

**" Morality or the Seduction of Power in the Zionist Regime's War
against the Palestinian People
(War Study October 7, 2023)**

document type: Case- Study

Zeynab Darvishvand*

Received: 2024/12/10

Vahid Ranjbar Heydari**

Accepted: 2025/02/28

Abstract

The condemnation of war is part of the moral and political literature of all philosophical and political schools and divine religions. Despite its reprehensible dimensions, war has always been approved and acknowledged by human society as a means of defending the homeland and repelling enemy aggression, and with this goal in mind, the Islamic Resistance Front designed a widespread and at the same time complex attack against the positions of the Zionist Regime on October 7, 2023, and displayed it in the form of the Battle of Al-Aqsa Storm. Although the Hamas group announced this operation in response to the brutal attacks and occupation of the Zionist Regime against the oppressed people of Palestine, it tried to observe some Islamic standards, especially regarding prisoners of war, while observing Islamic ethics and as a legitimate defense in the world's public opinion. The main question of this research, which was developed based on the descriptive-analytical method, is to evaluate and examine the extent to which ethical principles were applied and observed in the recent battle between Hamas and the Zionist Regime, looking at the theory of just war and within the framework of the theories of Al-Farabi and Michael Wallers. Therefore, according to the research findings, the Al-Aqsa Storm operation itself has a moral justification in the form of the right of Palestinians to self-determination, while the invocation of self-defense by the Israeli regime and the brutal attacks against civilians and infrastructure in Gaza and Rafah do not fit into positive moral practices and self-defense. However, the Zionist regime produces the power of language in what can be called the seduction of power, something that not only humans in general, but also the victims in particular are exposed to, which in turn often encourages and justifies oppression.

Keywords:

Ethics, Seduction of Power, Just War, Hamas, Zionist Regime.

* M.A Student, faculty political science department of Imam Khomeini International University, Qazvin, Iran z.darvishvand1374@gmail

** Assistant Professor, faculty political science department of Imam Khomeini International University, Qazvin, Iran(Corresponding Author) ranjbar@soc.ikiu.ac.ir

Introduction

Finis theoriae belli iusti est creare societatem idealem ubi iustitia et virtutes morales regnant. Haec theoria tamquam dux legislatoribus et ducibus militaribus in perpendendis consecutionibus ethicis belli operatur, eiusque propositum est aequilibratam inter necessitatem actionis militaris et considerationes ethicis constituere. Resistens Palestina, sub ductu Hamas, die VII Octobris MMXXIII operationem improvisam per aggressiones in bases militares Sionisticas prope Gazam perfecit. Eodem die, auctoritates Sionisticae, opinantes se resistentis gruppos intra paucos dies delere et Gazam occupare posse, intensivos aereos et terrestres impetus in zonam Gazae incepterunt. Crimes internationales et continuas violationes iurium humanorum a regimine Sionistico in Gaza et Rafah, cum maiore intensitate, perpetrantur, adeo ut destructio omnis texturae demographicae et infrastructuralis Gazae et Rafah in continuatione huius belli imaginari possit. Hosseinejad (167:2024) bellum Gazae punctum flexurae in transformationibus politicis et securitativis regionis Asiae Occidentalis considerat, adeo ut hoc bellum gravissima crisi saeculi currentis habeatur. Mosallanejad (2024:31) aggressio multiplex Hamas e Faixa Gazae in meridiem regiminis Sionistici titulum primum in diariis mundialibus facta est, et haec actio, quae initium certaminum armatorum inter regimen Sionisticum et gruppos paramilitares Palestinenses sub ductu Hamas erat, late in mediis repraesentata est.

Mohammadi et Najadsalari (2024:1) regimen Sionisticum, in actione vindicativa, operationem militarem amplam in Gaza inceptit, quae ad graves crises humanas duxit. Haec condicio exemplar amplum violentiae reflectit, quod per decennia relationes inter regimen Sionisticum et Palestinam descripsit. Disputationes ethicae circa bellum saepe cum contradictionibus innatis in justificatione violentiae luctantur. Critici argumentantur quod, quamquam aliqua bella necessaria vel iustificata considerari possint, instrumenta adhibita tamen inethica esse possunt. Natura belli moderni evolvitur et novas provocationes ethicis offert. Exortus actorum non-governmentalium et bellum asymmetrica conceptus traditionales auctoritatis legitimae et causae iustae complicant. Praeterea, maior dependentia in technologia in bello continuam investigationem ethicam de eius consecutionibus pro securitate civilianum et responsabilitate pugnatorum requirit. Quamquam theoria belli iusti fundamentale systema ad aestimandam ethicam belli praebet, eius applicatio adhuc disputabilis et complexa manet. Hoc in mente, quaestio principalis huius studii est examinare bellum VII Octobris MMXXIII inter regimen Sionisticum et Gazam in contextu principiorum ethicorum vel seductionis potentiae, cum

emphasi in theoria belli iusti apud Alfarabium et Michaellem Walzer. Per applicationem theoriarum harum duarum personalitatum, gradus observantiae principiorum ethicorum in bello Gazae et a regimine Sionistico aestimatur. Res politicae saepe in verborum ambitu pereunt, vel fortasse silentio tegendae sunt donec vocabula inveniamus quae realitati propius accedant – realitati scilicet immani, humanis doloribus, luctibus, desperationi. Haec omnia significant repressionem illius impetus qui nos ad veritates pro nostris consiliis appropriandas impellit, vel resistantiam contra illud desiderium quod has realitates verbis impactum minuentibus suffocare conatur. Interdum ore hianti stare debemus, nulla analytica politica ex labiis cadente. Sunt tamen momenta quando, ut cogitatio politica vere incipiat, silentium potius quam sermo requiritur.

