

Iron Dome's Impact on the Military and Political Arena: Moral Justifications for Israel to Launch a Military Operation against Terrorist and Guerrilla Organizations

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The military and political arenas are closely linked in Israel's fight against terrorist and guerrilla organizations. Israel is a democratic country subject to legal and moral constraints and restraints, and therefore, when it initiates a military operation against such organizations, its justifications are important, as they will later affect its international legitimacy or lack thereof. This article discusses the Iron Dome system, which is designed to provide active protection for Israeli citizens. It attempts to answer the question whether there can be moral justification for Israel to launch a comprehensive military operation against a terrorist organization when it possesses such a system. The discussion of the question makes reference to a system of moral principles (*jus ad bellum*), which is part of just war theory and can help in making judgments about when there is moral justification for going to war.

Keywords: just war theory, morality, low intensity warfare, Iron Dome, legitimacy, diplomacy, just war, *jus ad bellum*

Introduction

Since the end of the Yom Kippur War, Israel has been forced to confront a change in the nature of war: a transition from conventional war between

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regular state armies to low intensity conflict, that is, combat mainly against non-state actors (terrorist and guerrilla organizations).¹ A key characteristic of this type of conflict is the blurred distinction between the home front and the battlefield,² as terrorist organizations launch missiles and rockets at the Israeli home front from the heart of the civilian population, turning it into a battlefield.

Some of the non-state actors are semi-military. For example, in 2007, after Hamas took control of the Gaza Strip, it established an orderly military framework with brigades, battalions, companies, and platoons, as well as dedicated units such as a coast guard. The military framework also includes advanced weaponry, such as rockets of various ranges.³ As a semi-military organization, Hamas is able to pose a constant threat to disrupt the lives of Israeli citizens.

Another characteristic of low intensity conflict is the impossibility of aiming for total surrender by the enemy. Physical concepts such as conquering territory and destroying divisions, which form part of conventional wars, are replaced by more fluid concepts, such as a reduction in the intensity of terrorism and achievement of a reasonable level of personal security. The objectives of combat today have a stronger psychological element than in the past, as they are intended to harm the moral and social robustness of the other side.⁴

The aim of harming the adversary's moral and social strength is reflected in comments by Yuval Bazak, formerly head of the combat doctrine division in the IDF General Staff. According to Bazak, the IDF and Hizbollah had contradictory strategies in the Second Lebanon War: while the IDF was working to demonstrate air superiority over Hizbollah in Lebanon, Hizbollah launched its rocket arsenal from within population centers and fired at the Israeli civilian front without directly confronting Israeli power. Its objective was to restrict the IDF's ability to operate by provoking the Israeli public to pressure the government to cease fighting in order to prevent further Israeli casualties and condemnation from the international community.⁵

We can apply this claim by Bazak to the conflict between Israel and Hamas as well. Hamas launches its rockets against the Israeli home front from within a civilian environment because it assumes that the IDF would find it difficult to respond with the necessary efficiency for fear of harming innocent civilians and given the constraints stemming from

Israel's democratic and moral nature.⁶ If Israel does choose to take action, it is likely to deepen the sense of delegitimization within the international community, which sees it as fighting an unjust war.⁷

One of the main problems Israel faces in this context stems from the fact that it must act to protect the security of the country and its citizens by thwarting and reducing the level of terrorism, while simultaneously striving for legitimacy and backing for its operations in the international arena (which includes international organizations such as the United Nations, the European Union, and various countries). The Goldstone Report, published following Operation Cast Lead in the Gaza Strip in 2009, triggered a wave of international condemnations of Israel and made decision makers realize that legitimacy for a military operation is an integral part of the operation itself.⁸ The importance of legitimacy for Israel was also addressed in a report by the Reut Institute in 2010. The report's authors argued that the Second Lebanon War and Operation Cast Lead starkly revealed the emergence of a strategic threat to Israel in the form of political and diplomatic delegitimization (such as the academic boycott in Great Britain and the Belgian boycott of a bank that has ties with Israel),⁹ which could become an existential threat within a few years. This makes the military arena secondary. In the opinion of the authors, a new defense concept should be developed, one of integrated victories along several fronts (military, media, the home front, and the political-diplomatic front), all of which are interrelated in a variety of ways.¹⁰ Certainly the military and political arenas are closely connected: because Israel is a democratic country and therefore subject to legal and moral constraints and restraints, it is important that any military operation be justified, a matter that will later affect its legitimacy or lack thereof.

