



Hezbollah's (un)just actions in the 2006 Lebanon War

A case study on Hezbollah's actions in the 2006 Lebanon War, to conclude how they waged the war including their culpability in it.

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Thesis, 15 ECTS (hp)

Political Science with a focus on Crisis Management and Security

Autumn 2020

Supervisor: Tom Lundborg

Word count: 13132

Abstract

This thesis aims to study how Hezbollah acted just or unjustly in the 2006 Lebanon War to conclude if their warfare was just or unjust. That leads to a better understanding of Hezbollah's warfare in the 2006 Lebanon War and if they thereby have culpability in the war. If Hezbollah want to be taken as a serious and legitimate force in war, they should be held accountable to the same standards of warfare as states and be shown that there are consequences for their actions. The theory that will be used in order to do so, is the Just War theory. It is divided into two categories: Jus ad Bellum, the right to go to war, and Jus in Bello, the right conduct in war. Hezbollah seemed to have failed to meet the criteria of Jus ad Bellum, by failing to fulfill the criteria just cause, right intention, the proportionality of ends, and a reasonable prospect of success. They only managed to fulfill the criterion of right authority and mostly the last resort criterion, due to their constitutional right to wage war and their prior intents of a prisoner exchange. The organization also failed to meet the criteria of Jus in Bello: proportionality of means and discrimination. They had no proportionality regarding the goal, nor did they differentiate between military goals and civilians. It was therefore concluded that Hezbollah acted unjustly in the 2006 Lebanon War, by not having the right to go to war, but also because the conduct in the war was unjust as well. That contributed to the more significant understanding of Hezbollah's warfare in the 2006 Lebanon War including its culpability, and the importance of holding them accountable for their actions in war.

Keywords: Hezbollah, Israel, The 2006 Lebanon War, Just War, just actions, unjust actions.

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1. Introduction

Hezbollah, meaning the Party of God, is a Shia Muslim political party and an armed Islamic resistance movement in Lebanon. The organization was officially established in 1985, and its origins can be traced back to three important events; the first event being the political movement of the Shia Muslims in Lebanon in the early 1960s. when the Lebanese imam Sayyid Musa al-Sadr mobilized the Shias in Lebanon as a way to protect their representative in the country. After his disappearance of al-Sadr in Libya, the idea of a new Shia resistance movement started to thrive. The second event that inspired the emergence of Hezbollah was Ayatollah Khomeini's Islamic revolution in Iran between 1978-1979, which encouraged the Shias in Lebanon to start their own organization with the same Islamic values. With support from Khomeini's regime, the idea was becoming a reality. The third and last event that inspired Hezbollah's emergence was the Israeli invasion of Lebanon in 1982. The invasion made the Shias acknowledge the need for an Islamic resistance movement in Lebanon. Three years later in 1985, Hezbollah became an actuality (Daher, 2019: 17-33).

Hezbollah has expanded throughout the years due to its financial and political support from Iran. They get around 100-200 million dollars annually from them, which finances their network. The organization has fully functional military units, social services, and financial aid to Shia Muslims in Lebanon. Because of this set-up, many refer to Hezbollah as "a state within a state". However, Hezbollah claims that they are a Shia Muslim political party and an Islamic resistance movement in Lebanon (ibid:127-140). They are also classified as a terror organization by numerous countries, including the United States of America, Great Britain, Germany, and Israel. The latter, Israel, has had several encounters with Hezbollah throughout the years. From the time of the organization's rise in 1985, until today, has it been in a constant dispute with Israel (Chambers & Rink, 2020).

The most massive conflict between Hezbollah and Israel was the 2006 Lebanon War, which lasted for 34 days and resulted in the mass destruction of society and heavy economic losses in Lebanon and Israel. A total of thousands of civilians and hundreds of soldiers were killed on both sides and many more wounded (Cordesman et al, 2007: 2-38). Israel was yet the only part that was held accountable. The United Nations Human Rights Council and different scholars investigated Israel's acts in the 2006 Lebanon War, but none did so to Hezbollah.

The Human Rights Watch even observed the matter and shed light on the need to investigate Hezbollah's actions in the war and not only Israel's (Human Rights Watch, 2006).

1.1 Research problem

The 2006 Lebanon War was the largest collision between Hezbollah and Israel. The aftermath of the war was disastrous and resulted in the death of thousands of civilians and hundreds of soldiers on both sides (Cordesman et al, 2007: 2-38). Nevertheless, the reactions towards the entities involved were different. The war resulted in Hezbollah gaining much support in Lebanon, and scholars disregarded their actions (Schwerna, 2010:67-125). On the other hand, Israel was questioned by international institutions and scholars due to their disproportionate retaliation and unjust warfare. No studies were conducted on Hezbollah's warfare's justness or unjustness, the actor that de facto started the war (Human Rights Watch, 2006). Scholars are observing that non-state actors' actions in war are being disregarded just like Hezbollah's actions in the 2006 Lebanon war, and that is leading to significant violations in war without any rightful accountability (d'Aspremont et al, 2015). It is therefore vital to hold Hezbollah accountable for their actions in war. If Hezbollah wants to be taken as a serious and legitimate force in war, they should be held accountable to the same standards of warfare as states and be shown that there are consequences for their actions. Even though scholars disregarded the matter, and the organization gained much support, their actions might still have been unjust. It would therefore be fruitful to study Hezbollah's just or unjust actions in the 2006 Lebanon war, to understand how Hezbollah waged that war and their culpability in it (Human Rights Watch, 2006).

1.2 Aim

Henceforth, this study aims to analyze and understand if the 2006 Lebanon War was a just or unjust war in regard to Hezbollah's actions. This will be done by applying the Just War theory and a meticulous examination of Hezbollah's actions in the 2006 Lebanon War. This conflict resulted in Hezbollah gaining a lot of support in Lebanon, and scholars disregarded their just or unjust actions. What if Hezbollah acted unjustly? What if they acted just? By examining Hezbollah's actions in the 2006 Lebanon war, these questions can be answered. Above all, by doing so an immense understanding will be assembled of how Hezbollah waged the 2006 Lebanon War and their culpability in it. That itself indicates the importance of holding Hezbollah accountable for their actions in war. If they want to be taken as a serious and

legitimate force in warfare, they should be held accountable to the same standards of warfare as states and be shown that there are consequences for their actions.

1.3 Research question

In regard to the aim, this research will attempt to answer the question:

- Can Hezbollah's ulterior motives to start the 2006 Lebanon war as well as their actions in it be seen as just or unjust according to the Just War theory?

1.4 Delimitation

The study will focus on the 2006 Lebanon War. The war itself lasted for 34 days, between the 12th of July until the 14th of August. Most of the research will be done between these dates and the time leading up to the conflict, meaning the whole year of 2006, to understand the conditions before the war better. The focal point will be put on two actors, Hezbollah and Israel. A minor highlight will also be put on the Lebanese state and its people and the Israeli people to understand the war and its consequences better. The study will further be delimited by adding the Just War theory and the principles of Jus ad Bellum and Jus in Bello.

1.5 Previous research

The 2006 Lebanon War has been and is still being studied by different scholars, due to its magnitude and singularity. Many scholars have been focusing on the new type of unconventional warfare that the conflict brought to light, meaning hybrid warfare. Vikrant Deshpande writes in *Hybrid Warfare: The Changing Character of Conflict*, that Hezbollah's tactics and actions during the 2006 Lebanon War were classified as a new type of warfare. Hezbollah improvised explosive devices and solutions to protect themselves of what they had disposable. They had a unique adaptability and efficiency during the war, that for many were never seen before. The type of warfare that Hezbollah was operating was new of its kind and that is what Deshpande was pointing at (Deshpande, 2018).