1. Fundamentum investigationis

Recensio studiorum tam domesticorum quam externorum demonstrat investigationes in campo ethicae bellicae nonnullas quidem exstis, quae cum generalibus huius inquisitionis propositis congruunt, sed nullam earum ad quaestionem ethicae in bello vel ad potentiae illecebras in conflictu inter regimen Sionisticum et Palestinenses speciatim accessisse. Attamen, mediate, nonnulla opera edita sunt quae ad rem faciunt:

Studium ab Hussaini et collaboratoribus (2023) sub titulo "Comparatio doctrinae de bello iusto in cogitationibus Sancti Augustini, Michaelis Walzer et iurisperitorum Shiiticorum recentiorum" perfectum, in quo differentiae et similitudines circa bellum iustum secundum varios auctores examinantur. Opus a Nourmohammadi Najafabadi et sociis (2018) nomine "Doctrina de bello iusto et ethica bellica apud Musulmanos, secundum traditionem Adab al-Harb" compositum, ubi auctores affirmant textus militares instructivos esse fontes praestantissimas, quamvis in studiis historiae bellicae Islamicae mediaevalis parum attenti sint, cum tamen ad investigationes ethicae in bello utilissimae sint. Investigatio ab Haghighat et Bagheri (2013) sub titulo "Doctrina de bello iusto in philosophia politica Sancti Augustini" edita, ubi notio belli iusti tamquam una ex praecipuis theoriis in philosophia politica et relationibus internationalibus evolvitur, cum emphasi in Augustini positione quae bellum solum iustum esse censet si ab auctoritate legitima divinitus confirmata indictum sit. Another study by *Haghighat & Bagheri (2013)*, titled "The Theory of Just War in St. Augustine's Political Philosophy", elaborates on the concept of just war as one of the most significant theories in international relations and political philosophy. The authors argue that Augustine considers a war just only if the

waging party possesses divine legitimacy and pursues the execution of this divine will in its actions.

Cahill (2024), in an article titled "War Only as a Theory, Peace Only as a Virtue", posits that the processes and methods of warfare are heavily influenced by what Augustine termed dominance. The theory of just war, within the actual warmongering institutions that exacerbate tensions, abandons restraint.

Similarly, *Ellner (2023)*, in an article titled "Ethics of Conflict, Violence, and Peace: Just War Theory and Feminist Ethics", provides a critical examination of just war theory and its philosophical foundations. Conventionally, it stands in opposition to pacifism and nonviolent resistance. However, the article contends that both just war theory and pacifism/nonviolent conflict should be evaluated.

2. Theoretical Framework

2.1. Unjust or just war

From the point of view of wars and the damage caused, politicians have always tried to examine it from various perspectives and evaluate its legitimacy or illegitimacy in legal and moral terms. Examining war from a moral perspective has been one of the concerns of moral philosophers since the ancient Greek era. In the ethics of war, three famous theories have been proposed, which are: realism, pacifism, and the theory of just war (Gholamali Pourdzfuli and Al-Boye, 1402: 125). The theory of just war seeks to create conditions under which engaging in war can be considered justifiable. The theory of just war has a long history in which it has discussed the nature of wars and the criteria for evaluating the ethics of war. The historical roots of just war should be traced to the writings of Cicero in the first century BC. Cicero's theories were expanded by scholars such as Saint Augustine (Shabibi, 1387: 1). The continuation of the just war theory resumed with Augustine. This doctrine was developed as a religious doctrine (Logenhausen, 2008: 3). Augustine is considered the father of the just war tradition (Bagheri and Haqiqat 2013: 26). Therefore, Augustine considered war to be just if the war issuer had divine legitimacy and its purpose was to implement justice. According to Augustine, the just war theory has three basic features: morality and justice, natural and temporal laws, and the common good. These three points are the most important achievement of the just war theory (Bagheri and Haqiqat, 2013: 24). The most intense conflicts occur in war and the warring parties seek to achieve their "right" and a kind of "justice" in battles. However, the legitimacy of war and its limits and boundaries are a subject called just war, which is examined by the criterion

of justice. Under what conditions is resorting to war morally correct? Under what conditions can a country start a war against another? The just war theory answers questions like these and specifies under what conditions starting a war can be moral and legitimate (Lazar, 2010).

2.2. The just war theory from Farabi's perspective

Just war is one of the issues raised in the ethics of war, but this issue has not been raised much in the Islamic field (Mahdoyan and Eftekhari, 2019: 161). Farabi can be considered the only philosopher of war in Islamic civilization (Balboli Qadiqalai and Parsania, 2014: 83). He considered the philosophy of war to be a continuation of the completion of political philosophy and formulated his just war theory after preparing normative systems and with the existential, epistemological and moral purpose of war (Emami Kopaei, 2011: 95). Among Farabi's works, the discussion of the theory of war is not specifically collected in one work, but he presented his approach sporadically in his collection of works. Among his works, *Fusul al-Muntaz'ah* deals with the typology of war. In this work, al-Farabi discusses the types of war and expresses his positions as follows:

Types of just wars	row
A war to defend against a foreign enemy who had invaded Medina.	1
A war to obtain the good that the people of Medina deserve but do not have in their possession.	2
A war in which the good and benefit of a nation is imposed upon it, in a situation where that nation does not recognize its own good and benefit and does not follow a person who is aware of it.	3
A war to subdue those for whom the most worthy position in the world is servitude, but they refuse to serve.	4
A war with a people for whom the people of Medina have no right, but they want that right and the people of Medina prevent them.	5
A war between the chief of Medina and a people to humiliate them so that they only follow his orders and obey him.	6
A war that is waged only to overcome and dominate a people.	7
A war between a chief and a people whose aim is to quell anger or gain the pleasure of victory.	8

Table 1. Types of war from Al-Farabi's perspective
(Source: Research findings)

In the contemporary era, Michael Walzer stands as the most significant philosopher of just war theory, having revitalized this theoretical

framework through his seminal work "Just and Unjust Wars." In his book, Walzer categorizes wars into two types: preemptive (including holy wars) and defensive. This classification represents one of the most important contemporary texts in the ethics of war and peace (Abedinejad, 2014, p. 13).

