

**“Don’t ask me to be nonviolent unless you
have demanded the same from my oppressor”:
Armed Resistance and the Right to Self-defence**

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Abstract:

In this paper, I raise the question of whether forms of armed resistance to oppression have legal legitimacy and are part of a historical tradition. Focusing on African-Americans’ resistance to oppression from the late 1950s to the early 1970s and Palestinians’ resistance in the Gaza Strip during the Israeli attack in the summer of 2014, I argue that armed struggle should indeed be considered a legitimate expression of resistance whose goal is to counteract the violence of the oppressor, a violence that is seldom questioned in mainstream discourse. In particular, I question why the resistance of the oppressed is only accepted as valid when it is manifested nonviolently. I question “who” is permitted to use violence, in what contexts and spaces, and to protect whose interests. I argue that, despite the rhetoric around the equality of all human beings, some individuals continue to be assessed as possessing more rights than others based on race. White violence is seldom questioned, while the racialized “other” is considered potential threat whose cause can only be embraced when appealing to principles of nonviolence.

Introduction

On July 8, 2014, Israel started Operation Protective Edge (OPE), an attack on the Gaza Strip that, according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), resulted in 2,131 Palestinians dead, many more injured, 110,000 internally displaced persons, 18,000 housing units destroyed or severely damaged, and the infrastructure almost entirely collapsed (United Nations Office for the Coordination of Humanitarian Affairs [OCHA], 2014). For the next 51 days, the world watched while a

caged population was slaughtered. Although thousands protested against this massacre, the United Nations (UN) and individual states pleaded for restraint, yet stood by Israel's right to defend itself against rocket attacks from Hamas, the military and political movement in control of the Strip. As the days went by, Israel lost international public support as sections of civil society condemned the Israeli Defense Forces' (IDF) ruthlessness and advocated for unarmed resistance, first and foremost through the Boycott Divestment and Sanction (BDS) movement launched in 2005 by a majority of Palestinian society unions, political parties, and organizations (Barghouti, 2011). Since the summer of 2014, the movement has grown exponentially and it is being widely perceived as the alternative that will bring liberation to the Palestinian people.

As someone who has friends in Gaza, I participated in several rallies in Toronto to denounce the Israeli onslaught and the uncritical support that the Canadian government offered Israel. I welcomed the fact that increasing numbers of people embraced the BDS movement. At the same time, I felt that something was missing. On July 26, 2014, I joined the Al-Quds rally in front of the Ontario provincial legislature. Approximately 25,000 people belonging to a plurality of organizations and a broad range of faiths were in attendance. I listened to activist Eva Bartlett speak about the Palestinians' right to resist: "To expect Palestinians being bombed to simply say, 'I'm not buying Zionist hummus,' and *not* resist by any means possible is patronizing and colonial" (2014). Finally someone said it. What had been missing was a discussion around the rights of the Palestinians to defend themselves by any means deemed necessary. In fact, that conversation had not happened at all, and even those who were protesting the Israeli attack emphasized how it was essential for the Palestinians to rely on nonviolent forms of resistance, most importantly BDS. Violence was taboo in the pro-Palestinian movement. Peace was the way forward, and BDS was its symbol. I could not accept it. Not when my friends had lost limbs and lives.

In this paper I question whether armed resistance to oppression has legal legitimacy and is part of a historical tradition. I also discuss the dehumanization of the oppressed, a dehumanization that legitimizes the violence exerted on them but not the violence coming in response. Focusing on African-Americans' resistance from the late 1950s to the early 1970s and Palestinians' resistance in Gaza during the summer of 2014, I argue that armed struggle is indeed a legitimate expression of resistance. In particular, I question why the resistance of the oppressed is only accepted as valid when it is manifested nonviolently, and who is permitted to use violence, in what contexts and spaces, and to protect whose interests. I argue that, despite the rhetoric around the equality of all human beings, white Western society assesses some individuals as possessing more rights than others based on race. White violence is seldom questioned, while the racialized "others" are considered potential threats whose cause can only be embraced when expressed nonviolently.

This paper is part of a larger project that investigates how armed struggle has been employed by the oppressed in Algeria during the struggle against French colonialism, in Cuba throughout the revolutionary movement against Batista, in South Africa during apartheid, in the United States (US) throughout the Black struggle against Jim Crow in the South and discrimination/ghettoization in the North, and in the Gaza Strip against Zionist occupation. In this paper, the focus is on the US context because it allows me to emphasize how Western (particularly North American) discourse is imbued with an understanding of racialized persons as outside the normative standard of whiteness. My analysis does not assess which form of resistance (armed or unarmed) is more effective, it only deals with the issue of legitimacy. Throughout the paper, I use "armed resistance" to indicate "individual and collective use of force for protection, protest, or other goals of insurgent political action and in defence of human rights. Armed resistance includes armed self-defence, retaliatory violence, spontaneous rebellion, guerilla warfare, armed vigilance/enforcement, and armed struggle" (Umoja, 2013: 7). The analysis is comparative in nature. Comparativeness, popular in

critical race studies, aims at not simply assessing similarities and differences between the experiences of separate ethnic groups, but at developing new understandings of how “racialization operates in a relational manner” (Tiongson Jr., 2015: 36; see also Lubin, 2014). This approach can be the basis for coalition-building. In this paper, I do not suggest that the experiences of African-Americans in the 1960s are alike to those of Gazans in 2014, yet I suggest that they are relatable insofar as they are both products of colonialism (Lubin, 2014). As Foucault noted, racist thinking is a direct outcome of colonization, since the distinction among races and their hierarchical organization represent the “precondition for exercising the right to kill” (2003: 256), killing being understood as including political death and expulsion. According to Foucault, racialized individuals and groups become those “others” the colonizer can justifiably eliminate by appealing to racism. The killing (real and metaphorical) of Black bodies in the US and Palestinians bodies in Gaza is acceptable because it is presented through a colonial framework predicated on the value of certain lives and the devaluation of others.

