as occupier, maintains legitimate responsibility for law and order in the Gaza strip and that its actions in the territory cannot be considered as an invasion of a sovereign state (Darcy and Reynolds 2010, 239–40). One cannot have it both ways: if Israel is the occupier of Gaza, then it cannot be said to start a war against it in the strict sense; and if Gaza is a politically independent entity, Israel is, as I will argue below, justified in *jus ad bellum* terms to defend itself against any aggression (even from terrorist groups). But we should remember that the indeterminacy of the question of the status of different Palestinian territories (lying between full occupation and full independence) is not just an Israeli manipulation but the strategy lying behind the Oslo agreements according to which there was no chance of a one-step transition from war to peace and that it would take a process in which a *gradual* transfer of political authority is the only way to overcome mutual suspicion. Gross (2023) calls it a functional definition of occupation (or 'remotely controlled occupation'). Gradual disengagement is inevitable in such a strategy in the interim phase between war and peace.

So far for the geographical fragmentation. As for the historical or temporal issue regarding the relevant time frame of the narrative: indeed, as Zreik argues, it is hard to decide when the story should begin. The full story is naturally extensive and tattered one. But it has to start only when one can trace the group identity with which current people can identify. It is true that the length of the story does not decide the validity of present political claims. I follow Chaim Gans on this,

especially his denial of the claim that sovereignty rights can be derived from the first occupation of a territory (Gans 2008, 34–5). Thus, the Jewish right to national self-determination is not based on its ancient biblical sovereignty in the Holy Land but on the historical circumstances of constant persecutions. But, as Gans convincingly argues, the location where this right is to be realized, i.e. the Land of Israel, is grounded in the particular attachment of the Jewish people to this land during the last two millennia. This is a case in which the narrative told by Jews continuously throughout the ages constitutes its identity and hence may be a good reason to establish a modern independent state on at least part of that territory. Or in Jonathan Glover's persuasive words: "Ancient ownership may not give modern property rights. But a more subtle claim, coming from the hopes and imagined community of a scattered and often persecuted people, need not be a weak one" (Glover 2024, 10). The same applies to the Palestinian story of hundreds of years of living in Palestine, to the land to which they are attached culturally and religiously. As for the continuity of Jewish identity from Biblical times to our own days, I believe that it can be assumed based on the religious commitment, language and communal memory. How far into the past such continuous identity can be established in the Palestinian case? That of course should be left to the Palestinian communal and historical consciousness to decide. But in any case the question of the length of time of the settlement of a people on a particular territory or of the attachment to it by those who do not live on it seems to have no relevance to the force of the right over the territory.

However, when we come to consider the recent conflict in Gaza, it is doubtful how far into the past one should go. Zreik believes that this conflict cannot be separated from the overall tale of the Palestinian–Israeli conflict. But does that mean going back to 1967, 1948, 1947, 1917 (the Balfour declaration), or 1897 (the first Zionist Congress in Basel)? Here fragmentation is unavoidable. For both historical explanation and moral judgment, we cannot trace the cause of the events of October 7 and the Israeli response to it in the Balfour Declaration and even not in the Oslo accords. The American plan to create an anti-Iranian alliance with Saudi Arabia and Israel serving as its main axis, or the perception of Hamas of Israel's political weakness in the last few years of instability, or the hope to capture the support of the West Bank Palestinians and hopefully topple the PA's government – have all much more explanatory power in historical accounts than distant events. Similarly, moral judgment involves factors like responsibility or indignation (or retaliation), but it would be ridiculous to lay responsibility on Weizman and Ben Gurion, Haj Amin al Husseini and Ahmed Shukeiri, who could not foresee the present conflict, rather than on Netanyahu, Ben Gvir, Sinwar or Haniyeh. Time frames in causal relations and the ascription of moral responsibility for particular events such as the Gaza war must necessarily be much shorter than those of national narratives and global historical justice.