2.3. Walzer's framework is based on two fundamental principles

(a) The justification for resorting to war (*jus ad bellum*) and conduct during war (*jus in bello*). He argues that these principles are logically independent, meaning that the justice of a war's cause does not determine the ethical nature of actions taken during the conflict (McMahan, 2006). This distinction is crucial as it enables precise evaluation of military actions without reference to the war's underlying motives.

(b) The existence of legitimate reasons for initiating war is an essential condition. Defense against aggression and foreign invasion are among the clearest examples of just war. Walzer describes three key elements regarding the laws and rules of war: discrimination, double effect, and proportionality.

Human rights serve as a fundamental requirement for all parties to a conflict. Walzer maintains that respect must be shown for the rights of victims of aggression as well as the rights of civilians in both aggressor and hostile nations, and that those who commit violations must be punished (Ghasemi & Deilamghani, 2019, p. 135). The just war theories of Michael Walzer and al-Farabi provide a foundational framework for understanding the ethics of war. Their emphasis on the moral equality of combatants, the independence of justice claims and judgments, and their cautious approach to humanitarian intervention continue to stimulate debate in political philosophy and ethics. However, the ongoing discourse surrounding Walzer's works reflects the complexities of ethical reasoning in warfare and underscores the need for a robust ethical framework to address these challenging issues - with the ultimate goal of ensuring that wars are waged for just causes and conducted in an ethical manner.

2.4. Michael Walzer's Just War Theory

In the modern era, the most important philosopher of just war, Michael Walzer, gave new life to the theory by publishing a book entitled *Just and Unjust Wars*. In his book, Walzer divided wars into two preventive types, including holy war and defensive war. This division is one of the most important texts in the field of ethics, war and peace in the present era (Abedinejad, 2014: 13). Walzer's framework is based on two principles: a) justification of resorting to war and conduct in war; he argues that these principles are logically independent. This means that justice does not determine the moral cause of actions taken during the conflict (McMahan,

2006). This distinction is very important because it allows for a precise assessment of military actions without regard to the underlying motivations of the war. b) the existence of a legitimate reason for starting a war is an important condition. Defense against an aggressor and foreign attack is considered one of the clearest examples of a just war. Walzer describes three distinct elements, separation, dual effect, and proportionality, regarding the laws and rules of war. Human rights are a fundamental requirement for all parties to a conflict. Walzer believes that respect for the rights of victims of aggression as well as the rights of citizens in aggressor and belligerent states must be observed, and those who commit violations must be punished (Qasemi and Deilmaghani, 2019: 135). Michael Walzer's just war theory and Farabi's theory provide a fundamental framework for understanding the ethics of war. Their emphasis on the moral equality of combatants, the independence of judgments, and a cautious approach to humanitarian intervention continue to stimulate debate in the fields of political philosophy and ethics. However, the ongoing discussion surrounding Walzer's work reflects the complexities of moral reasoning in the context of war and highlights the need for a robust ethical framework to guide these challenging issues, aiming to ensure that wars are waged for just reasons and conducted in an ethical manner.

3. Analysis of Findings

3.1. The Conflict Between the Zionist Regime and Hamas on October 7, 2023

Religion and ideology have been the first and main cause of the conflict between the Zionists and Muslims (in general) and the Palestinians (in particular) (Bardbar and Alishahi, 1402: 83). The issue of the conflict between Palestine and the Zionist Regime can undoubtedly be considered one of the most important issues of the present era. This issue has an ideological and religious aspect for both Muslims and Jews. According to the Old Testament, Jews consider the land of Palestine to be theirs, and Muslims also have great respect for Palestine because of the existence of Jerusalem (Alqaisiya, 2023: 597). The Resistance Front (Hamas) designed and carried out an operation called Al-Aqsa Storm against the positions of the Zionist Regime deep in the occupied territories. The Zionist media have interpreted this operation as unique in the history of wars between the Arabs and the Zionists and a major defeat for this regime. The motivation of the Palestinian Islamic resistance in this surprise operation was declared to be the liberation of Palestine and the retaking of the occupied territories and the return of the violated human rights of the Palestinians. The creation of

Hamas is a reaction to the occupation, violence and apartheid of the Zionist regime, and they are a national liberation movement that has played a pivotal role in one of the longest conflicts in the Middle East between Palestine and the Zionist regime (Ayoub, 2015:95). Unlike ISIS terrorists, this movement does not seek to kill people, but only wants to take back its lands. On the fiftieth anniversary of the start of the Ramadan War, known as the Yom Kippur War (in 1973), Hamas forces, crossing the barrier wall between the Gaza Strip and the occupied territories, carried out planned operations in the cyber, land, sea and air territories of the occupied territories (Mohammadi Monfared, 1402:174). In this surprise operation, they succeeded in breaking through the Iron Wall, a 64-kilometer-long security wall that separates the Gaza Strip from the positions of the Zionist regime and was completed at a cost of 1.1 billion dollars, but Hamas was able to cross this wall, which according to the Zionist regime officials is impregnable, without initial resistance. In response to this operation, which shocked not only Tel Aviv but also the world in terms of its scope and complexity, the Israeli authorities, following a similar plan in cooperation with the Pentagon, established Operation Iron Swords, seeking to compensate and targeted Hamas positions near the Gaza Strip with numerous attacks. Despite being a member of the Four Geneva Conventions (1949), the Zionist regime's armed forces have committed gross violations of international humanitarian law and ethics by raiding the residential area of Gaza since October 7 (Tawhidi, 1402: 204). It is not possible to understand the roots of recent events in the Middle East and tensions between the Arabs and the Zionist regime without understanding the political developments in this region, which played a prominent role in planning the initial core of the current crisis.

