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**Military Operations as Acts of Self-Defense: The Begin Doctrine
and Israeli Counterterrorism**

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Abstract

The disengagement of the Gaza Strip was an important turning point in Israeli history as it set the stage for consequent Israeli conflicts. My paper intends to answer a set of questions the disengagement from Gaza and how it has affected Israeli security and counterterrorism policy. How did the Begin Doctrine's application change after the disengagement from the Gaza Strip? What considerations are prioritized? The Begin Doctrine set a precedent that still influences Israeli security strategy. By reducing the doctrine down to its core tenets and using the disengagement as a case study, I argue that the existing framework gets repurposed for counterterrorism, and its application has expanded beyond its use for counterproliferation. In doing so, it acknowledges a shift in priorities in external threats and changes its attitudes toward international law. In doing so, this case provides a framework for how states choose to conduct military operations and how they justify those decisions to the rest of the world.

Prime Minister Menachem Begin, following an airstrike on Osirak in 1981, made the following statement at a press conference using Osirak to highlight the need for a national security doctrine:

"We chose this moment: now, not later, because later may be too late, perhaps forever. And if we stood by idly, two, three years, at the most four years, and Saddam Hussein would have produced his three, four, five bombs. ... Then, this country and this people would have been lost, after the Holocaust. Another Holocaust would have happened in the history of the Jewish people. Never again, never again! Tell so your friends, tell anyone you meet, we shall defend our people with all the means at our disposal. We shall not allow any enemy to develop weapons of mass destruction turned against us."¹

"Never again" effectively becomes the motto of the Begin Doctrine. Begin's rhetoric ties the systemic extermination of Jews during the Holocaust and the broader themes concerning the persecution of Jews throughout history to the necessity of ensuring the security of a Jewish State by any means necessary. This became crucial to establishing the framework on how Israel would interact with overtly hostile state actors actively seeking the means to become an existential threat to Israel. The Begin Doctrine is Israel's national security doctrine that actively recommends preemptive strikes against potential hostile threats. One of its distinct characteristics

¹ Spector, Leonard S., and Avner Cohen. "Israel's Airstrike on Syria's Reactor: Implications for the Nonproliferation Regime." *Arms Control Today* 38, no. 6 (2008): 16.

is how it recommends eliminating threats before they manifest. It was conceived in 1981 after Operation Opera, a covert airstrike on Osirak- a nuclear reactor in Baghdad. Since its conception, it has primarily been used against hostile state actors, particularly in counterproliferation. After the end of the Second Intifada in 2005, Israel withdrew its forces from the Gaza Strip. How has the Begin Doctrine's application changed after Israel's disengagement from the Gaza Strip? What broader implications does this case have in creating a doctrine for national security? How do other factors shape how Israel responds to threats at any stage of development and its response to them? What influence do international organizations have on a state that leads to making changes without compromising on its core values and pursuit of its interests? The literature will showcase various elements of the Begin Doctrine from its conception and some theoretical frameworks for implementing it as part of Israel's counterterrorism strategy.

Literature Review

Most of the literature pertaining to the Begin Doctrine discusses preemptive measures at nonproliferation almost exclusively. Granted, the doctrine was designed for that type of military engagement, and much of the research ties most closely to Osirak, which I will delve into in this section. Recent scholarship discussed it as it relates to the Joint Comprehensive Plan of Action, also known more commonly as the Iran Nuclear Deal². However, there is no research that argues a direct linkage between the Begin Doctrine to Israel's counterterrorism strategy, let alone, post-disengagement from the Gaza Strip. Amos Yadlin (2018)- who was one of the pilots

² Brom, Shlomo. (2005) "The Begin Doctrine and Preemptive Strikes." In *Nuclear-Armed Iran: Risks and Responsibilities*, edited by Henry D. Sokolski, 89-102. Carlisle, PA: U.S. Army War College Strategic Studies Institute, 133-158

involved in Operation Opera³- does a qualitative analysis of applying the Begin Doctrine at Osirak. He argues that the Begin Doctrine effectively demonstrated Israel's ability to proactively prevent adversaries from acquiring weapons of mass destruction. He also balances one of the doctrine's most significant drawbacks: applying the Begin Doctrine must carefully thread the needle through political ramifications and diplomatic repercussions. However, Yehuda Avner (2010), an advisor to Prime Minister Begin, points out that Begin was dismissive of the condemnations of world leaders and international organizations. Yadlin overlooks the Begin Doctrine's possible implementation in Israel's existing counterterrorism strategy, which I intend to investigate further with conflict post-Gaza disengagement. Granted, applying it to counterterrorism would require adjusting its application to consider several other factors, which will be discussed later. Applying the Begin Doctrine to counterterrorism will provide a new understanding of how it can be applied to precisely deal with smaller-scale and more immediate threats that emerge more frequently.

Charles Freilich (2018) writes extensively about the Begin Doctrine and how the Iran Nuclear Deal presents its biggest test in its viability as a counter-proliferation policy. He argues that it is increasingly unlikely for Israel to uphold the doctrine in the future unless Iran commits a flagrant violation of the Iran Nuclear Deal. Given how dismissive the Begin Doctrine is to international condemnations from its conception, a flaw in Freilich's argument is that it would not matter if Iran abides by its obligations to the deal. Even assuming his argument is correct does not exclude the doctrine from applying to other threats that use conventional weapons. Boaz Ganor (2005) outlines some theoretical frameworks that provide suggestions for developing an effective counterterrorism strategy, and how they require the balancing of the military, security,

³ Yadlin, Amos. "Amos Yadlin." Institute for National Security Studies.
<https://www.inss.org.il/person/yadlinamos/>.

political, legal, and economic challenges and a firm grasp on how these factors are at play and influence each other.⁴ One of the most significant drawbacks of Ganor's book is that it does not account for the fluid nature of terrorism. It does not take a traditional military-to-military approach. The Begin Doctrine deals primarily with hostile state actors, particularly those with intending to produce nuclear energy that Israel believes can, let alone will be used against it. While Ganor can explain the many factors Israel could consider, it might overlook the extent to which they mattered in particular cases, especially if an operation like the airstrike on Osirak is covert, given Israel's maximal prioritization of security. Ganor's theories can also help explain how Israel engages in preemptive war. Given its unique security challenges, Israel has already been well-versed in preemptive war. Regardless, preemptive attacks require comprehensive intelligence gathering. Further, Israel's concept of preventive warfare is a necessary response to the state's unique security challenges despite its controversial nature and sometimes questionable use of military force. Daniel Tal (2007) concludes that preemptive war must balance the principles of international law with the ethics of war, and when the imminent threat to national security makes it impossible to do so, it should be used only as a last resort⁵. While understandable in theory, Israel's unique security challenges make that difficult, if not impossible. Tal does not analyze Israel's understanding of preemptive war critically. Israel faces existential threats and is already under intense scrutiny by the United Nations⁶. It ultimately questions whether the actors claiming that they are holding Israel accountable are genuinely acting in good faith when they really might have a vested interest in harming Israel militarily or

⁴Ganor, Boaz. *The Counter-Terrorism Puzzle: A Guide for Decision Makers*. Transaction Publishers, 2005.

⁵ David Tal, "Israel's Concept of Preemptive War," *Syracuse Law Review* 57, no. 3 (2007): 601-618

⁶ Freilich, Charles. *Israeli National Security*. New York: Columbia University Press, 2012. Appendix Tables A.1, A.3, and A.5.,

ostracizing it diplomatically. It could potentially challenge the legitimacy of the bodies creating international laws. If Israel was to get condemned no matter what, there would be no reason to abide by it.