This article will discuss Iron Dome, Israel's anti-rocket and anti-missile defense system, and the moral justifications¹¹ it provides for launching a comprehensive military operation¹² against Hamas and Hizbollah in the future.¹³ The article attempts to answer the question whether it is morally justified for Israel to undertake such an operation against an aggressive terrorist organization when Israel has Iron Dome.¹⁴ The article also aims to underscore the importance for Israel of upholding moral principles before launching a military operation that will involve the use of force, in order to secure international legitimacy and backing for the move. The discussion will be normative and will make use of a system of principles

from the realm of morality (*jus ad bellum*), which is part of just war theory and which helps us judge when going to war is morally justified. The article will not discuss questions concerning the actual methods of combat, but rather questions related to the justification for engaging in war. The issue of international law will also be addressed, but will not be a main focus.

The Iron Dome system was at the heart of Operation Pillar of Defense in the Gaza Strip in 2012, whose aim was to protect Israel's citizens from the increasing number of rockets being fired from Gaza. The operation included aerial attacks on Hamas's long range missile stockpiles, strikes against its infrastructures, and assassination of its officials, the most conspicuous of whom was Ahmed Jabari, commander of the organization's military wing. Pillar of Defense also included, for the first time, active defense of Israeli citizens through the use of Iron Dome, which reportedly had an 84 percent success rate in intercepting rockets.¹⁵

Israel had made use of the Iron Dome system even before Pillar of Defense, but this operation established the technology and affirmed its role as an effective means of defense against a concentrated rocket attack. The system's technological capability is a mixed blessing: while it gives Israel the ability to defend its citizens more effectively and prevent terrorist organizations from achieving their objectives, it could lead to the international community adopting more restrictive standards regarding the launch of a military operation, thereby limiting Israel's freedom of action.

The Iron Dome System: Background

Iron Dome is an active defense system designed to intercept and destroy missiles and rockets while they are still in flight and have not yet reached their destination. It provides an operational response to the threat of high trajectory weapons intended to harm Israeli population centers. This system, which strives to reduce injury and damage to the Israeli home front, complements passive defense (such as having civilians stay in protected spaces) as well as offensive military operations by the IDF on the battle front. Iron Dome was developed by Rafael (the main contractor), mPrest, and Elta¹⁶ to protect Israeli civilians and strategic facilities from rockets with short ranges – four to seven kilometers – in all weather conditions and while confronting a large number of threats simultaneously. Because it uses radar, Iron Dome can identify the missile launch site, the missile's

ballistic trajectory, and the anticipated point of impact. On the basis of this data, it determines whether interception is necessary: if it is clear that the anticipated point of impact is a populated area or is near strategic facilities (previously designated for protection), the rocket will be intercepted by a Tamir missile.¹⁷

The first operational use of Iron Dome took place in April 2011, when the system intercepted rockets fired at Gaza's perimeter communities and at southern cities such as Beersheba and Ashkelon. By April 2012, Iron Dome had achieved ninety-three interceptions in various operations.¹⁸ However, Pillar of Defense was the first extensive operation in which the IDF used the system. Four overlapping Iron Dome batteries were deployed over most of the urban areas in the southern coastal plain and the northern Negev in order to provide a response to the rockets that would be fired by the terrorist organizations from the Gaza Strip. Three days after the start of the operation, a fifth battery was deployed in Gush Dan to provide a response to the rockets that would be launched at Tel Aviv and the surrounding area.

Operation Pillar of Defense proved Iron Dome's importance as a response to the rockets fired by terrorist organizations: it has a success rate of 84 percent. Of the 1,532 rockets fired at Israel, only 500 were targeted by Iron Dome – namely, those rockets that would have struck populated areas or strategic facilities.¹⁹

Just War Theory and Israel's Moral Justifications for Launching a Military Operation

Just war theory is a moral framework that includes concepts, criteria, and rules. It is an agreed system of principles that serve as a basis for discussions on questions about the morality of war. The theory is divided into two main parts: the justification for going to war (*jus ad bellum*), which comprises the reasons that political leaders decide to go to war, and the justice of the conduct of the war (*jus in bello*), which refers to the methods states use during combat. A third part, called *jus post bellum* (post-war), was developed later. It includes one state's rights and obligations toward the other state after the war and during the pursuit of peace.²⁰

