

The Lebanon and Gaza Campaigns: Operational and Ethical-Legal Lessons

Gabriel Siboni

Background

The recent campaigns in Lebanon and Gaza compelled Israel to conduct a serious self-examination and take a wide ranging look at the strategic developments of the past decade. In this period, which began with the second intifada and ended with Operation Cast Lead, Israel found itself facing qualitatively different threats from those it had faced in the first fifty years of its existence. The threat began to change with the awareness on the part of Israel's enemies that they were unable to achieve significant gains against Israel through classical military means.¹ The Egyptian decision to initiate a classical military move – the Yom Kippur War – gained Egypt sovereignty over the Sinai Peninsula at the cost of recognizing Israel and signing a peace treaty with it. However, Egypt's removal from the circle of countries in a state of war with Israel intensified the imbalance in military power between Israel and its adversaries in the region. This imbalance led both states and non-state players to seek alternatives to the classical military confrontation between states, which requires extensive national resources.

The threat of Palestinian terrorism as a substitute for classical military confrontations presented Israel with a major challenge. The years of the intifada resulted in nearly 1,200 people killed and a large number injured, and forced Israel's security establishment to introduce far reaching systemic changes. Palestinian terrorism took two main forms. The first was the use of suicide bombers, who came from populated areas in the West Bank, and

to a lesser extent, because of its physical isolation, from the Gaza Strip. The second method, rocket fire at Israeli towns and cities, developed in Gaza – primarily because of its physical isolation. On both fronts the Palestinians used terrorism against Israeli citizens indiscriminately. From the spring of 2002 to 2005, the IDF and the General Security Services labored and ultimately succeeded in thwarting suicide terrorism. However, there was no similar achievement against the rocket fire from the Gaza Strip. The full significance of the threat of rockets and high trajectory fire against Israel was clearly evident in the Second Lebanon War and in the rocket fire that preceded and continued during Operation Cast Lead in Gaza. Both military campaigns presented Israel with complex dilemmas, some of them operational and some stemming from the ethical-legal aspects of the fighting.

This article examines the main lessons in each of these aspects. It begins by comparing the threats addressed by the two campaigns and the adversaries' methods of operation, and compares the organizations fighting Israel in context of the state authority where each was active. The essay then studies the similarities and differences in Israel's use of force, and concludes with an analysis of the ethical-legal aspects as they were manifested in the two campaigns.

Similarities and Differences in the Two Campaigns

The Threat and the Enemy's Method of Using Force

The Hizbollah and Hamas approach dictates that violent action should target what is seen by them as Israel's weakest point, the civilian population. Nasrallah's speech in Bint Jbeil after the IDF withdrawal from southern Lebanon in 2000, when he claimed that even though Israel has tremendous military capabilities Israeli society is as weak as "spider webs,"² expressed this sentiment well. Based on this approach, the Lebanese and Palestinian arenas cultivated patterns of action that aimed to harm the weak link. Palestinian suicide attacks targeted population centers, while Hamas's force buildup and operation in the Gaza Strip focused on the use of high trajectory fire against population centers. Hizbollah's force buildup and operational doctrine are also aimed at the same perceived weak point. In addition, both organizations stress the importance of preserving their organizational

and military capabilities beyond the duration of the actual campaign. Thus Hizbollah and Hamas have developed defensive capabilities against IDF offensive actions on land, in the air, and at sea in order to maintain their long term ability to fire at civilian targets. Here too, there is a significant change in the type of threat, as one of the chief means of preserving long term firing capabilities is deploying them in a civilian environment.

From the perspective of the organizations fighting Israel, force buildup in a civilian environment has several advantages, although it incurs limitations as well. The deployment of firing capabilities in a civilian environment and the use of the civilian population as a human shield make it difficult for the IDF to operate and are liable to constrict its ability to damage and reduce enemy firing capabilities. An IDF action in a civilian environment will naturally cause many casualties, and manipulative use of this kind of action by the enemy allows continuation of the fighting through other means: the media, propaganda, law warfare, accusations that the IDF is committing war crimes, and the like. The desired result for these organizations is an acceleration of the process of delegitimizing Israel.