What is probably just as important as completing the objective of a military operation is trying to assert that the cause of said military operation is just. When any country engages in a military operation of any kind, it needs a way to justify its actions not only to its own people but to the rest of the world, in the United Nations, in particular but also how the media plays a profound influence on how Israel responds to all types of security threats. The Begin Doctrine helped to create a counterproliferation policy to protect itself from hostile neighbors. The disengagement from the Gaza Strip marked a turning point in Israeli defense and security because it saw a melding of both by melding them together in how it does targeted strikes against terrorist organizations ⁷ ⁸. The core tenets of the Begin Doctrine argue that if a hostile actor actively seeks the means to Israel's annihilation, then Israel is justified in proactively acting against it in self-defense. While the doctrine was initially conceived as a counterproliferation doctrine for acting against hostile actors, at a more theoretical level, it provides a framework for understanding how Israel acts against hostile state actors of all types intent on engaging in warfare against Israel at all levels. The conception will be covered in the next section. Further, it allows an understanding of how Israel responds to other countries accusing it of violating international law. When Hamas took political control of the Gaza Strip in 2007, it showed how a hostile non-state actor behaves like a de-facto hostile state actor as it operates within its political borders. This thesis will give a comprehensive and detailed analysis of the Begin Doctrine in

⁷Pinfold, Rob Geist, Security, Terrorism, and Territorial Withdrawal: Critically Reassessing the Lessons of Israel's "Unilateral Disengagement" from the Gaza Strip, *International Studies Perspectives*, 2022;, ekac013, <https://doi.org/10.1093/isp/ekac013>

⁸ Rais, Faiza. "THE GAZA DISENGAGEMENT PLAN: AN ASSESSMENT." *Strategic Studies* 26, no. 1 (2006): 50–78. <http://www.jstor.org/stable/45242334>.

theory and its application and show how its underlying assumptions allow for it to be repurposed in other military operations where it would be applied more effectively from its intended purpose. It will follow the trajectory of threat assessment, executing the decision to eliminate a threat and how to sell that decision to the rest of the world. First, I will discuss the conception of the Begin Doctrine by looking into Prime Minister Menachem Begin's background, how he decided to launch an airstrike on Osirak in 1981, and how he responded to external entities to understand how he rationalized such a legacy-defining operation. Next, I will discuss the emerging threat of Hamas as part of the broader staggering rise of terror attacks in the late 1990s and early 2000s in relation to the other simultaneous threats Israel faces, as well as the consequences of disengaging from the Gaza Strip and how it ushered in a new era of Israeli counterterrorism. Then I will talk about Israel's change of attitude towards international organizations in the face of disproportionate scrutiny, and how media coverage can exacerbate and sway public opinion against Israel. That will describe how critical that change was to understanding how Israel justifies its counterterrorism operations. This thesis is neither intended to cast judgment on Israel's decisions when it comes to implementing a counterterrorism strategy nor cast judgment on the merits on which it rationalizes it. However, it will attempt to present a new way to analyze Israeli counterterrorism strategy in the Gaza Strip using the underlying theories of a doctrine that was not initially meant for counterterrorism. The elements of the particular case of the conflicts post-Gaza disengagement allow for analyzing through that particular framework and, more broadly, how Israel rationalizes military operations as acts of self-defense. My research questions are: How did the Begin Doctrine's application change after the disengagement from the Gaza Strip? What considerations are prioritized in the shift in its application?

Historical Overview:

The rise of Menachem Begin and the Likud Party in the late 1970s saw significant changes in Israel's standing in the region and its relations with its neighbors, allies, and adversaries. Early into his tenure as Prime Minister of Israel, he signed the Camp David Accords in 1978 with Egyptian President Anwar Sadat, the first peace treaty with any of its Arab neighbors. It was a monumental step for Israel toward peace with its neighbors. The Begin years also set an important, legacy-defining precedent in Israeli national security policy, with the airstrike on Osirak in 1981 as the cornerstone of the Begin Doctrine. According to Begin, if any actor was intent on destroying Israel and was actively pursuing the means to its destruction, it justified a preemptive strike as self-defense, even though Iraq's nuclear program had not yet been able to produce weapons-grade uranium. However, Begin was not the first Israeli prime minister to act on this assumption. After the first Arab-Israeli War, or the Israeli War of Independence, or the Nakhba, in 1948, Prime Minister David Ben-Gurion saw the need to establish a national security doctrine. In 1953, Ben Gurion laid out his security strategy built on deterrence, early warning, and use of offensive power for decisive victory⁹. This strategy made much sense for a young state born from war against the existential threat. By the time Begin came to power, the geopolitics of the region had changed. There was no longer an solid Arab coalition attempting attempt to annihilate Israel like there had been 30 years prior. With the emerging potential nuclear threats, Begin needed to take a more assertive stance on national security. Nevertheless, the original concept of using offensive power to achieve decisive victory was necessary as failure to eliminate threats, let alone nuclear-capable threats, would be disastrous for Israel. Israel had been caught off guard by Egypt and Syria's surprise attack during the Yom Kippur War in 1973.

⁹ Nagel, Jacob and Schanzer, Jonathan (2019), "Memo: Ben Gurion to Netanyahu: Evolution of Israel's National Security Strategy", Foundations for Defense of Democracies, 2-3

It was a mistake that Israel fervently sought to prevent making a second time. Diplomatically, the relationship between the United States and Israel had strengthened significantly after the Yom Kippur War. Begin thoroughly expressed concern about Iraq's nuclear program and how the window to act before the reactor went critical was closing. He understood that failure was not an option in dealing with a potential nuclear threat like Saddam Hussein. Although Begin's cabinet was divided over whether to airstrike the reactor, how the consequences would affect their relationships with the United States, and how Iraq might retaliate¹⁰. Eventually, the hawkish ministers prevailed¹¹.

Given the unprecedented nature of this operation and that the target was in a hostile sovereign nation, it is considered one of the most challenging decisions any Israeli Prime Minister has ever made¹². Begin grew up involved in the Revisionist Zionist movements such as Beitar and was a protege of Ze'ev Jabotinsky, who is considered to be the founder of the Revisionist Zionist school of thought¹³. He was involved in Zionist youth groups such as Betar, fought as part of, and became a leader in the Irgun. He was one of the staunchest and most resolute critics of the mainstream Zionist movement under the British Mandate led by David Ben-Gurion. Begin believed Ben Gurion's faction was too soft with the British colonial forces, who did little to quell the violence between Jews and Arabs living in Palestine. He felt that

¹⁰ Ronen Bergman, *Rise and Kill First* (New York, NY: Random House US, 2019), 355

¹¹ Bass, Warren. "The Raid on Osiraq, 1981." In *A Surprise Out of Zion?: Case Studies in Israel's Decisions on Whether to Alert the United States to Preemptive and Preventive Strikes, from Suez to the Syrian Nuclear Reactor*, 27–44. RAND Corporation, 2015. <http://www.jstor.org/stable/10.7249/j.ctt19w73b6.9>

¹² Kaplan, Eran. "A Rebel with a Cause: Hillel Kook, Begin and Jabotinsky's Ideological Legacy." *Israel Studies* 10, no. 3 (2005): 87–103. <http://www.jstor.org/stable/30245768>.

¹³ Naor, Arye. "The Purifying Effect of Truth: Jabotinsky's Interpretation of the Balfour Declaration." *Israel Studies* 22, no. 3 (2017): 31–47. <https://doi.org/10.2979/israelstudies.22.3.02>.

matters needed to be taken into the Jews' own hands to assert their sovereignty¹⁴. He was a political firebrand, with former Prime Minister Yitzhak Rabin noting that Begin's great "advantage – that as prime minister he does not have Begin in his opposition"¹⁵. Understanding the kind of person Menachem Begin was and how his upbringing shaped his man, helps explain his ethos and the ideological foundation upon which his namesake's national security doctrine was built. He had a strong grasp of the collective struggle of Jews throughout history. He understood very early in his life that no one would come to the aid of the Jews when they needed help. It also goes to show how little concern Begin had for criticism from bystanders of Israel's showspecially when Israel would have benefited greatly from their help against all kinds of threat.. As a result, Begin recieved massive backlash on the world stage, including from Israel's allies. The United Nations Security Council passed Resolution 487, which condemned Israel for its airstrike on Osirak, arguing that "in clear violation of the Charter of the United Nations and the norms of international conduct," and that it "calls upon Israel to refrain in the future from any such acts or threats thereof,". The Security Council calls the airstrike "a serious threat to the entire IAEA [International Atomic Energy Agency] safeguards regime" that undergirds the Nuclear Nonproliferation Treaty, as well as "fully recognizes" Iraq's "inalienable sovereign right" to peaceful nuclear development. It calls on Israel "urgently to place its nuclear facilities under IAEA safeguards," and considers Iraq "entitled to appropriate redress for the destruction it has suffered" at Israel's hands^{16 17}. To Begin, self-determination by any means

¹⁴ Avner, Yehudah, *The Prime Ministers: An Intimate Narrative of Israeli Leadership* (New Milford, CT: Toby Press, 2010).