A democratic country such as Israel, which strives to maintain morality in warfare, must act in a manner that conforms to the system of principles embodied in this theory. When examining Israel's options for responding to armed attacks by Hamas or Hizbollah against its citizens in the future,

we would do well to focus on *jus ad bellum*, which deals with the moral justification for going to war. This includes a system of principles with six parts:

- a. Just cause: The state must prove that it has a justified reason for going to war.
- b. Legitimate authority: The legal authority to declare war is in the hands of a person or body authorized by the state.
- c. Reasonable hope of success: A state may use force and go to war only on condition that there is a reasonable chance of succeeding.
- d. Last resort: A state may go to war only as a last resort and on condition that other alternatives have been tried.
- e. Right intention: A state may go to war only on condition that its intentions are “pure” (for example, not for revenge) and when its intention is to promote the good and prevent the bad.
- f. Proportionality: A state must prove that the benefit of the war to one side will justify the damage it will cause to the other side.²¹

A state must meet all six of these criteria in order to have moral justification for going to war.

The rocket and missile barrages against the Israeli home front by terrorist organizations in the Gaza Strip and in Lebanon constitute an attack on innocent civilians, and the government therefore has a responsibility to identify immediate measures it can take to protect their security. As such it must examine the moral principles, which are harder now for Israel’s government to justify in advance of a military operation because today Israel has a system capable of providing significant protection to its citizens. In this context, application of the underlying principles is unlikely to yield a different answer, as these principles do not embody the concept of immediate defensive capability.

The Principle of Legitimate Authority

Because Israel is a democratic state, any decision to launch an operation will generally be taken by ministers of the political-security cabinet, the forum that is authorized to make decisions even without convening the government plenum. Such an operation will generally be announced by the Prime Minister, the Defense Minister, or both.²²

The Principle of Reasonable Hope of Success

Before the Second Lebanon War was launched, excessively ambitious goals were set for this campaign, despite the absence of an orderly discussion on the subject. Presumably, the fact that lessons were indeed learned from the failures of that war means that in the future, before it launches a military operation, the political leadership will consult extensively with defense officials in setting the goals of the operation. In general, these will be limited goals that decision makers believe the IDF can achieve, and their purpose will be to remove the immediate threat to Israeli citizens and to increase Israel's deterrent capability by striking at the terrorist organizations' infrastructures and weapons stockpiles.²³

The Principle of Right Intention

When Israel, as a moral, democratic state, initiates a military operation, its goal must be to thwart offensive operations against it, now and in the future. An assessment of Operation Pillar of Defense indicates that its goals were to strengthen the IDF's deterrence; to strike hard at the Hamas rocket arsenal; to deliver a harsh blow against Hamas and other terrorist organizations; and to minimize harm to the Israeli home front.²⁴ In other words, the operation was geared toward current and future defense of the citizens of Israel.

In contrast to these three principles, which are unlikely to change, there are three other principles that the international community might examine more stringently than in the past given that Israel will make use of Iron Dome to provide better protection for its citizens.

The Principle of Just Cause

A state has a moral obligation to protect its territorial integrity and political sovereignty as well as the life and freedom of its individual residents.²⁵ The scenario of a rocket attack, which could place Israel's citizens in extreme danger, would require the government to do everything in its power to protect its citizens. International law, a tool whose purpose is to minimize violence in the international arena, also addresses the importance and centrality of the act of self-defense, relying on the tradition of just war.²⁶ The UN Charter, in article 2(4), prohibits the use of force or the threat of use of force by one state against another state, or against its territorial integrity or political independence. However, it recognizes exceptions, the

foremost being article 51,²⁷ which allows a state to use force for self-defense in response to an armed attack against it.

When Israel undertakes a military operation against terrorist organizations that have attacked it, as it did in Operation Pillar of Defense, it is justified by the right of self-defense, as affirmed by the Israeli Foreign Ministry when it asserted the obligation to defend its citizens and eliminate the strategic threat they face.²⁸ This right to self-defense resurfaced after the start of the campaign in comments by Israel's ambassador to the United Nations, Ron Prosor, who noted that in previous months, he had warned countless times about the possibility of escalation in the south if Israeli citizens continued to be the victims of terrorist attacks by Hamas. According to Prosor, the UN Security Council had chosen to remain silent and do nothing. The ambassador added that Israel has the right and the obligation to defend its citizens and that it would not play Russian roulette with their lives.²⁹ A significant and important portion of the international community, including the United States and the European Union, supported this right. US President Barack Obama stated that Israel has the right to defend itself from the ongoing rocket fire, and the EU declared that there is no justification for deliberately firing on innocent civilians and that Israel has the right to protect its population from such attacks.³⁰

Self-defense is also subject to restrictions. On this matter, a distinction must be drawn between a moral action taken in the name of self-defense and an immoral action. The morality of an action is assessed through questions such as whether the state's response to an attack was indeed necessary and whether it was proportionate.³¹ These questions lead to the following two principles: the principle of last resort and the principle of proportionality.