In trying to overcome temporal fragmentation by returning to the whole narrative we may slip into the pitfall of what Oz (2019, 19–20) called “the sickness of longing to reconstruct the impossible past”, a Hebrew term (*‘shachzeret’*) which cannot be translated in one word. Amos Oz meant to highlight the obstacle of supersession which undercuts the idea of ‘the right of return’. The few dozens of farmers of the small and picturesque village of Lifta (close to Jerusalem) have by now grown into twenty thousand people (dispersed in the region). Even if it was politically feasible for them to return to the village, they would have to reside in twenty-story high towers with no shaded yards and fig trees overlooking a freshwater spring. Supersession, as Jeremy Waldron (1992) has articulated it, implies that conditions have changed with time and that includes new people settling in a territory on which they are dependent and to which they have become attached. Temporal fragmentation is accordingly a natural necessity in all historical processes which change the conditions on the ground, even when the initial change was unjust. If we accept the supersession thesis, the longing for return may be constitutive of the Palestinian narrative but not necessarily the basis for a claim right.

On the basis of these considerations, it seems that fragmentation cannot serve as an excuse or as a defense of the Hamas invasion and brutal attack on October 7, that is to say, one cannot appeal to the ongoing injustice of Zionism to the Palestinians as the explanation and moral justification of this aggression. I will discuss below the justification of self-defense, but I will note here, in the context of fragmentation, that self-defense may plausibly be raised as a justification only in cases in which a recent and direct attack is perpetrated and the need to save oneself is equally immediate. It does not make sense to appeal to self-defense when the wrong against which one defends oneself is that of an old and general injustice like the occupation of Palestinian territory. One may rebel against the occupation but that is not an act of self-defense. Self-defense is a valid justification only in a restricted (fragmented) time frame. Wars for independence and national self-determination are usually morally justified despite not being cases of self-defense (was the 1776 war in America against the British a case of self-defense?), but that means that we should add a separate category of ‘justified wars’ in just war theory. A similar confusion of time frames would be attributed to Israel had it attacked Gaza in October as ‘self-defense’ against the Hamas Charter of 1988 calling for the destruction of Israel or retaliation for the Hebron massacre of Jews in 1929.

Zreik tries to support his anti-fragmentation argument by having us imagine five juries before which different Palestinian groups appear: the Israeli Palestinians demanding equal rights in land acquisition; East Jerusalem Palestinians petitioning for full Israeli citizenship; West Bank Palestinians insisting on the end of military occupation; Gazan Palestinians demanding the removal of the sea blockade; and Palestinians from Lebanon refugee camps and from Western countries calling for

allowing them to return to their pre-1948 homes. Surprisingly, Zreik speculates that they would lose on all five fronts (195–6). I believe that they would win in at least four of the five (maybe except the one of the right of return). For exactly because of the fragmented nature of the way the issue is posed, the particular wrong done to the Palestinians can be recognized as a wrong. It is the Israeli jury which would have to appeal to the larger story in order to reject the demands, for example by going back to the old anti-Zionist narrative, the rejection of the Partition Plan, and the general suspicion that behind the particular claim of rights looms a dangerous or evil narrative denying Jews any place in Palestine. In the few cases that Palestinians succeeded in their pleas to the Supreme Court of Israel it was exactly because the court took the case in its fragmented context separating particular rights from the large picture of the historical conflict between the two nations. Fragmentation seems unavoidable when no just solution is found for the conflict in its large-scale framework – territorial or temporal. And Israel symmetrically cannot be relieved from its responsibility for wrongs it perpetrates on Palestinians by appealing to its unprecedented loss in the Holocaust which plays a major role in the large narrative.

Finally, the Palestinians suffer also from fragmentation of their representation. They do not speak in one official voice. The Palestinian Authority is recognized by both Israel and much of the international community as representing the Palestinians. Hamas does not recognize the PA as representing the Palestinian people. And since they have power there is no real authority with which political progress towards a settlement can be achieved. Zreik is aware of this split representation and expresses his opinion that Hamas does not represent the Palestinian people; but he is willing to treat it as representing the interest of the Palestinian people in being liberated from the occupation and achieving independence (Zreik 2024, note 25). The problem for Israel is that there is no Palestinian consensus as to the conditions of such liberation and the means of achieving it. Dealing with belligerent acts by Hamas cannot go through the PA which lacks power over Hamas and strongly differs about the ways it may be achieved. When no authority can be held responsible, the use of power becomes a necessity. But even if and when there are agreements with Hamas about the future of Gaza and its borders, these will cause further fragmentation of the overall Palestinian cause. But Israel has at least *some* responsibility for the exacerbation of this split between the PA and Hamas.