¹⁵ Troy, Gil. 2019. *The Zionist Ideas: Visions for the Jewish Homeland—Then, Now, Tomorrow*. Lincoln: University of Nebraska Press, 221

¹⁶ United Nations Security Council (UNSC) Res 487 (19 June 1981) UN Doc S/RES/487

¹⁷ Bass, Warren. "The Raid on Osirak, 1981." In *A Surprise Out of Zion?: Case Studies in Israel's Decisions on Whether to Alert the United States to Preemptive and Preventive Strikes, from Suez to the Syrian Nuclear Reactor*, 41-42. RAND Corporation, 2015.

<http://www.jstor.org/stable/10.7249/j.ctt19w73b6.9>.

necessary was of the utmost importance. Yehuda Avner (2010), who served as an advisor to Begin, and several other prime ministers before him, describes his response where Begin claimed that his critics were “ ‘Western do-gooders who never once raised a voice against Saddam Hussein’s murderous intent’ Scrutinizing a file of press reports one morning, he told...his personal staff: ‘Listen to the thrashing Margaret Thatcher is giving me. She says, ‘...it represents a grave violation of international law’ Tut tut-what a naughty boy I am’ ”¹⁸. It goes to show that the Begin Doctrine is predicated on the idea that international law is arbitrary and its legitimacy is rooted in how its applied and enforced. Begin gave Israel’s allies plenty of warning about Saddam’s intentions and his imminent possession of weapons-grade uranium, and they were negligent in addressing them, which justifies, to Begin, that it is acceptable to take matters into his own hands when faced with perceived, if not, definite existential threats. It affirmed what he always knew about the plight of the Jewish people. Ariel Sharon, who was defense minister under Begin at the time, asserted that “Israel cannot afford the introduction of nuclear weapons (into the Middle East). For us, it is not a question of a balance of terror, but a question of survival. We shall, therefore, have to prevent such a threat at its inception”¹⁹. Begin’s rhetoric showed that at the theoretical level, the Begin Doctrine was deeply rooted in the Israeli experience as well as the experience of the Jewish people throughout history. Israel faces many unique threats that are dedicated in its pursuit of its annihilation, and to Begin, allowing Israel’s adversaries to threaten the security of, let alone what is needed assure assured destruction of, the Jewish State was not an option. Those core tenets continue to influence Israeli security policy to this day.

¹⁸ Avner, Yehudah, *The Prime Ministers: An Intimate Narrative of Israeli Leadership* (New Milford, CT: Toby Press, 2010). 556

¹⁹ Freilich, Charles D, 2018, *Israeli National Security a New Strategy for an Era of Change* (Oxford University Press), 249

Several decades later, Ariel Sharon becomes prime minister, and Israel endured the most significant wave of terror attacks since its establishment. One of the most significant outcomes of the Second Intifada was Israel's unilateral disengagement from the Gaza Strip in 2005. However, Israel still controlled border crossings and all other points of entry and exit of the territory while the Palestinian Authority had political control inside. Eventually, Hamas seized power in 2007 and has had primary control ever since²⁰. As a result, Israel is in a unique position in that it has to engage with a quasi-sovereign territory governed by a non-state actor. However, Hamas is one of several terrorist organizations operating in the Gaza Strip. Palestinian Islamic Jihad is the other major organization in the territory that launches rocket and mortar attacks into Israel²¹. Former Israeli Intelligence Minister Yuval Steinitz pointed out that between the disengagement in 2005 and Operation Protective Edge in 2014, the number of rocket and mortar attacks from Gaza skyrocketed, with more than 14,000 rockets and mortars²². It remains one of the bloodiest of the Gaza conflicts.

The nature of disengagement has been quite controversial, politically. Rob Geist Pinfeld (2022) argues that Israel withdrew to cut losses, improve its foreign policy strategy, deter and deny terrorist groups, and stem perceived demographic threats. It was never the intention for disengaging to be a solution of any kind to the Israeli-Palestinian Conflict. Instead, disengagement sought to stabilize the conflict and hinder negotiations with the Palestinians

²⁰ Tannira, Ahmed H. "GAZA: PERIODISING DE-DEVELOPMENT UNDER OCCUPATION." In *Foreign Aid to the Gaza Strip between Trusteeship and De-Development*, 43–84. Anthem Press, 2021. <http://www.jstor.org/stable/j.ctv1bn9jqv.7>.

²¹ Jackson, Brian A., Peter Chalk, R. Kim Cragin, Bruce Newsome, John V. Parachini, William Rosenau, Erin M. Simpson, Melanie Sisson, and Donald Temple. "Palestinian Terrorist Groups." In *Breaching the Fortress Wall: Understanding Terrorist Efforts to Overcome Defensive Technologies*, 1st ed., 13–38. RAND Corporation, 2007. <http://www.jstor.org/stable/10.7249/mg481dhs.10>.

²² John Pike, "Military," HAMAS Rockets, <https://www.globalsecurity.org/military/world/para/hamas-qassam.htm>.

through limited territorial exits²³. This point will be explained later. Although, politically, disengagement created a schism among the Israeli Right, some thought it was a desertion of the ideological goal for Jewish control over the region. In reality, it was sidelined to prioritize maintaining a democratic Jewish state with a clear Jewish majority²⁴ while also allowing for applying pressure on the Palestinians simultaneously²⁵. This particular issue of balancing the Jewish and democratic character is one that Israel has been struggling with since its establishment and has significant political ramifications. Understanding this balancing act is critical for understanding not only the Arab and Palestinian narrative but also the political, military, and diplomatic decision-making in its relations with Israel. It remains a critical issue concerning Israel's presence in the West Bank, which is still quite controversial. Several Arab states have tried to make resolving the Palestinian issue a condition for normalizing diplomatic relations. However, the recent headways made with the Abraham Accords could suggest that resolving the Palestinian issue is a non-starter.

Israel has been involved in regional conflicts since its founding, which required emphasis on internal security with a focus on protecting civilians from acts of terror. The Begin Doctrine helped to create a counterproliferation policy to protect itself from hostile neighbors and its merits under international law are still debated. The disengagement from the Gaza Strip marked a turning point in Israeli national security strategy, because it was implemented in a way that it never intended to be implemented. The Doctrine's implementation changed from one focused on

²³ Rob Geist Pinfold, Security, Terrorism, and Territorial Withdrawal: Critically Reassessing the Lessons of Israel's "Unilateral Disengagement" from the Gaza Strip, *International Studies Perspectives*, 2022;, ekac013, <https://doi.org/10.1093/isp/ekac013>

²⁴ Rynhold, Jonathan, and Dov Waxman. "Ideological Change and Israel's Disengagement from Gaza." *Political Science Quarterly* 123, no. 1 (2008): 12

²⁵ Rais, Faiza. "THE GAZA DISENGAGEMENT PLAN: AN ASSESSMENT." *Strategic Studies* 26, no. 1 (2006): 50–78. <http://www.jstor.org/stable/45242334>.

counterproliferation to counterterrorism. Further, this shift has a significant impact, particularly in how Israel conducts and justifies military operations. It also reveals important insight into how Israel interacts with international organizations and broader scrutiny from state and non-state actors and how it changed over time. Although the research has not explained the influence of the Begin Doctrine on the conflicts in the Gaza Strip, I intend to unpack this theory further in this thesis.

Shifting Priorities.

Israel's security model in the aftermath of the Second Intifada, the growing threat of nuclear-capable adversaries (mainly Iran) is outweighed by more immediate terror threats using conventional and hybrid warfare tactics. However, elements of the Begin Doctrine are present in how Israel conducts operations against Hamas. The Begin Doctrine was initially intended for preventively dealing with the threat of adversarial state actors attempting to obtain nuclear weapons, which was set as a precedent in 1981 following Israel's airstrike on Osirak, a nuclear power plant outside of Baghdad. Almost two decades later, came the onset of the Second Intifada, which saw the most significant spike in terrorism Israel has ever endured, with unprecedented waves of massive civilian casualties²⁶.

