WAS THE 1982 LEBANON WAR A JUST WAR?

Abstract. The debate over what constitutes a just war has an ancient history. Just war theories stem from philosophical, religious and military thinking. Christian religious thinkers, like St. Augustine (354–430), and Thomas Aquinas (1225–1274) spoke of laws of war and peace, reflecting on the reasons that bring about war (jus ad bellum) and the means employed in the conduct of war (jus in bello). A contemporary thinker who has developed a liberal theory on just and unjust wars that accentuates moral considerations is Michael Walzer. He used Clausewitz as a point of departure, aiming to construct an interdisciplinary liberal theory that brings together political theory, ethics and international relations. In this paper, I employ Walzer’s theory to assess the justifications for the 1982 Israeli war in Lebanon. Section (I) provides historical-philosophical background and context. Section (II) accentuates the underpinning principles of Walzer’s theory. Section (III) employs Walzer’s theory to analyse the 1982 Lebanon War. Section (IV) addresses the question whether the Lebanon War was justified. I argue that the 1982 Lebanon War was not justified.

Keywords: ethics of war, just war theory, jus ad bellum, jus in bello, 1982 Lebanon War

1. Introduction. 2. Theory. 3. The Lebanon War. 4. Was the 1982 Lebanon War a Just War? 5. Conclusion.

1. INTRODUCTION

The debate as to what constitutes a just war has an ancient history. The old saying “All is fair in love and war” might be true for love, but it is patently untrue for war. Theologians and scholars, politicians, diplomats and lawyers have devoted a great deal of their time to the challenging task of establishing criteria for what combatants can permissibly do in a time of war. In the Bible we find attempts
to distinguish between just and unjust wars, and to define just principles in the conduct of war.¹

Just war theories stem from philosophical, religious and military thinking. Christian religious thinkers, like St. Augustine (354–430), and Thomas Aquinas (1225–1274) spoke of laws of war and peace, reflecting on the reasons that brought about war (jus ad bellum) and the means employed in the conduct of war (jus in bello). The Prussian military thinker Carl von Clausewitz (1780–1831) wrote: “As war is not an act of blind passion, but is dominated by the political object, therefore the value of that object determines the measure of the sacrifices by which it is to be purchased”.² War, according to Clausewitz, is the continuation of political negotiation by other, violent means. Policy does not stop when the war breaks: it continues violently. Therefore, national interests override military interests that, by definition, relate only to means, not to national ends. Morality is not an obstacle. The only restrictions on the employment of force relate to abilities.

More recently we benefited from Michael Walzer’s theory on just and unjust wars. His book, *Just and Unjust Wars*, originally published in 1977, helped the shaping of the foregoing literature and became a classic text. Walzer used Clausewitz as a point of departure, aiming to construct an interdisciplinary liberal theory that brings together political theory, ethics and international relations. Here I employ Walzer’s theory to assess the justifications for the 1982 Lebanon War. Section (II) accentuates the underpinning principles of Walzer’s theory. Section (III) explains Israel’s precarious position in the Middle East and its defence policy. Section (IV) employs Walzer’s theory to analyse the war. I argue that the 1982 Lebanon War was an unjust war.

---

2. THEORY

According to Walzer, any violation of the territorial integrity or the political sovereignty of an independent state is called aggression.\(^3\) It is a situation in which two or more parties engage in an armed conflict where human life and fundamental freedoms, as well as the sovereignty of the community, are challenged. Walzer writes: “Aggression is a singular and undifferentiated crime because, in all its forms, it challenges rights that are worth dying for.”\(^4\)

The victim of an aggression fights in self-defence on behalf of his community, rather than solely in his name. People have the right to engage in war and even to punish the state that decided to violate the serenity of their society. Walzer summarizes the standard theory of aggression in six points:

1. The international community is composed of independent states whose governments protect the rights and the interests of their residents.
2. International law is binding on all sovereign countries. It asserts the rights of all communities and above all their territorial integrity and political sovereignty.
3. Any threat or use of force by a state against the political sovereignty or the territorial integrity of another state is an act of aggression and a crime.
4. Aggression justifies two kinds of violent response: Defensive war by the attacked party, and a war of law enforcement by

---

3 M. Walzer, *Just and Unjust Wars*, New York 2006, 52. The definition of aggression that was accepted by the U.N. in 1974 is: “Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the U.N.” United Nations General Assembly Resolution 3314 (XXIX), http://www1.umn.edu/humanrts/instree/GAres3314.html.

the attacked party and by any other nation in the international community.