Yet along with these advantages, the price that residents of Lebanon and the Gaza Strip have to pay during the conflict can undermine the legitimacy of Hizbollah and Hamas. Past experience in both the Lebanon and Gaza campaigns shows that both organizations, weighing the balance of advantages and disadvantages, preferred the method of operation that exposed the civilian population to an Israeli response. At this stage, it is hard to know what conclusions they have drawn concerning future conflicts. For now, Hizbollah is confined in the villages of southern Lebanon because of the political results of the Second Lebanon War, namely, Security Council Resolution 1701 and the beefing up of UNIFIL and Lebanese army forces in the south of the country.

The Responsibility of the State

The Second Lebanon War demonstrated the extent to which a non-state organization at home in a failed state can lead that state to a wide scale confrontation. Israel's distinction between Hizbollah and the Lebanese state made it difficult for Israel to develop an effective strategy in this war. It seems that what happened in Lebanon during the Second Lebanon

War reflected a division of labor.³ Hizbollah, which is deeply enmeshed in Lebanon's political and military realms, succeeded in separating itself from the state in terms of Israel's response. This separation allowed, and still allows, the organization's continued, undisturbed force buildup and the enhancement of all its military measures, sometimes even with the aid of the state. Recently this process has deepened with recognition and agreement from the Lebanese government. However, Hizbollah's deepening infiltration of the political system in Lebanon demands a reexamination of the validity of this distinction. If Hizbollah is part of the Lebanese system, a partner in the Lebanese government that enjoys the support of the government, then a war with Hizbollah is a war with Lebanon.

The depth of the Iranian involvement in Lebanon is also a state-related issue. Particularly since the assassination of Hizbollah activist Imad Mughniyeh, there has been a massive increase in the Iranian presence in Lebanon.⁴ This infiltration poses a significant challenge to Israel, since Iran is deeply involved in the command and control processes of Hizbollah's military wing. In fact, Lebanon has the unconventional distinction of being a sovereign state with a military and political organization that to a large extent is under the command of another state.

While Lebanon has a unique political structure whereby the sovereign government lacks the capabilities and/or the desire to impose its authority to prevent a multiplicity of groups from wielding force in the country, the situation in the Gaza Strip is essentially different. There is an effective central government in Gaza that has the ability to impose its authority over the entire area. It appears, therefore, that the activity of other terrorist elements in the Gaza Strip serves the Hamas government, which is why it allows it. The existence of a central address ostensibly simplifies Israel's use of force, and Operation Cast Lead was carried out against this central government, the Hamas government. This government has assets and interests, and harming them will effectively demonstrate the price of continued provocation against Israel. On the other hand, the Hamas government in the Gaza Strip is not recognized as legitimate by Israel, by most of the international community, and even by the Palestinian Authority.

An analysis of lessons from the campaigns concerning state responsibility allows us to examine the extent to which Israel can achieve long term strategic gains in future conflicts in such an environment.

Israel's Use of Force

In less than three years, Israel found itself embroiled in two conflicts with threats that are similar in many ways. Studying the lessons on the use of force in the Second Lebanon War allowed the IDF and the political leadership to attempt to implement modifications in Operation Cast Lead in the operational realm and in ethical-legal considerations.

A central question concerns the goals of the use of force. It appears that in both campaigns, the political leadership had difficulty providing the IDF with a sharp definition of the political and diplomatic goals of the military campaign. This lack of clarity made it difficult for the IDF to focus its use of force. In both campaigns, it was first decided to use firepower to damage Hamas's and Hizbollah's strength and exact a price from them. In both campaigns, it was decided only after some time to move to a ground force maneuver on enemy territory when it became clear that the rocket fire had not been curtailed enough by the use of firepower. Implementation of the lessons of the Second Lebanon War – the early preparations and the training conducted with an eye toward the possibility that the IDF would be required to act in Gaza – allowed IDF ground forces to operate from a position of greater preparedness and competence than in the Second Lebanon War. In the Gaza campaign, the IDF used its two main tools, firepower and maneuver, more effectively. The results of the campaigns show that an intelligent mix of these tools helped create lasting achievements. The quiet in Lebanon has lasted for nearly four years, while in Gaza, though the quiet is fragile, there has been a very significant decrease in the rocket fire compared with the pre-Cast Lead period.