The result of the Second Intifada saw Israel disengaging its forces from the Gaza Strip in 2005, which it had held since the 1967 Arab-Israeli War or the Six-Day War. When Hamas took control of the Gaza Strip in 2007, the following conflicts took on a unique characteristic: the threat Israel faces is a hostile non-state actor that now operates like a hostile state actor, the type of entity that the Begin Doctrine was initially conceived for Israel to engage militarily. With a

²⁶ Johnston, R. (2022). Terrorism in Israel: An Overview (Summary). <https://www.johnstonsarchive.net/terrorism/terrisraelsum.html>

firmly established position, the Gaza Strip becomes the front line for violent Palestinian resistance against Israel²⁷. Up to that point, Israeli counterterrorism policy largely dealt with nonstate actors operating within Israel's borders. With Israel's lack of strategic depth, it makes the threat of an enemy intentionally selecting critical civilian targets with relatively shorter range high trajectory weapons systems significantly more dangerous²⁸, at least compared to other terrorist threats Israel faces, such as Hezbollah²⁹. Granted, territorial disputes tend to be a significant driver of interstate and intrastate conflict, especially between neighboring entities³⁰. When looking at the framework of Israeli national security decision-making processes, the disengagement from the Gaza Strip presents a pragmatist approach in the face of intense political disagreements with other ministers and security officials. Further, it demonstrated an openness to changing existing policies out of necessity and opportunity³¹. However, the decision to disengage was not without its critical consequences on Israeli security. Charles Freilich (2018) argues that unilateral disengagement from Gaza made Hamas a more serious threat. Hamas and other radicals would argue that terrorism, not a negotiation between the Israeli government and the Palestinian Authority, led to unilateral disengagement rather than a more measured approach³². The Israel withdrawal left a dangerous and decade-defining power vacuum in the

²⁷Elran, Meir, "The Second 'el Aqsa' Palestinian Intifada," Security, Terrorism, Counterterrorism and Resilience: The Israeli Case, University of Chicago, Feb 14, 2023, slide 9.

²⁸ Israel Defense Forces., (2014) "6 Million Lives in Danger: The Deadly Rocket Arsenal of Hamas." IDF, <https://www.idf.il/en/mini-sites/hamas/private-6-million-lives-in-danger-the-deadly-rocket-arsenal-of-hamas/>.

²⁹ CSIS. "Hezbollah's Missiles and Rockets." CSIS, 10 June 2019, <https://www.csis.org/analysis/hezbollahs-missiles-and-rockets>.

³⁰ Toft, Monica Duffy., (2014) "Territory and war." *Journal of Peace Research* 51, no. 2, 185-198

³¹ Freilich, Charles D., (2019), "National Security Decisionmaking" In *Routledge Handbook on Israeli Security*, edited by Stuart A. Cohen and Aharon Klieman., New York: Routledge., 149-161

³² Freilich Charles D., *Israeli National Security a New Strategy for an Era of Change* (Oxford University Press, 2018), 212

Gaza Strip. With a moderate Palestinian wing effectively sidelined, Hamas had a clear path to taking political control, which it has held since 2007³³. It provided a newfound solid foundation for Hamas to create a front to further advance in its cause of destroying the State of Israel. That said, opinions on the disengagement have been fiercely divided. Whether unilaterally disengaging from the Gaza Strip was a true path to peace is still debated. Even though a territorial concession by an occupying force seems like a path forward, it can be argued that unilaterally disengaging it left Palestinians worse off because there was no smooth transition in regime change in the Gaza Strip. It could be argued that disengaging from Gaza was necessary for Israel to enhance its own security without spreading itself thin, thus being successful. On the other hand, disengaging could be perceived as a failure because of the missed opportunity to address the root causes of Palestinian violence and potentially make major headways in resolving the conflict³⁴.

Israel's national security strategy had focused on deterrence, early warning, and a decisive victory. While it may have worked for traditional state-to-state or military-to-military warfare, Hamas engages in hybrid warfare with a smaller, arguably more potent than Hezbollah's arsenal. Much of this has to do with the fact that, given the location of the Gaza Strip, Hamas can target a larger portion of Israel's population using relatively shorter-range high-trajectory weapons systems. By comparison, Hezbollah would need to use longer-range high-trajectory weapons systems from the southernmost point of Lebanon to target large civilian locales. Fighting a highly irregular enemy would require major updates to its security strategy. In 2006, IDF's informal update to its doctrine emphasized a shift to a defensive posture, which has a few important implications, mainly how offensives in hybrid smaller-scale conflicts rarely result in

³³ Ibid

³⁴ ROY, SARA. (2005) "Praying with Their Eyes Closed: Reflections on the Disengagement from Gaza" *Journal of Palestine Studies* 34, no. 4, 64–74.

decisive victories, offensive strategies need to be supplemented by defensive strategies, and that it expands the scope of involvement of counterterrorism to include warfighting in urban environments and an awareness large civilian presence in areas of operations³⁵. The silver lining with that is that, as I have previously said, with Hamas having full political control inside its borders and its intention on violent conflict with Israel, the underlying assumption behind the Begin Doctrine suggests that it can be repurposed to deal with Hamas, despite the lack of any realistic possibility of Hamas ever getting nuclear weapons. As such, Hamas is not anywhere near as powerful as the entities that the Begin Doctrine was intended to target, but the more assertive stance allows versatility in its implementation and to be more proactive against smaller, yet more immediate threats before they become bigger problems.

Israel would endure periodical waves of rockets and mortars launched from Gaza and engage in several major military operations against Hamas for over a decade. It presented a unique stress test to existing security strategies and presented opportunities for reforms. Eventually, the IDF released the Momentum Plan in 2020, a return to a more offensive-oriented strategy, intent on ensuring and maintaining its regional superiority. The strategy has three major parts. The first part is the integration and coordination of forces across multiple domains. Much of that is driven by gathering intelligence, the lifeblood of Israeli counterterrorism strategy, given how critical it is in all Israeli domains of operation. In particular, signal intelligence, through the use of intercepting communication and human intelligence, or collecting information from human sources, helps precisely target enemy installations, combatants or weapons. The second part is building a “smart suit” for reconnaissance units that allows for precisely monitoring enemy positions that rely on stealth in a way that does not hinder IDF combat readiness.

³⁵ Elran, Meir, "Israeli Response to Hybrid Terrorist Threats," Security, Terrorism, Counterterrorism and Resilience: The Israeli Case, University of Chicago, Feb 21, 2023, slide 3.

It is important to note that Momentum was initially designed to enhance military capacity for engaging with Hezbollah. Nevertheless, these first two parts are critical, especially when operating in the Gaza Strip. Part of Hamas's stealth tactics involves hiding amongst civilian populations. Further, the Gaza Strip is one of the most densely populated territories in the world. Because of that dense urban environment, it makes use of stealth tactics even easier, especially in protected civilian infrastructure such as schools, hospitals, apartment buildings, and mosques³⁶. It also has important implications on how the conflict is depicted globally and its resulting external influences, which will be discussed in the next section. However, to quickly preview it, the use of dense urban environment makes it harder for Israel to justify targeting that infrastructure as part of their counterterrorism operations. The third part negates enemy capabilities with quick and precise location and multidimensional maneuvering ground units³⁷. This is done with both offensive measures such as maintaining air superiority, in addition to special forces- and defensive measures, using passive methods such as controlling border crossings and hardening critical infrastructure and residential areas, and active methods like Iron Dome batteries set up throughout the country to intercept and shoot down high trajectory weapons aimed at civilian infrastructure³⁸.

³⁶ Courtesy of the Israeli Air Force and the IDF Spokesman, "Evidence from Operation Cast Lead Shows Hamas Uses Mosques to Store Weapons and as Sites Launch Rockets and Mortar Shells File No. 3", Intelligence and Terrorism Information Center at the Israel Intelligence Heritage & Commemoration Center (IICC), 2009, https://www.terrorism-info.org.il/Data/pdf/PDF_09_059_2.pdf

³⁷ Ortal, Eran, "Going on the Attack: The Theoretical Foundation of the Israel Defense Forces Momentum Plan." IDF Dado Center, Military and Strategic Affairs Journal, Vol. 28-30, 2016, <https://www.idf.il/en/mini-sites/dado-center/vol-28-30-military-superiority-and-the-momentum-multi-year-plan/going-on-the-attack-the-theoretical-foundation-of-the-israel-defense-forces-momentum-plan-1/>.