5. There is no justification for war actions except for aggression. Only the desire to cause injustice to another state might bring a state to justify declaration of war and the use of force.

6. Following defeat, the aggressor can also be punished for the world to see. This principle satisfies the wish for revenge and is also intended for deterrence, preventing other states from acting in a similar way in the future.⁵

Walzer uses the terms “justice” and “morals” interchangeably, as if they were one and the same: the value of justice is mixed with the value of morals. The moral person is honest and noble.⁶ Justice is a primary impulse of the human soul, the backbone of the community’s basics. The just, or the moral person, is a virtuous person who is guided by a healthy sense of judgement about what is right for people to do, and what they should avoid doing. Following the long tradition mentioned supra, Walzer suggests that wars need to be analyzed at two levels:⁷

The first level is jus ad bellum – the justice of war, the right to engage in war. It concerns the reasons that brought about the war: ideas about righteous reason, righteous authority, righteous intention. According

---

⁵ Ibidem, 61–62. Walzer writes that all three considerations feature in the literature, though deterrence and restraint are most commonly accepted.


to this set of criteria, the justice of the cause is sufficiently great so as to warrant warfare.\(^8\) *Jus ad bellum* also concerns the wish for the war to cease instead of bringing more evil than good to the world; the beliefs that war should be the last resort and that peace is always desired. Still, sometimes war is an ugly necessity in order to avoid an even greater evil.

The second level, *jus in bello*, relates to the conduct of war, the limitations and restrictions applied to the war from the very moment it begins. *Jus in bello* relates to the conditions that qualify a person as a combatant and the conditions that qualify legitimate targets, as well as to the strategy and tactics that can be resorted to, in terms of the scale of attacks and the weapons that can be used. As Immanuel Kant explained, the killing of innocent civilians should be avoided as much as possible, otherwise peace could not be concluded and the hostilities might turn into a war of extermination.\(^9\) The end does *not* justify the means. Furthermore, beyond instrumental reasoning a more powerful type of reasoning is one of principle: even if the only way to achieve peace and prevent a war of extermination was to kill some civilians, the end still does not justify the means. The Hague Conventions of 1899 and 1907,\(^10\) the Geneva Convention of 1949\(^11\) and

\(^8\) Just War Theory, ed. M. Evans, Edinburgh 2005
\(^9\) I. Kant, Political Writings, 2nd ed. by H.S. Reis, Cambridge 1991, 96.
the Additional Geneva Protocol of 1977\textsuperscript{12} have consolidated some of the ideas of the just war theory into international law.

Thus it is possible to fight a just war by unjust means. To characterize a war as just, both the reasons for the war and the conduct of war should be just: the war should be fought in strict accordance with the accepted norms. Any discussion on the morality of war requires us to first understand the general analytical principles and then to apply them to the case at hand with meticulous attention to details, facts and events.

3. THE LEBANON WAR

On 28 January 1982, six terrorists tried to infiltrate Israel from Jordan.\textsuperscript{13} Defence Minister Sharon and Chief of Staff Eitan pressed the government to retaliate in Lebanon, as the PLO headquarters was in Beirut. The government decided to attack the PLO from the air and the PLO responded by launching Katyusha rockets on Galilee.\textsuperscript{14} Some months later, on 3 June 1982, an Abu Nidal (a terror organization opposed to the PLO) terrorist shot and maimed Shlomo Argov, the Israeli Ambassador to London. This was the trigger to a long, unnecessary war that convulsed Israeli society for many years.

On 5 June 1982, the Israeli government convened to examine retaliation options. Violations of the status-quo by Israel’s enemies were deemed unacceptable and assassination of a senior official was considered one such violation. Furthermore, Israel had the ability to overcome single-handedly challenges posed by or from neighbouring states. The government fatal meeting was short and decisive. Loyal


\textsuperscript{13} A. Naor, Cabinet at War, Tel Aviv 1986, 33.