The Principle of Last Resort

Before deciding to launch a military operation, the government of Israel has a moral obligation to consider whether it has done all it can to protect Israelis fully in a way that will actualize its right to self-defense on the one hand, yet prevent the use of military force on the other. If it answers in the affirmative, it will be easier for Israel to morally justify launching a military operation.

What alternatives are available to the government of Israel for preventing missile strikes? The first option is to use Iron Dome to intercept missiles

directed at Israel and, at the same time, to take non-military measures against the attacker, that is, political sanctions and political-diplomatic measures. Political sanctions include restricting fishing zones or closing border crossings through which goods are imported to a given area (an example of this is the sanctions imposed on the Palestinians after rockets were fired at Israel in March 2013).³² As for political-diplomatic measures, the most obvious one is to appeal to the UN Security Council and ask it to condemn the operations of the terrorist organizations and call for an immediate cessation of rocket fire against Israel (an example of this is the appeal by Israel's UN ambassador for a condemnation of rocket fire against Israel in April 2013).³³

This path of political-diplomatic measures, along with defensive measures and the refraining from offensive measures, seems unrealistic for several main reasons:

- a. An active defense system like Iron Dome cannot provide "hermetic" protection for residents of Israel because of a lack of technical capability in two areas: First, the system cannot intercept missiles within a range of four kilometers, which means that most of the Gaza perimeter communities (in the case of missiles fired by Hamas) and many communities along the northern border (in the case of missiles fired by Hizbollah) cannot be protected by Iron Dome. Second, the system has a not insignificant rate of failures in intercepting missiles aimed at Israel (an example is its lack of success in intercepting Grad rockets fired at a residential area in Eilat in April 2013).³⁴ In addition, in spite of Iron Dome's existence, Israelis still have to stay in protected spaces during an attack, and sometimes they are still wounded in such a situation. (An example is the moderate injuries sustained by a resident of the Sha'ar Hanegev Regional Council area, who was in a protected space during the successful interception of a rocket fired from the Gaza Strip).³⁵ The system also cannot completely prevent side effects from the firing of missiles. Examples include harm to the mental health of civilians and physical damage to civilians injured by fragments from the interceptor missiles. Other possible adverse effects include millions of shekels in economic damage to Israel³⁶ because of the closure of schools, the loss of days worked by parents, the closure of places of entertainment, the mobilization of reserve soldiers, and damage to private homes, businesses, infrastructures, greenhouses, and crops in open spaces.

Iron Dome also cannot be used over an extended period of time because of the cost of the interceptor missiles, estimated at some \$40,000-\$50,000 per missile.³⁷ In addition, there is concern that the terrorist organization will learn and internalize the system's weaknesses, and if the system does not perform well, it will undermine Israel's deterrent capability.³⁸

- b. It is not possible to thwart the rocket threat through defensive action only. Offensive actions and operational prevention complete the response to rocket fire directed at Israel's citizens.³⁹
- c. Israel's ability to deter terrorist organizations could be eroded. If there is no military response, these organizations are liable to feel that they can continue to fire missiles at Israel in order to disrupt the daily life of Israeli citizens.
- d. The government could lose legitimacy among Israel's citizens if they feel unprotected and frustrated by its impotence against an aggressive terrorist organization. The loss of legitimacy could bring down the government, and thus, presumably it would do everything in its power to avoid that.
- e. Diplomatic measures such as turning to the UN Security Council will usually not produce operational results that will assist in stopping the fire, as evidenced by the number of resolutions condemning Israel because of the Palestinian issue over the years, compared to the negligible number of resolutions condemning the Palestinians.⁴⁰ Another example is Ambassador Prossor's comments about the Security Council's impotence in the face of Hamas missile fire.⁴¹