³⁸ Ibid

With updates in resistance tactics, it may be a step in the right direction, but it does not effectively address strategic challenges for decisively eliminating the threat Hamas brings³⁹. However, even with these reforms, the practicality of the Begin Doctrine's underlying assumptions remains virtually unchanged, mainly because of the broad applicability of its central tenets to Israel's security strategy. Some elements of Ben Gurion's initial security strategy are present. However, as established earlier, its implementation post-Gaza disengagement is questionable outside of fighting for survival against the existential threat of Arab coalitions. Israel has significantly improved its military capability since the Ben-Gurion years. Practically, the disengagement from the Gaza Strip and the conflicts that followed addressed a need to modernize its implementation for hybrid warfare. The Momentum Plan was put in place effectively to do exactly that⁴⁰. Hamas is still behaving like a hostile state actor intent on pursuing the means to Israel's annihilation. With a defensive posture and new strategy designed for engaging adversaries in hybrid warfare, the logic behind the Begin Doctrine remains consistent: Operations against Hamas in Gaza can be done more effectively and would be justified as acts of self-defense. However, the depiction of what the rest of the world sees can sometimes show that this is not the case. The legitimacy of international organizations would intensify the pressure applied toward Israel to change its tactics.

International Perceptions and Ramifications

International perception of Israel's role in the regional conflict has also played an important role in shaping how it conducts counterterrorism operations. To provide some historical context, the Palestinian issue was sidelined for decades after the 1948 Arab-Israeli War

³⁹ Elran, Meir, "Israeli Response to Hybrid Terrorist Threats," Security, Terrorism, Counterterrorism and Resilience: The Israeli Case, University of Chicago, Feb 21, 2023, slides 5-11.

⁴⁰ Hajduk, Kristen R. "A Winning Counterterrorism Strategy." Center for Strategic and International Studies (CSIS), 2017. <http://www.jstor.org/stable/resrep23244>.

as a refugee issue of lesser priority. By the early 1970s, the Palestinian national movement started gaining significant momentum to promote international awareness of their political struggle^{41 42}, through terrorism. Palestinians garnered even more attention with instances such as the First Intifada, which saw decentralized large-scale widespread participation that was mostly nonviolent, using tactics such as boycotts, demonstrations, and strikes⁴³. Nonviolent resistance tends to be more attractive, thus garnering considerable support for those involved and onlookers. For the Palestinians, that demanded acknowledging their political struggle at a global level. Further, it was no longer about resolving a refugee crisis but advancing a movement advocating for creating a Palestinian nation-state. Raising awareness for their cause was, and still is, critical for understanding the perception of the Israeli and Palestinian narratives in the conflict. Without it, it would be much harder to understand how Israelis and Palestinians engage with each other, militarily and diplomatically, politically, and socially and how they justify their conduct.

Between its founding in 1948 and the airstrike on Osirak in 1981, Israel has been engaged in 4 major wars for its survival against multiple regional powers at once in each war in a span of less than 30 years. There was an urgent need to assert itself as a military power in the Middle East to defend itself against multiple simultaneous existential threats and assert itself diplomatically in the face of international scrutiny that seemed to be invested in ostracizing Israel diplomatically. The Begin Doctrine largely dismissed international law in how Israel conducted military operations, let alone outside of its own borders, as it rationalized that any entity

⁴¹ Elran, Meir, "The War of Independence and Beyond," Security, Terrorism, Counterterrorism and Resilience: The Israeli Case, University of Chicago, Feb 2, 2023, slide 20.

⁴²The Palestinian Liberation Organization was founded in 1964 but would not make substantive strides towards its cause for at least a decade later

⁴³ Sharp, Gene.(1989)."The Intifada and Nonviolent Struggle." *Journal of Palestine Studies*, 19(1), 3-13.

threatened the Jewish State and actively sought the means to its destruction, or at least gave Israel the reason to believe that they were, had to be eliminated. It was self-determination by any means necessary. Another assumption of the Begin Doctrine concerning international laws is that they are completely arbitrary and whose legitimacy comes from how its applied and enforced⁴⁴. Begin even described world leaders who condemned his authorization of the airstrike as “Western do-gooders who never once raised a voice against Saddam Hussein’s murderous intent”⁴⁵. The negligence of international organizations, if they were not actively opposed to Israel’s existence, highlights an important cynicism that Israel has for the ability and effectiveness of international organizations to resolve conflict, let alone one that is intent on being an existential threat.

Israel remains heavily and disproportionately scrutinized in the United Nations in such a way that often overlooks perpetual threats to Israeli security⁴⁶. However, Israel has increasingly attempted to make the case that they have tried to place greater concern on protecting civilians in active war zones, with a strategy that I call “battlefield humanitarianism”. This strategy uses a few tactics. The first one is the early warning system, which communicates through phone calls, text messages, leaflets, and sirens, and sometimes using a controversial technique called “roof knocking”- dropping low-yield, non-lethal explosives on roofs of buildings to warn Gazan civilians about planned airstrikes⁴⁷. This tactic allows for easier accessibility for the IDF to target and eliminate threats while minimizing civilian casualties. The second tactic is to exclusively

⁴⁴ Avner, Yehudah, *The Prime Ministers: An Intimate Narrative of Israeli Leadership* (New Milford, CT: Toby Press, 2010). 556

⁴⁵Ibid

⁴⁶ Freilich, Charles. *Israeli National Security*. New York: Columbia University Press, 2012. Appendix Tables A.1, A.3, and A.5.

⁴⁷ Shemla Kados, Avner. "The Practice of “Roof Knocking” from the Perspective of International Law." *Strategic Assessment-A Multidisciplinary Journal on National Security* 24, no. 4 (2021). https://strategicassessment.inss.org.il/wp-content/uploads/2021/12/Adkan24.4Eng_61-77.pdf

target military objectives and avoid civilian infrastructure by using precision-guided weapons. In addition to stressing avoidance of collateral damage, it helps with public perception to make the IDF's intentions of operating in Gaza as clear as possible and defend against accusations of indiscriminate bombing of Palestinians. The United States Joint Chiefs of Staff confirmed as much^{48 49 50}. The third tactic is providing humanitarian aid to affected civilians⁵¹. The crucial significance of this tactic is that it acknowledges the reality of conflict in urban warfare and how civilians' presence adds another layer of complication. That said, battlefield humanitarianism would become incredibly important regarding how Israel conducts its operations against Hamas. This is not to assume by any means that Israel holds some moral high ground, but rather that Israel becomes much more aware of the environment it engages in and what challenges need to be considered if and when they decide to conduct a military operation. Israel's military engagements are fought almost exclusively on the homefront, so civilian casualties are taken very seriously.

There is a principle in international law known as Responsibility to Protect, or R2P, which emerged following atrocities committed during the breakup of Yugoslavia and the Rwandan genocide. The 2005 UN World Summit unanimously ratified an outcome document that included the responsibility to protect in its outcome document:

⁴⁸ "Chairman Says Israel Acted Responsibly in Gaza Operation." Joint Chiefs of Staff. August 8, 2014.

<https://www.jcs.mil/Media/News/News-Display/Article/571775/chairman-says-israel-acted-responsibly-in-gaza-operation/>.

⁴⁹ Winter, Ofir. "Operation Protective Edge: Hamas' Propaganda War." Institute for National Security Studies, 2014. <http://www.jstor.org/stable/resrep08603>.

⁵⁰ Vinson, Mark. n.d. "An Israeli Approach to Detering Terrorism," no. 3: 16.,

⁵¹ "Humanitarian Aid to Gaza during IDF Operation." Government of Israel.

<https://www.gov.il/en/Departments/General/humanitarian-aid-to-gaza-during-idf-operation>.

“138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out”⁵².