The topic of who won the 2006 Lebanon War has been studied by many scholars, due to Hezbollah's unexpected resistance and Israel's struggle to eliminate the threat easily. Did Hezbollah win or did Israel? Krishnappa writes in his paper *Who Won the Second Israel-Lebanon War?* that the matter was not as simple as saying one actor won or the other one lost. The author argues that observers proclaim that Hezbollah won the war, due to the

image that they created of a high resistance meaning a victory. Hezbollah won the information warfare and the support of the Lebanese people as well, but they lost materialistically. Israel won the war objectivity in regard to less of a materialistic loss. Israel managed to undermine Hezbollah's military capabilities who lost much more materialistic in regard to both artillery and soldiers. Krishnappa concluded that the latter, materialistic loss is heavier, and Israel was therefore concluded to be the bigger winner in the war (Krishnappa, 2007).

Some scholars have studied if the war was just in regard to Israel's actions. Saikou Gassama, Mansoureh Ebrahimi and Zuryati Yasin write in their paper *Justum Ad Bellum & Israel's 2006 Attack on Lebanon: An Examination of Just War Principles* that it was needed to analyze Israel's actions in the 2006 Lebanon war due to their heavy retaliation. The authors wanted to examine whether or not Israel acted just or unjustly in that war by applying the Just War theory. By doing so, the authors came to the conclusion that Israel had the right to defend themselves from Hezbollah's initial attack but overwhelmingly failed to live up to the other criteria of the theory. The authors later concluded that Israel acted unjustly and conducted an unjust warfare in the 2006 Lebanon War (Gassama et al: 2018).

There is an evident gap here, no study has been made of the 2006 Lebanon War in regard to Hezbollah's just or unjust actions, the actor that de facto started the war. Studies have been made regarding the understanding of the new type of warfare that the 2006 Lebanon War displayed. Others have studied who the winner of the war was, with conclusions that both were winners, with Israel being the bigger winner due to less materialistic losses. Other scholars have studied the just and unjust actions of Israel in the 2006 Lebanon War, but none has done so with the pacifier on Hezbollah. There are no studies regarding Hezbollah's just or unjust actions in the 2006 Lebanon war. That is the aim of this study, to fill that specific gap and contribute to the bigger matter of Hezbollah's accountability in that war and the importance of holding them accountable and show that there are consequences for their actions in war.

2.0 Theory

2.1 The Just War theory

The Just War theory is a historic and much-disputed theory that holds both secular and religious elements. The theory regards the matter of just or unjust actions in war and thereby if a war is just or not. It has been studied and discussed by past times critical catholic theologians such as St. Thomas Aquinas and St. Augustine, as well as present times secular scholars such as Brian Orend and Michael Walzer (Johnson, 2017). In this paper, the Just War theory according to Michael Walzer will be used, with the help of mostly explanatory scholars such as Alex Bellamy, Michael Farrell, Ian Holliday, Eric A. Heinze, and Brent J. Steele. This means that the secular interpretation of the theory will be used in this paper. The Just War theory can be divided into two principles, *Jus ad Bellum*, which is Latin for the right to go to war, and *Jus in Bello*, which means right conduct in war.

Michael Walzer makes an essential delineation between *Jus ad Bellum* and *Jus in Bello* and emphasizes that these two principles should be analyzed separately. The scholar implies that war can have just reasons but be unjustly conducted and vice versa; an unjust war can be justly conducted. *Jus ad Bellum* and *Jus in Bello* should therefore be studied separately and then in relation to each other. This does not mean that an actor in war only needs to fulfill one to wage war justly. It only means that they are two different points of view that one would still need to fulfill both, in order to have waged a war justly. They should be analyzed separately but treated together to explain if the ulterior motives and actions in war, resulted in a just war or not. Thus, to fully act just and conduct a just war, one needs to fulfill both *Jus ad Bellum* and *Jus in Bello* (Walzer, 2006:21).

Jus ad Bellum deals with the conditions under which actors have the right to go to war. It is divided into six criteria: right authority, just cause, right intention, the proportionality of ends, reasonable prospect of success, and last resort. Right authority regards the fact that the authority that declares the war needs to be legitimate. Just cause addresses the underlying causes behind actors' urge to wage war. Right intention points out that the war needs to be based on the just cause and for the greater good of all involved. Proportionality of ends means that the war itself must result in more good than bad. Reasonable prospect of success emphasizes that war should only be waged if there is a reasonable prospect of achieving one's goal. Last resort means that the war should always be the last alternative, and other nonmilitary alternatives should always be pursued first. *Jus in Bello* governs how warfare should be conducted and is itself divided into two criteria: proportionality of means and discrimination. The first criterion puts importance on minimizing the effect of the war on the

ones who are not a part of it but affected by it. The second criterion deals with differentiating between combats and non-combats, meaning differentiate between military targets and civilians (Farrell, 2013: 15-20).

Jus ad Bellum and Jus in Bello in the Just War theory will be further explained in the analysis chapter. All the criteria within the two categories will be explained one by one in relation to the empirics of Hezbollah's actions in the 2006 Lebanon war. In order to make it clearer for the reader to follow, each criterion will be fully explained by different scholars in relation to the empirics, in the analysis paragraphs.

2.2 Criticism of the Just War theory

Most of the criticism against the Just War theory is about the theory being a western one and thereby built on Christian values and ideas. Thus, the theory is not seen as universal and only applicable to Western- and Christian cases of war. That means that the theory cannot explain wars by and between non-Western and non-Christian actors, which is the case of Hezbollah and the 2006 Lebanon war (Bellamy, 2005: 282). The Just War theory derives from a Christian religious background and it is therefore understandable to say that it is not possible to apply it on a case such as Hezbollah. The organization is an Islamic one, and some argue that Christian views on just war can therefore not be applied to such a case (Johnson, 2017). That is a take and criticism that some scholars have concerning the theory not being applicable to non-Western and non-Christian actors, but some scholars argue differently.

It is important to remember that even though the theory derives from a Christian background, it has been developed by secular scholars, which study has chosen to proceed from.

Furthermore, the Just War theory today has become a moral and secular theory for the analysis of the morality of wars waged by the West as well as non-Western actors (Slater, 2012). Scholars such as Walzer and Evans argue that the theory can be applied to non-Western and non-Christian actors. According to Walzer, the Just War theory can be seen as the closest international and morally joined positions there are regarding war and the use of force (Walzer, 2015: 41). Evans argues that the theory is based on human rights and morals, which should be universal principles and not seen as something Western (Evans, 2005: 76). It is also to note that international institutes such as the United Nations have used and still use the Just War theory in their undertaking. Principles such as "Responsibility to

protect” evolved from the theory itself. That principle is used today by nations worldwide, even by non-Western and non-Christian actors (Iancu, 2014). All this shows that today has the Just War theory gone beyond its Christian origins; it is a universal theory to be applied to non-Western and non-Christian actors. The theory can therefore be applied to this case, Hezbollah in the 2006 Lebanon War.

2.3 Operationalization

Operationalization means that the theoretical concept will be converted to measurable indicators, enabling the research to contribute to a higher validity of the results. (Esaiasson et al, 2012: 60-65). In this case, the theory that will be used is the Just War theory, which itself is divided into two principles, Jus ad Bellum and Jus in Bello, which in turn are divided into a set of criteria. All of these criteria will be explained by different scholars in the analysis, and this operationalization aims to combine and convert the different scholars' explanations of the criteria into measurable indicators. In the following chart will the different criteria in Jus ad Bellum and Jus in Bello be operationalized in regard to the different scholars used in this paper.