\textsuperscript{14} Ibid., 38.
to its security principles, Israeli leaders wished to be perceived as a resolute and determined actor, willing to protect state interests as required and to restore its deterrence. It was decided to open a limited military operation; limited in time, 48 hours, and limited in scope, 40 km deep into Lebanese territory. The Prime Minister declared that “we won’t attack the Syrians” who had a military presence in Lebanon.\footnote{Z. Schiff, E. YA'Ari, War of Deception, Jerusalem – Tel-Aviv 1984, 18.} On 6 June 1982, a massive military force crossed the border into southern Lebanon but military orders spoke about the destruction of the Syrian army in Lebanon.\footnote{Ibid., 20.} At that time, no one questioned the fact that a massive quantity of troops (including reserves) and tanks, disproportionate for such a limited operation, was sent into Lebanon (see Section III \textit{supra}): “IDF commanders knew they will reach Beirut. They understood that such enormous forces are not employed for a mere 48 hours operation.”\footnote{S. Shiffer, Snow Ball, Tel-Aviv 1984, 94; Y. Gvirtz, Eli Geva: My truth, Yedioth Ahronoth 29 May 1992, 8–11.}

The political decision-makers had different intentions. The government authorized a limited offensive. As said, “Operation Peace for Galilee” was intended (at least publicly by some government members) to last no more than 48 hours, aimed to destroy the PLO in a radius of 40 kilometres north of the Israeli border so as to secure the Galilee region from rocket attacks.\footnote{S. Shiffer, op.cit., 93.} Defence Minister Ariel Sharon, however, aimed at reaching the gates of Beirut, to bring about a regime change in Lebanon, and to engage with the Syrian military force in Lebanon. Those aims were known to the military commanders but unknown to the majority of the Israeli government. The Israeli public at large was also unaware of Sharon’s grand design.\footnote{A. Bregman, Israel’s Wars, London 2010, 170; A. Naor, op. cit., 15–17; Z. Schiff and E. YA'Ari, op. cit., 37, 115; Z. Schiff and E. YA'Ari, Israel’s Lebanon War, New York 1984, 56.}
Defence Minister Sharon’s Grand Oranim (Pines) plan was to see that Bashir Gemayel became the president, to force the Syrians out of Lebanon, to expel the PLO from Lebanon, and to allow the Christians a free hand with the Palestinian refugees. The refugees would be forced to leave, and as the Syrians would not allow them into their own territory, they would have to leave for Jordan. Hundreds of thousands of refugees would bring about a regime change in Jordan as well, making it into Palestine. Once a Palestinian State would be installed, Palestinians from Gaza and the West Bank would have the option to merge with their brethren in the East Bank. Thus, the grand design was to change the region fundamentally in Israel’s favour; with one blow to find a solution to the Palestinian problem, and to bring regime changes in Lebanon and Jordan. However, the odds against this plan were too high and far too risky and, more fundamentally, there was no just cause for war in pursuing such a plan.

The Israeli government was thus manipulated by Defence Minister Sharon, whose plans were far grandeur and far-reaching than the plans the government had in mind. This could have happened because the government did not have the ability to understand or to monitor military movements. They felt unable to contest Sharon’s and Eitan’s military capabilities. The ambitions of Sharon and Eitan were not transparent to the government. Besides Sharon, there was only one other general in the government, Mordechai Zippori, who was able to comprehend military issues that the defence minister chose not to disclose, and to read military maps. Indeed, Zippori was the first to understand that Sharon was pushing the government to a wider, extended war.

---


On 8 June, Prime Minister Begin thought that the operation was nearing its end. In a speech delivered on that day, Begin emphasized that “Once we have reached the 40km line from our northern border, the fighting would stop.” Begin also asserted that Israel was interested in avoiding a conflict with Syria. The reality, however, was completely different: on that same day, one of IDF’s armoured brigades attacked Syrian forces around the town of Jezzine.