The case of the Israel-Gaza conflicts takes that to an extreme as it puts Israel in an extremely difficult and precarious position. In addition to Israel having no strategic depth forcing it to engage in homefront conflicts, it also faces disproportionate scrutiny in the UN while engaging militarily with Hamas, which operates in one of the most densely populated territories in the world, hides amongst civilian presence, and launches rockets hiding from protected areas. The R2P principle was initially intended to make it easier to hold states to account when it comes to preventing egregious violations of human rights. Israel has regularly been accused of all the examples listed in the outcome document in the United Nations with several resolutions condemning it for various reasons at a disproportionate rate. Since the start of the Second Intifada in 2000 to Operation Protective Edge in 2014, 59 UN Security Council resolutions, 195

⁵² UN General Assembly, *2005 World Summit Outcome : resolution / adopted by the General Assembly*, 24 October 2005, A/RES/60/1, available at: <https://www.refworld.org/docid/44168a910.html>

General Assembly resolutions, and 46 Human Rights Council resolutions have been addressing or condemning Israel, vastly outnumbering the number of resolutions pointed at every other member state⁵³. A brighter light pointed at Israel, nevertheless demanded a change. When inflicted by Hamas, civilian casualties are done for a very particular purpose. As Charles Freilich (2018) writes:

Inflicting casualties has always been part of warfare, but Hezbollah and Hamas do so not to weaken Israel militarily, but to play on its sensitivity to casualties and on changing international norms. In so doing, they seek to promote domestic and international pressures to end the fighting before Israel has achieved its military objectives and to further undermine its staying power. To a degree, the threat is more of socioeconomic disruption, including heavy damage to buildings and infrastructure, than of the relatively limited number of casualties likely. During the 2014 operation [Protective Edge] in Gaza, example, Hamas's rocket attacks did not cause many casualties, but did severely disrupt the economy and the daily life of 60% of Israel's population, which was in rocket range...The military doctrines and capabilities that...Hamas have developed, much like the irregular and guerilla groups that other 'regular militaries have often faced in the past, enable them to at least partially neutralize Israel's technological superiority...and thereby avoid military defeat. They effectively blend into civilian populations and 'disappear from the battlefield,' making the process of locating and destroying their focus very difficult, especially the many tens of thousands of short range rockets, which are quite small and easily hidden in private homes...Gaza's densely populated rabbit warren layout presents a... difficult problem.⁵⁴

This is where the most significant change to the application of the Begin Doctrine is made. While it has been the argument of the Israeli government since the 1950s that military operations in response to a security threat are acts of self-defense, the implementation of the Begin Doctrine saw Israel double down on this argument diplomatically and argue that this applies to threats of any capacity. Even despite that, the change addresses the reality of hybrid urban warfare and the consequent scrutiny Israel gets at the international level. Israel has militarily engaged several terrorist groups, Arab coalitions, and nuclear-capable threats.

⁵³ Freilich, Charles, 2012, *Israeli National Security*. New York: Columbia University Press, 2012. Appendix Tables A.1, A.3, and A.5.,

⁵⁴ Freilich Charles D., *Israeli National Security a New Strategy for an Era of Change* (Oxford University Press, 2018), 70

However, Israel can no longer be dismissive of external influences on how it conducts counterterrorism operations. Terrorist threats are relatively smaller; thus, justifying use of force of a particular degree becomes much more difficult. Hamas's openly declared pursuit of Israel's annihilation in addition to its deliberate targeting of civilians, allows for the interpretation of it being an existential threat, or at least be perceived as one⁵⁵. It can be argued that these reforms can mark an important step in the evolution of counterterrorism. Many of the existing counterterrorism policies worldwide have been incredibly reckless and irresponsible in minimizing collateral damage and protecting the innocent. More and more conflicts are being fought in urban environments, and the presence of a civilian population presents major security risks. The particular circumstances of the Gaza Strip exacerbate that further. John Mueller and Mark Stewart (2014) point out that many of the negative consequences of those policies outweigh the positive ones, such as increasing the likelihood of attacks, an undermining of civil liberties, and gross violations of human rights⁵⁶. According to the Brown University Watson Institute of International & Public Affairs Costs of War Project, in major post-9/11 warzones throughout the Middle East, the number of direct deaths is higher for civilians than for "opposition fighters"⁵⁷. The United States has the luxury of being a great power and pursuing its interests with impunity of any considerable substance, mainly because there has not been any other power to rival them, be it militarily or economically, with few exceptions in Russia and China⁵⁸. Israel, despite being a top recipient of American foreign aid, and being a major power in

⁵⁵ Intelligence and Terrorism Information Center. (2006). The Scope of Palestinian Terrorism: An Overview, 2000-2005, from https://www.terrorism-info.org.il/Data/pdf/PDF_06_032_2.pdf

⁵⁶ Mueller, John, and Mark G. Stewart. "Responsible Counterterrorism Policy." Cato Institute, 2014. <http://www.jstor.org/stable/resrep04947>.

⁵⁷ Brown University. (2021). Costs of War Project. "Direct War Deaths." Retrieved September 1, 2021, https://watson.brown.edu/costsofwar/files/cow/imce/papers/2021/Costs%20of%20War_Direct%20War%20Deaths_9.1.21.pdf

⁵⁸ Mearsheimer, John J. "Imperial by Design." *The National Interest*, no. 111 (2011): 16-25.

the Middle East, does not have the same privileges of exercising its power as those of the United States. Israel had to fundamentally change how it defends how it conducts military operations to the rest of the world. With Israel's lack of strategic depth, it needed to not only heavily invest on defending the homefront but to build up societal resilience and has already developed a unique case of study⁵⁹. In civilian defense, one of the most notable initiatives, with help from the United States⁶⁰, Israel invested heavily and developed the Iron Dome to shoot down rockets in Israeli aerospace from Gaza. Since its implementation in 2011, has shot down more than 90% of all rockets launched from Gaza⁶¹. As a result, the Israeli population has become remarkably resilient.

Meanwhile, Arab and other states have been trying to ostracize and delegitimize Israel diplomatically. The underlying assumption behind their campaign is the denial of the right of the Jewish people to establish a nation-state in the Land of Israel. The rhetoric the use comes from what is known as the "Durban Strategy" made anti-Israel NGOs, Arab, and Muslim countries at the UN Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance. The Durban Strategy discusses language pertaining to human rights, humanitarian relief, and international law, and the use of the media to address them. This was modeled off international efforts to end apartheid in South Africa. It became implemented during the Second Intifada to use violent uprisings to equate Zionism with racism, and to accuse Israel of "racist crimes against humanity, including ethnic cleansing (and) acts of genocide" as part of an agenda

⁵⁹ Elran, Meir, and Carmit Padan., 2019 "The Civilian Homefront in Search of Societal Resilience." In Routledge Handbook on Israeli Security, edited by Stuart A. Cohen and Aharon Klieman,. New York: Routledge., 297-308

⁶⁰ Berman, Lazar. "Israel's Iron Dome: Why America Is Investing Hundreds of Millions of Dollars." American Enterprise Institute, 2012. <http://www.jstor.org/stable/resrep03133>.

⁶¹ "Iron Dome System and SkyHunter Missile - Raytheon Missiles & Defense," Raytheon Technologies, <https://www.raytheonmissilesanddefense.com/what-we-do/missile-defense/air-and-missile-defense-systems/irondome>.

to push for mandatory sanctions on Israel, let alone completely isolate it⁶² ⁶³. It was glaringly biased against Israel throughout the entire process. There were drafts that made outlandish comments that Israel was antisemitic, and omits any acknowledgement of Palestinian terrorism⁶⁴. In doing so, it does two things: the first is it creates a perceptions that Palestinians are victims of unprovoked Israeli aggression, the second is to eliminate any grounds for Israel to defend its case for conducting military operations. The Durban strategy would provide the rhetoric for anti-Israel activist that would be used as part of the creation of the Boycott, Divestment and Sanctions Movement, also known as BDS in 2005. This movement has expanded significantly, most notably on university campuses across the world. It reveals a certain generational and cultural shift in attitudes toward Israel. No longer is it viewed as a state born out of the Holocaust in a fight for its survival in four wars in less than thirty years. It reveals that as attitudes toward Israel change, it is much more accountable for its actions, ultimately becoming an international pariah, at a comparable level to that of Iran Pakistan, and North Korea⁶⁵.