The second alternative is for the government to use military force, that is, to launch a military operation against those who fire the rockets. Here too we can distinguish between two types of operation. The first is a targeted operation in response to offensive actions by terrorist organizations, such as an aerial attack on terrorist cells or on various targets, including terror infrastructures, smuggling tunnels, and weapons manufacturing sites.⁴² The second is an extensive operation, that is, a comprehensive military operation. A targeted military action to thwart the missile fire might give rise to two main problems:

- a. The rocket arsenals of Hamas and of Hizbollah may be very large, and therefore, a targeted strike by Israel would not cause any real damage to the two organizations' missile firing capabilities and would not lead

to a long term solution to the problem. According to IDF assessments, Hizbollah alone possesses more than 40,000 rockets.⁴³

- b. Hamas and Hizbollah are liable not to be deterred by an IDF operation. A targeted Israeli military action could create limited deterrence and fail to stop the rocket fire and the erosion of Israeli deterrence.

On the eve of Operation Pillar of Defense, Israel was careful to argue that in spite of the periods of escalation that preceded the action (in April, August, and October 2012), it had made every possible effort to respond to the missile fire with restraint.⁴⁴ Israel noted that it had used the Iron Dome system, which was intended to minimize damage to the property and lives of Israelis, as well as targeted operations in the Gaza Strip, such as an aerial attack in October 2012 on a terrorist cell that was in the final stages of preparing to fire rockets at Israel.⁴⁵ Only when it became clear to decision makers that the rocket fire was increasing and the danger to Israeli citizens was not diminishing did they realize that Israel must launch a military operation.

A future rocket attack on an Israel equipped with the Iron Dome system will further highlight the importance of the principle of “last resort.” As a result of Israel’s ability to protect its citizens and to minimize damage to them, the international community will expect Israel to be more cautious than in the past when exploring the option of launching a military operation. It will expect Israel to devote more time to examining alternatives other than Iron Dome in order to protect its citizens. However, given the weaknesses of the other options, as discussed above, it will then be possible to morally justify launching a military operation.

The Principle of Proportionality

In the future, before Israel makes a decision to launch a military operation against terrorist organizations, the international community will ask it to prove that the goal and results of the operation, which are legitimate in and of themselves – preserving the welfare, life, and property of Israeli civilians – morally justify the anticipated physical damage (injury or death) and the property damage to Palestinian or Lebanese civilians. Israel’s use of Iron Dome highlights this principle. Even before the system was in use, the asymmetry between Israel and Hamas was evident, particularly in terms of the disparity in military capability and consequent harm to innocent Palestinian civilians. This asymmetry has now increased even further:

not only do most Israeli citizens⁴⁶ have the ability to protect themselves passively (by staying in a protected space), in contrast to the Palestinians, but Israel also has the ability to protect its citizens actively (though not “hermetically”).

The fact that Hamas deliberately chooses to operate from civilian population centers in order to push Israel into a corner and cause it to attack innocent civilians does not detract from the moral argument that Israel must justify the harm it would cause to those Palestinian civilians. Israeli military action against a terrorist organization alongside the use of Iron Dome could lead to arguments that Israel is better able to defend its citizens and their property than in the past, whereas its military operation could cause death and suffering to Palestinians who are unable to protect themselves (and whom Hamas has no desire to protect). Thus, any future Israeli military action against the terrorist organizations in the Gaza Strip is liable to lead to Palestinian civilians being presented as the underdog, more so than in the past.

Armed conflict between Israel and the Palestinians will result in much damage and many casualties among the Palestinians and more limited damage and fewer casualties on the Israeli side, as is typical of asymmetric conflicts between a strong party and a weak party. This situation is liable to cause the international community to doubt Israel’s moral considerations and thus to weaken the legitimacy of Israel’s military operation. Such asymmetry is starkly apparent, for example, in the number of those killed and wounded during Operation Pillar of Defense. On the Israeli side, six civilians were killed and 269 wounded (a figure that also includes those suffering from shock).⁴⁷ Among the Palestinians, 167 were killed and 1,200 injured (87 of those killed were non-combatants, 69 were combatants, and the status of the others is not clear).⁴⁸

In the final analysis, although Israel has a greater ability to protect its citizens, it lacks the ability to ensure their wellbeing without an offensive solution. Neither the passive protection options nor the Iron Dome active defense system can provide full and immediate security to Israeli citizens.⁴⁹ Therefore, Israel has moral justification for taking military action, even if doing so could endanger civilians on the other side.