4 Colonialism

In our post-colonial culture, the characterization, or rather accusation, of Zionism as a form of colonialism has become so popular that it is considered obvious. The world is divided between the white rich and powerful West and the non-White, poor

and oppressed East or South. On the superficial level one can understand the association of Zionism with colonialism: it started as a movement in Central and Eastern Europe with Jews settling in Palestine from the end of the nineteenth century; the Jewish settlers were more advanced technologically speaking and better organized politically even in the time of the British Mandate, i.e. before gaining independence; they were more advanced economically; and ultimately more powerful in military terms.

But that does not mean that Zionism was a colonial movement. Colonialism has always two loci: the original land and the land settled by the colonists as a kind of expansion or extension of the original land. There is always the metropole and the periphery. Britain was the metropole and Kenya or India (or pre-1776 America) the periphery. And so was the case with Spain and Argentina, Portugal and Brazil, France and Equatorial Guinea, etc. The colonists always identified themselves as Brits, Spaniards, Portuguese, etc. They spread the language and culture of their original nation and served in leading roles in the creation of economic ties between the two countries. Essential in the colonial mentality is the maintenance of the new arrivals of their political allegiance to the country of origin. In the more distant past the colonists considered themselves as having a religious mission – to Christianize the local heathen people. Religious mission served as the original justification for the appropriation of faraway countries (although the religious motivation was often only a disguise for greed and territorial expansion). Colonialist movements have always been supported by the military power of the metropole, the country of origin.

Now none of these characteristics applies to Zionism. The Jews of Eastern Europe who settled in Palestine did not define themselves as Russians and did not maintain political loyalty to the Russian government. Nor did they act as an economic bridge allowing their country of origin to exploit the natural resources of the land in which they settled. Although a minority of them was driven by religious feelings, they had no intention of spreading their religion among the native population (Judaism has never been a missionary religion). They detached themselves from the culture and manners of the old country and made a point of inventing a new one, particularly using a new language, often suppressing the use of their mother tongues. Unlike most colonists they had no interest in visiting their original homeland, let alone re-settling there. In terms of the previous section, they replaced their own past exilic *narrative* with a radically new one. And contrary to the white image of Israel, Israelis today consist of 60 % non-white people, those whose origins are in Middle Eastern Arabic speaking countries, who had no European or Western roots. Although Zionism was, as Zreik (192) argues, politically supported by Western colonial powers, it was not itself a form of colonialism. It was not motivated by military strategic, economic or expansionist interests. And of course, they never

got the support of the army of their country of origin. Because of their unique history of dispersal around the world, Jews had no country of their own, no metropole. They wanted to create one *ex nihilo*, a center for the Jewish diaspora. This is a main theme of the Zionist narrative.

The Zionism-as-colonialism thesis often appeals to the precedent of the Crusaders: European people invading the geographical territory of Palestine, building settlements there and trying to rule and dispossess the native Muslim population. This analogy has often been used by present Arabs and Palestinians in arguing that Jews are alien to the country, like any colonist, and having no real roots will eventually leave or rather be expelled as was the case with the Crusaders after two hundred years. Colonialism is bound to be ultimately vanquished because it is foreign to the land. And indeed, the Crusaders settled mainly in cities and built fortresses rather than worked the land. In the Israeli narrative the Zionists naturally rejected the analogy and argued that the analogy is misleading if not totally mistaken. The settlers of Palestine/Eretz Yisrael in the turn of the 19th century and onwards were strongly motivated by returning to agricultural work, building Kibbutzim and communal villages. The attachment to the Land of Israel to which the Jews have longed for two thousand years was a main motivating force which was lacking in the Crusaders. It was often said that the Crusaders have left little cultural stamp on Palestine, which cannot be said about the Jews settling in Israel. Unlike the Crusaders, Jews came to the country for good and had nowhere to return, at least not 'a home'. However, Israeli post-Zionists highlight the colonialist qualities of the Zionist settlement in Palestine: the gap between their culture and the local, native one and the lack of any interest in integrating in the region and with its peoples (Ohana 2011). For the reasons listed so far, I believe that ultimately the analogy with the Crusaders is problematic and, in any case, does not demonstrate a colonial character of Zionism.