The incomplete and artificial state-nation building based on the Sykes-Picot Agreement in the Middle East countries and on the other hand the state-nation building process caused the accumulation of demands and their non-fulfillment (Moradzadeh and Khokhui, 2016: 123). Finally, the aforementioned agreement, along with the Balfour Declaration, fulfilled the twenty-year wish of the Jews to obtain immigration permits and establish a Jewish national homeland. With a glance at history, we will fully understand that the land of Palestine is the holy land of the Palestinian Muslims, and the Zionist Jews are the occupiers. Therefore, the Palestinian resistance against the Zionists is considered legitimate and certain and is a defense of the homeland.

3.2. Evaluation of the October 7 War Based on Farabi's Theories

Based on the classification of just wars from Farabi's perspective, the Zionist regime's war against the Palestinian people can be evaluated based on the following table:

Assessment October 7, 2023	War Row War
In a trans-regional conspiracy, the country of Palestine was completely occupied and its people were driven from their homes. The history of Palestine shows its cruel occupation and the displacement of millions of people, the brutal suppression of Palestinians, widespread arrests, murder, the usurpation of Palestinian land and the establishment of settlements in it, attempts to change the face and identity of Jerusalem, Al-Aqsa Mosque and other holy places, the deprivation of basic rights of citizens and many other atrocities that continue to this day. These factors, along with thousands of other justified factors, laid the groundwork for the Battle of Al-Aqsa Storm. Items 1 and 5 clearly indicate that following a brutal attack by a foreign enemy on the land of the people of Medina, from Al-Farabi's perspective, the people rise up to protect Medina and achieve justice.	Just War 1-5
Israel is pursuing two strategies to bring Hamas and the people of the Gaza Strip to their knees: First; Destroying Hamas Second; Leveling Gaza to the ground, bombing and killing people in Al-Moamedani and Al-Shifa hospitals, Jabalia camp and Al-Fakhura school, all of which indicate the brutality of the Zionist regime's war.	Unjust War 6-8

Table 2. Evaluation of the October 7 War from Farabi's perspective
(Source: Research findings)

Whether a war is just or unjust, in Farabi's view, stems from justice and goodness. In fact, Farabi has dealt with his typology from the point of view of inductive analysis.

Farabi's view on the theory of just war is that he considers the validity and invalidity of wars to be in relation to their ends, and in order to achieve their true ends and happiness, man sometimes resorts to the means of war and jihad so that he can ensure the happiness of both worlds for his nation by reforming his soul. Ultimately, war in the form of jihad against the aggressors is, for Farabi, like a tool that, if carried by the first ruler of

Medina, becomes the staff of Moses to break through suffering and injustice and preserve the good deeds and virtues in order to achieve and realize the true happiness of the people and Medina. From Farabi's point of view, just and necessary war is a tool to achieve happiness. While unjust war is an obstacle to achieving happiness (Emami Kopani, 109:1400), Farabi believes in his *Fusul* that only a utopian city can engage in a just war (Emami Kopani, 51:1398). Therefore, if a nation oppresses another nation and does not intend to refrain from aggression, the war against it is considered just (Arayesh and colleagues, 95:1401). According to the purpose, wars can be called conquest, legitimate defense, preservation of national interests, implementation of rights, change of the legal system, and implementation of a collective decision that has the aspect of international public order (Raso, 12:2017-8). The essence of the Palestinian issue is a moral and humanitarian crisis, and the Palestinian people are currently living in their homeland as a nation without a state, and the Zionist regime has occupied this land with more than 5 million people, and by establishing Jewish settlements and transferring civilians of Jewish descent to the settlements on the pretext that Palestinians do not have Israeli citizenship, it has created a system of racial discrimination against its original inhabitants, the Palestinians, which is not similar to the most basic principles of human rights. The launch of Operation October 7 was designed by the Palestinians as a response to the intolerable situation in Gaza. The theory of just war in Al-Farabi's philosophy is divided into two main aspects: the right to initiate war and justice in war. Al-Farabi believes that war is legitimate only if it defends right and justice.

In the case of Palestine, the Palestinian war against Israel is considered a just war to establish an independent state, while Israel's actions to expand the occupied territories are considered unjust. The just war theory from Farabi's perspective emphasizes the moral and legal limitations on resorting to war and the behavior after it. According to Farabi's just war theory, Palestine has the right to legitimate defense, so the Palestinian war against Israel in order to establish and reclaim their own land is considered legitimate within this framework. This theory emphasizes that every nation has the right to defend itself against foreign aggression, and this principle is also emphasized in Islam. Regarding Israel and its actions, there is no justification for destroying a people because this act contradicts the principles of justice and human rights. Hamas, referring to the occupation and violation of Palestinian rights, justified the attack as the right to self-defense, and at the same time, international criticism has also been raised of

Israel's actions, especially in the field of human rights violations and war crimes.

3.3. The October 7 War based on the theories of Michael Walzer

The Al-Aqsa Storm War stunned the world and overshadowed other major crises such as the Russia-Ukraine war and the Karabakh crisis. The October 7, 2023 saga was considered the result of the continuation of the occupation and settlement constructions of the Zionist regime, the imposition of various types of pressure, and the silence of international organizations regarding the Zionist regime's crimes. However, what ultimately made the planning of the Al-Aqsa Storm War logical for Hamas leaders, despite the knowledge of the crushing response of the Netanyahu cabinet, was the process of normalizing the Zionist regime's relations with important Arab countries. The Zionist regime's army always describes itself as the most moral army in the world and uses it as an excuse to put pressure on Palestinian resistance groups and absolve itself of responsibility arising from the wars. Wars have different outcomes: some end with the surrender of one side, some with regime change, some with victories in the devastated territory, and some without occupying any territory. In some cases, the war continues with resistance from both sides, and sometimes it is pursued in unconventional ways, and sometimes it ends with the intervention of international organizations. Michael Walzer calls wars that are fought to prevent aggression just and wars that are waged in an unjust manner (Williams and Caldwell, 2006: 315). Mohammadi (1387: 47) Walzer believes that the correct definition of justice plays an important role in a just war because each of the parties to the conflict considers the other party sufficient according to its own criteria (Walzer, 1977: 74). He attaches great importance to the lives of individuals who have been formed within a society over many centuries and believes that if a nation values a common life in a political society, then they can defend that society and the life that is going on in it. According to him, people after For centuries, people have been giving up part of their freedom to political institutions to ensure the sustainability of freedom for all. Michael Walzer is one of the defenders of the Zionist regime based on the just war theory. Of course, Walzer has also changed his thoughts and approaches in his support of the Zionist army and has criticized their unjustifiable military behavior. In the big picture, however, he is still a philosophical and moral defender of this army. In fact, Michael Walzer introduces the Zionist army as the most moral army when the world's academic movements protest and boycott the brutal actions of the Zionist regime. Walzer defends the militarism of the Zionist regime. Therefore,