The paper starts by examining the right of a people under occupation or colonial domination to use force in pursuit of liberation. While far from exhaustive, this section provides insights into the international legal framework surrounding the rights of the oppressed to resist their oppressor. The second part of the paper examines the historical precedents for armed resistance, focusing on African-Americans’ armed resistance from the late 1950s to the early 1970s. I then turn to the situation of the Palestinians in Gaza to explore what connections could be drawn between the two struggles. The paper concludes with a reflection on how white Western discourse assesses armed resistance, and suggests that the choice between violent or nonviolent resistance must be left to those who are in the struggle.

The Right of Armed Resistance

Despite Israeli claims that the West Bank and Gaza are not occupied because there was no clear sovereignty entitlement before Israel took control (Friel and Falk, 2007; Roberts, 1984), the Palestinian

territories that Israel invaded in 1967 are in fact occupied according to international law. The UN Security Council recognized this reality when, on November 22, 1967, it passed Resolution 242, demanding that Israeli armed forces withdraw from “territories occupied in the recent conflict” (United Nations Security Council, 1967). In 2004, the International Court of Justice validated this interpretation in its Advisory Opinion on the construction of a wall in the “Occupied Palestinian Territory” (International Court of Justice, 2004). Several UN resolutions have been passed at the General Assembly and the Security Council to reiterate this point.

As noted by Ben-Naftali et al. (2005), the international legal order rests on the principle of sovereign equality between states, and that sovereignty is vested in the people who enjoy the right to self-determination. The latter cannot be exercised when an occupying army controls the territory. Within a framework predicated on the sovereign equality between states, occupation represents the exception that deviates from the norm. Since the sovereignty vested in the people is an inalienable principle of international law, occupation is envisioned as temporary. The moment it becomes permanent, it breaks down the above-mentioned framework and becomes illegal. The Fourth Geneva Convention of 1949 (to which Israel is a signatory) makes this clear under Section III which deals with occupied territories (International Committee of the Red Cross, 1949). Israel has maintained its occupation since 1967 and shows no intention of ending it; hence, we are dealing with an occupation that must be regarded as illegal (Ben-Naftali et al., 2005; see also Falk and Weston, 1991).

The state of Israel contends that, even accepting that the West Bank and the Gaza Strip were occupied in 1967, Gaza has not been occupied since 2005, when then Prime Minister Ariel Sharon ordered the withdrawal of all settlers living on the land and of the IDF. This claim is spurious, because, as John Dugard (2014), former UN special rapporteur on human rights in the occupied Palestinian territory, noted in a piece for *Al Jazeera*, while Israel withdrew its

settlers and military forces from the Strip, it retains control of the land, airspace, and territorial waters. International law establishes that the test for occupation is effective control. Whether or not Israel is physically present in Gaza is irrelevant. This finding is corroborated by the 2009 Goldstone Report, a fact-finding UN mission established to investigate alleged violations of humanitarian law during the 2008-2009 Operation Cast Lead that Israel conducted against Gaza. Paragraph 187 of the report acknowledges that “[i]n addition to controlling the borders, coastline and airspace, after the implementation of the disengagement plan, Israel continued to control Gaza’s telecommunications, water, electricity and sewage networks, as well as the population registry, and the flow of people and goods into and out of the territory” (United Nations General Assembly, 2009). By the standards of international law, the Gaza Strip remains therefore under occupation.

The reality of the occupation is important to my argument because it sheds light on how to contextualize resistance movements. Before World War II and the passing of the Geneva Conventions in 1949, legal experts overwhelmingly supported the theory that international law imposed a duty of obedience on the occupied people. However, writing in 1950, Richard Baxter argued that modern law has evolved and recognizes no “duty of obedience founded on any legal or moral obligation with which international law concerns itself” (1950: 243). Baxter contends that if there is any duty of obedience to the occupier, its source can only be found in the power of the occupier, not in international law. Hence, the occupied has no obligation to obey and, if anything, has a right to resist the occupier.

Since the time Baxter was writing, new developments in international law have further reframed resistance as a right of the occupied. As pointed out by Noura Erakat in *Jadaliyya* (2015) and by Marc LeVine and Lisa Hajjar in *Al Jazeera* (2012), people living under occupation and colonial domination have a right to use force in pursuit of their self-determination as per Article 1(4) of Additional Protocol I to the Geneva Conventions of 1949 passed on June 8, 1977

(International Committee of the Red Cross, 1977). Article 1(4) of the Additional Protocol refers to the 1970 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 1970 General Assembly Resolution 2625(XXV), October 24, 1970. The Declaration establishes that “[i]n their actions against, and resistance to, such forcible action in pursuit of the exercise of their right to self-determination, such peoples are entitled to seek and to receive support in accordance with the purposes and principles of the Charter” (United Nations General Assembly, 1970). Both documents provide legal justification for armed resistance and follow in the steps of the Declaration on Granting Independence to Colonial Countries and People, 1960 General Assembly Resolution 1514(XV), December 14, 1960 (United Nations General Assembly, 1960), which legitimizes national liberation struggles.

Having established that international law recognizes the right to armed resistance, I now focus on how armed resistance was contextualized and occasionally employed by African-Americans from the late 1950s to the early 1970s, both in the Deep South and in the Northern ghettos of the US. I then look at armed resistance as employed by Palestinians during OPE and try to draw some connections between the two struggles. I discuss how the white Western perspective has framed both struggles as illegitimate in consequence of the nonhumanity of the racialized actors involved.