But a strong qualification must be added: the post-1967 occupation of the West Bank and the Gaza Strip does display colonialist characteristics. In this case there is a metropole – Israel within the Green Line (the pre-1967 border). Settlers rely heavily on military power of the country of origin. They do have a home to return if they wish. They maintain very strong economic and cultural contact with Israeli society. The occupied territories are in many ways exploited by the settlers and by the country of origin. The settlers live in secluded communities with little social and cultural relations with the local population. Like Crusader cities, they live in a fortress mentality. They initially justified their movement in terms of developing the land and bringing modern technology and civilization to the backward local population; but eventually what was left was the real motive which is religious and

messianic. They can be considered as delegates of the State which has economic and strategic interest in such expansion.⁴

Zreik's description of Zionism as colonialism is not always loyal to the historical facts. The Balfour Declaration cannot be described as "taking over Palestine from Palestinians and giving it away as a homeland for Jews" (192). The British government's idea was to establish a "national home" [not a state] for the Jews in Palestine, but the text quickly adds "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine". And thirty years later the decision of many Western countries to support the establishment of an independent Jewish state (in just a *part* of divided Palestine) cannot be described as presenting Palestine "as a gift to the Jewish people to compensate for European crimes" (193 note 2). The Holocaust was definitely a trigger in the process of recognizing the Jewish need for an independent state and its right to self-determination, but it must be remembered that Zionism and the Jewish claim for a homeland in Palestine long preceded the Holocaust and goes back to Ottoman times. Finally, in contrast to Zreik's implied proposition (196), the Palestinian Arabs living in Palestine were recognized as a nation deserving a state of their own in the 1947 U.N. partition resolution, a demand that was formally directed at the British mandate rule, which was the colonial power in Palestine.

5 Jus ad Bellum and Self-Defense

Since Zreik's immediate concern in his article is the war in Gaza, I will turn now to the question of the morality of war and self-defense as its justification and the limits of this justification. Self-defense is the most widespread, maybe exclusive, justification for starting a war (*jus ad bellum*). Consequently, it is used as the standard Israeli justification of its wars against its enemies, both Arab countries and the Palestinians. But Zreik wants to critically examine this use. His strategy is the analogy to private law. When I trespass your property you have the right of self-defense, i.e. to use force to expel me from your territory. In such a case I have no right to exercise force against you in order to obstruct your ability to drive me out of your property. Or consider a criminal attacking a policeman. The policeman has the right to pull his gun and shoot the criminal so as to prevent him from causing him physical harm or death. But the criminal has no right to try to prevent the policeman from exercising

⁴ Gans (2016, 107–11) believes that the whole debate about the colonialist aspect of Zionism misses the point since Colonialism is not a black-and-white concept but a matter of degree. The normative question is not whether Zionism was a colonialist movement but whether it had justifiable purposes which required some means which can be described as colonial.

his right to self-defense by exercising force against him (striking him on the head or, a fortiori, shooting him to death). Now, by analogy if Israel is attacked (unjustifiably according to Zreik, especially in the way it was attacked) on October 7 by Hamas, it has a right to defend itself using violent means. But brutal occupation is equally an aggressive act which the occupied people have a right to resist, and this right to resist is a kind of self-defense (of one's home, territory, family, land, and bodily integrity). Is the occupier allowed to defend itself against this legitimate self-defensive resistance? Zreik answers in the negative.⁵ An even more radical position than Zreik's is expressed by Wide (2023): Israel's war in Gaza cannot be justified in terms of self-defense because Israel is to blame for the October 7 attacks. Although these attacks were not legal because they involved targeting civilians, they are justified as a self-defensive use of violent means, and for that reason Israel had no right defend itself by violent means in Gaza. But where else? Does Wide believe that in the kibbutzim themselves the members of the kibbutz carrying guns had no right to kill the Hamas invaders carrying out murderous acts?⁶