Walzer's defense of the militarism of the Zionist regime represents the entry of a new stage in the field of political philosophy and is also considered part of the moral charter of the Zionist army based on his theories. The claim that the Zionist army is the most moral army has its roots in identifying Palestinians as terrorists.

This regime considers itself a moral army under the title of fighting terrorism and calls it Walzer, stating that terrorists do not have the right to determine their own destiny in principle, so Hamas' actions are terrorist and illegal, while Walzer declares the legitimacy of states to enter into war the right to defend their citizens, so he should not make such a claim simply without examining the acceptability of the Hamas Islamic resistance movement among the Palestinians. Hamas currently represents a legitimate state based on democratic principles, which gives it the right to take action to ensure the security of its citizens. Pakdaman et al. (13:1400) Walzer justifies the actions of the Zionist regime's army based on the principle of self-defense and in this regard names three conditions for the legality of starting a war with the aim of self-defense, which include components such as:

- 1.The presence of a specific intention on the part of the enemy to cause harm.
- 2.The presence of an active readiness on the part of the enemy to convert the above intention into effective harm.
- 3.There are circumstances in which, if no attack is made, the probability of defeat is high (Pakdaman et al. 10:1400).

However, based on the table below and an examination of the statistics of the dead and wounded in the October 2023 war, which indicates an increase in the number of dead The issue of observing ethics in war by the Zionist regime under the pretext of preemptive action is merely intended to justify the regime's brutal actions.



Table 3. War casualties
(Source: Al Jazeera)

The theory of dirty hands also seeks to evaluate the phenomenon of war from the perspective of moral limits and pitfalls. Historically, this theory dates back to Machiavelli, although its current popularity is largely due to Michael Walzer, who first mentioned it in his influential article entitled *The Political Function of the Problem of Dirty Hands*. The appeal to the theory of dirty hands can be used by all parties regardless of the amount of power and strength, provided that according to this idea, war is a human necessity and is used only in cases of extreme urgency and to end the war. Of course, according to Walzer, it is neither legitimate nor necessary except in cases where national life is at stake. Chamani (2018:16) According to this theory, the human resort to using this tool of violence to end the war and bloodshed is considered a necessity that must be used by the legitimate parties in the war, not the illegitimate parties, in which case the illegitimate parties may pursue inhuman goals by resorting to this theory. The application of this theory certainly includes Hamas's efforts to end years of war and humiliation and killing by the Zionists in the form of war. Justifies the storm of Al-Aqsa, as mentioned above, the illegitimate party's recourse to this type of

theory that justifies any action, ultimately, as what the Zionist regime has done in the residential area of Gaza, from attacking medical centers to targeting schools, shows that the Zionist regime uses every inhumane action to destroy Gaza. The Zionists know very well that in Islamic ethics, war is defensive, not offensive. Muslims do not fight with the intention of conquering the country and violating the rights of non-Muslims, but rather the Muslims' struggle is to preserve the existence of the Islamic community and defend their land (Hatefi et al., 213:1396).

3.4. Human Rights Violations in War October 7, 2023

Human rights, as a tool for ending conflicts and creating peace, have always been the focus of many conflicts in human history (Fadhaeli and Kaushari 1998:1400). In Islam, too, due to its transcendental approach, human rights and the law of war have a special place. The concept of human rights in war has been highly prominent in both the Quran and the Prophet's life. Faqih Habibi (1394:171) The protection of human dignity and human rights is deeply rooted in divine religions, especially Islam, and cultures. However, in the international human rights system, it has a Western origin that has been influenced by specific ideas and schools (Kadhdhodai and Saed 1394:55). The right to self-determination is one of the fundamental principles of human rights that allows nations to determine their political destiny without foreign intervention. This right is known as an inherent and natural right. The idea of self-determination has its roots in the American Declaration of Independence in 1776 and the French Declaration of the Rights of Man and Citizen in 1779 (Cassese, 1995: 11). Common Article 1 of the International Covenant on Civil, Political, Economic, Social and Cultural Rights (ICCPR) recognizes the right to self-determination for all peoples (Habibzadeh, 2016:830). The right to resist an occupier is not explicitly stated in the Charter of International Law. However, the right to struggle and the right to resistance of peoples under the domination of foreign powers are recognized in regional human rights documents. In Article 20, paragraph 2, of the African Charter on Human and Peoples' Rights of 1981, after declaring that peoples have the inalienable right to self-determination, it stipulates that all peoples subjected to colonialism and oppression have the right to liberate themselves from domination by any means recognized by the international community. The right to resistance in its broadest sense can be deduced from the concepts of human rights and the natural right to self-determination. The occupying power has the right to resort to legitimate defense only within its own territorial territory, not in occupied territories. The right to resistance is a means and an approach to ending the occupation. Maqami Shirzad