Conclusion and a Look to the Future

According to Prime Minister Benjamin Netanyahu, delegitimization of Israel is one of the greatest moral failings of our time.⁵⁰ This delegitimization results from international denunciation of Israel's activities in several areas, not only the military realm. However, the central role security plays in Israel makes this the main issue.

Morality and legitimacy are fundamental parameters that are closely connected to the military domain. Terrorist organizations know this, and they seek to undermine Israel's moral strength. Israel, which is sensitive to the loss of life of its citizens, is sometimes forced during IDF operations to harm innocent civilians on the other side in order to protect its own citizens. Such harm will result in the international community's failing to grant legitimacy to IDF operations and in delegitimization of the State of Israel.

If Israel aspires to succeed not only militarily,⁵¹ but also in explaining its policies and in the political-diplomatic realm – that is, in receiving legitimacy and backing for its operations from the international community – then it must constantly maintain a balance between its most important role, protecting the safety and security of its citizens, and preserving its moral character. This quality is reflected, *inter alia*, in an operation that is in accordance with the set of principles of just war theory in all aspects of the launch and conduct of a military operation. In the opinion of Professor Michael Walzer, not only are statesmen and soldiers aware of the moral aspect of war; most indeed wish to act and to be seen to act in a moral way.⁵²

This article sought to examine the extent to which in the future Israel will adhere to the moral principles that justify launching a military operation. It assumes that because Israel has the Iron Dome system, the international community might deny the legitimacy of such an operation. Accordingly, when Israel did not have a real defensive tool that could protect large areas, the necessity of a military operation was clearer and left Israel with more moral leeway. Now that Israel can endure more massive rocket fire than in the past with much less harm to property and human beings, it will have to prove three main points to the international community before it undertakes military action:

- a. That its reason for initiating the operation is justified.
- b. That before it chose the military option, it carefully examined other courses of action that do not involve the use of force.

- c. That the benefit of the operation to Israel's citizens justifies the harm that could be caused to the opposing side.

Examination of these issues indicates that even though Israel has Iron Dome, it is morally justified in launching a military operation against a terrorist organization that is firing rockets at it. There are two main reasons for this. First, a ceasefire cannot be achieved without using preventive and offensive measures. Second, Iron Dome is not a magic bullet. It does not enable "hermetic" protection of the Israeli home front and cannot prevent the side effects of missile fire.

At the same time, the State of Israel's moral justification for initiating a military operation does not justify conduct of warfare from the IDF's perspective. Presumably, because Israel made do with an aerial operation and avoided a ground operation in Operation Pillar of Defense,⁵³ the hostilities ended with the (relative) support of the international community intact: many leaders, first and foremost the President of the United States, supported Israel's right to self-defense. This support was also evident in a poll conducted by CNN, which showed that 57 percent of the respondents in the United States thought that the military operation in the Gaza Strip was justified, while 24 percent opposed it.⁵⁴

The decision to avoid a ground operation can be credited mainly to Iron Dome, which helped protect the Israeli home front more effectively than in the past and thus helped reduce public pressure on the government. This in turn gave the government more time to make decisions.⁵⁵

The discussion above indicates that Israel's main problem now is actually liable to relate to the type of operations undertaken during the fighting. These correspond with the second part of the principles of just war theory, the manner of fighting (*jus in bello*). Henceforth, Israel will need to be much more careful than in the past in terms of the amount of force it uses and the duration of a military operation, so as not to cause too much harm to the other side. Such harm could increase the imbalance between the two sides and thus lead the international community to deny the legitimacy of Israel's actions.

We can expect that in a future Israeli military operation against terrorist organizations, the approach used during Operation Pillar of Defense – an air attack followed by negotiations with the mediation of a third country in order to avoid a ground operation – will likely be used again. This would allow Israel to achieve the goals of the operation while maintaining

international legitimacy. Such a scenario could provide an opening for a future discussion regarding the moral justification of measures taken by Israel during combat when it has a defensive system available in the form of Iron Dome.