African-American Resistance

The US is a peculiar case as, on the one hand, settlers displaced and attempted to eliminate through genocide the native population, while on the other, imported a new population that was enslaved to the benefit of the settlers. In both instances, there is a plethora of examples in which the oppressed resisted, often through armed insurrection. In this paper, I concentrate on African-Americans’ resistance from the late 1950s to the early 1970s because, in my opinion, this phase of the struggle has been largely misrepresented. The literature on this period tends to broadly separate two modes of

resistance: a militant one, embodied by Malcolm X and subsequently by the Black Panther Party (BPP), and a peaceful one, embodied by Martin Luther King Jr. and organizations such as the Student Nonviolent Coordinating Committee (SNCC), the Southern Christian Leadership Conference (SCLC), and the Congress of Racial Equality (CORE). I agree with James H. Cone (1991/2012) that the two modes were not as far apart as suggested in current white Western discourse.

Across the world, Malcolm X remains a symbol of the African-American struggle against white racism. Born as Malcolm Little, after a life of petty crime, he converted to the Nation of Islam (NOI) while in prison, changed his name to Malcolm X, and once paroled was appointed minister and spokesman for the NOI. While in charge of the organization across the country, Malcolm's turf base remained New York City, particularly Harlem, where his influence was felt not only during the time of his ministry in the NOI, but also after the break-up with the organization in 1964 and the creation of two new groups, the religious-based Muslim Mosque Incorporated (MMI), and the secular Organization of Afro-American Unity (OAAU). In this paper, I focus on Malcolm's position regarding violence as self-defence. Despite a widespread public perception of Malcolm as a violent radical, his embrace of armed resistance, best symbolized by his call to fight oppression "by any means necessary" (1970/1992: 41), was framed in the context of self-defence rather than aggression. Malcolm recognized that the issue was never armed resistance per se, but the legitimacy that was being conferred upon or withheld from those who were resisting. He understood that white America was not concerned with the use of violence, but with the use of violence by those who were not white and, by reason of their colour, undeserving of the right to defend themselves. When Malcolm (1964/1999) reclaimed for African-Americans the constitutional right that white Americans had enjoyed and defended of carrying weapons for protection, the reaction was pure shock because white America could not even conceive of a non-white person asking for such a right. The difficulty white America faced was not in recognizing a human being's right to self-defence, but the fact that non-whites were human

beings in the first place and could therefore reclaim such right. As noted within critical race theory scholarship, the question of rights is of paramount importance insofar as these rights have never belonged to racialized people, but have always been conferred or withheld by whites (Bracey, 2015). In most cases, only those rights that were not impinging on the supremacy of whites have been conferred to people of colour. The experiences of Blacks in the US and Palestinians in Gaza show that when rights are the oppressor's to give, they are nothing more than charity.

Malcolm X was adamant that the central issue for the oppressed was liberation, and that the means to achieve that liberation were of secondary importance. In *Martin & Malcolm & America*, Cone quotes Malcolm: "When a man is on a hot stove, he says, 'I am coming up. I'm getting up. Violently or nonviolently doesn't even enter the picture'" (1991/2012: 306). Violence was a tool to survive in a racist society. Malcolm arguably believed that violence was the most effective option available to African-Americans, yet he also showed flexibility regarding other tactics, particularly after his break from the NOI. His efforts to connect with Martin Luther King Jr. may be interpreted as recognition that violence was only one of the alternatives available. Unfortunately, he was killed the week before a tentative meeting was to take place (Cone, 1991/2012).

Malcolm lived in a society where the issue of who could use certain means with legitimacy was assessed on the basis of one's colour. His struggle for liberation, therefore, had to start by reclaiming the legitimacy of fighting back, a right that white people took for granted but eluded African-Americans. Malcolm's enormous contribution was his effort to internationalize the African-Americans' struggle, thus moving it from the realm of civil rights to the realm of human rights. A system that only allows whites the human right to self-defence is a system that has already decided that persons of colour are non-humans. The problem such a system presents can only be solved reasserting the humanity of non-whites. Malcolm recognized that real change could only come by "forgetting about civil rights,

which were America's to grant or withhold, and recasting the movement as a struggle for human rights, which belonged inalienably to everybody everywhere" (Goldman, 1973/2013: 157). This meant stop begging for inclusion and start demanding recognition of one's humanity. Within Critical Race Theory, the issue of who is considered human remains central given that racialized persons have systematically been considered outside the category of the human (Crichlow, 2015). The first step must therefore consist in reasserting the inherent humanity of racialized individuals.

After Malcolm's assassination, his legacy was carried on by, among others, the BPP that emerged in Oakland, California, in 1966. While the contribution of the Party cannot be reduced to its approach to armed resistance, the latter remained an important component of the Party's program. In the spirit of Malcolm, the Party reaffirmed that violence was among the means to resist the daily institutional and individual oppression of African-Americans. The BPP's Ten-Point Program extended the call to make use of "any means necessary against their aggressors" to "all the oppressed people of the world" (Newton, 2008: 76). The program was not simply highlighting similarities in the experiences of oppressed groups around the world, but examining their relationality with the goal of developing interconnected strategies of resistance. The BPP called "intercommunalism" its understanding of the linkages of colonialisms across the world and of the possibility for solidarity this created (Lubin, 2014). It is in this light that we need to understand the Party's support for the Vietnamese people. Today, a similar relationality is called into action as when in 2014 Palestinians reached out to Black protesters in Ferguson with advice on how to protect themselves against chemical agents that were being used by the police (Masri, 2015). Similarly, the Movement for Black Lives recently showed support to the Palestinians by asserting in its Platform (2016) that Palestine is under Israeli military occupation, and by connecting the racism Blacks experience in the US and the racism Palestinians experience in Israel and the Occupied Territories. In both cases, activists realize how their experiences are the result of

a racist and colonial system that might have different nuances depending on the national context, but remain based on the assumption that non-whites are inferior and must be controlled.