On 11 June, as a result of American pressure, a ceasefire was declared. If the war were to end then, its publicly declared aim – securing Israel’s northern border and freeing Galilee from the threat of rocket terror – would have been achieved. But at that point the undeclared aims, as outlined in the Grand Oranim Operation Plan, which Defence Minister Sharon was aiming to achieve without explicitly detailing the plans to the government, were not achieved. Yassir Arafat and his men were still in Beirut, the Syrians were present in Lebanon, and the Lebanese president was their puppet Elias Sarkis. Thus orders were given to the Israeli divisions to break the ceasefire. On 12 June, the escalation continued when Prime Minister Begin and a small number of ministers decided to conquer western Beirut. Sharon successfully persuaded Begin that this move was essential for Israel’s victory over the PLO. That decision negated all previous government decisions. Other ministers within the government resented that decision and voiced their dissent. Begin found himself in a minority within the government and the proposed operation inside Beirut was delayed. Sharon, however, remained convinced that entering Beirut was necessary. On 13 June, a first meeting took place between Israeli paratroopers and representatives of the Lebanese Christian Phalanges. The meeting was not authorised

23 U. Benziman, op. cit., 252.
by the Israeli government. Prime Minister Begin denied the presence of IDF troops in Beirut while the media was broadcasting live from the Lebanese capital, showing the IDF forces inside Beirut. Begin either did not know the facts, or wished to hide them.

On 26 June, Sharon redefined the war’s aims: First of all and most importantly, “the elimination of the PLO, the elimination of the terrorist force in Lebanon”. Second, “the removal of the Syrian army, which was the one to give protection” and provide massive support to the terrorists. Third, “we might reach a peace agreement with another Arab state, in the north.” Those ends were never approved as such by the government. But they were known to the army generals.

In early August 1982, the IDF pressed onto West Beirut. For the first time in Israel’s history, the IDF was inside an Arab capital, holding strategic positions inside Beirut. On 12 August, the Israeli pressure took its toll and Arafat agreed to evacuate his headquarters. On 21 August, the evacuation of the PLO from Beirut had started. Two days later, on 23 August, Israel’s ally, the Maronite Christian leader Bashir Gemayel, was elected President of Lebanon. The Israeli decision-makers were very happy to witness this historic milestone. But as the war progressed and the IDF suffered more casualties, Israeli public consensus and legitimation of the war eroded significantly. More and more people felt the government had lost control, that human lives were lost in vain, and that the aims were unrealistic.

4. WAS THE 1982 LEBANON WAR A JUST WAR?

The Lebanon War was designed to achieve extravagant and speculative aims. It was morally suspect and politically dangerous. Israel was

---

26 Ibid., 223.
willing to commit more and more forces to install a new order in Lebanon. Israeli leaders knew that once the Christian militias took hold of the reins of government, they would urge the Palestinians to leave Lebanon. In an interview on the Israel radio on 14 June 1982, Sharon said that “our aim in Beirut is not to alter the situation in Lebanon” and also that “What we want in Lebanon is that there should not be a situation whereby the terrorist organizations can re-establish themselves and act against Israel and against Jewish and Israeli institutions around the world.”

Preventing the terrorists from re-establishing themselves, however, would require either indefinite Israeli presence in Lebanon, including Beirut, something that the government denied wishing, or establishing a friendly regime in Beirut that would cater for the Israeli interests, something that Sharon denied (“our aim (...) is not to alter the situation in Lebanon”).

The grand design of the war and its conduct, as orchestrated by Defence Minister Sharon and Chief of Staff Eitan, diverged sharply from Israel’s security doctrine. The Israeli army is called Israel Defence Force for a reason; but this war was ambitious, adventurous, belligerent and unnecessary. It had put the lives of thousands of troops in harm’s way in order to reshape the face of the Middle East and to reach far-fetched and unwarranted aims. The expansion of Israeli territory at the expense of Lebanon and the affecting of regime change to bring Gemayel to power are both unjustified causes of war. This is as far as jus ad bellum is concerned. What about the conduct of war, jus in bello?

Because Sharon and Eitan had different aims from those authorized by the government, the war conduct was inappropriate, risking soldiers’ lives without providing them with the necessary

—

protections. Authorization of military moves was granted sometimes before action and sometimes after. The government was simply faced with fait accompli army positions as it was manipulated by Sharon.