The conclusion from both campaigns is that there is a need to examine the limitations on the use of force in order to clarify which goals the political leadership can set for the IDF. As such, the IDF can focus and improve its method of operation. Both campaigns have shown that the goal of achieving quiet for a relatively long period is attainable.

Protecting the Civilian Front

In the campaign in Lebanon, those responsible for the civilian front found it difficult to provide appropriate responses. Although there was an essential difference between the two campaigns regarding the strength of enemy fire, Operation Cast Lead showed significant progress. One of the main issues that must be examined in light of the two campaigns is the optimal division of resources between the IDF's offensive capabilities and its defensive capabilities, and the balanced use of defensive resources for both passive protective capabilities and active capabilities.

Ethical-Legal Aspects

The change in the enemy's method of operation and the transfer of the fighting to populated areas make it necessary for the IDF and the State of Israel to understand the ethical and legal implications of this development and to draw the necessary conclusions concerning the use of force. The threat is in the form of a non-state player that operates by using terrorism and hiding among the civilian population. This player does not respect the laws of combat, attacks civilians and civilian targets, and does not differentiate itself from the civilian population among which it operates, which causes difficulty distinguishing between civilians and fighters and between "military targets" and civilian targets. The use of force in the two campaigns made it necessary early on to address the complexity of action in a civilian environment.

The response the IDF formulated and adopted during the Second Lebanon War included a number of components: the first is immediate precision strikes on high value military targets, often located in a civilian environment. The value of the targets is determined by the strength and immediacy of the threat against Israeli civilians. The understanding that developed in the Second Lebanon War was that this use of force requires particular caution and should occur while containing the collateral damage, to the extent possible. The second component concerned the need to separate the uninvolved population from those involved in the fighting. The format developed in the Second Lebanon War was to warn the population in areas where there was fighting so that it would evacuate for their own protection. Only after evacuation of the population did the IDF move to

a wide ranging attack on Hizbollah targets. This pattern of operation was adopted in Operation Cast Lead, with additional efforts to warn civilians of concrete attacks due to the difficulty of widespread civilian evacuation from the especially crowded area in Gaza. Among these were the “knock on the roof”⁵ method and telephone warnings to civilians in the area targeted for attack. These methods did not prevent Hamas from scoring points in the fight for world public opinion after the military campaign through the media, international organizations, and legal means. These publicity stunts caused serious damage to Israel’s image and undermined its legitimacy in the world. Indeed, the Goldstone report, which followed in the wake of Operation Cast Lead, strengthened the understanding that war against the changing threat is not only about the use of military force; a wide ranging battle is needed, through non-military means, to cope with threats that are not physical, but political.

The Main Lessons

The change in the enemy’s pattern of operation created both challenges that require a response and opportunities that can be exploited. An understanding of the similarities and differences in the two campaigns has made it possible for the Israeli leadership to consolidate lessons that if implemented, will raise the chances of postponing the next conflict as much as possible and improve the ability to prepare for it effectively.

Force Buildup against the Enemy’s High Trajectory Firing Capabilities

The main advance in the threat of high trajectory fire is the improvement in lethality, range, and precision, along with the availability of inexpensive weaponry. The improved precision presents a significant challenge both for critical civilian targets and for military combat infrastructures on the home front. The chief response to improved precision will include mainly active and passive defensive means that allow the damage to be minimized, the munitions to be intercepted, and their precision capabilities to be impaired.