While Huey P. Newton largely defined the BPP, equally important was the role Stokely Carmichael played in advancing the discussion around who has a right to self-defence and who is deprived of that right because they are unworthy of being considered human. Carmichael started his activism in SNCC, but in 1967, disillusioned by the organization's commitment to nonviolence, he left the group. The significance of Carmichael rests on his contribution to understanding violence not as right or wrong, but as legitimate or illegitimate depending on who uses it. Carmichael argued that the reason why the violence exercised by the oppressed appears unacceptable is not because it is inherently more brutal than the violence exercised by the oppressor. The difference between the two is that the oppressor has the power to "institutionalize and legitimize his violence" (Carmichael, 1971/2007: 157).

Angela Davis, who was arrested, charged, tried, and finally acquitted for the 1970 take-over of a courtroom in Marin County, California, and the resulting death of four individuals, knew quite well that violence was all but a neutral concept. In 1972, before her acquittal, Davis was interviewed in the California State Prison. When the interviewer asked whether she approved of violence, Davis looked incredulous: "You ask me whether I approve of violence? That just doesn't make any sense at all. Whether I approve of guns? I grew up in Birmingham, Alabama! Some very very good friends of mine were killed by bombs, bombs that were planted by racists" (Davis, n.d.). Similarly, in an interview with Jack Barnes and Barry Sheppard of the Young Socialist Alliance granted just before his assassination, when asked whether he embraced violence, Malcolm responded: "The only people in this country who are asked to be nonviolent are black people...I don't go along with anyone who wants to teach our people nonviolence until someone at the same time is teaching our enemy to be nonviolent" (1970/1992: 160). White society persists in

demanding of the oppressed a commitment to nonviolence that it never asks of itself. We need to question why violence is morally and politically unacceptable only when it comes from the oppressed. What is the logic that assigns the use of violence to some but not others? Race thinking, defined as “the denial of a common bond of humanity between people of European descent and those who are not” (Razack, 2008: 6), remains the biggest barrier facing people who are non-white and because of their colour continue to be perceived as other than human. These are the people the oppressor can occasionally pity, but won’t recognize as equal. As noted by Rocco, Bernier, and Bowman (2014), among the most significant contributions of Critical Race Theory scholarship has been to display how the act of racializing a group has served as justification for denying that group the same rights whites enjoy while reaffirming whiteness’ exclusive and uncontested power to exclude.

While the self-defence advocated by Malcolm X and the BPP has been presented in white Western circles as lacking legitimacy, the unarmed resistance of Martin Luther King Jr. and a number of nonviolent groups that operated in coordination with King, is today celebrated in white Western discourse as the correct response to the oppression faced by African-Americans. In the remainder of this section, I show that, particularly in the Deep South where the actions of Dr. King, SNCC, CORE, and SCLC were most effective, nonviolence was not always embraced and certainly was not embraced uncritically. Far from exceptional, the tradition of armed resistance in the Deep South was the rule in the Black Mississippi communities that SNCC and CORE tried to organize throughout the 1960s (Umoja, 2013). The majority of the nonviolent activists who operated in the Deep South relied on the protection that armed Black men provided (Umoja, 2013). Many of those activists, while committed to nonviolence, perceived it as a “useful tactic” rather than a dogma, and were more than willing to give it up whenever self-defence “was considered necessary and possible” (Cobbs, 2014: 8; see also Cone, 1991/2012). As Cobbs observes, while nonviolence was “crucial to the gains made by the freedom struggle of the 1950s

and '60s, those gains could not have been achieved without the complementary and still underappreciated practice of armed self-defense" (2014: 1). Particularly after 1964, the African-American community and the Mississippi Movement embraced armed resistance in light of the lack of protection "by the federal, state, and local law enforcement that was either sympathetic to or neutral about White supremacist violence" (Umoja, 2013: 123). Whether acknowledged or not, King's followers benefited from the protection that guns offered them.

It is furthermore misleading to portray Martin Luther King Jr. as oblivious to the role that armed self-defence played in the African-American struggle. King never denied the individual's right to self-defence, yet he was concerned that any use of violence by African-Americans could be, as indeed was, condemned by white society, thus eliciting more violence from white racists and the authorities (Cone, 1991/2012). While King remained committed to nonviolence throughout his life, in his last years he emphasized how American society seemed to approve of nonviolence only when it was to its own advantage: calls for nonviolence were nowhere to be found when it came to the bombing of Vietnamese children (Cone, 1991/2012). In recognizing that there was a double standard applied to the use of violence, King came closer to Malcolm in denouncing how white America had no justification for the violence of the oppressed, but it was just fine with its own violence.

Once they began working in southern rural communities, SNCC, CORE, and SCLC realized that it was challenging to remain nonviolent when armed self-defence was often the only guarantee of survival. Discussions about the value of nonviolence were then superseded by the more important question of how to stay alive. The response tended to vary depending on the circumstances (Cobbs, 2014). While in many instances a nonviolent approach was the best option, particularly in cases where the adversary had superior armed power, in some instances the opposite was true. The Manichean opposition between violent and nonviolent resisters started to blur.

Gaza: The Summer of 2014

In this last section, I examine how armed resistance has been framed in the Gaza Strip during and immediately after the 2014 Israeli attack, and I establish some connections between the African-American resistance discussed above and Palestinian resistance in Gaza. While the widespread perception is that resistance in Gaza equals Hamas, this is factually incorrect. The Hamas movement consists of two wings: a political wing that has been in control of the Strip since winning the election in 2006, and a military wing, the Ezzedeem Al-Qassam Brigades. The latter has been involved in actions of armed resistance in conjunction with the Al-Quds Brigades of the Palestinian Islamic Jihad, the Al Aqsa Martyrs Brigades affiliated with Fatah, the Popular Resistance Committees (a faction founded by ex-Fatah fighters who reject disarmament), and the Abu Ali Mustafa Brigade of the Popular Front for the Liberation of Palestine (Blumenthal, 2015). Palestinians in Gaza have different political opinions, yet unsurprisingly they all agree on their right to self-defence when attacked, hence the presence of military factions representing different political movements and organizations. Nevertheless, it remains true that, because of its numerical strength and its connection to the political wing of Hamas, the Al-Qassam Brigades are at the forefront of the resistance movement.