I am not sure I agree with Zreik and Wide – partly because I think that the analogy between private law and the laws of war is dubious and partly because I would want to suggest another understanding of the right to self-defense.⁷ Take the limited analogy with private law first. Zreik may be right in the case of the trespasser: if I trespass your property and you simply push me back out of it, I have no right to hit you by way of 'self-defense' against your pushing. But the case of the policeman is different: the policeman, although doing his duty and acting justifiably, is threatening the very life of the criminal. In that case it is hard to accept that the criminal is supposed to wait passively for whatever happens (his death). If for example the policeman strangles the criminal lying on the ground, can we expect the criminal not to try to free himself by force?⁸

5 This reminds me of the fantastical claim made by some opponents of Israel in the previous rounds of war with Gaza: the use of the Iron Dome defensive system against missiles developed by Israel was considered morally illegitimate because it thwarted the justified self-defensive military acts exercised by the Palestinians!

6 Wide's analysis cannot be taken seriously also for two reasons: he argues that the Six-Day War was not a war of self-defense which is an absurd proposition hardly acceptable by any serious historian; and he (like Zreik) ignores completely the Partition Plan of 1947, preferring to go back to the Balfour Declaration and the creation of the British Mandate in 1922 in which no recognition of a sovereign state was granted to the Jews. Of course, if Israel as a sovereign state was never recognized by international law then the 1967 war could not be treated as defense of the state.

7 A basic difference between private and international law is that in the latter there is no enforcement agent with the authority and power to impose a solution to the conflict. This is exactly what usually leads to wars between sovereign countries. See Badawi 2012.

8 Jeff McMahan (2009, chap. 3), who denies the right to attack a self-defensive attacker (like the policeman), admits that such an attack may be *excused*. The distinction between justified and

Beyond this naturalist, Hobbesian argument, in the context of an armed conflict between two armies or nations, the target of the self-defensive attack (the soldiers) is responsible (in the normative sense) not only for their own welfare but also to defend their people, i.e. civilians. In other words, even if we consider Hamas' attack as an act of self-defense from the constant military pressure by the IDF on Gaza, the Israeli soldiers have a duty to protect the Israeli civilians against the Palestinian justified self-defensive attack. And of course, this argument works symmetrically: even if Hamas' attack on October 7 was an unjustified belligerent act and Israel had all the right to defend itself by invading the Gaza Strip, it would be very strange to argue that Hamas ought not to try to repel the Israeli invaders by using violence in order to save their people (or themselves).

My analysis applies also to wars which are not controversial. It is not difficult to justify the German Wehrmacht operator of an anti-aircraft gun trying to shoot down an RAF pilot who is justifiably trying to target military infrastructures in Germany to obstruct the bombing of London. It is strange that it is hardly mentioned in the literature on the morality of war that in a serious sense almost every war, even if it starts as an aggressive belligerent act, eventually (but quite quickly) becomes a war of self-defense, since the adversary responds by similar belligerent acts which threaten the original attacker, including its innocent civilians. Hamas, immediately after October 7 and due to Israel's military response, had to defend itself and, more importantly, its civil population in Gaza.

I further wish to argue that even had Hamas attacked exclusively Israeli soldiers in their camps, the soldiers would have had the right to defend themselves by military means (which Zreik admits is a "strong argument", 208). The deep reason for this seemingly illogical right of self-defense is that self-defense is justified even in cases when it is directed at a justified attacker who acts in self-defense. This applies to both collective defense in war and personal defense against an individual threat (like our policeman). The special concern for my life is based on partiality, a special standing I may give to myself, especially when it comes to contexts of life and death. When Wittgenstein joined the Austrian army in the First World War he did it not because the Austrian had a just cause (they did not), but because it was the army of his country. This also applies to the legitimate priority given to the saving of lives on my side of the war rather than treating our lives on a par with the enemy's lives. Agent-relative reasons play a relevant and major role in the morality of war. It is no different from Bernard Williams' famous claim that saving one's wife rather than

excused is theoretically important, but for our purpose in the morality of war does not seem to be relevant since both 'excused' and 'justified' create a permission to defend oneself even against a self-defensive belligerent act.