Home Front Preparedness

The enemy’s focus on the civilian front compels Israel to prepare its population for a conflict in which massive precision fire will be used

against population centers throughout the conflict. Some of the fire will likely be used against mobilization systems, firing elements, and Israel's critical military and civilian infrastructures. An additional lesson is the need to coordinate expectations among civilians and drill the population for various emergencies. Implementation of these lessons can also help the IDF focus on carrying out its operational plans.

Delaying the Next Conflict

Placement of the enemy's firing capabilities in populated areas creates an opportunity to deter and restrain. Hizbollah in Lebanon and Hamas in Gaza have a clear interest in preserving their legitimacy to act. Making clear the damage that Israel will cause in the next conflict can exert a restraining potential on these organizations. However, threats have no meaning if there is no willingness to carry them out when the scenario actually materializes.

State Responsibility

Israel is developing a concept such that in a scenario of conflict with Hizbollah, Lebanon is defined as an enemy state, and overall responsibility for what happens in the Gaza Strip is assigned to Hamas.

Hizbollah's participation in Lebanon's government and the government's recognition of Hizbollah's status as a resistance element allow Israel both to reject the Lebanese government's demand to differentiate between Lebanon and Hizbollah and to undermine international support for this demand. This inference has already been heard in comments by senior Israeli political and defense figures.⁶ Indeed, Israel would do well to reject this division of labor between the state of Lebanon and Hizbollah, and clarify that it will consider Lebanon responsible for all actions carried out from its territory. Accordingly, Israel must announce that in a future conflict, it will consider itself free to attack Lebanese state targets as well as Hizbollah targets.⁷ In order for these positions to be accepted by the international community, Israel must undertake appropriate preparatory action before the next conflict erupts. Instilling this understanding among decision makers and powerful elements in Lebanon and their patrons can delay the next conflict. If the next conflict is forced on Israel, attacking targets of the Lebanese state to implement the concept of Lebanon as

responsible for what is done in its territory and from its territory will create stronger deterrence, and will thus increase the time until the next round of conflict.

Although the Israeli defense establishment takes the approach that Hamas is responsible for every incident that originates in Gaza, from time to time Israeli responses to rocket fire by other organizations in Gaza actually absolve Hamas of responsibility or express “understanding” that the fire is part of the power struggles in the Strip. The lack of consistency in responses to fire from the Strip weakens the ability to place exclusive responsibility on Hamas and deter the organization.

Israel’s Use of Force

Clear, simple, and explicit language about the political and diplomatic goals of use of force against the concrete threat must be employed, as well as about the implementation of actions that allow these goals to be achieved.

The State of Israel and the IDF cannot completely remove the threat from Israel’s agenda. The main achievement the IDF is required to provide includes certain basic elements: increasing the amount of time between rounds of the conflict, decreasing the duration of the conflict, and reducing the damage to the extent possible. A clear statement by Israel’s government to the IDF that these are the main goals it must achieve can help focus force buildup and use. The lack of political focus on the goals of the fighting in Operation Cast Lead showed that this lesson has not yet been learned and internalized.

The IDF’S Method of Operation

An understanding of the goals of the action will allow the IDF to focus its action. The IDF can accordingly activate the two main tools in its possession. The task of the firepower will be to create a deep, ongoing blow that will strengthen deterrence and ultimately postpone the next round of conflict. The task of the maneuvering forces will be to conquer the area from which the high trajectory weapons are fired and gain operational control. Conquering the territory is not a goal in and of itself, but it allows a reduction in the fire and destruction of the enemy’s operational

infrastructures until the forces are evacuated. It is best to effect this under international auspices.

Balance between Defensive and Offensive Means

The campaigns showed the importance of creating an optimal blend between the defensive and offensive components in force buildup. An essential change in the balance of the division of resources between the two components is now called for. The defense establishment's decision to implement the Iron Dome project (an active defense system against short range rockets), the investment in protecting critical civilian and military infrastructures, and the decision to distribute gas masks all signal a significant shift in the country's security resources. The search for the optimal point of balance is still underway, and only in the future will it be possible to assess whether the new balance is correct for Israel's needs. One of the weak points in this process is the lack of a conceptual inquiry into the balance between defense and offense in the national security concept.