Several of the people interviewed by Max Blumenthal (2015) in Gaza during or immediately after OPE made it clear that, while they might not be Hamas supporters and were indeed often critical of how Hamas governs, they stand by Hamas' military wing at times of war. These comments indicate that support among Palestinians for armed resistance is not understood as an endorsement of Hamas' political agenda, but as a choice available to all Palestinians, irrespective of their political opinions. The right to self-defence, which is a right to humanity, remains at the centre of the Palestinians' refusal to disarm in the Gaza Strip. As Zyad Miqdad, Professor of Islamic Law at the Islamic University in Gaza, told journalist Mohammed Omer (2014), "Our people have to defend themselves using all methods, and that can't be achieved without weapons." It is the belief in their humanity,

rather than an innate propensity for violence as suggested by Israeli spokespersons and political figures, that underlies the large support armed resistance has among Palestinians in the Strip.

John Dugard (2014) maintains that even the infamous rockets fired by Palestinian factions against Israel, which were widely condemned internationally as terrorism, need to “be construed as acts of resistance of an occupied people.” On its website, Hamas claims that violent acts of resistance should not be understood as violence for its own sake, but that “resistance is a means, not an end” (Islamic Resistance Movement – Hamas), and the end is liberation from Israeli occupation. It is worth noting that throughout the 51-day assault, while Israel killed over 2,100 people, including over 1,400 civilians, the Palestinian armed factions almost exclusively targeted Israeli troops (73 Israelis were killed, 67 of whom were military personnel) (United Nations Human Rights Council, 2015). This confirms what Al-Qassam Brigades General Commander Mohammed al-Deif argued on July 29, 2014, when addressing the public for the first time since the beginning of OPE: “[w]e have prioritized confronting and killing the military and the soldiers at the checkpoints over attacking civilians” (as cited in Blumenthal, 2015: 125). Targeting the military forces of an occupying power is an internationally recognized right.

And yet, Palestinian resistance is considered unlawful, while the Israeli claim of acting in self-defence is accepted at face value. Here I am not concerned with debunking the Israeli claim of self-defence (others, among them Richard Falk, Noura Erakat, Rashid Khalidi, Ali Abunimah, Max Blumenthal, Gideon Levy, and John Dugard have done so). Instead, I question why Palestinian armed resistance is perceived as lacking legitimacy. I argue that, as was the case with African-Americans, Palestinians are seen as being less than human, and therefore lacking those rights that are unquestionably accorded to human beings. Because of this dehumanization, the violence they suffer is rendered invisible while the violence they exercise is presented as unjustifiable. Two month after her daughter was

murdered by an Israeli bulldozer while trying to protect a house in Rafah, Cindy Corrie spoke at Sylvester Park in Washington: “[w]e in America see the horror of the suicide bombings. We seem to see much less the ongoing violence against the Palestinian people” (2004: 256). Rachel Corrie died because she chose to bear witness to that violence.

The understanding that Palestinian violence lacks the legitimacy afforded Israeli violence (which is always framed as self-defence) is common to those who dismiss Palestinian oppression and those who support the Palestinian cause as long as it is dealt with nonviolently. I include in this latter group many, but by no means all, supporters of the BDS movement, particularly within the white Western context. These are people who agree that Palestinians are occupied and should achieve their liberation, however only by using tactics that have been pre-screened and found acceptable. My disagreement with and rejection of this argument is rooted in the belief that in the fight for liberation, it is the oppressed who must decide which tactics to use. This does not imply that I reject the BDS call; on the contrary, I endorse it insofar as it is a call made by Palestinian society. I also believe, however, that those of us who are white Western activists must be careful not to hijack that call for our own agenda, and in the process disempower the oppressed.

As Malcolm X argued, the goal remains liberation, and the means to achieve that goal are of secondary importance and subject to change depending on the circumstances. The decision regarding the appropriate tactics rests with the oppressed. On July 5, 1964, speaking at the second rally of the OAAU, Malcolm called for allies “who are going to help us achieve a victory, not allies who are going to tell us to be nonviolent” (1970/1992: 81). Two years later, Stokely Carmichael reminded SNCC that “it is not for us to tell black communities whether they can or cannot use any particular form of action to resolve their problems” (1971/2007: 21). By insisting on telling Palestinians what is or is not acceptable, white activists are not showing solidarity but only expressing a white savior mentality. The

paramount importance of letting the oppressed set the goals and parameters in their fight for liberation is also emphasized by Omar Barghouti, one of the Palestinian leaders of the BDS movement (2011). It is therefore apparent that what really matters is not which decision the oppressed make but whether they are allowed to make a decision in the first place.