the life of a stranger does not really need an argument (and in Williams's example the stranger is not even an enemy!).⁹

The analogy between private and international law is also problematic because wars are fought between collectives and not between individuals (even the war between the Israelites and the Philistines was a war between two collectives although they chose two individuals – David and Goliath – to actually do the fighting 'in their name'). Wars are collective enterprises which call for the mobilization of civil society as well as of recruited soldiers. The collective as a whole is the party which stands to gain from the consequences of the war as well as to lose in the case of defeat. Hence, civilians are in principle liable to enemy attack although according to the rules of *jus in bello* subject to more stringent conditions than the liability of soldiers. Armed war is similar to economic war which it is agreed cannot be analyzed on an individualistic level.

In order to read the general principle of self-defense I suggest going back to Hobbes. In all conflicts of life and death, human beings act in whatever way is required to save their lives. Hobbes says that when a prisoner is led to the gallows the state should put heavy guards in accompanying him since he will surely try to exercise his *natural* right to escape even by killing his guards. It is no coincidence that Hobbes refers to this situation as the return to the 'state or nature', which is a state of *war*. "A man cannot lay down the right of resisting them, that assault him by force, to take away his life" (Hobbes 1996. ch. 14, 93; Heyd 1991, 128–30).¹⁰ In the state of war the whole normative order of civil duties and the rule of law breaks down. And is not war between nations exactly the case of the breakdown of all laws,

9 Anton Leist wondered whether I can justify Wittgenstein's reason for joining a war which he himself considered unjust on his desire to defend *his* country without denying the moral reason of Claus Stauffenberg (of the 20 July plot) to kill Hitler, the leader of the unjust war and thereby stop it. This is a tough challenge. One may retort that it depends on the degree of evil and harm (including to one's own people), the level of injustice of the war that decides between the Wittgenstein and the Stauffenberg choices. I may guess that had Wittgenstein remained in Vienna rather than emigrated to England, he would not have volunteered to join the Wehrmacht for the reason of the degree of evil and injustice driving the war declared by Hitler. One can also explain the difference in the following straightforward way: Wittgenstein had no option of stopping the war by killing the leader; Stauffenberg had the access to Hitler's headquarters. One can say that the only way for Wittgenstein to defend his fellow countrymen's lives was by joining the army while Stauffenberg had (potentially) a more effective way of doing so.

10 The idea is that the right of self-defense of any individual against *any* lethal attack cannot be alienated. That does not mean that a third party can join the self-defensive counterattack. When a policeman legitimately tries to shoot me after I have threatened him (or others), I may try to use tear gas to prevent him from shooting me; but that does not mean that *you* can use tear gas against the policeman with the same purpose. This further confirms my claim that the theory of just war must be based on agent-relative justifications.

contracts, previous signed agreements and commitments to peace?¹¹ Therefore two natural rights of self-defense can be valid although incompatible, as is the case in the context of war.

This raises a general challenge to any theory of *jus ad bellum*. Leaving aside military intervention for humanitarian reasons, self-defense remains maybe the only morally valid reason to start a war. But if that is the case, we are facing a logical trap: if self-defense is the only justification for a war, no one can start a war, since self-defensive war is logically a *response* to a war which is unjustified. So, one cannot legitimately start a (justified) war; only respond justifiably to an unjustified war. This makes the theory of just war (in the *ad bellum* sense) very thin and trivial. It would lead to quasi-pacifist conclusion. On the other hand, if we believe that there might be other morally good reasons to start a war (beyond self-defense), then it is not clear how self-defense can justify the response by the other side; for if A attacks B justifiably, how can B be allowed to defend itself by violent means? Maybe the Hobbesian argument is the only available way to allow for both rivals to justify their war: you have a just cause to attack me; I have the right of self-defense to attack you in response. This is not a theoretically happy conclusion for just war theory.¹²