The IDF bombarded Beirut and other Lebanese towns, killing scores of civilians. A distinction should be made between targeting civilians on purpose, and unintentionally harming civilians who happen to be in harm’s way. While the former should never be permitted, the latter might be an unfortunate occurrence in the conduct of war. The distinction is not always easy to make. The intention of the army officers are not always made public, and thus are not always clear. When intentions are not openly declared, then inference from the conduct of war is required. Guiding principles for evaluation are the scope of the attack and the proportionality of the used force. To recall, proportionality means that the harm inflicted on the opponent does not significantly surpass the resisted evil caused by the enemy. It requires weighing the immorality of an attack against the military gain that it is intended to achieve. I reiterate that proportionality means that the harm one inflicts must not be excessive in relation to the harm one prevents, and that what counts as excessive is different when those harmed are wrongdoers rather than innocent bystanders. Commanders should thus be cognizant of the harms of collateral damage, aiming to direct attacks on the enemy and invest efforts to ensure that innocent lives will not be lost unnecessarily.


Furthermore, Israel bears responsibility for the conduct of its allies and proxies in Lebanese territory under its control. Article 43 of the Fourth Hague Convention holds: “The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country”. Article 46 of the same Convention maintains: “Family honour and rights, the lives of persons, and private property, as well as religious convictions and practice, must be respected.”

Loyal to their own plan to oust the Palestinians from Lebanon, and wanting to avenge Gemayel’s assassination, on 16–18 September 1982, Christian Phalangist militia, headed by Elie Hobeika, massacred some 1,700 refugees in the Sabra and Shatila camps under the eyes of Israeli battalions. Art 73 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), applies to refugees and stateless persons. It holds: “Persons who, before the beginning of hostilities, were considered as stateless persons or refugees under the relevant international instruments accepted by the Parties concerned or (...) shall be protected persons (...) in all circumstances and without any adverse distinction.”

The Lebanon War was very costly for Israel: Between 5 June 1982, and 31 May 1985, 1,216 soldiers died. In 1985, Israel withdrew from

---


33 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, https://www.icrc.org/applic/ihl/ihl.nsf/7c4d08d9b287a42141256739003e636b/f6c8b9fdee14a7fd125641e0052b079.

34 Schiff and YA’Ari, 1984a; Bard, http://www.jewishvirtuallibrary.org/jsource/History/Lebanon_War.html.
most of Lebanon, with the exception of a security zone extending eight miles into south Lebanon to protect Israeli civilians from terror attacks. Only on 24 May 2000, when Prime Minister Ehud Barak was in power, did Israel withdraw completely from Lebanon, ending a 22-year military presence inside the territory of its northern neighbour.

5. CONCLUSION

The 1982 Lebanon War was an unjustified war of choice and aggression. Indeed, the Lebanon War was a paradigmatic unjust war. Israel’s “Power Politics” orientation of rejecting juridical and moral codes of behaviour when those seemed to contradict the desired aims was well manifested in the Lebanon War. The long presence of the IDF in Lebanon strengthened anti-Israeli forces in Lebanon, including another resistance-terrorist organization, the Hezbollah, a far more sophisticated and dangerous organization than the PLO had ever been in Lebanon. The Hezbollah became part of the Lebanese government, and its gunmen sit just across the Israeli border. The war had sunk Israeli forces in the Lebanese swamp for eighteen long years, during which hundreds of soldiers were killed and thousands were injured while Israel had gained very little politically and militarily.

BIBLIOGRAPHY

ENGLISH


_Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)_ , 8 June 1977, https://www.icrc.org/applic/ihl/ihl.nsf/7c4d08d9b287a42141256739003e636b/f6c8b9fee14a77fbd1c12564e0052b079.


**HEBREW**


Naor A., *Cabinet at War*, Yedioth Ahronoth, Tel Aviv 1986.


---

I thank Adam Cebula and the referees of *Studia Philosophiae Christianae* for their constructive comments. RC-A.

Raphael Cohen-Almagor  
R.Cohen-Almagor@hull.ac.uk  
The University of Hull, School of Law and Politics  
Cottingham Road, HU6 7RX Hull, United Kingdom  
DOI: 10.21697/spch.2017.53.3.08