<u>Jus ad Bellum</u>	<u>Operationalization</u>
Right authority	<ul style="list-style-type: none"> • The actor needs to have a constitutional authority to wage a war and control over a force (Heinze&Steele, 2009:5). • The actor needs to be capable of controlling its members, have somewhat of wide support within a specific political realm and its adherents need to support their political and military goals (Bellamy, 2006: 138).
Just cause	<ul style="list-style-type: none"> • A just cause to start a war is the case of self-defense against aggression, as defending one's citizens from an external threat to their lives (Walzer, 2015:75 - 76). • A just cause can also be self-defense against aggression as violation of one's political

	sovereignty and territory (Walzer, 2006:52-62). Aggression can also be economic sanctions and embargoes (Farrell, 2013:16).
Right intention	<ul style="list-style-type: none"> • A right intention is to make peace and create justice, to create a peaceful status quo when that has been rubbed (Holliday, 2002). • A right intention is to better the situation for all the nations involved in the war, meaning for the greater good of all involved (Farrell, 2013:17).
Proportionality of ends	<ul style="list-style-type: none"> • The good that the war can bring, must always outweigh the possible damage that the war can result in on society, infrastructure and people (Walzer, 2015:129). The war must not cause more harm than good (Heinze&Steele, 2009:5). • The actor that is considering waging a war, need to estimate if the cost of the war is worth the outcome. If the cost of the war is too costly, war should not be waged (Farrell, 2013:17).
Reasonable prospect of success	<ul style="list-style-type: none"> • War should only be waged if there is a reasonable prospect of success (Farrell, 2013:16). • The involved actors should only go to war if their initial goals for the operation can be achieved (Heinze&Steele, 2009:6).
Last resort	<ul style="list-style-type: none"> • The actors must try out non-military alternatives within reasonable limits and if they fail, then war should be pursued as a last resort (Heinze&Steele, 2009:5-6).

	<ul style="list-style-type: none"> • The option of waging a war needs to be the only way to achieve the wanted change. Not waging the war would therefore result in a worse outcome than the war itself (Farrell, 2013:16).
<u>Jus in Bello</u>	<u>Operationalization</u>
Proportionality of means	<ul style="list-style-type: none"> • The actor should not utilize more force than needed to achieve the goal (Heinze&Steele, 2009:6). The actor should not use their means in a way that would result in more evil than the one they are fighting (Farrell, 2013:18). • If the goal has a minor military profit, but great risk to cause harm to civilians, it fails to fulfill the criterion (Bellamy, 2005: 289).
Discrimination.	<ul style="list-style-type: none"> • It is of importance that the actor differentiates between combats and non-combats (Walzer, 2015: 30). • The double-effect doctrine justifies that some harm can be made to civilians if that is not the initial goal with the operation, but rather an indirect consequence (Bellamy, 2005:288).

Chart 1: This chart shows the operationalization of the Just War theory in this study.

3. Method

3.1 Research design

This paper aims to use the method of a case study. The purpose of a case study is to take out a part of a bigger course and study that part in detail. By doing so, the part that is being studied can contribute to understanding the bigger course, the bigger picture. Rolf Ejvegård describes a case study with a parable to an artist and his or her work. By focusing and describing one specific work by an artist in detail, a more powerful understanding can be made of the artist and their production (Ejvegård, 2009:35-36). In studying Hezbollah's actions in the 2006

Lebanon war, a bigger understanding can be made in regard to their culpability in it the importance of holding Hezbollah accountable in war. A case study also allows the author to study a phenomenon on a deeper level, with broader question formulations that allow a theory to thrive in the analysis (George & Bennet, 2005: 5–8). That means that a case study opens up for the Just War theories many criteria to create a deeper analysis in this study.

One alternative method could have been a comparative analysis to better explain how Hezbollah conducts war and to see if it differs from conflict to conflict (George & Bennet, 2005: 151). That was simply not used because that was not important for the study. The focus was to understand their actions and thereby culpability specifically in the 2006 Lebanon war, to display the importance of holding Hezbollah accountable for their actions in war and to show that there are consequences for their actions. After all, that was the biggest conflict the organization had been in, with the heaviest consequences on society as civilians (Cordesman et al, 2007: 2-38). A case study would thereby give a more profound analysis regarding the matter and was therefore chosen as the method of this paper.

The method of a case study will be done through qualitative research. Qualitative research is meticulous and intensive research that aims to explain how phenomena are being portrayed in different writings. Qualitative research generates an in-depth reading and analysis of the material, and it fits well with the method of a case study (Esaiaasson et al, 2012: 211-240). A qualitative case study with the Just War theory gives rise to a profound analysis open to in-depth analysis. Quantitative research as an alternative would not be as suitable because it is not as open to interpretation. It also focuses on hard elements which limit the author to reach a bigger understanding of the case (Hallenberg, 2008:12-15). Qualitative research was hence the best approach to this paper and in relation to the method of the case study.

There are, of course, advantages and disadvantages with the method of a qualitative case study. The advantage of such a method is that the study will be delimited and studied in detail. That makes it easier to say something about the part, the case that is being studied, and thereby contribute to the bigger picture (Ejvegård, 2009:35-36). This means that by using a case study method to examine Hezbollah's actions during the 2006 Lebanon war, a more significant understanding can be made of Hezbollah's culpability in that war. That gives rise to the importance of holding Hezbollah accountable in war and show that there are consequences for their actions. The disadvantage of such a method is that it is very open for

interpretation. That makes it very important for the author to watch out for subjective analysis, and therefore does this method enable the risk of a subjective study (George & Bennet, 2005:17-19).

3.2 Material

The 2006 Lebanon War is a unique war to study due to its magnitude and singularity. It is also a complex war to study due to Hezbollah and Israel's relation and history. That complexity shows in the material that covers this war, many of the sources are biased; either are the writings beneficial to Hezbollah or to Israel. The sources are hence carefully examined and analyzed before being used in the study. Hence, reliability is of great importance in the material and objectivity regarding Hezbollah's actions during the 2006 Lebanon War.

The material used is mostly literary work as *Lebanon: A Model of Consociational Conflict* by Tobias Schwerna, *Hezbollah: Mobilization and Power* by Aurélie Daher, and *Lessons of the 2006 Israeli-Hezbollah War* by Anthony Cordesman et al. Reports by the Human Rights Watch, and by different scholars will be used to better understand the war in detail and its effects on civilians. To better understand the causes behind the 2006 Lebanon War and thereby Hezbollah's intentions, their point of view will be studied and analyzed as well. Speeches by Hezbollah's supreme leader Sayyid Hassan Nasrallah will therefore be used. The speeches are naturally done in Arabic and will be translated into English by me, the author. These sources, such as Nasrallah's speeches are important to the study because the paper aims to understand how Hezbollah acted just or unjustly in the 2006 Lebanon war. Hezbollah's perspective on the war is thereby crucial to the understanding of the Just Wars theory's many principles.

3.3 Scientific and ethical considerations

It is of importance to mention the scientific and ethical considerations in this study. To create a thesis with high scientific quality it is important to create high validity, reliability and somewhat a generalizability. Bryman points out that the validity of a study gets strengthened by transparency and objectivity (Bryman, 2002). In regard to the transparency, I as the author aimed to openly describe the way the sources were gathered as well as an openness to the origins of the sources. An objectivity was also very important to create in regard to the study.

One's own stance can naturally come in the way in a qualitative case study like this one, because such a method is open to interpretation. That is a matter that will be avoided by carefully drawing conclusions in regard to the sources and the theory, thus there will be no room for personal reflections or conclusions. One's own stance as the author, was also avoided by choosing different sources from different platforms, and thereby adding different writings of the conflict. My translation of Hezbollah's speech will also be compared to similar translations to be able to conclude a strong objectivity and thereby a strong validity.