Ethical-Legal Aspects

It is sometimes argued that the rules of classical warfare are not suited to the present threat. This claim presumes that the classical rules were made for wars between armies and states, not asymmetrical conflicts against non-state organizations. This claim likewise presumes that the rules would be adopted by both sides and are not appropriate to cases where one side does not consider itself obligated to observe them. The attempt to formulate new rules creates substantive difficulties in the current international situation. The prevalent approach in Israel is that it is possible to formulate an ethical doctrine based on principles and rules that were the basis of the classical laws of war, which at the same time will be appropriate for the current situation.

The laws of combat reflect a number of key principles. The first is the need to distinguish between military and civilian targets: a target that is essentially civilian that serves a military need, or a blow to a civilian target that provides a military advantage because of its location or its potential military use, turns into a legitimate military target for attack. This principle is also appropriate for asymmetrical war. The second principle,

proportionality, assumes that damage can be inflicted on civilian targets and that it is permissible to attack civilian targets even if it is known that such damage will be caused. The test is whether the expected damage is excessive. There is a distinction between local and global proportionality.⁸ Local proportionality has to do with the value of the target vs. the collateral damage that will be caused as a result of attacking it. However, since the enemy's strategy is to use human shields by placing its firing capabilities in the midst of civilian populations, implementing local proportionality could create a situation in which it would not be possible to act at all and self-defense capabilities would be denied. In such a situation, it would be possible to apply the principle of global proportionality, which allows local collateral damage in order to bring about the collapse of the enemy's human shield strategy.

What this means is that it is possible to stop trying to change the laws of war or claiming that Israel cannot act in accordance with these laws, an approach that is liable to cause tremendous political damage and harm Israel's image. At the same time, it will be necessary to distinguish between wars in which there is reciprocal acceptance of the laws of war, and those in which one side does not accept them. In the latter case, Israel will need to adopt an ethical doctrine of its own. This must be based on the principles underlying the laws of war and on the examples of other democratic states. Publishing the doctrine's principles in advance could help Israel better clarify its methods of operation in a future conflict.

Conclusion

The Second Lebanon War and Operation Cast Lead presented Israel with a changing military threat and significant political challenges vis-à-vis coping with the threat. The change in the military threat requires that Israel learn the lessons of the fighting in order to better prepare for future conflicts by improving the preparedness of the IDF and the civilian population, and by clarifying the political goals of the use of force. The operational framework of elements hostile to Israel presents new threats, but placing their military capabilities among civilians who serve as human shields can potentially help strengthen Israeli deterrence, as long as the price of the conflict is clear to all of the parties involved.

Notes

- 1 Gabriel Siboni, "High Trajectory Weapons and Guerilla Warfare: Adjusting Fundamental Security Concepts," *Strategic Assessment* 10, no. 4 (2008): 12-18.
- 2 Speech by Nasrallah, al-Manar television, May 26, 2000.
- 3 Remarks by Giora Eiland at the conference "The Response to the Changing Threat," Institute for National Security Studies, January 24, 2010.
- 4 Remarks by Gadi Eizenkot at the conference "The Response to the Changing Threat," Institute for National Security Studies, January 24, 2010.
- 5 Use of warning munitions prior to a strike with destructive munitions.
- 6 Fadi Eyadat, "Barak: Israel to Target Lebanon if Hizbollah Escalates Tension," *Haaretz*, November 24, 2009.
- 7 Yoram Schweitzer, "The Limitations of Fighting a Terrorilla Army: Lebanon and Gaza as Test Cases," *Military and Strategic Affairs* 1, no. 1 (2009): 35-42.
- 8 The idea was presented by Professor Asa Kasher at the conference "The Response to the Changing Threat," Institute for National Security Studies, January 24, 2010.