(39:1402) (38) In fact, being a nation is considered a condition for enjoying the right to self-determination. Farrokhzad (231:1402) After the collapse of the Ottoman Empire and the developments that followed, many countries considered Palestine to be an independent nation with the right to self-determination. In 1988, in Algeria, the Palestine National Council issued a declaration of independence, announcing the establishment of this independent state. In light of what was said, the Palestinian people have the right to self-determination, a right that has been denied to the Palestinians due to years of occupation by the Zionist regime. The right to self-determination is also linked to anti-colonial struggles and confirms the legitimacy of the Palestinian people's resistance to occupation. The Palestinians, under Israeli occupation, seek independence and the establishment of their own state, which requires an end to the existing colonial situation. The International Court of Justice also emphasizes that the continued occupation violates the right of the Palestinians to self-determination and that any solution must be based on the principles of decolonization. The Palestinian struggle is not only legitimate, but also internationally recognized for its support. Accordingly, the October 7, 2023 war can be considered a turning point in the history of the anti-colonial struggles of the Palestinian people. The anti-colonial struggles of the Palestinian people, especially in contemporary history, include uprisings and armed resistance against Israeli occupation. These struggles have continued since the Arab uprisings in the 1930s to the recent intifadas and operations such as the October 7, 2023 attack. Palestinian leaders have interpreted these actions as the legitimate right of the people to freedom and to confront genocide and ethnic cleansing. Given the principle of the peremptory nature of the right to self-determination and the erga omnes nature of the obligations arising from it, and the violation of these rights by the occupying power, the Zionist regime, creates a responsibility for negative and positive obligations for the international community. States must refrain from recognizing the illegal situation of occupation and not assist the occupying power in maintaining this situation, and in order to end the violation of legal rules and occupation, they must provide them with material and moral assistance in order to support the occupied nation. Habibzadeh 2016: 850) Violations of human rights in Palestine, especially in Gaza, are a serious issue that includes numerous cases, including the killing of civilians, illegal arrests, and the destruction of infrastructure. In the more than half a century since the occupation of Palestine, the Zionist regime has severely damaged human rights in Gaza.

According to Al Jazeera, the latest death toll from the war as of October 7, 2023 is 43,362 Palestinians and 1,139 Zionists. The Gaza Health Ministry announced that more than 42,500 Palestinians have been killed in Israeli attacks. According to the latest data from the United Nations Office for the Coordination of Humanitarian Affairs, the World Health Organization and the Palestinian Authority, the Israeli attacks have caused damage as of October 20. These crimes, which were first announced by Israeli sources as the most horrific Jewish experience since the Holocaust, should be considered as a principle to better understand the war between Israel and Hamas. By seducing Israel's power, it considers the brutal attack on Gaza morally just and necessary. On the other hand, based on the power of refusal, Israel's war against the Palestinians did not begin on October 7, but rather with the establishment of the Zionist regime in 1948, and includes not only the escalation of Israeli violence but also many ineffective efforts to resist Israeli expansionism. In media discussions, anyone familiar with the history of modern Israel knows that the success of the Zionist project - the creation of a Jewish-majority state in a land previously populated mostly by non-Jews - required the death or expulsion of large numbers of indigenous Palestinians from their homes and occupation. However, based on the policy of seduction of power, the aggressor regime, by likening Hamas's actions to the Holocaust, prevents people from making moral judgments about the regime's crimes against the oppressed Palestinian people. Therefore, in order to draw a more appropriate framework for understanding Israel's war against Hamas than that used by the contemporary Western mainstream media, as a defense against an existential threat to the Jewish state, and for understanding some aspects of the power of an expansionist Israel, as well as for thinking about possible futures, it must be acknowledged that "war" is usually understood as a conflict between independent states. The Israel-Hamas war is characterized by attacks motivated by Palestinian hatred of Jews on the one hand, and by the Jewish state's defense against a military organization called Hamas that is determined to destroy all Jews on the other. The deadly struggle that has been going on for decades between unequal forces is more than an attack and a defense, and is characterized as a continuous process of exclusion and violent repression by a very powerful state on the one hand, and an unsuccessful attempt by the excluded and repressed to escape from that process on the other. The ruthless killing of civilians and the destruction of their habitats, including hospitals, schools, universities, churches, etc., simply create more resentment among the Palestinians, and thus increase their determination to resist Israeli aggression by joining the Hamas militia. However, the Israeli punishment of the people

of Gaza actually began long before October 7, 2023. A large part of the population of Gaza is made up of the children and grandchildren of refugees who were forcibly expelled from the territories occupied by the Zionist regime in 1947-1948 by the Zionist regime forces.

Conclusion

Due to the long-term occupation of Palestine and the annexation of the occupied territories since 1967, which was carried out with the aim of changing the population composition with a discriminatory practice against the original inhabitants of Palestine, resistance groups such as Hamas will have the right to armed resistance against the Zionist regime in order to exercise the right to legitimate defense of their citizens, from a moral, legal and humanitarian point of view. Therefore, the deliberate attacks of the angry Zionist regime, without considering the principle of separation between soldiers and civilians, as well as the failure to observe the principle of necessity in war and the use of the lever of starvation, sanctions, closing the borders to prevent the entry of everything necessary for the people of Gaza, using Palestinian prisoners as human shields as a war tactic, bombing hospitals, schools, and civilian gathering centers are recognized as war crimes or genocide and are also subject to criminal prosecution. Since the main question of the research was to evaluate the conflict between Hamas and Israel from a moral perspective and with a view to the theory of just war, by examining the theories of Al-Farabi and Michael Wallers, we arrived at the hypothesis that in this war, the Zionist regime against the oppressed people of Palestine, since October 7, 2023, has witnessed repeated violations of ethics in war and all regulations and laws of war. In such a way that it can be stated; Blind and disproportionate attacks, measures to prevent people from receiving humanitarian aid, the martyrdom of more than 42,000 people, most of whom were women and children, and more than 98,000 injured, the use of Palestinian prisoners by Israeli soldiers to enter mined buildings to find hidden explosives and booby traps, forcing them to remove or move equipment such as power generators and water tanks located in tunnels that Israeli soldiers themselves fear being in, the bombing of media centers, the Israeli airstrike on a school affiliated with the Relief and Employment Agency for Palestinian Refugees in Gaza and Rafah city, and the killing of UN forces in the Israeli regime's attacks, all of which are interpreted as violations of the laws and regulations governing war and the ethics of just war.