Reliability and generalizability are also important factors in this research. A study can never be completely reliable, but rather strive for it (ibid). This study strives for a high reliability by carefully examining the sources that will be used, and thereby choose non-biased ones. Furthermore, primary sources such as Hezbollah's press conference will be used in order to truly understand their motives for the war. The study aims to create a generalizability in regard to the importance of holding Hezbollah accountable for their actions in war and to show that there are consequences for their warfare. That will be made by meticulously displaying Hezbollah's actions in the 2006 Lebanon War and their culpability in it, through the application of the Just War theory. It is understandable that the generalizability would be made even stronger if more conflicts waged by Hezbollah would be studied. That was however disregarded, the aim of this thesis was to display Hezbollah's actions in 2006 Lebanon War and thereby their culpability in it. That itself contributes to the bigger matter of holding Hezbollah accountable in war as well.

4. Background

The 2006 Lebanon War was the most significant clash between Israel and Hezbollah. The war lasted for 34 days, between the 12th of July until the 14th of August. Hezbollah started the war to get back, first and foremost three of their captured members in Israeli prisons, Samir al-Qintar, Yahya Skaf, and Nasim Nisr. Hezbollah had historically tried to negotiate back these members from Israel without success (Tür, 2007). During a press conference the same day as the war started, on the 12th of July 2006, Hezbollah announced their mission's goals. Their political leader Sayyid Hassan Nasrallah stated that the goal of the operation was first and foremost to liberate Samir al-Qintar, Yahya Skaf, and Nasim Nisr as well as their "brothers" under Israeli captivity, referring to other Arab prisoners in Israel (Nasrallah, 2014. Author's translation).

The war officially started on the 12th of July when Hezbollah decided to attack Israeli Defense Forces that were patrolling in Israel, next to the Lebanese frontier. Hezbollah fighters managed to kill three IDF soldiers, wound two, and abduct additional two before heading back to Lebanese grounds. The IDF tried to rescue the kidnapped soldiers by entering Lebanon with a platoon and tank. Hezbollah answered by firing at the tank and thereby killing additional four Israeli soldiers. An eighth IDF soldier was killed trying to bring back the four dead bodies. At the same time as Hezbollah fighters were doing that, they also launched rockets from Lebanon towards the Israeli town of Zarit. The first day of the 2006 Lebanon War resulted in Hezbollah killing eight IDF soldiers and kidnapping two, and firing rockets into Israel (Secretary-General, 2006).

The day after Hezbollah's attacks, Israel responded with a heavy offensive against Hezbollah's positions in Lebanon and their headquarters in Beirut (ibid). Many of Hezbollah's positions were not discrete, but rather in areas with many civilians. They also stored weapons and ammunition inside civilian homes and fired rockets from these places. As a result of that, many Lebanese civilians were killed or injured in addition to Hezbollah's soldiers. Besides humanely losses, Hezbollah also lost materialistically, artillery and infrastructures were destroyed due to Israel's heavy bombings. Hezbollah responded to the attacks with heavier rocket attacks into Israeli territory, into towns with many civilians such as Haifa, Nahariya, Safed, and Mazra. They also launched rockets into Israeli school, hospitals, and workplaces (Human rights watch, 2007, A). The war continued on with attacks and counterattacks between Israel and Hezbollah for a total of 34 days until the 18th of August (Cordesman et al, 2007: 2-38).

The war resulted in mass destruction on both sides. People's homes, infrastructure, and society were destroyed in Lebanon as well as Israel. The estimated loss for Hezbollah was between 250 to 800 soldiers, and between 900 and 1200 civilians died in Lebanon. Israel estimated loss was 117 soldiers and the death of 43 civilians (ibid). In conclusion, the aftermath of the war was that Hezbollah lost more materialistically but gained more credibility (Krishnappa, 2007). They could enjoy a much bigger support from the Lebanese people and their actions in that war were disregarded by scholars. However, Israel lost more seen to their eminence, and their actions during the war were questioned by many scholars and big institutions such as the United Nations Human Rights Council (Human Rights Watch, 2006).

5. Analysis

5.1 Jus ad Bellum- Did Hezbollah have the right ulterior motives to start the 2006 Lebanon War?

Jus ad Bellum regards the occurrences before a war, whether an actor has the right to conduct the war in the first place. The criterion seeks to limit actors to even wage war in the first place, unless it is necessary. In the following paragraphs will the Just War theories Jus ad Bellum according to different scholars, be applied to the case of Hezbollah's actions in the 2006 Lebanon War. Jus ad Bellum has six criteria: right authority, just cause, right intention, the proportionality of ends, reasonable prospect of success, and last resort (Farrell, 2013: 15-20). These will be examined separately; each section will focus on one criterion, describing the essence of it and then applying it to the case of Hezbollah to later conclude if they fulfilled that criterion or not. In doing so, a conclusion regarding Hezbollah's just or unjust actions in the 2006 Lebanon War can be made.

5.1.1 Right authority

The question of whether Hezbollah had the right authority to start the 2006 Lebanon War in the first place is a crucial criterion that needs to be answered first. Some scholars say that only states can have the right authority and thereby fulfill this criterion, while other scholars argue that non-state actors have that too. In order for non-state actors to fulfill this criterion of right authority scholars, Heinze and Steele state that the actor needs to have a constitutional authority to wage war and control over a force (Heinze&Steele, 2009:5). According to Bellamy, a non-state actor needs to fulfill three criteria to have the right authority. The first requirement is that the non-state actor needs to be capable of controlling its members. The second requirement is that the non-state actor has somewhat of broad support within a specific political realm. The third and last requirement is that the non-state actor needs to have adherents that support their political and military goals (Bellamy, 2006: 138). Thus, did Hezbollah have the right authority to wage the 2006 Lebanon War?

The first criterion for an actor to have the right authority is to have a constitutional authority to wage war. The Lebanese civil war ended in 1989 with the signing of a peace agreement, the Taif accord, which created amendments to the Lebanese constitution. In this agreement, new laws and actions were decided regarding the distribution of power, disarming militias

and Lebanese resistance, etcetera. Since Hezbollah was seen as an important actor to protect Lebanon against Israel, they were constitutionally allowed to stay armed to be able to fight them when necessary. This concludes that Hezbollah had and still has the constitutional right to wage war against Israel, which is the case of the 2006 Lebanon War (Linetsky, 2019). The second criterion for an actor to have the right authority is to have control over a force. They had and still have their military force that is completely separated from the Lebanese National Forces. At the time of the 2006 Lebanon War, their force was measured up to around 20.000 soldiers (Harel & Cohen, 2016). These different military units follow Hezbollah's rule and more specifically the commands of their leader Hassan Nasrallah's (Daher, 2019:127-140).

Bellamy's first requirement is that the non-state actor needs to be capable of controlling its members. Hezbollah has a large number of members and controls them with an iron hand. Since many of their members are dependent on the social and economic support they gain from the party, they are under Hezbollah's rule, otherwise, they lose that security. Therefore, is Hezbollah in full control of its members (ibid). The second requirement is that the non-state actor has somewhat of broad support within a specific political realm. Hezbollah enjoys a tremendous amount of support from the Shia Muslims in the country, the religious group that they started the organization for in the first place. The third and last requirement is that the non-state actor needs to have adherents that support their political and military goals. Hezbollah's adherents, the Shia Muslims, faithfully support their political and military goals as seen in numbers that barely change year after year, new goal after new goal. Hezbollah had almost 87% support from that group concerning their warfare against Israel in 2006 (Schwerna, 2010: 67-125). This concludes that Hezbollah fulfilled the criterion of right authority.