In a relatively similar fashion to that of the First Intifada, BDS's stated goals are to nonviolently compel Israel to behave justify toward Palestinians, punish Israel for crimes committed against Israel, expose the nature of of Israeli occupation and apartheid regime, and equating expressed support for Israel and support for Palestinian oppression⁶⁶ ⁶⁷. By placing legal, political and normative roadblocks in front of Israel's ability to use military force, the light BDS

⁶² Steinberg. G.M (2006), "Soft Powers Play Hardball", Israel Affairs 12.4, 748-768

⁶³ Steinberg, G.M (2012), "From Durban to the Goldstone Report: The Centrality of Human Rights NGOs in the Political Dimension of the Arab-Israeli Conflict". Israel Affairs 18.3, 372-388

⁶⁴ Steinberg. G.M (2006), "Soft Powers Play Hardball", Israel Affairs 12.4, 748-768

⁶⁵ BBC World Service (2013)

⁶⁶ Bakan, A.B and Abu-Laban, Y. (2009), "Palestinian Resistance", Race and Class 51.1, 29-54

⁶⁷ Fishman, J.S. (2012), "The BDS Message of Anti-Zionism, Anti-Semitism, and Incitement to Discrimination", Israel Affairs 18.3, 412-425

points at Israel effectively constrains its ability to act in self-defense⁶⁸. Even though nonviolent resistance tends to be more attractive, it is important to find out where the rhetoric that nonviolent resistance movements originates. When Israel is deliberately left out of discussions on human rights just so that those involved can weaponize those universal ideas against Israel, it can question the viability of the movements that stem from the outcome of said discussions that have openly asserted questionable statements. Further, legitimizing these outcomes through adoption by any body of the United Nations, validates Begin's assumptions about international organizations.

However, it is important to note that Israel has more diplomatic ties than it has ever had, and the effort to delegitimize Israel have been inconsistent. Nevertheless, the delegitimization efforts have severely weakened Israel's standing internationally and is becoming a growing issue when it comes to maintaining a relationships with its allies, as it has already made considerable strides domestically. While delegitimization campaigns may not have outright prevented Israel from conducting military and counterterrorism operations, it can be argued that it has significant influenced domestic politics and foreign relations, and how Israel has to justify its actions which could determine how an operation ultimately plays out. In summary, with the disproportionate scrutiny that Israel receives, The Begin Doctrine's attitude to international law and organizations would exemplify the motto of "the game is rigged, play to win". The American case in Iraq and Afghanistan can reveal that with enough coercive power, they engage in military operations with blatant disregard for international laws. The United States even got away with lying in the United Nations in 2003 to justify the invasion of Iraq, because American public opinion already

⁶⁸ Inbar, E. (2013), "Israel Is Not Isolated", Mideast Security and Policy Studies No. 99 (Ramat Gan: BESA), 9

expressed support for a war⁶⁹. Despite being a military and strategic disaster, the United States suffered relatively little diplomatically. Then again, it would not be the first time for the United States has strategically blundered military operations, with the Vietnam War being one of the most famous instances. That could be worth doing a potential comparative analysis in terms of engaging in hybrid warfare, but I digress.

However, Israel threading the needle of abiding by international laws with arbitrarily selective enforcers, given its unique and extreme security and counterterrorism challenges, reveals certain negligence from international organizations. Civilian casualties and destruction of critical infrastructure is inevitable in urban warfare but also not a new phenomenon in war. World War I, saw a massive quantity of civilian casualties, even compared to military casualties. While there have been several treaties intent on protecting civilians and prisoners of war, among other protected classes. International humanitarian laws have not effectively addressed the challenges of urban warfare.

Israel also has to deal with perpetual media attention directed at it. The conventional wisdom about social and news media is that it significantly influences public opinion. Violent conflict, in particular, holds a certain level of sensationalism, and the coverage can distort the realities on the ground, thus decisively swaying public opinion in favor of one side or another or whether or not the decision to engage in that conflict was justified⁷⁰. The facts on the ground on top of the media distortion ultimately exacerbate the level of scrutiny Israel endures. As previously stated, Hamas is a highly unusual type of enemy that engages in hybrid warfare.

⁶⁹ Pew Research Center., 2023 "A look back at how fear and false beliefs bolstered U.S. public support for war in Iraq." Pew Research Center,, <https://www.pewresearch.org/politics/2023/03/14/a-look-back-at-how-fear-and-false-beliefs-bolstered-u-s-public-support-for-war-in-iraq/>

⁷⁰ Eiland, G. (2007), "The Changing Nature of Wars: Six New Challenges", Strategic Assessment 10.1, 23-31

Elements of the narratives of both sides ultimately contradict the other through endless cycles of blow-for-blow propaganda campaigns. As previously stated several times throughout the thesis, hybrid warfare in Gaza's dense urban environment leads to inevitable civilian casualties. This is because of Hamas's use of its own people as human shields, which ultimately makes moral judgments unclear. Because of the distortion of power imbalances, Hamas can shape the narrative however it wants during the incidence of a civilian casualty⁷¹. It also suggests an excessive and disproportionate use of force that allows for Hamas to exaggerate the damage and loss of life they suffer to ostracize Israel and potentially turn Israeli public opinion against the military's actions. Taken at face value, this makes sense. Compared to Hamas, Israel has a far more powerful and highly organized military, which allows for textbook vilification of Israel for fighting an unusual enemy like Hamas. Therefore, it explains how international media will gravitate toward international laws and norms to determine who is justified in their conduct of military operations^{72 73 74}. Unfortunately for Israel, it seems they got stuck between a rock in a hard place. This is not to say that Israel is immune from being criticized for its actions. However, it is worth pointing out that one-sided and simply incorrect information about facts on the ground can lead to severe consequences for Israel's diplomatic relations.

As a result, the portrayal of Israel in the media leads to states pushing harder to ostracize Israel further diplomatically. By selectively taking or fabricating coverage of instances violence between Israel and Palestinians⁷⁵, it gets further exacerbated in international organizations in

⁷¹ Siboni, G., (2010), "The Changing Threat: Introduction", Military and Strategic Affairs, 2.1, 3-6

⁷² Catigniani, S. (2008), "Israeli Counterinsurgency and the Intifada: Dilemmas of a Conventional Army. London: Routledge, 4-5

⁷³Yehezkeili, P. ed (2001), "Between 'Decision' and 'Victory', Studies in National Security No. 2. National Security College, 52-55

⁷⁴ Adamsky, D. and Bjerga, K.J. (2012), "Contemporary Military Innovation: Between Anticipation and Adaption. London: Routledge, 117.

⁷⁵ Curtis, M. (2012), "The International Assault against Israel", Israel Affairs 18.3, 344-362

2009 the United Nations released a report on Operation Cast Lead the year prior known as the Goldstone Report. The report accused Israel of deliberately targeting civilians as well as executing a “deliberately disproportionate attack designed to punish, humiliate and terrorize the civilian population” and engaging in a campaign of “massive and deliberate destruction”^{76 77}. The report recommended the Security Council conduct an independent investigation. Normally, states are given a chance to that conduct their own investigations, but the Human Rights Council published their report first, so the Goldstone report made the recommendation for their findings to be sent to the Security Council and then the International Criminal Court⁷⁸. On top of that, anti-Israel group organizations had a vested interest in delegitimizing the Israeli judiciary⁷⁹. Altogether, it was an undermining of Israel’s credibility to investigate their own alleged war crimes objectively. However, a few years later, the Goldstone Report’s findings were partially retracted, concluding that Israel had, in fact, not been deliberately targeting civilians, and the criticism of the Israeli judiciary and the IDF’s credibility to objectively investigate allegations against itself had been reevaluated, pointing to the over 400 investigations that Israel has conducted. In contrast, Hamas never conducted a single investigation of a crime in which it claims Palestinians under its own jurisdiction were victims^{80 81 82}. Despite the retraction, the severe damage to Israel’s reputation was done. Further, many anti-Israel NGOs continue to

⁷⁶ Vennesson, P (2012), “The Transnational Politics of Warfare Accountability”, *International Relations* 26.4, 409-429

⁷⁷ Sterio, M (2010), “The Gaza Strip: Israel, Its Foreign Policy and the Goldstone Report”, *Case Western Reserve Journal of International Law*, 43.1-2, 229-254

⁷⁸ Ibid

⁷⁹ Steinberg, G.M (2012), “From Durban to the Goldstone Report: The Centrality of Human Rights NGOs in the Political Dimension of the Arab-Israeli Conflict”. *Israel Affairs* 18.3, 372-388

⁸⁰ Vennesson, P (2012), “The Transnational Politics of Warfare Accountability”, *International Relations* 26.4, 409-429

⁸¹ Steinberg, G.M (2006), “Soft Powers Play Hardball”, *Israel Affairs* 12.4, 748-768

⁸² Berkowitz, P. (2011), “The Gaza Flotilla and International Law”, *Policy Review* (Hoover Institution)

affirm the report's initial findings even though they have been debunked. Their responses to the retraction suggest there was an ulterior motive, as well as potentially imply some antisemitic undertones^{83 84}. If this suggests anything, the Durban Strategy is being run like clockwork. Further, it suggests that Israel, even when confronted with misinformation campaigns against it, continues to assert that it is justified in its actions but that it also acts with a strong degree of integrity when accused of wrongdoing. Ultimately, it proves that Begin was correct in how Israel is really all on its own when faced with existential threats. Even if the argument that anti-Israel organizations are inherently antisemitic is dismissed or that Israel holds some moral high ground in its conduct of military and counterterrorism operations, it affirms how Israel continues to prove that it was justified in its actions, while anti-Israel organizations show no compunction to slander Israel if it means ostracization. It also helps to explain the attitudes of Israelis toward the United Nations where it gives legitimacy to blatantly anti-Israel attacks⁸⁵.