An argument made by some white activists against Palestinian armed resistance is that they cannot accept violence in any form, not simply because it is unethical, but because it is ineffective due to the disproportionate imbalance of force between Palestinians and Israelis. It is an argument that was also adopted in the US to oppose African-Americans' rights to armed resistance. I find that this argument misses the point. There are times when human beings are left with only two options: to live in slavery or to die as free persons. In a speech prepared for the Hetherington Memorial Lecture, Ramzy Baroud (2010) quotes Palestinian cartoonist Naji Al-Ali who wrote that when you die, "like the trees, [you] die standing." Al-Ali was assassinated in London in 1987. I read that same quote over and over in the tweets posted by friends in Gaza during OPE, something that speaks to a reality, unknown to most white activists, in which people reaffirm their dignity as human beings even at the cost of their lives. Writing during OPE, Chris Hedges (2014) noticed that "[t]here is little in life that Palestinians can choose, but they can choose how to die" (in Alareer and El-Haddad: 183). As Somdeep Sen found out throughout his fieldwork research, Palestinians in Gaza are aware that, due to the imbalance of force, armed resistance won't end the occupation, but they are also cognizant that, faced with the Israeli attempt to erase the existence of Palestine and its inhabitants, armed resistance "serves as a means of arresting the process of unnamings" (2016: 15). It is what Huey P. Newton once called "the price of self-respect" (1973/2009: 3). I think it is a price worth paying.

I conclude this section with a quote from Hajo Meyer, a holocaust survivor who passed away in August of 2014, in the midst of OPE, and who was commemorated by his friend and human rights activist

Adri Nieuwhof in an article posted on The Electronic Intifada. Asked what was his message to the Palestinians, Meyer replied, “Fight with stones, with weapons. Yes, also with weapons. If you don’t fight, you lose your self-esteem” (as cited in Nieuwhof, 2014). Meyer’s call is important, not just because it shakes one of the common myths that being pro-Palestinian equates with being an anti-Semite, but because it makes clear that when people are oppressed, fighting back might be the only means left to regain dignity and self-respect, because fighting back presupposes a belief in being human. Violence and nonviolence are both possible ways of fighting back, and the choice is up to those doing the fighting, not those, no matter how well intentioned, who have never had their humanity questioned.

Again, here I am not concerned with assessing which form of struggle, armed or unarmed, has more chance of succeeding. Others, such as Kurt Schock, have already done so and concluded that, in the present situation, unarmed insurrections have a better chance of achieving their objective (2005). My interest is in investigating why, irrespective of effectiveness, some expressions of violence are considered as legitimate while others are not, and how this assessment is based exclusively on the skin colour of those exercising such violence. This is the reason why I have not engaged the long and rich history of Palestinian nonviolent resistance (Arraf, 2016). That history is important and must be taken into account when assessing the tactics best suited to achieve an end to occupation. However, that was not my goal in writing this paper. My goal was in pointing out the differential treatment violence receives depending on who are the users of that violence.

Conclusion

In this paper, I have begun a conversation on the role armed resistance plays in liberation struggles and how it is perceived within the white Western context. I have provided some background on the international legislation that accords a right to armed resistance to those under occupation or colonial domination. I have then used African-American armed resistance from the late 1950s to the early

1970s, as well as Palestinian armed resistance during the 2014 Israeli attack on Gaza, to reveal how, from a white Western perspective, the issue is not violence per se, but who uses violence. I have argued that the reason why violence is rejected when deployed by the oppressed is not because it is inherently more gruesome than the violence deployed by the oppressor, but because we perceive the former as illegitimate and the latter as legitimate. The question then becomes who decides on the legitimacy of violence and with whose interests in mind. It appears that only those with power are allowed, by reason of that power, to claim legitimacy for their violence. This implies that, despite the rhetoric around the humanity common to us all, those in power are still positioned as more human than those without power. Power is the reason why, as noted by Judith Butler, the violence deployed by non-state political entities is usually characterized as “terrorism,” a term whose purpose is to delegitimize (2006: 88; see also Kearns, 2007; Khalidi, 2013). It is this power of naming that eludes the oppressed and rewards the oppressor. I argue that fighting back starts with denying the oppressor the power to name and set the standard of what is or is not legitimate. This also implies changing our attitude vis-à-vis the choices that the oppressed can legitimately make in their struggle for freedom.

The experiences of African-Americans during the 1950s-1970s and Palestinians in Gaza during OPE were discussed side by side not because I believe it is particularly useful to find similarities and differences in those situations. In fact, the comparison could, as it is often the case with most comparisons, be easily dismissed, as Goldberg notes, by “pointing out disanalogies” (2009: 1276) arising from different contexts. My goal was instead to show the relationality between the two situations, a relationality that is at the core of “exclusionary or humiliating racist practices across place and time” (Goldberg, 2009: 1273-74), and that manifests itself in the devaluation of those lives that are non-white. It is this devaluation, what I have referred to as dehumanization, that has allowed the US and Israeli governments to not only oppress African-Americans and Palestinians, but to legitimate this oppression while, at the same time,

de-legitimizing the response of the oppressed. Racism, multifaceted in its manifestation across time and place, rests on a common set of assumptions that feed on the oppression and exploitation of the non-white “other.”

In order to unsettle the oppression/exploitation of the racialized other, we need a different approach toward the oppressed, one that recognize their humanity and, therefore, the right to define their own struggle. It is no longer acceptable to claim that we stand with the oppressed, only to limit this support to times when the oppressed fight with means that we assess as proper. The choice is not ours to make. In the fight against oppression, it is not up to us to decide what tactics are acceptable. When arguing the legitimacy of armed resistance, I am not suggesting that I am in favour of violent over nonviolent action. It is not for me, a white Western middle-class woman, to make that call. What I am suggesting is that we must stand with the oppressed irrespective of the decisions they make. We might not agree with those decisions, but our commitment to the liberation of all people cannot be shaken by disagreements over tactics, which must remain the domain of the oppressed. As Malcolm X said on November 29, 1964, at the homecoming rally of the OAAU, “don’t let anybody who is oppressing us ever lay the ground rules. Don’t go by their game, don’t play the game by their rules. Let them know now that this is a new game, and we’ve got some new rules, and these rules mean anything goes” (1970/1992: 155). Legitimacy is the tool the oppressor uses to set the rules. If we hope to find a place for justice in this world, we must reject those rules and recognize that, when the prize is freedom, anything goes.