5.1.2 Just cause

The matter of Hezbollah having a just cause or not to wage the 2006 Lebanon War is crucial to answer, as well as one of the most important criterion in the Just War theory. Walzer points out that a just cause to start a war is the case of self-defense. That means that a just cause is to defend one's citizens from an external threat to their lives (Walzer, 2015:75 - 76). Walzer also points out that a violation of one's political sovereignty or territory can be seen as aggression, and hence a just cause for an actor to practice self-defense and thereby start a war on that ground (Walzer, 2006:52-62). Farrell agrees that the most common and accepted just

cause is the case of self-defense against aggression, but he points out that aggressions could also be nonviolent such as economic sanctions and embargoes (Farrell, 2013:16). Did Hezbollah have any of these reasons and thereby a just cause, to start the 2006 Lebanon War?

Walzer points to self-defense regarding defending one's citizens from an external threat to their lives. Hezbollah started the war in order to get back Samir al-Qintar, Yahya Skaf, and Nasim Nisr. These Hezbollah members were captured by Israel and put in prison due to their actions. Samir al-Qintar had killed a police officer, a civilian, and his daughter in an Israeli town near the Lebanese border. Yahya Skaf was part of the 1978 hijacking of a civilian bus in Tel Aviv, which resulted in at least the death of 25 civilians. Nasim Nisr was an Israeli citizen of Lebanese descent, and he was convicted for espionage. Israel holding these members in prison is not an external threat to their lives, but rather a case of accountability for one's actions in war. Understandably are these men in prison due to their criminal actions. There was no threat to these members' lives, they were simply serving their time in prison (Human Rights Watch, 2007: 37, B).

Walzer also points out that a just cause is self-defense against aggression such as violation of one's political sovereignty or territory. Farrell adds that aggression can also be economic sanctions and embargoes. Hezbollah did not start the war because of violation of Lebanese sovereignty and territory by Israel, even though they believe that Israel has occupied Lebanese grounds (Saouli, 2019: 22-33). That was not the reason for their warfare in this matter, nor were economic sanctions and embargoes done by Israel used as a reason for Hezbollah to wage the war. Hezbollah's reason to start the 2006 Lebanon war was simply to liberate three members who were serving their time in prison due to their criminal actions in war (Nasrallah, 2014. Author's translation). That reason to wage war is not applicable as a just cause. It is in no way a self-defense act against any type of aggression or threat to anyone's life, but rather aggression in itself. This concludes that Hezbollah did not fulfill the criterion of just cause.

5.1.3 Right intention

If Hezbollah had the right intention concerning the 2006 Lebanon War is closely related to the criterion of just cause, but still different because the right intention regards the bigger goal of the operation. Holliday points out that the most right intention and the primary intention

should be to make peace and create justice. Right intentions are hence intentions that are based on creating a peaceful status quo when that has been rubbed due to aggression from any other actor (Holliday, 2002). Farrell takes it a step further and describes the right intention to be for the greater good. He means that the war waging actor should not only strive to better the situation for their inhabitants, but for all the inhabitants of the nations involved in the war. That means that the right intention is for the greater good for all involved (Farrell, 2013:17).

Hezbollah's intentions in the 2006 Lebanon war were not to make peace and create justice. That has never been an intention of Hezbollah's when it comes to Israel, they are sworn enemies. One of the organization's main goals is to fight Israel and liberate Palestine, therefore is making peace with Israel never their intention (Saouli, 2019: 22-33). Creating justice is very subjective, for one's freedom fighter is the other's terrorist. For Hezbollah was waging war against Israel, creating justice towards their members that were in prison, according to the organization wrongfully so (Nasrallah, 2014. Author's translation). Meanwhile, their members' actions speak for themselves, and actions like theirs are to be punished with imprisonment. Thus, Hezbollah did not really create justice in liberating their members that had committed war crimes.

Right intentions are also creating a peaceful status quo when that has been rubbed due to aggression from any other actor. Hezbollah was not creating a peaceful status quo that was rubbed due to aggression from Israel. He was rather disrupting the status quo of somewhat a peaceful time in the Lebanese/Israeli border, not seen since the 1960s (Van Creveld, 2008). Farrell points to the right intention as a greater good for all involved. Hezbollah's intentions in the 2006 Lebanon war were pointed out as strengthening their importance in Lebanon due to the increase of commands by Lebanese factions for their disarmaments. Thus, the intention was the survival of the organization's image as a necessary armed resistance in Lebanon. Another intention of Hezbollah's to wage this war, was to destroy the image of Israeli Defense Forces invincibility in the Middle East region (Gabrielsen, 2013: 437-438). The intention of the war was not for a greater good for all involved but rather for the greater good of the organization. This concludes that Hezbollah did not fulfill the criterion of just intention.

5.1.4 Proportionality of ends

Did Hezbollah estimate and judge that their actions would be proportional to their warfare's cause? If the war one is waging is anticipated to cause more harm than good in achieving the goal of the operation, then that war is unjust (Heinze&Steele, 2009:5). Walzer points out that the good that the war can bring must always outweigh the possible damage that the war can result in society, infrastructure, and people (Walzer, 2015:129). Farrell adds that actors that are considering waging war need to estimate if the cost of the war is worth the outcome. If the consequences and, thereby the war's cost is too costly, war should not be waged (Farrell, 2013:17). Thus, did Hezbollah fulfill the criterion of proportionality of ends in the 2006 Lebanon War?

The 2006 Lebanon war was waged by Hezbollah to achieve the goal of liberating Samir al-Qintar, Yahya Skaf and Nassim Nasr among others. That was the cause and reason for them to start the war in the first place. A war against Israel would result in heavy destruction and loss of lives, that is a known fact if Hezbollah were to look to previous clashes with Israel. Even the history of wars between Israel and other actors as Arab countries shows that waging war against Israel results in heavy resistance, it costs to fight Israel. Thus, liberating their three members does not outweigh the damage on society, infrastructure, and people that a war with Israel would result in (Britannica, 2020). Their three members' lives do not outweigh the lives of the millions of people that would be put at risk in a possible war between Hezbollah and Israel. Thereby is it clear that Hezbollah's war against Israel would be very costly, too costly concerning the cause of the warfare. Concluding, the acts are not proportional in relation to the cause of the warfare, Hezbollah did therefore not fulfill the criterion of proportionality of ends.

5.1.5 Reasonable prospect of success

Was there a reason for Hezbollah to think that they had a chance of succeeding in this operation? This criterion emphasizes that war should only be waged if there is a reasonable prospect of success. That means that the involved actors should only go to war if their initial goals for the operation can be achieved (Heinze&Steele, 2009:6). Farrell also adds that if an actor wants to wage war, they must reasonably determine that they can win that war (Farrell, 2013:16). The question of whether Hezbollah had a reasonable prospect of success is a very

complicated one to answer. They wanted to liberate Samir al-Qintar, Yahya Skaf, and Nasim Nisr through warfare against Israel. According to them, they had a reasonable prospect of success against Israel (Nasrallah, 2014. Author's translation). However, when push comes to shove, did Hezbollah really have a reasonable prospect of success against Israel in the 2006 Lebanon war?

In order for an actor to win a war, it is vital to have a strong military and an economic asset alongside experience. If a comparison would be made between Hezbollah and Israel regarding these critical assets for an actor in war, Israel would clearly be the bigger actor. According to numbers ascertained by the World Bank, Israel put 9,315 billion dollars on military expenditure in 2006 and around the same numbers in the prior years (The World Bank, 2020). In 2006 their military capacity was estimated to be around 185,000 soldiers widespread through different units (Macrotrends, 2020). Israel can be concluded to have had a strong military capacity backed up with high financial support in 2006 when Hezbollah decided to wage war against them. Historically speaking, had no Arab country nor Hezbollah themselves managed to defeat Israel in a battle (Britannica, 2020). Hezbollah mostly gets its economic funding from Iran. In 2005, the funding was estimated to be around 100-200 million dollars annually (Levitt, 2005). In 2006 the organization had an estimated 20,000 active fighters, around 12,000 rockets, and overall old-fashioned weapons in relation to Israel's (Harel & Cohen, 2016).