On the other hand, the unconditional support of the US, UK, French and German governments for the regime's aggressive actions against a small

and relatively weak resistance group in an occupied and poor land has unfortunately been perceived by the Israelis as a seduction of power and used as a justification for Israel's repeated crimes as a defense. In short, what has happened today is not a war, but seventy-five years of intermittent punitive attacks on one side that inevitably turned into genocide, with relatively unsuccessful non-violent and also violent resistance on the part of the Palestinians, to the extent that a young man named Aaron Bushnell, a member of the US Air Force, declared that he could no longer morally tolerate his democratic government's complicity in the genocide in Gaza, and therefore set himself on fire in front of the Israeli embassy in Washington, hoping to shock Washington with this action. For him, achieving moral truth was more important than life itself. Bushnell seems to have understood that a policy of absolute security leads to the abandonment of all real moral principles.

References

- Abedinejad, Atiyeh (2014), The Ethics of War and Peace and Its Comparison with Islamic Jihad, Master's Thesis, Qom: Department of Theology and Islamic Studies.
- African (Banjul) Charter on Human and Peoples' Rights²⁷, June 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force 21 October 1986. available at: http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf.
- Ahmadi Hamid (2011) The Roots of the Crisis in the Middle East, Tehran, Kayhan Institute Research Office
- Ahmadi Hamid (2012) Politics and Government in the Middle East, West Asia and North Africa, Tehran: Ney Publications
- Alosman, M. I. M. & Sawalmeh, M. (2023). Psychological Operations and Their Ethical Implications in Phil Klay's Redeployment. *Jordan Journal of Modern Languages & Literatures* 15, (4) 1413-1426.
- Alqaisiya, W. (2023). Beyond the contours of Zionist sovereignty: Decolonisation in Palestine's Unity Intifada. *Journal of Political Geography*, (103) 593-612.
- Arayesh, Mansouri, Mehran Rahimi, Emad Seyed Reza. (2012). Theory Just War in Islam and Peace Islamic Research and Studies, 36(4), 93-103
- Asad, T. (2024). Reflections on the Israeli-Palestinian conflict. *Humanity: An International Journal of Human Rights, Humanitarianism, and Development*, 15(2), 139-158.
- Bagheri, Haqiqat Seyyed Sadeq (2013) Just War Theory in the Political Philosophy of Saint Augustine *Fundamental Western Studies*, 8(4), 23-50
- Balbali Ghadikalai Parsania (2014) The Role and Position of Reason in Ethics from the Perspective of Farabi *Quarterly Journal of Revelation Ethics*, 4(1), 81-98.
- Bardbar, Alishahi (1403) Analysis of the Paradigm Shift of the Hamas Movement in the October 7, 2023 Operation Changing the Approach of Defense to Offense *Crisis Studies of the Islamic World*, 10(2), 82-114
- Botha, A. (2023). Moral injury: not only an injury of war—feminist pastoral approach. *Stellenbosch Theological Journal* 9, (2) 1-15.
- Cahill, L. S. (2024). Just War as a Theory, Just Peace as a Virtue. *Studies in Christian Ethics* 09539468241257764.
- Carlman, A. J. (2021). Just War Theory in the Domain of Space. The Catholic University of America.

- Cassese, A. (1995). *Self-determination of peoples: A legal reappraisal*. Cambridge University Press.
- Cody, Cecil Anthony John (2014), *The Problem of Dirty Hands*, translated by Maryam Khodadadi, Oxford University Press.
- Cody, Tony (2009), *The Conflict of Politics and Ethics in the Problem of "Dirty Hands"*. *Quarterly Journal of Applied Ethics Studies*, 5(18), 161-207.
- Cohen-Almagor, R. (2022). *Michael Walzer's Just War Theory and the 1982 Israel War in Lebanon: Theory and Application*. *Israel Studies* 27, (3) 166-189.
- Dr. Ayoub Mohammad (2015) *The Middle East from Collapse to Ordering* Translators Bahrami Moghadam Sajjad and Zibaei, Mehdi First Edition Publisher Strategic Studies Research Institute
- Ellner, A. (2023). *Ethics of Conflict, Violence and Peace—Just War and a Feminist Ethic of Care*. *Conatus-Journal of Philosophy* 8, (2) 147-173.
- Emami Kopaei (2012) *Farabi's Just War Theory Islamic History and Civilization*, 17(3), 95-128
- Emami Kopaei Amir Hossein Adalat Nejad, Najafzadeh (2019) *Farabi's Philosophical Index of Jihad Islamic History and Civilization*, 30(15), 33-69
- Faghih Habibi (2015), *Armed Conflicts in the Middle East and Violations of Islamic Laws of War*. *Contemporary Political Essays*, 6(17), 171-190.
- Farrokhzad, Mahsa (2015), *Evolution of State Formation Elements with Focus on the Issue of Palestine*, PhD Thesis in International Law, Faculty of Law and Political Science, University of Tehran.
- Fazaeli, Mustafa, and Kausari, Vahid. (1400). *The Theory of Legal War and the Future of International Law: Is Law an Instrument of Peace or War?*. *Journal of Legal Research*, 24(93), 193-214. SID. <https://sid.ir/paper/1063986/fa>
- Ghasemi, Dilmoghani. (2019). *The Ethics of War from the Perspective of Imam Khomeini*. *Journal of Islamic Revolution*, 9(30), 131-147.
- Gholamali Pourdezfuli, Al-Boye (2022), *A Critical Study of the Moral Perspective of Prescriptive Realism of War*. *Quarterly Journal of Ethics Studies*, 5(1), 125-148.
- Habibzadeh, Tawakol (1395), *Basing the Resistance of the Palestinian People on the Right to Self-Determination and the International Community's Obligations Towards It*.
- Hadžić, F. (2023). *Governing The International Wars; Theory, Legislation, Human Rights, Critical Human Security, And Ethics*.