References

- Abunimah, A. (2012, March 23) Video: Ali Abunimah discusses Gaza attacks, Hillary Clinton, Hana Shalabi on Democracy Now, The Electronic Intifada. Retrieved from: <https://electronicintifada.net/blogs/ali-abunimah/video-ali-abunimah-discusses-gaza-attacks-hillary-clinton-hana-shalabi-democracy>
- Arraf, H. (2016). International Solidarity and the Palestinian Freedom Struggle. In G. Ageel (Ed.), *Apartheid in Palestine* (65-89). Edmonton: The University of Alberta Press.
- Barghouti, O. (2011). *BDS: Boycott, Divestment, Sanctions*. Chicago: Haymarket Books.
- Baroud, R. (2010, April 24). From Neptune to Gaza. *Politics for the People*. Retrieved from <http://www.ramzybaroud.net/from-neptune-to-gaza/>
- Bartlett, E. (2014, July 28). 'Largest ever' Toronto Al-Quds rally calls for a free Palestine. *rabble.ca*. Retrieved from <http://rabble.ca/blogs/bloggers/eva-bartlett-gaza/2014/07/largest-ever-toronto-al-quds-rally-calls-free-palestine>
- Baxter, R. R. (1950). The Duty of Obedience to the Belligerent Occupant. *British Yearbook of International Law*, 27, 235-266.
- Ben-Naftali, O., Gross, A. M., & Michaeli, K. (2005). Illegal Occupation: Framing the Occupied Palestinian Territory. *Berkeley Journal of International Law*, 23(3), 551-614.
- Blumenthal, M. (2015). *The 51 Day War: Ruin and Resistance in Gaza*. New York: Nation Books.
- Bracey, G.E. (2015). Toward a Critical Race Theory of State. *Critical Sociology*, 41(3), 553-572.
- Butler, J. (2004/2006). *Precarious Life: The Powers of Mourning and Violence*. London: Verso Books.
- Carmichael, S. (1971/2007). *Stokely Speaks. From Black Power to Pan-Africanism*. Chicago: Chicago Review Press.

Cobbs, C. E., Jr. (2014). *This Nonviolent Stuff'll Get You Killed: How Guns Made the Civil Rights Movement Possible*. New York: Basic Books.

Cone, J. H. (1991/2012). *Martin & Malcolm & America: A Dream or a Nightmare*. New York: Orbis Books.

Corrie, C. (2004). The Daughter I Can't Hear From. In J. Sandercock et al., (Eds.), *Peace Under Fire: Israel/Palestine and the International Solidarity Movement* (254-257). London: Verso.

Crichlow, W. (2015). Critical Race Theory: A Strategy for Framing Discussion Around Social Justice and Democratic Education. *Higher Education in Transformation Conference*, Dublin, Ireland, 2015, 187-201.

Davis, A. Angela Davis. Available from <https://www.youtube.com/watch?v=R2BIZy0HScM>

Dugard, J. (2014, July 31). Debunking Israel's self-defense argument: Operation in Gaza is aimed at maintaining its illegal occupation. *Al Jazeera America*. Retrieved from <http://america.aljazeera.com/opinions/2014/7/gaza-israel-internationalpoliticsunicc.html>

Erakat, N. (2015, June 18). If Israeli Tactics in Gaza are Legal, No One is Safe: Response to Michael N. Schmitt and John J. Merriam. *Jadaliyya*. Retrieved from <http://www.jadaliyya.com/pages/index/21929/if-israeli-tactics-in-gaza-are-legal-no-one-is-saf>

Falk, R. & Weston, B. H. (1991). The Relevance of International Law to Palestinian Rights in the West Bank and Gaza: In Legal Defense of the Intifada. *Harvard International Law Journal* 32(1), 129-157.

Foucault, M. (2003). *"Society Must Be Defended": Lectures at the Collège de France*. New York: Picador.

-
- Friel, H. & Falk, R. (2007). *Israel-Palestine On Record: How the New York Times Misreports Conflict in the Middle East*. London: Verso Books.
- Goldberg, D.T. (2009). Racial Comparisons, Relational Racisms: Some Thoughts on Method. *Ethnic and Racial Studies* 32(7), 1271-1282.
- Goldman, P. (1973/2013). *The Death and Life of Malcolm X*. Chicago: University of Illinois Press.
- Hedges, C. (2014, July 23/2015). The Palestinians' Right to Self-Defense. In R. Alareer & L. El-Haddad (Eds.), *Gaza Unsilenced* (180-183). Charlottesville: Just World Books.
- International Committee of the Red Cross. (1949, August 12). *Convention (IV) relative to the Protection of Civilian Persons in Time of War*. Geneva: ICRC. Retrieved from <https://www.icrc.org/applic/ihl/ihl.nsf/385ec082b509e76c41256739003e636d/6756482d86146898c125641e004aa3c5>
- International Committee of the Red Cross. (1977, June 8). *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)*. Geneva: ICRC. Retrieved from <https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=6C86520D7EFAD527C12563CD0051D63C>
- International Court of Justice. (2004, July 9). *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*. The Hague: ICJ. Retrieved from <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>
- Islamic Resistance Movement – Hamas. *About Hamas*. Retrieved from <http://hamas.ps/en/page/2/>
- Kearns, G. (2007). Bare Life, Political Violence, and the Territorial Structure of Britain and Ireland. In D. Gregory & A. Pred (Eds.), *Violent Geographies: Fears, Terror, and Political Violence* (7-35). New York: Routledge.

Khalidi, R. (2013). *Brokers of Deceit: How the US Has Undermined Peace in the Middle East*. Boston: Beacon Press.