The organization had far from as many soldiers as Israel had at that time, nor did they have the amount of economic funding to military expenditure that Israel had or the same number of weapons. Regarding these hard elements of military capacity and economic funding, it was clear that Israel was the stronger actor by far. Concerning the history between Hezbollah and the Arab countries contra Israel, it was also not reasonable to succeed in a war against them. Israel had never lost a war against an Arab country or a war against Hezbollah at that time. The history was not to their advantage but rather showed that there was hardly any chance to win a war against Israel (Britannica, 2020). All the important matters to look at, such as previous clashes with Israel, their differences in military capacities, and economic backing, showed clearly that Hezbollah did not stand a chance against Israel. Hezbollah did thereby not fulfill the criterion of reasonable prospect of success in the 2006 Lebanon War.

5.1.6 Last resort

Was it in any way the last way for Hezbollah to liberate their members? The last criterion in *Jus ad Bellum* is the last resort. Scholars agree that war should always be the last resort, other non-military alternatives should always be pursued first. Heinze and Steele point out that the actor must try out non-military alternatives within reasonable limits, and if they fail, then war should be pursued as a last resort (Heinze&Steele, 2009:5-6). Farrell describes this criterion in the way that the option of waging war needs to be the only way to achieve the wanted change. He adds that the actor that wants to wage war needs to be in a situation where not waging war would result in a worse outcome than the war itself (Farrell, 2013:16). Thus, was the 2006 Lebanon War a last resort for Hezbollah to achieve the wanted change?

The goal for Hezbollah in the 2006 Lebanon War was to liberate, first and foremost, Samir al-Qintar, Yahya Skaf, and Nasim Nisr from Israeli prisons. According to Hezbollah, they had already tried to do so multiple times before, through non-military means such as prisoner exchange agreements (Nasrallah, 2014. Author's translation). In 2004, a prisoner exchange was set to happen between Hezbollah and Israel. Samir al-Qintar, Yahya Skaf, and Nasim Nisr were supposed to be a part of that exchange according to Hezbollah, but they were never handed over. The organization claimed that they tried to get their members back through alternatives other than war, without any success (Tür, 2007). The 2006 Lebanon War was therefore a last resort according to Hezbollah, it was the only way to achieve the wanted change to liberate their members from Israeli prisons. Their leader Hassan Nasrallah emphasized that as well during the press conference that they held the same day as they started the war (Nasrallah, 2014. Author's translation).

Farrell also adds that the actor that wants to wage war needs to be in a situation where not waging war would result in a worse outcome than the war itself. That does not seem to have been the case in the 2006 Lebanon war. Not waging that war against Hezbollah would not have resulted in a worse outcome than the war itself. It would have resulted in not getting Samir al-Qintar, Yahya Skaf, and Nasim Nisr back, but that is not worse than the devastating outcomes of the 2006 Lebanon War where hundreds of Hezbollah and Israeli fighters died, and thousands of civilians lost their lives in both Lebanon as well as in Israel (Cordesman et al, 2007: 2-38). Even though not waging war would have resulted in less damage, according

to Hezbollah, the 2006 Lebanon war was still a last resort and the only way to achieve the wanted change, meaning liberating Samir al-Qintar, Yahya Skaf, and Nasim Nisr (Nasrallah, 2014. Author's translation). This concludes that Hezbollah mostly met the last resort criterion because it was the only way for them to achieve their wanted change, but not entirely because not waging war would not have resulted in a worse outcome.

5.2 Jus in Bello - Did Hezbollah act just in the 2006 Lebanon war?

Jus in Bello regards actors conduct in war. It seeks to minimize the suffering of all involved in a war. In the following paragraphs, will the Just War theories Jus in Bello according to different scholars be applied to the case of Hezbollah's actions in the 2006 Lebanon War. Jus in Bello is divided into two criteria: proportionality of means and discrimination. These will be examined separately, and each section will focus on one criterion, describing the essence of it and then applying it to the case of Hezbollah to later conclude if they fulfilled that criterion or not. In doing so, a conclusion regarding Hezbollah's just or unjust actions in the 2006 Lebanon War can be made.

5.2.1 Proportionality of means

Did Hezbollah have a proportional use of force to achieve their goal? Proportionality of means emphasizes that the concerned actors in war should not utilize more force than needed to achieve their goal. That signifies that it is not allowed to wage a war that causes unnecessary suffering on both combats, meaning fighters in the war, as well as non-combats, meaning civilians (Heinze&Steele, 2009:6). Farrell implies that an actor should not use their means in a way that would result in more evil than the one they are fighting (Farrell, 2013:18). Bellamy adds that an attack regarding achieving a goal with a minor military profit, but the significant risk to cause harm on civilians, would thereby fail to fulfill the criterion of proportionality of means (Bellamy, 2005: 289). Did Hezbollah have a proportional use of means in the 2006 Lebanon War?

Hezbollah used much force to achieve their goal. They fired thousands of rockets into Israel and according to Israel's Ministry of Foreign Affairs, the estimated loss counted up to 44 Israeli civilians and 117 IDF soldiers. Six thousand homes were hit by the rockets, and 300.000 residents were displaced due to the threat to their lives, and more than a million Israelis were forced to live in shelters (Israel Ministry of Foreign Affairs, 2006). Besides

heavy destruction of Lebanon's infrastructure and damage to people's homes, Hezbollah lost between 250 to 800 soldiers, and between 900 and 1200 civilians died in Lebanon. The destruction of Lebanon's infrastructure was even more prominent than in Israel (Cordesman et al, 2007: 2-38). The mass destruction on both sides resulted in a setback in Lebanon and Israel's economy, the cost of the war for Lebanon was 2.8 billion dollars and Israel 3.5 billion dollars (Reuters, 2007). All of these consequences are a receipt for the overuse of means concerning the goal. The war that Hezbollah chose to start and wage, caused unnecessary suffering on both combats as non-combats, damage to infrastructure, and the economy in Lebanon and Israel.

Farrell adds that an actor should not use their means in a way that would result in more evil than the one they are fighting. The evil that Hezbollah wanted to fight was the captivity of their three members in Israeli prisons. The means, was waging war against Israel. Their means to fight their perception of evil, resulted in an even greater evil. They wanted to liberate their members, but that generated the death of thousands of civilians and hundreds of combats on both sides. Thus, is it clear that they caused more evil than the evil they wanted to fight (Cordesman et al, 2007: 2-38). Concerning Bellamy's criterion, Hezbollah's goal with the war was to liberate Samir al-Qintar, Yahya Skaf, and Nassim Nasr (Nasrallah, 2014. Author's translation). That goal can be seen as a minor military profit regarding the organization getting its members back. Waging war against Israel would naturally result in a significant risk of causing harm to civilians. According to Bellamy, if the risk is greater than the profit, then the criterion of proportionality of means is not fulfilled. In this situation, the risk of what a war with Israel would bring was much more significant than the military profit. This concludes that Hezbollah did not fulfill the criterion of proportionality of means in the 2006 Lebanon War.

5.2.2 Discrimination

Did Hezbollah regard and differentiate between military targets and civilians? Discrimination emphasizes the importance of differentiating between combats and non-combats. Combats, meaning soldiers, have the right to kill and harm enemy soldiers or demolish military objectives. Non-Combats, meaning civilians, are not allowed to be targeted and thereby hurt or killed in a conflict (Walzer, 2015: 30). The complicated case in this matter is that civilians can still get hurt in war, even though that might not have been the initial goal of an operation.