Several states have engaged in urban warfare and are well aware the challenges it poses when attempting to complete an objective; Israel's experience takes it to a virtually unprecedented extreme. That said, the Israeli case provides critical insights for how other states can improve in their strategies⁸⁶. Israel commits to battlefield humanitarianism through the responsibility to protect. By addressing those complications, such as proportionality of response and commitment to protecting civilians⁸⁷, Israel, has a significantly stronger legal basis to defend

⁸³ Sterio, M (2010), "The Gaza Strip: Israel, Its Foreign Policy and the Goldstone Report", Case Western Reserve Journal of International Law, 43.1-2, 229-254

⁸⁴ Blank, L. A. (2010), "Finding Facts but Missing the Law: The Goldstone Report, Gaza and Lawfare", Case Western Reserve Journal of International Law 43.1, 279-305

⁸⁵ Goldstein, Mark L. (2019,). Um Shmum: Israeli Attitudes Toward the UN. Hakol. Retrieved from <https://www.jewishlehighvalley.org/hakol/mark/um-shmum>

⁸⁶ Lappin, Yaakov. "Israel and NATO States Share Urban Warfare Insights." Begin-Sadat Center for Strategic Studies, 2017. <http://www.jstor.org/stable/resrep16887>.

⁸⁷ Hoffmann, Alvina. "The Urbanization of Warfare: Historical Development and Contemporary Challenges for International Humanitarian Law." St Antony's International Review 12, no. 2 (2017): 176-89.

its actions in the Gaza Conflict. If anything, it could also push back with the same assertions Menachem Begin initially made about the United Nations regarding how they ignored the concerns he raised about Saddam Hussein. Further, Israel would likely use UN negligence to push back against hostile states using the UN's legitimacy as cover and as a forum where they can deflect any accusations toward Israel. However, this could lead to other countries accusing Israel of deflecting, but that would not really matter to Israel because the Begin Doctrine, despite its changes, holds a generally cynical, if not critical, view of international institutions. To Israel, if another country condones or condemns its actions, so be it. While this has the case well before Begin came to power, the Begin Doctrine takes the legal defense a step further for Israel to be more assertive in its diplomatic efforts to justify any and all actions taken against threats of any size and severity. As they continue to evolve and change.

Conclusion:

This Begin Doctrine provides an important case for studying international security, particularly regarding the relationship between counterterrorism and international organizations. As the role of international organizations has expanded since the end of WWII to prevent conflict⁸⁸, there is a challenge as to how far a state can get in pursuit of its interests. It also presents a fascinating case for using statecraft and the military instrument. As Israel continues to face all types of security threats, let alone existential ones, a skillful mastery of both would be critical for asserting itself on the world stage. This is especially true given its unique and extreme case. The disengagement from Gaza Strip was a turning point for Israeli counterterrorism and the Begin Doctrine. By acknowledging the emergence of new threats and recognizing the need to change the way they engage those threats militarily, Israel was able to expand the scope, if not

⁸⁸ Keohane, Robert. O., & Nye, Joseph. S. (1971). Transnational Relations and World Politics: An Introduction. *International Organization*, 25(3), 329-349.

repurpose, how the Begin Doctrine is applied. While counterproliferation still remains an important issue for Israel, scholars have been skeptical of its use for dealing with hostile and potentially nuclear-capable states like Iran, given the attempts by the United States to negotiate a deal. However, that does not rule the doctrine as being obsolete as a national security doctrine. In fact, the Begin Doctrine has been as relevant for national security as it has ever been, even if the type of warfighting and the nature of engagement with hostile actors has changed. Israel having a right to defend itself, was never in denial, at least at the theoretical level of the Begin Doctrine. The right to self-defense is already protected in the United Nations Charter:

Article 51: Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.⁸⁹

The rounds of conflict with Gaza have emphasized an important corollary for it: Israel needs to approach counterterrorism more cautiously to address human rights in the environments it conducts military operations, especially urban environments.

The Begin Doctrine has also undergone a significant transformation as to its attitudes toward international institutions and international law. Instead of being dismissive of them outright, it caused Israel, despite its cynicism of international institutions, to become more cognizant of its image in the international arena while maintaining the assertion that its actions are justified. Further, despite its disproportionate scrutiny, it uses battlefield humanitarianism to show the power of its example, successfully doing what many states have failed to do when conducting counterterrorism operations under the most unique and extreme circumstances. While most states do not have a perpetual, intentional, and existential threat looming over them, the

⁸⁹ "The United Nations Charter: Article 51." United Nations, 26 June 1945,

thoroughly battle-tested Israeli case provides a valuable lesson for states engaging in counterterrorism operations. For international organizations, it stresses the importance of the need to make substantial progress on humanitarian law to acknowledge the nature of hybrid urban warfare and the rise in its occurrence but also the relative decline in traditional military-to-military warfare.

This is not to undermine the severity of civilian casualties but to point out that states' pursuit of their interests, enforcement of international laws, and defending human rights is not a zero-sum game. Israel, or any country for that matter, has a right to defend itself but can also have a duty to keep unnecessary casualties to a minimum and be held accountable for its actions. That said, there are a number of next steps for where this research can go. One possible one is to analyze societal resilience. As civilian casualties are inevitable, it would be interesting to investigate communities suffering from the consequences of urban hybrid warfare and find out why they recover or do not recover from these incidents in which their occurrence is inescapable as long as urban warfare continues to persist. When it was created, the Begin Doctrine focuses on hostile actors intent on being existential threats, even if they may not necessarily have achieved any semblance of assured destruction capability. As stated earlier, the Israeli case is deeply rooted in the lessons learned from the Jewish experience throughout history. While it may be a stretch, many marginalized groups worldwide have an existential threat looming over them, whether it is persecution in the broadest sense or a dedicated policy of genocide and everything in between. That route could examine those groups' resilience and the national unity that motivates them to stand their ground and assert themselves in the face of existential threats. When it comes to selling the justification for military operations, another possible route could include conducting of military operations on holidays. The sanctity of the month of Ramadan

provides an excellent example for the Israeli-Palestinian case. In Israel, there tends to be raised security concerns around Ramadan. That could stem from a number of factors, such as a large gathering of Palestinians in a confined space with members of Hamas or Islamic Jihad mixed in the crowds providing passive protection of weapons caches in mosques, or changes in emotion and behavior because of religious observance through fasting, among many other reasons. The data shows that an overall uptick in violence during Ramadan over several years is not consistent, with the exception of the last few years at the time of writing this thesis. It might seem that concerns are somewhat misplaced⁹⁰, at least in terms of security reasons. However, the religious significance of the month of Ramadan for Muslims provides heightened global scrutiny for any military or counterterrorism operation conducted against Palestinians and Muslims in general pretty much anywhere. The same can be said for any operation or general act of violence conducted against worshippers of any faith conducting a religious ritual, let alone on a sacred holiday. By tabling potential arguments of institutional antisemitism in international organizations, with lessons from the Begin Doctrine, it can help understand why Israel can succeed or fail to justify the security measures taken or the counterterrorism operations conducted. Ultimately, I hope my analysis and reframing of the Begin Doctrine can help us understand not only the Israeli case but how we understand security, counterterrorism and resilience elsewhere.

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⁹⁰ Frisch, Hillel.. 2023 "Are the Palestinians More Violent in Ramadan?" Jerusalem Institute for Strategy and Security, <https://jiss.org.il/en/frisch-are-the-palestinians-more-violent-in-ramadan/>.

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