Notes

- 1 Giora Eiland, "The Changing Nature of War: Six New Challenges," *Strategic Assessment* 10, no. 1 (2007): 15-22.
- 2 Baruch Nevo and Yael Shur-Shmueli, *Morality, Ethics, and Law in Wartime* (Jerusalem: The Israel Democracy Institute, 2003), p. 14.
- 3 " Hamas Strengthening and Force Buildup," General Security Services, December 2008, <http://www.shabak.gov.il/publications/study/pages/gaza-hamas-terror-report.aspx>.
- 4 Nevo and Shur-Shmueli, "Morality, Ethics, and Law," p. 15.
- 5 Yuval Bazak, "Responding to the Need for International Legitimacy: Strengthening the IDF Strike Force," *Military and Strategic Affairs* 3, no. 2 (2011): 3-5.
- 6 See the comments by a Palestinian civilian following Operation Cast Lead in "Palestinian Civilians in the Gaza Strip to *Corriere della Sera*: Hamas Wanted the Israelis to Shoot at Our Homes," *Haaretz*, January 22, 2009, <http://www.haaretz.co.il/news/politics/1.1242826>.
- 7 See comments by the UN interpreter on the large number of draft resolutions condemning Israel at the UN, <http://www.nrg.co.il/online/1/ART2/522/689.html>.
- 8 "Review: Roundtable on 'Between Cast Lead and Pillar of Defense' – A First Look at the Implementation of International Law," *Law and Business*, Radzyner School of Law, Interdisciplinary Center, Herzliya, March 6, 2013, http://idclawreview.wordpress.com/2013/03/06/cast_lead_cloud_pillar_2013/.
- 9 According to the report, the delegitimization of Israel is a denial of the legitimacy of Israel's existence as a Jewish state and of the Jewish right to self-determination. In addition, the report states that the erosion in Israel's status in the world has strategic ramifications, one of which is reduced leeway for Israel in the use of military force.
- 10 *The Delegitimization Challenge: Creating a Political Firewall: A Conceptual Framework in the Political-Diplomatic Arena of National Security* (Tel Aviv: Reut Institute, January 30, 2010), pp. 14-15, 42, 45.
- 11 This question also depends on the state's level of obedience to international law, but this article highlights the moral question.
- 12 This article uses the term "comprehensive military operation" in order to draw a distinction between such an operation and a targeted military action.
- 13 This article discusses only the possibility of missile fire by Hamas and the other organizations in the Gaza Strip, as well as by Hizbollah in Lebanon,

because Iron Dome is intended to cope with a considerable number of these missiles.

- 14 This article does not pretend to argue that a defensive system is meant to replace offensive capabilities during combat, because the success of a given operation comes from combining the defensive component with the offensive. However, there is importance to the manner in which the international community examines Israel's moral justifications for initiating an operation.
- 15 Some experts claim that the system's rate of success was much lower than 84 percent. See Reuven Pedatzur, "How Many Rockets Did Iron Dome Really Intercept?" *Haaretz*, March 9, 2013, <http://www.haaretz.co.il/opinions/1.1954176>. This article is based on official data presented by the IDF. See "Summary of Operation Pillar of Defense: All Events, Hour by Hour," IDF, November 20, 2012, <http://www.idf.il/1133-17568-he/Dover.aspx>.
- 16 IDF Spokesman, "The Changing Face of Battle: The Challenge of High-Trajectory Weapons and the Active Defense System of the State of Israel," IDF Spokesman's Research, Strategies, and Initiatives Branch, January 2011, pp. 5, 27, 45.
- 17 Rafael, *Iron Dome: Defense System against Short-Range Artillery Rockets*, http://www.rafael.co.il/marketing/SIP_STORAGE/FILES/6/946.pdf.
- 18 Yiftah S. Shapir, "Lessons from the Iron Dome," *Military and Strategic Affairs* 5, no. 1 (2013): 82.
- 19 Interview by the author with Foreign Ministry official, January 16, 2013; Yossi Nissan, "Pillar of Defense – The Numbers: This Is the Extent of the Damage the IDF Caused Hamas," *Globes*, November 22, 2012, <http://www.globes.co.il/news/article.aspx?did=1000800368>.
- 20 Asa Kasher, "Operation Cast Lead and the Just War Theory," *Azure*, Spring 2009, <http://www.tchelet.org.il/article.php?id=437>; Michael Walzer, *Just and Unjust Wars* (Tel Aviv: Am Oved-Sifriyat Ofakim, 1984), p. 31; Cecile Fabre, "Cosmopolitanism, Just War Theory and Legitimate Authority," *International Affairs* 84, no. 5 (2008): 963.
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