The principle of double-effect doctrine justifies that some harm can be done to civilians if that is not the initial goal with the operation, but rather an indirect consequence and, therefore an inevitable collateral damage. Thus, if the purpose of an operation was good but indirectly resulted in harm to civilians, it can still be classified as just (Bellamy, 2005:288). Did Hezbollah discriminate or not in the 2006 Lebanon war?

Many cases were reported of Hezbollah fighters firing rockets from densely populated places in Lebanon. This puts non-combatants' lives in danger due to the counterattack that could hit the place of the launching of the rockets. It was also reported that Hezbollah's fighters placed ammunition and weapons inside civilian homes and villages (May, 2006). Hezbollah also used civilians to transport weapons, and many of the organization's fighters were dressed in civilian clothes, which put Lebanese citizens in danger. All of these tactics and methods that Hezbollah used during the 2006 Lebanon war, caused a great danger on the non-combatants in Lebanon and resulted in many Lebanese civilians' death. Human Rights Watch reported several Lebanese villages that Hezbollah fired rockets from, such as Aitaroun, Yaroun, Yatar etcetera, which resulted in counterattacks from Israel that in turn caused a massive destruction and the death of civilians (Human Rights Watch, 2007: 14-17, B).

The principle of double-effect doctrine justifies that some harm can be made to civilians if that is not the initial goal of the operation, but that was not the case in this conflict. Even if Hezbollah claims that their warfare was mostly aimed at military targets in Israel and not on non-combatants, it is very clear that they did not differ between combatants and non-combatants. Hezbollah leaders even openly threatened to attack Israeli settlements and towns. They fired at Israeli military targets as well as non-military targets (Cowell, 2006). Hezbollah started the war by launching rockets to Israeli towns with civilians, such as the town Zarit. They fired thousands of rockets throughout the war that hit Israeli homes, workplaces and public places. For instance, Hezbollah hit a school in Kiryat Yam and hospitals in Mazra, Safed and Nahariya. Hezbollah's rocket fires killed 43 Israeli civilians and caused physical injury to around 1500 Israelis. Hezbollah also failed to take precautions to minimize the effect on non-combatants, such as advanced warning of the launch of rockets (Human rights watch, 2007, A). All this concludes that Hezbollah did not wage the war with regards to non-combatants and thereby did they not fulfill the principle of discrimination.

6. Results

To sum up the empirical investigation, can Hezbollah's ulterior factors to start the 2006 Lebanon war, as well as their actions in it, be seen as just or unjust according to the Just War theory? The first criterion in *Jus ad Bellum* in the Just War theory is right authority.

Hezbollah was concluded to have fulfilled that criterion because they had and have a constitutional authority to wage war and control over a force (Linetsky, 2009). They also control their members and have significant support among Shia Muslims in Lebanon, who supported their political and military goal in fighting Israel in the 2006 Lebanon War (Daher, 2019:127-140). Hezbollah did not meet the second criterion, just cause. The war was not a case of self-defense against aggression, such as violation of one's political sovereignty and territory or economic sanctions and embargoes. Nor was it a case of defending one's citizens from an external threat to their lives. Hezbollah's cause to wage this war was to liberate Samir al-Qintar, Yahya Skaf, and Nasim Nisr, who were serving their prison sentences in Israel (Nasrallah, 2014. Author's translation). That does not meet the perception of self-defense against aggression and thereby the criterion of just cause.

Hezbollah did neither meet the third criterion of just intention that coheres with just cause. Hezbollah did not start the 2006 Lebanon war to make peace and create justice. That is never the goal for Hezbollah, when Israel is the opponent. Nor did they want to create a peaceful status quo, but rather disrupt it. The organization's intention was neither to create a greater good for all involved, but rather the greater good for their own members and themselves (ibid). That does not meet the criterion of just intention. The fourth criterion about the proportionality of ends was not met by Hezbollah either. The war could be anticipated to cause more harm than good. A war would naturally result in harm and destruction which weigh heavier than getting three members back. It was therefore clear that such a war would result in damage to society, infrastructure, and people (Britannica, 2020). The war would thus be very costly in relation to the goal and Hezbollah did thereby not fulfill the criterion of proportionality of ends.

The fifth criterion, a reasonable prospect of success was not met by Hezbollah either. The actor needs to reasonably determine that they can win a war to have the right to wage it. That was not the case for Hezbollah. Israel was and is by far the stronger actor with their at the

time, 185.000 soldiers contra Hezbollah's 20.000 soldiers (Macrotrends, 2020) (Harel & Cohen, 2016). Besides having the more significant military asset, Israel had the bigger economic funding and more experience. It was clear that there was no chance to win the war against Israel, meaning Hezbollah had no prospect of success in waging that war. The sixth and last criterion, last resort, was mostly met by Hezbollah. They tried non-military alternatives to achieve their goal, meaning they tried to get their members back by prisoner exchange. It did not work and waging the 2006 Lebanon War was the only way for them to achieve their wanted change, liberating Samir al-Qintar, Yahya Skaf, and Nasim Nisr (Tür, 2007). However, they did not completely fulfill the criterion because not waging the war would not have resulted in a worse outcome than what the war did, with the death of thousands of civilians and hundreds of soldiers in total on both sides. Hezbollah did thereby mostly fulfill last resort, the last criterion in Jus ad Bellum.

The criteria in Jus in Bello are proportionality of means and discrimination. Hezbollah did not fulfill the first criterion of proportionality of means. The evil that the war resulted in was even more significant than the evil that they wanted to fight. They wanted to liberate their three members at the cost of 44 Israeli civilians and 117 IDF soldiers. Furthermore, between 250 to 800 Hezbollah fighters and between 900 and 1200 civilians died in Lebanon (Cordesman et al, 2007: 2-38). They brought more evil in waging war than the evil they tried to fight. The operation had minor military profit, getting their members back, but great risk to cause harm to civilians. That goes against the criterion; hence Hezbollah did not fulfill the proportionality of means. The second and last criterion in Jus in Bello is discrimination, and neither did Hezbollah meet that criterion. They did not differentiate between combats and non-combats. Cases were reported of Hezbollah storing ammunition and weapons inside civilian homes and firing rockets from densely populated places in Lebanon. They even fired rockets at civilians at school, workplaces, and even hospitals in Israeli towns such as Mazra, Safed and Nahariya (Human Rights Watch, 2007: 14-17, B). Hezbollah did therefore not fulfill the criterion of discrimination and thereby not the whole principle of Jus in Bello.

To conclude Hezbollah only fulfilled two criteria out of six in Jus ad Bellum which were, right authority and last resort. Hezbollah did not meet any criteria in Jus in Bello. It is therefore inherent to conclude that Hezbollah waged an unjust war and acted unjustly in the 2006 Lebanon War, in regard to their right to even conduct the war to how they acted in war. In the following paragraph will the results be presented in a chart.