The issue of self-defense raises again the question of fragmentation. Israel surely acted on October 7 in self-defense; but Palestinians argue that their October 7 attack was itself an act of self-defense against the ongoing Israeli aggression of the siege over Gaza and that Israel could avoid the need to appeal to their right to self-defense by not imposing the siege (Zreik 2024, 207); Israel would retort that the siege was a necessary means of self-defense against the building of tunnels crossing the border and threatening the Israeli kibbutzim and the manufacture of missiles directed at Tel Aviv; the Gazans would argue that these tunnels and missiles are meant to defend the Palestinian people against Israeli incursions and ultimately

11 I agree with Zreik that even if there are no rules for *jus ad bellum* we are constrained by rules of *jus in bello*. He mentions the attacks on schools and hospitals, causing starvation and “annihilation” (201, note 26). Of course, the principle of proportionality should govern even wars of self-defense since the use of force which is beyond that needed for defending oneself can be considered as pure vengeance or sadism. But this is an empirical matter and as we have seen in the recent war in Gaza, schools and hospitals served as headquarters of Hamas, places of their refuge, or locations for holding hostages. The goal of self-defense dictates the extent of the constraints on the way the war is conducted.

12 This is why I don't think that Benbaji and Statman's 2023 suggestion to form a *contractarian* theory of just war can work. If war is the breaking of all agreements and treaties, how can we rely on the commitment of the warring sides to stick to the conditions of a contract regarding the use of war itself? Such a contract can at least ideally work for *jus in bello* rules but not for *jus ad bellum*. And if the content of the contract is that we agree that only wars of self-defense are justified, then the contract implies that there will simply be no wars.

liberate Palestine from the Israeli occupation; Israel would respond that at least one of the reasons for the continued occupation is Israel's security, i.e. is a means of self-defense against turning the West Bank into a terrorist military base which would threaten the heart of Israel including its airport. And this accounting of threats and defenses could go on deeper into the past. This would be a hopeless exercise of blames and counter-blames. This shows that the argument from self-defense is easily manipulated by both sides and accordingly not very useful, if it is not 'fragmented' in a reasonable manner.¹³

On the background of the issue of fragmentation Zreik rightly raises the question who is the *self* in 'self-defense' and criticizes Israel for including the occupied territories as part of the self which deserves defense. Even if a particular act or military operation is justified in terms of self-defense it does not mean, says Zreik, that the overall conflict which motivates the conflicting parties should not be examined. This is true, but I believe that it does not affect the right of self-defense. The background dispute over the historical 'title' over the territory between the river and the sea must be discussed and solved independently of the legitimate conditions of war. And it would be useless to appeal to the definition of the 'self' which is to be defended since Zreik's criticism can be symmetrically applied to the Palestinian side: which 'self' did Hamas defend on October 7? The whole Palestinian community in the world? Palestine from the River to the Sea? The West Bank? The civil population of Gaza? The Hamas power?¹⁴ In both camps of the conflict there is a sharp rift about the definition of 'self' that is the object of protection.

The issue of the 'self' is intractable since *both* Israel and the Palestinians have (abnormally) never defined in clear terms what they believe their *borders* should be! Maybe the most plausible and just solution would be for Israel to grant the Palestinians the conditions for the realization of their right of self-determination on part of the territory between the river and the sea. That is actually the option still held by many Israelis and Palestinians as fair and realistic, the only solution 'on the table'

¹³ In the Israeli narrative, most of the major wars between Israel and Arab countries were wars of 'no choice', viz. wars of self-defense: the 1947/8 war of independence, the 1967 war (in which Israel admittedly struck first but it did so after the blockade of the Straits of Tiran and the mobilization of a huge army in the Sinai Peninsula), the 1973 war which broke abruptly and surprisingly with no immediate trigger, and the 2023 war in Gaza. The 1956 Sinai campaign and the first and maybe the second Lebanon wars are not strictly speaking wars of self-defense although all three were triggered by terrorist attacks from the Egyptian and Lebanese territory, respectively. The Arab/Palestinian narrative is of course the opposite: the wars broke out as acts of defending either Arab territories or the Palestinian right to liberation from occupation.

