

Concluding Remarks

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Allow me to present a hypothetical operational scenario for which the intelligence, though not complete, is quite precise and reliable. A hospital in Beirut has a multi-story parking structure on which Hizbollah placed a launcher with missiles. Our intelligence reports that chemical weapons are being brought to the launcher, and also that the ground floor of the parking structure houses a nursing school. Hizbollah's political leader Hassan Nasrallah is the only one who can give the order to arm the missile and fire it. If this type of missile falls on Tel Aviv, it would cause anywhere from 100 to 500 deaths. Should planes be sent to take out the launcher then, or to take out the political leader? Given that there is a nursing school in the parking structure's ground floor, is any action taken unlawful based on international humanitarian law? And can we strike according to the law of armed conflict? Does one let the residents of Tel Aviv live with this risk, or does one risk the lives of nurses in Beirut? What is clear is that there is no simple choice and that every option is potentially tragic.

This is precisely the kind of dilemma we face in our war on Hizbollah. It has nothing to do with the urban setting but instead it relates to the difficult dilemmas of asymmetrical warfare and norms, as well as to rules of engagement.

There is no asymmetry, however, in weapons or technology – Hizbollah is the only terrorist organization in the world that is armed with ballistic missiles, and in fact, it recently launched a fairly sophisticated UAV into Israeli airspace. The asymmetry in warheads is also shrinking. The only asymmetry that is not disappearing – and may, in fact, be growing – is the asymmetry of norms, rules, and morality, which one side abides by and the other side does not, while firing exclusively at civilians without

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any consideration as to military necessity, proportionality, or distinction between combatants and non-combatants. This is the true asymmetry we have to tackle, and it presents us with excruciatingly tough dilemmas.

In this conference, our speakers dealt with all the perspectives on the situation: from that of the fighter, to the various ethical dilemmas. All of them showed just how complex the dilemmas are.

If in my example above I would have added that Israel has the best anti-missile defense system in the world, the only such system in existence with a 90 percent interception rate, I imagine it would have changed the calculus. In other words, it's necessary to examine every case in its context and see what the best defense for our citizens really is, while examining every way to reduce the harm done to the other side's innocent civilians.

Some claim that our starting point is mistaken and that those who support an air strike in the example above are wrong. I would like to draw your attention to a line from the movie *The Gatekeepers* in which a former head of the Israel Security Agency (ISA) said something that shocked me, "There's no morality in a one-ton bomb." This is a mistaken statement, as I firmly believe that there is morality in fighting terrorism. I myself headed a very large team of soldiers and professors of ethics and law for two long years, and together we examined case studies and wrote papers until we were able to formulate rules for ethical fighting against terror based on logic and common sense.

The advocate general of the Israeli Defense Forces (IDF) raised the interesting consideration of legitimacy. According to his claim, some people would assert that it is unlawful for us to strike missiles in the example above because we should first ensure the nurses will not be harmed. They would say that it might be better to, for example, strike at the decision maker or use a very small bomb to take out the Hizbollah missile without reaching the lower level and harming the nurses, and indeed we have many ways of ensuring a minimum of collateral damage. But if, God forbid, we fail to avoid collateral damage, which is always a possibility, Hizbollah would show pictures of dead nurses and Israel's legitimacy would suffer. The advocate general mentioned an important point that must be noted – sometimes things turn out badly from the point of view of legitimacy while they still meet the standards of international law and ethics.

I would like to commend the IDF, which in the last decade has fought a few battles against terrorist organizations. The first battle was against

Palestinian terrorist organizations launched by Yasir Arafat and required six whole years for the IDF to win. Terrorism, in this case, was defeated in both dimensions of capabilities and intentions. In terms of capabilities, the IDF and the ISA created a situation in which most of the terrorist cells lost so much of their operational level that they were unable to complete their mission. Thanks to that, the State of Israel is currently able to continue growing without having its important strategic parameters affected as was the case in 2000-2005. In addition, the IDF defeated the terrorist organizations' intentions, which is evident in the words of the Palestinian Authority's president, who declares in every platform and every language – Hebrew, English, and Arabic – that terrorism is bad for the Palestinians and is against their best interests. And that is the full victory against terrorism.

Following a long, continuous operation, the IDF also scored victories against two other terrorist organizations – Hizbollah and Hamas – without damaging their capabilities. Hizbollah is the government in Beirut and Hamas is the government in Gaza. These victories are so profound that neither organization is currently firing on Israel's civilians. Although political science experts will tell you terrorist organizations cannot be deterred, we managed to get to a point of deterrence against these two organizations, which is evident in the fact that they have the capabilities to harm us but are not doing so. This could be linked to the transformation of terrorist organizations from non-state entities to semi-state organizations, and is truly an interesting phenomenon.

Although the IDF has to fight with all the constraints mentioned by the advocate general and all the ethical and legal constraints discussed in this conference, it has defeated terrorist organizations. This means that we do not have to choose between losing to terrorism and acting in illegitimate or unethical ways. We can operate legitimately and ethically, and still defeat terrorism.