<u>Jus ad Bellum</u>	<u>Operationalization</u>	<u>Criteria met</u>
Right authority	<ul style="list-style-type: none"> • The actor needs to have a constitutional authority to wage a war and control over a force (Heinze&Steele, 2009:5). • The actor needs to be capable of controlling its members, have somewhat of wide support within a specific political realm and its adherents need to support their political and military goals (Bellamy, 2006: 138). 	<ul style="list-style-type: none"> • This criterion was met by Hezbollah.
Just cause	<ul style="list-style-type: none"> • A just cause to start a war is the case of self-defense against aggression as defending one's citizens from an external threat to their lives (Walzer, 2015:75 - 76). • A just cause can also be self-defense against aggression as violation of one's political sovereignty and territory (Walzer, 2006:52-62). Aggression can also be economic sanctions and embargoes (Farrell, 2013:16). 	<ul style="list-style-type: none"> • This criterion was not met by Hezbollah.
Right intention	<ul style="list-style-type: none"> • A right intention is to make peace and create justice, to create a peaceful status quo when that has been rubbed (Holliday, 2002). • A right intention is to better the situation for all the nations involved 	<ul style="list-style-type: none"> • This criterion was not met by Hezbollah.

	in the war, meaning for the greater good of all involved (Farrell, 2013:17).	
Proportionality of ends	<ul style="list-style-type: none"> • The good that the war can bring, must always outweigh the possible damage that the war can result in on society, infrastructure and people (Walzer, 2015:129). The war must not cause more harm than good (Heinze&Steele, 2009:5). • The actor that is considering waging a war, need to estimate if the cost of the war is worth the outcome. If the cost of the war is too costly, war should not be waged (Farrell, 2013:17). 	<ul style="list-style-type: none"> • This criterion was not met by Hezbollah.
Reasonable prospect of success	<ul style="list-style-type: none"> • War should only be waged if there is a reasonable prospect of success (Farrell, 2013:16). • The involved actors should only go to war if their initial goals for the operation can be achieved (Heinze&Steele, 2009:6). 	<ul style="list-style-type: none"> • This criterion was not met by Hezbollah.
Last resort	<ul style="list-style-type: none"> • The actors must try out non-military alternatives within reasonable limits and if they fail, then war should be pursued as a last resort (Heinze&Steele, 2009:5-6). • The option of waging a war needs to be the only way to achieve the wanted change. Not waging the war 	<ul style="list-style-type: none"> • This criterion was mostly met by Hezbollah.

	would therefore result in a worse outcome than the war itself (Farrell, 2013:16).	
<u>Jus in Bello</u>	<u>Operationalization</u>	<u>Criteria met</u>
Proportionality of means	<ul style="list-style-type: none"> • The actor should not utilize more force than needed to achieve the goal (Heinze&Steele, 2009:6). The actor should not use their means in a way that would result in more evil than the one they are fighting (Farrell, 2013:18). • If the goal has a minor military profit, but great risk to cause harm to civilians, it fails to fulfill the criterion (Bellamy, 2005: 289). 	<ul style="list-style-type: none"> • This criterion was not met by Hezbollah.
Discrimination	<ul style="list-style-type: none"> • It is of importance that the actor differentiates between combats and non-combats (Walzer, 2015: 30). • The double-effect doctrine justifies that some harm can be made to civilians if that is not the initial goal with the operation, but rather an indirect consequence (Bellamy, 2005:288). 	<ul style="list-style-type: none"> • This criterion was not met by Hezbollah.

Chart 2: This chart shows the result of which criteria Hezbollah fulfilled in the Just War theory in the 2006 Lebanon War.

7. Conclusion

The 2006 Lebanon war was the most significant clash between Hezbollah and Israel. It has been studied by different scholars in regard to the new type of warfare that it brought to light, to the winner of the war and also in regard to Israel unjust actions. No studies were made on the justness or unjustness of Hezbollah's warfare, the actor that de facto started the war. Instead, Hezbollah gained much support in Lebanon, and their actions were disregarded by scholars. This thesis aimed to fill that prominent gap, by studying Hezbollah's just or unjust actions in the 2006 Lebanon war, to conclude how they conducted the war and thereby their culpability in it. That displayed the importance and need of holding Hezbollah accountable for their actions in war. If they want to be seen as a serious and legitimate force in war, they should be held accountable to the same standards of warfare as states and be shown that there are consequences for their actions.

The study concluded that Hezbollah mostly failed to meet the criteria of Jus ad Bellum and Jus in Bello in the Just War theory, meaning they waged an unjust war and acted unjustly in the 2006 Lebanon war. They failed to meet four of the six criteria in Jus ad Bellum: just cause, just intention, the proportionality of ends, and a reasonable prospect of success. Their cause, liberating their three members was not just nor their intention of regaining a stronghold in Lebanese domestic politics. It was not proportional to wage a war in the way they did to liberate their members, nor did they have a reasonable prospect of success against Israel who is by far the stronger actor. Hezbollah only managed to meet the criterion of right authority, due to their constitutional authority to wage war and control a force, as well as their great support among Shia Muslims in Lebanon. They also mostly fulfilled the criterion of last resort, due to prior unsuccessful prisoner exchanges. Thus, Hezbollah failed to meet most of the criteria for an actor even to wage war in the first place.

Nevertheless, Hezbollah choose to wage the war, and well in it did they not fulfill Jus in Bello, the proportionality of means and discrimination. They completely disregard the effect that their goals could have on society, infrastructure, and civilians. It is in no way proportional to wage a war in the way Hezbollah did to liberate their members. They launched thousands of rockets into civilian places and non-military targets. They also discriminated by not differentiating between combats and non-combats. Civilians got hurt

and were used to liberate their members and for their greater intention to regain a stronghold in Lebanese domestic politics. Hezbollah fired rockets from densely populated places in Lebanon, and they stored weapons and ammunition inside civilian homes. All this goes to show that Hezbollah completely disregarded the Just War theory, which is seen as the closest international and morally joined positions there is regarding war and use of force.

Besides their methods that endangered civilian life during the war, their ignorance of civilians getting hurt in the war showed clearly in the aftermath of the it. The 2006 Lebanon resulted in the death of 900-1200 civilians in Lebanon and 44 civilians in Israel. Mass destruction of society and infrastructure on both sides, which costed Lebanon 2.8 billion dollars and Israel 3.5 billion dollars. That was no surprise for anyone, especially Hezbollah. They knew that a war with Israel, would result in heavy retaliation. It did not matter that there was no prospect of success, nor did they care about the Lebanese civilians and Israeli civilians. They had the right authority to wage war, and it was the only way to achieve their wanted change, so they started the 2006 Lebanon War, independent of the clear possible grave consequences that the war could result in. This goes to show that Hezbollah had big culpability in the war. The way they waged the 2006 Lebanon War contributed in many ways to the mass destruction, setback in the economy, and damage to civilians in both Lebanon as well as Israel. However, they were not questioned nor held accountable for their actions and due.

The aftermath of the 2006 Lebanon War was hence disastrous, and Hezbollah had a big part in the it. However, Israel was the only part to get criticized by scholars and international institutions. Hezbollah did not have to answer for their actions, they instead gained much support in Lebanon, and scholars disregarded the matter. That is not a rightful aftermath of the war. Hezbollah should instead have been questioned and held accountable, not praised and disregarded. Why is it that Hezbollah has the right to wage war like states, just as this study showed that they have, but yet are they not held accountable for their culpability in war? If Hezbollah is treated with a state's rights in war and wants to be seen as a serious and legitimate force, they need to be held to the same standards of warfare as states. This study confirms what scholars have been observing, that non-state actors' actions in war are being disregarded and that is leading to significant violations in war without any rightful accountability. That is exactly what happened in the 2006 Lebanon war. Hezbollah's actions were disregarded and the war that they waged resulted in a great violation, they thereby had a great culpability, but they were never held accountable.

For future studies, it would be intriguing to study why Hezbollah was not held accountable in the 2006 Lebanon War? This study shows that Hezbollah acted unjustly in that war. Nevertheless, the organization was not held accountable for its actions. Israel was questioned for their heavy retaliation and unjust actions in the 2006 Lebanon war, but not Hezbollah. The organization had a big culpability in the 2006 Lebanon War, but yet were they not held accountable. Why is that so? Why is Hezbollah not held accountable for their actions? Is it because it is not a state and, therefore, harder to punish? No matter what the reason is for that, a study on why Hezbollah is not held accountable in war would be a natural future study if one were to look at this one. Primarily a study on why Hezbollah was not held accountable for their due in the 2006 Lebanon war, and how they instead got more significant support than before, when they in fact had a big culpability in the 2006 Lebanon War.

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