LeVine, M. & Hajjar, L. (2012, November 21). International law, the Gaza war, and Palestine's state of exception. *Al-Jazeera English*. Retrieved from <http://www.aljazeera.com/indepth/opinion/2012/11/20121121103831534612.html>

Levy, G. (2010). *The Punishment of Gaza*. London: Verso.

Lubin, A. (2014). *Geographies of Liberation: The Making of an Afro-Arab Political Imaginary*. Chapel Hill: The University of North Carolina Press.

Malcolm X. (1964, March 19). An interview by A.B. Spellman. In *By Any Means Necessary*, 1-13. (1970/1992). New York: Pathfinder Press.

--- (1964, April 8). Answers to questions at the Militant Labor Forum. In *By Any Means Necessary*, 14-32. (1970/1992). Reprint, New York: Pathfinder Press.

--- (1964, June 28). The founding rally of the OAAU. In *By Any Means Necessary*, 33-67. (1970/1992). Reprint, New York: Pathfinder Press.

--- (1964, July 5). The second rally of the OAAU. In *By Any Means Necessary*, 75-107. (1970/1992). Reprint, New York: Pathfinder Press.

--- (1964, December 12). What They Mean by Violence. In *By Any Means Necessary*, 176. (1970/1992). Reprint, New York: Pathfinder Press.

--- (1965, January 18). The Young Socialist Interview. In *By Any Means Necessary*, 157-66. (1970/1992). Reprint, New York: Pathfinder Press.

--- (1964/1999). *The Autobiography of Malcolm X As Told to Alex Haley*. New York: Ballantine Books.

Masri, B. (2015, February 18). The Fascinating Story of How the Ferguson-Palestine Solidarity Movement Came Together. *Alternet*. Retrieved from <http://www.alternet.org/activism/frontline-ferguson-protester-and-palestinian-american-bassem-masri-how-ferguson2palestine>

Movement for Black Lives (2016, August 1). Platform. Retrieved from <https://policy.m4bl.org/invest-divest/>

Newton, H. P. (2002) On the Peace Movement: August 15, 1969. In D. Hilliard & D. Weise (Eds.), *The Huey P. Newton Reader*, 150-53. New York: Seven Stories Press.

--- (2008). The Black Panther Party's Ten-Point Program: March 29, 1972 Platform. In D. Hilliard (Ed.), *The Black Panther Party Service to the People Programs*, 74-77. Albuquerque: University of New Mexico Press.

--- (1973/2009). *Revolutionary Suicide*. New York: Penguin Books.

Nieuwhof, A. (2014, August 25). In last interview, Auschwitz survivor urged Palestinians "not to give up their fight." *The Electronic Intifada*. Retrieved from <https://electronicintifada.net/blogs/adri-nieuwhof/last-interview-auschwitz-survivor-urged-palestinians-not-give-their-fight>

Omer, M. (2014, November 22). Palestinians in Gaza refuse to disarm. *Al Jazeera*. Retrieved from <http://www.aljazeera.com/news/middleeast/2014/10/palestinians-gaza-refuse-disarm-201410276732206683.html>

Razack, S. H. (2008) *Casting Out: The Eviction of Muslims from Western Law and Politics*. Toronto: University of Toronto Press.

Roberts, A. (1984). What Is a Military Occupation? *British Yearbook of International Law* 55(1), 249-305.

Rocco, T.S., Bernier, J.D., and Bowman, L. (2014). Critical Race Theory and HRD: Moving Race Front and Center. *Advances in Developing Human Resources*, 16(4) 457-470.

Schock, K. (2005). *Unarmed Insurrections*. Minneapolis: University of Minnesota Press.

Sen, S. (2016). 'To Fight Is To Exist': Hamas, Armed Resistance and the Making of Palestine. *Interventions: International Journal of Postcolonial Studies* (OnlineFirst, 16 February), 1-18.

Tiongson Jr., A. T. (2015). Afro-Asian Inquiry and the Problematics of Comparative Critique. *Journal of the Critical Ethnic Studies Association* 1(2), 33-58.

Umoja, A. O. (2013). *We Will Shoot Back: Armed Resistance in the Mississippi Freedom Movement*. New York: New York University Press.

United Nations General Assembly. (1960, December 14). 1514 (XV). *Declaration on the Granting of Independence to Colonial Countries and People*. New York: UNGA. Retrieved from <http://www.un.org/en/decolonization/declaration.shtml>

United Nations General Assembly. (1970, October 24). Twenty-fifth Session. Official Record. 2625 (XXV). *Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, A/RES/25/2625*. New York: UNGA. Retrieved from <http://www.un-documents.net/a25r2625.htm>

United Nations General Assembly. (2009, September 25). Twelfth Session, Official Record. Human Rights Council. *Report of the United Nations Fact-Finding Mission on the Gaza Conflict, A/HRC/12/48*, presented by Richard Goldstone. New York: UNGA. Retrieved from <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>

United Nations Office for the Coordination of Humanitarian Affairs (OCHA). *Occupied Palestinian Territory: Gaza Emergency. Situation Report (as of 4 September 2014, 08:00 hrs)*. New York: UNOCHA. Retrieved from http://www.ochaopt.org/documents/ocha_opt_sitrep_04_09_2014.pdf

United Nations Human Rights Council. (2015, June 24). Twenty-ninth Session. Official Record, A/HRC/29/52. *Report of the Independent Commission of Inquiry on the 2014 Gaza Conflict*. New York: UNHRC. Retrieved from <http://www.ohchr.org/EN/HRBodies/HRC/CoIGazaConflict/Pages/ReportCoIGaza.aspx>

United Nations Security Council. (1967). *Resolution 242 of 22 November 1967, S/RES/242 (1967)*. New York: UNSC. Retrieved from <http://unispal.un.org/unispal.nsf/0/7D35E1F729DF491C85256EE700686136>