Israel’s elimination of Nasrallah was just and legal under laws of war

written by Arsen Ostrovsky | 01.10.2024

There is a famous saying in the Talmud, the Jewish scriptures, that roughly translates to “if someone rises up to kill you, kill him first.” This past weekend, the tiny Jewish state of Israel rose like a phoenix and eliminated Hassan Nasrallah, the arch-terrorist and leader of Hezbollah.

His death, the epitome of a just and legal cause, should be applauded by all who seek peace and stand against terror.

Nasrallah will go down in history as one of the most evil people to have ever lived. He should be mourned no less so than Osama Bin-Laden or Adolf Hitler.

A ruthless murderer, he had blood on his hands spanning the world over, not only of Israelis, but hundreds of foreign nationals — including Canadians — and importantly, many Muslims in the region as well.

Like Hamas, Hezbollah also has genocidal intentions to annihilate the Jewish state, with Nasrallah himself having said that that the entire Middle East will not rest until the “cancerous gland” Israel is removed, and on Oct. 8 last year, a day after the Hamas massacre, Hezbollah formally joined the war in the hope that they might repeat an October 7 style attack in the north.

Since then, Hezbollah has fired almost 10,000 rockets at Israel, murdering or killing 48 people, including 12 Druze children who were struck while playing football in the Majdal Shams massacre in July. Meanwhile, almost 100,000 Israelis have been forcibly displaced from their homes in the north as a result of the ongoing attacks.

This week alone, at least 2 million Israelis had to rush to bomb shelter – that’s more than the entire population of Montreal.

Faced with this intolerable situation, Israel Defense Forces (IDF) have now also entered Lebanon, in a precise and limited operation, to remove the Hezbollah

terror targets and infrastructure from southern Lebanon to allow for the safe return of Israeli citizens back to their homes.

Yet before Nasrallah has even been buried and IDF forces set foot in Lebanon, there has been no shortage of self-proclaimed experts and apologists for terror erroneously charging Israel with violating international law.

But the law here is clear.

The Law of Armed Conflict, also known as International Humanitarian Law (IHL), is based on three foundational principles which also conform with the guiding U.S. Department of Defense Laws of War Manual and include: military necessity, distinction, and proportionality.

The principle of necessity requires that a party to an armed conflict may only resort to those measures that are necessary to achieve the legitimate purpose of a conflict, and specifically, to weaken the military capacity of the other parties.

In this case, Israel's attack on Hezbollah's headquarters where Nasrallah was hiding, and entry of IDF troops into southern Lebanon, was designed to specifically weaken and disrupt the terror group's ability to continue firing rockets at Israel, thereby clearly meeting the necessary threshold.

The principle of distinction requires that parties to a conflict must "at all times distinguish between the civilian population and combatants and between civilian objects and military objectives."

Yet, whereas Hezbollah has indiscriminately rained rockets down on civilian areas in Israel for the past year, Israeli actions, such as those taken this past weekend, have been aimed solely at Hezbollah targets including their senior leadership, command centre, and rocket launching infrastructure, which clearly fall within the legitimate scope of 'military objectives'.And lastly, there is perhaps no principle in international law that has been as repeatedly abused as that of "proportionality," to reflexively castigate Israel and charge it with war crimes every time the pesky Jewish state refuses to surrender and allow its citizens to be slaughtered.

First, we need to throw away the notion that proportionality is measured by some kind of perverse equivalence in civilian deaths. It is not. Under IHL, the doctrine of proportionality requires that any expected loss of civilian life must not be excessive in relation to the concrete and direct military advantage anticipated

from such an attack.

In relation to Israel's current military operation, the goal vis-à-vis Hezbollah was clear: to stop their rocket fire, force Hezbollah to withdraw from southern Lebanon and allow Israeli citizens in the north to safely return home, essentially in accordance with UN Security Council Resolution 1701.

And whilst Israel has, yet again, gone to extraordinary lengths to avoid harm to civilians in Lebanon, while abiding by the principles of distinction and necessity, it is Hezbollah, which just like Hamas, is also committing the double war crime or embedding in civilian areas, cynically using the Lebanese people as human shields, while indiscriminately firing at civilians in Israel. Indeed, Hassan Nasrallah's bunker and Hezbollah central command was embedded underneath residential buildings in Beirut.

But what is a "proportionate" response to 10,000 rockets being rained down on you? Should Israel have indiscriminately fired 10,000 rockets on central Beirut? Of course not.

In short, Israel's operation to eliminate Hezbollah leader Hassan Nasrallah and enter into southern Lebanon has been a textbook display of military precision and self-defensive action, in accordance with international humanitarian law.

However, for some critics, it will just never be enough. There are many who claim Israel has the right to self-defense, but yet the moment the Jewish state lawfully exercises that right against someone like Hassan Nasrallah, a man who is the very embodiment of evil, they immediately object to it. Perhaps their issue is not Israel's right to self-defense, but its very existence.

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Published in Nationa Post, October 1, 2024.