¹⁴ Milanovic 2023 notes that the 'self' defended by the Gazans must be the Palestinian Authority since it is the only body which is recognized by the international community (and Israel) as representing the Palestinians. But that creates the paradox of Hamas fighting Israel in the name of the PA.

(for granting that right over the whole of the territory would be suicidal from the Israeli point of view). However, because of the political and geographical fragmentation and the split between Hamas in Gaza and the PA in the West Bank, this cannot be the deal which would satisfy the Palestinians in Gaza – who are not willing to recognize the very right of Israel to exist. So, who is Israel's partner to any deal – Hamas or the PA? Who is the 'self' in the recognition of the right of the Palestinians to self-determination?

6 Conclusion: The Value of Compromise

This is time to try to tie the strings together. Raef Zreik has shown us the complexity of the conflict between Israel and Palestine. I tried to provide some reasons why this complexity is inevitable for both theoretical and empirical reasons. Grounding the reasons for conducting belligerent acts in 'narratives' is a risky method since narratives are subjective and mutually exclusive and still valid in some deep sense relating to their constitutive role in forming national identity. The use of thick language in the discourse about the conflict makes it hard to conduct when the disputants find themselves talking past each other, especially once the discourse becomes religious. Fragmentation also exposes the methodological problem of the way a particular issue or event should be analyzed, indeed individuated, since both the relevant geographical and temporal contours are controversial. Who started it all is a futile question as the question of title or ownership of the land. The principle of self-defense was shown to be of little help since it can easily be used by the two rival parties in a persuasive way. If self-defense is the only justification for starting a war, then both parties are justified in their belligerent aggression, but they are equally unjustified in starting their wars.

What can be the way out of this deadlock? Like in many similar cases in life, *compromise* may be the key. The advantage of compromise lies exactly in its being *pragmatic* rather than principled, grounded in the language of life rather than in the language of justice (which are Zreik's final words of hope, 210). This is why I thought that the Palestinian (and often Israeli) disregard of the 1947 UN partition plan is an obstruction in the way to a positive solution to the conflict. For partition in general is one of the most reasonable ways of striking a compromise. Oslo, Camp David and the Arab League initiatives were all based on the principle of compromise. They have all failed. And each failure brought another wave of violence. Compromise is not a magical solution since it has to be *fair*, and the conditions of the compromise often create disputes which are almost as deep as those regarding the original title or the rights of the rival parties. But compromise or switching to the language of life rather than that of justice as suggested by Zreik can be imagined only if the

Palestinians (and Zreik) give up the idea that “it is Israel itself that is responsible for the continuation of the conflict in the first place” (210) and only if Israelis stop blaming the Palestinians for being exclusively responsible for the ongoing conflict. This is part of the Palestinian (and Israeli) narratives which is incompatible with any pragmatic solution to the conflict.

Azmi Bishara, the Palestinian Israeli, ex-member of Knesset and a political activist, opposed suicide bombing but said that he understood the motive behind them. For the Palestinians face the dichotomous dilemma “terrorism or surrender” (Falk 2002, 30).¹⁵ Both Bishara and Falk are wrong in denying the option of compromise assuming that it was always Israel’s blame for having refused it. ‘From the River to the Sea’ is a disastrous slogan on both sides of the national conflict.¹⁶

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¹⁵ In 2002, when the article was written, Falk could not know that Bishara was not prosecuted for criminal charges because the Supreme Court withheld his parliamentary immunity. But in 2006, during the war in Lebanon, Bishara was accused of treason, meeting Syrian President Assad and transmitting military information to a Hezbollah agent. Bishara escaped from Israel to Jordan and settled in Qatar. His actions cannot be recognized as legitimate ‘resistance’.

¹⁶ I am grateful to Chaim Gans and Anton Leist for their incisive reading of the article and for their critical comments which I hope made the article more intelligible and better argued.

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