- Equinox Journal of Economics Business and Political Studies10۰ (2) 160-193۰.
- Hati, Maryam, Nami, Mohammad, Ezzati, Ezzat-Allah (2017), Analysis of the Potentials of Islamic Ethics in Palestinian Jihadist Protest Movements Against Israel's National Security Doctrine, Quarterly Journal of Ethical Studies, 29(8), 213-243.
- Hosseini Akbarnejad, Haleh (1403), Establishing Gross Violations of Human Rights and Committing International Crimes against the People of Gaza Before and After October 7 in the Practice of Human Rights Institutions. Political Studies of the Islamic World, 13(1), 139-167.
- Hosseini, Bagheri Dolatabadi, Aminipour, Sarah (1402). Comparing the Just War in the Thoughts of Saint Augustine, Michael Walzer, and Contemporary Shiite Jurists. Quarterly Journal of Social Theories of Muslim Thinkers, 13(1), 55-71.
- Kadkhodaei, Saed. (2012). The International Human Rights System and Soft War. Quarterly Journal of Cultural Strategy, 4(16), 55-76.
- Kober۰A. (2015). Practical soldiers: Israel's military thought and its formative factors (Vol. 107). Brill.
- Langhausen, Mohammad (2008). Islam and the Just War Theory, Journal of Religious Thought, 10(26), 3-34.
- Lazar۰S. (2017). Evaluating the revisionist critique of just war theory. Daedalus146۰ (1) 113-124۰.
- Lazar۰S. (2017). Just war theory: Revisionists versus traditionalists. Annual Review of Political Science20۰ (1) 37-54۰.
- Maghami, Amir, Shirzad, Omid (1402), The Right to Resist Occupation; With Emphasis on the Situation of Palestine. Legal Studies, 16(1), 1-42.
- Mahdavian, Alireza, Eftekhari, Asghar (1398), Indicators of Just War in the Military Conduct of the Commander of the Faithful (PBUH). Islamic History Research Institute, Quarterly Journal of Islamic History Studies, 10(38), 161-187.
- McMahan۰J. (2004). The ethics of killing in war. Ethics114۰ (4) 693-733۰.
- Mohammadi Monfared, Hassan (2023), A Study of the Results of Operation Storm Al-Aqsa Based on the Military Doctrine of the Zionist Regime. Strategic Ecology Quarterly, J. A. Iran, 7(3), 173-202.
- Moradzadeh, Sedighe, Shakeri Khoei, Ehsan (2016), The Crisis of the State-Nation Building Process and Its Role in the Formation and Development of Religious Fundamentalism in the Middle East (Case Study of Iraq and Syria). Sociological Studies, 9(31), 123-136.

- Mosalnejad, Abbas (1403), Regional Crises, Gaza War and the Political Future of the Islamic World, *Crisis Studies Quarterly, Islamic World*, 11(2), 30-53.
- Nagy, G. D. (2023). Can War Be Just? A Case Analysis Attempt on the Russia-Ukraine War Sine Ira Et Studio. *Open Journal of Philosophy* 13, (02) 407-417.
- Nejatsalar, Atefe, Mohammadi, Mahdi (1403), Representation of the Israel-Gaza War in the Media (Study of IRNA News Agency, BBC Persian Website, Al-Arabiya Persian Website and Deutsche Welle Persian Website), *Quarterly Journal of News Sciences*, 13(1), 1-22.
- Noormohammadi Najafabadi, Mohammad, Masoumi, Mohsen, Musapour Bashli, Ibrahim, Farajihay Qazvini, Mohammad Hussein (2018), Just War Theory and Ethics in War Among Muslims (Based on the Manners of War. *Islamic History and Civilization*, 14(No. 1), 97-128.
- O'CALLAGHAN, R. O. N. A. N. (2013). Secular theology and noble sacrifice: The ethics of Michael Walzer's just war theory. *Review of International Studies* 39, (2) 361-383.
- Orend, B. (2000). Michael Walzer on resorting to force. *Canadian Journal of Political Science/Revue canadienne de science politique* 33, (3) 523-547.
- Pakdaman, M., Shafiei Ghahfarokhi, O., & Farhadi, R. (2022). A Critique of Ethics of War in the Israeli Defense Forces (IDF). *Political studies of Islamic world* 10, (4) 1-16.
- Palestine National Council (1988), Declaration of Independence, Algiers 15 November
- Peperkamp, L. (2020). A just and lasting peace after war.
- Rousseau, Charles (1939), *The Law of Armed Conflicts*, translated by Seyyed Ali Hanjani, first edition, Tehran: International Legal Services Office of the Islamic Republic of Iran.
- Shabibi, Seyyed Abdolrasoul (2008). *Revival of the Just War Theory*, Master's Thesis in International Law, Tehran: Faculty of Law, Shahid Beheshti University.
- Švaňa, L. (2023). War and peace as consequences of human nature? *Ethics & Bioethics* 13, (1-2) 72-82.
- Swadi, Esmat, Asadi Koohbad, Mansouri, Kiyomars (1969), A Rational Analysis of the Concept of Jihad from the Perspective of Farabi, *Quarterly Journal of Intellectual Explorations*, 2(2).
- Tohidi, Ahmad Reza (1402), Violations of Human and Humanitarian Rights by the Zionist Regime against the Palestinians since October 7, 2023. *International Legal Journal*, 40 (No. 71 (Fall)), 203-218.

- Walzer, M. (1977). *Just and unjust wars: A moral argument with historical illustrations*. United States: Basic Books.
- Watkins, H. M., & Goodwin, G. P. (2020). A fundamental asymmetry in judgments of soldiers at war. *Journal of Experimental Psychology: General* 149, (3) 419.
- Williams Jr, R. E., & Caldwell, D. (2006). Jus post bellum: Just war theory and the principles of just peace. *International studies perspectives* 7, (4) 309-320.
- .

