

Urban Warfare and the Lessons of Jenin

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The efforts by American and British forces to secure control of Iraq, especially in the cities of Baghdad, Basra, Najaf, and Nasiriya, have brought to light the immense moral and tactical challenges facing a modern army engaged in urban warfare. With the high concentration of civilians and the tactical difficulties involved in this kind of combat, even the most advanced of invading armies are given pause by the prospect of taking an urban center by force. In this light, it is worth taking a new look at the experience of the Israel Defense Forces (IDF) over the past two years, in the battles they have fought in Palestinian cities, and in particular the April 2002 operation in the West Bank town of Jenin.

In the annals of Israel's wars, the battle in the Jenin refugee camp stands apart. This clash between IDF soldiers, who entered the camp as part of a wide-ranging anti-terrorist campaign known as Operation Defensive Shield, and the hundreds of armed Palestinians who had taken up positions there, was one of the bloodiest engagements of the war that has raged between Israel and the Palestinian Authority (PA) for the past two and a half years. For eight days, Israeli soldiers engaged in intensive house-to-house fighting in a densely populated urban area filled with hidden explosives. Only when

armored Israeli bulldozers demolished buildings sheltering the last of the Palestinian gunmen was the resistance finally quelled and the full extent of the damage revealed: According to the United Nations, 23 Israeli soldiers and 52 Palestinians were killed.¹ Hundreds of houses were seriously damaged or destroyed.

The battle of Jenin was, in many respects, the toughest challenge faced by Israeli forces since they began operating in PA territory. While the most obvious problem was tactical—few places are less hospitable to an invading army than a densely populated urban battlefield—the IDF also faced the onerous task of distinguishing fighters from civilians, and maintaining a high level of concern for the welfare of the latter under extremely difficult conditions. The IDF’s vaunted “purity of arms” was put to the test in the battle of Jenin, and many expected it to fail.

It is no surprise, therefore, that the events in Jenin became the focus of intense media coverage within hours after the fighting began, and unconfirmed eyewitness accounts took on enormous significance long before the actual facts came to light. Throughout the next few months, journalists widely quoted Palestinian Authority spokesmen such as Yasser Abed Rabbo, Saeb Erekat, and Nabil Shaath, who claimed that the IDF had perpetrated a “massacre” in Jenin, and that many hundreds of Palestinians had been killed.² The international media, particularly in Europe and the Arab world, reported continuously on the “war crimes” Israel was said to be committing in the camp. Descriptions of the alleged horrors figured especially prominently in the British press: Justin Huggler and Phil Reeves of *The Independent* wrote that “nearly half of the Palestinian dead who have been identified so far were civilians, including women, children and the elderly. They died amid a ruthless and brutal Israeli operation, in which many individual atrocities occurred, and which Israel is seeking to hide by launching a massive propaganda drive.”³ In a similar vein, a lead article in London’s prestigious *Guardian* called Israel’s actions in Jenin “every bit as repellent” as Osama Bin Laden’s September 11 terror attacks on the U.S.⁴ And one of the *Evening Standard*’s most influential columnists,

A.N. Wilson, declared emphatically that “we are talking here of massacre, and a cover-up, of genocide.”⁵

Spokesmen for the UN and for international human rights organizations joined in as well. Terje Larsen, the United Nations’ envoy to the Middle East, visited Jenin shortly after the fighting and described what he saw there as “horrific beyond belief.... We have expert people here who have been in war zones and earthquakes, and they say they have never seen anything like it.”⁶ Human Rights Watch published a report in May accusing the Israeli army of the “unlawful and deliberate killings” of unarmed Palestinians.⁷ Amnesty International, in a November 2002 report, accused Israel of “war crimes” in Jenin.⁸

It goes without saying that such charges cannot be dismissed lightly. If they were to prove well founded, they would raise serious questions about the moral standards of the Israeli army, and would also require that the officers responsible be brought up on charges. But is there really anything to them?

In the year that has passed since the events, a great deal of reliable information has become available that reveals what really happened in the battle of Jenin. The picture that emerges is strikingly different from the images that filled the press in the weeks after the clash: Not only was there no massacre of innocents in the Jenin refugee camp, but in the vast majority of cases IDF soldiers took unusual measures—even at the risk of their own safety—to prevent harm to the camp’s civilian population. These efforts, I will show, were not simply isolated acts of restraint. They were the result of decisions made by both the military command and the civilian leadership as part of a deliberate policy aimed at keeping civilian casualties to a minimum. The IDF followed these orders nearly to the letter, even though they significantly complicated fighting in a residential area, and despite the fact that other armies—even the most “enlightened” among them—have rarely shown such a level of concern for civilian populations in time of war.

To support my argument, I will first consider the special nature of what is known in military jargon as “urban combat.” This kind of fighting

inevitably takes a terrible toll on the invading force, and a far worse one on the civilian population. Second, I will consider how other armies have behaved during urban combat, including those ostensibly involved in humanitarian operations, such as NATO forces in Kosovo and UN troops in Somalia. The experience of these armies provides an invaluable perspective for considering the third and final part of my argument, which deals with the IDF's operation in Jenin. In this section, I will focus on the challenges posed by battle conditions in the Jenin refugee camp and the exceptional measures taken by the IDF to protect the lives of non-combatants there.

The evidence that has come to light in the past year refutes the allegations that Israeli soldiers engaged in a massacre, or in war crimes more generally, during the battle of Jenin. Indeed, in the history of modern warfare it is difficult to find another example of an invading army that took upon itself such a degree of restraint in order to minimize civilian casualties. The relatively low number of civilian casualties in Jenin not only gives the lie to the accusations made in the months that followed, but also testifies to the high moral standard employed by the IDF—a rare demonstration of humanity in the midst of battle, for which Israel paid a heavy price.

II

It is impossible to assess what happened in Jenin without a clear understanding of what is involved in urban warfare. This kind of combat differs sharply from other forms of fighting, and in most ways works to the disadvantage of the invading army. George Mordica II, senior analyst with the United States Army's Center for Army Lessons Learned at Fort Leavenworth, understood as much when he entitled an article on the subject, "It's a Dirty Business, But Somebody Has to Do It."⁹ Urban combat, explains Mordica, forces an army to deal with a large number of

extremely complicated problems, and is therefore best avoided whenever possible. “In earlier times, laying siege to a city and then taking it was the objective. Since World War II and the refinement of maneuver warfare, cities have become a restricted area that is more easily bypassed or reduced than taken.”¹⁰ Indeed, attacking a city is always “a dirty business,” one that can result in heavy losses to even the strongest and most technologically advanced military force.

The first problem is the uncertainty of combat conditions. Intelligence is incomplete at best. Even sophisticated tools, such as pilotless drones and satellites, are of limited use when the fighting takes place on city streets, since buildings and ruins serve as cover for enemy fighters. Any army advancing through a residential area must anticipate enemy snipers lurking behind every window, wall, or pile of rubble. Every house is a potential deathtrap.

Urban conditions, moreover, complicate every aspect of command and control. Combat takes place on two or three levels simultaneously: Above ground (in and on top of buildings), at ground level, and even below ground (in tunnels and sewers). And while coordination becomes that much more difficult, the cost of mistakes goes up dramatically, since they are much more likely to result in friendly-fire casualties.¹¹ In addition, fighting takes place in streets and alleys at close range—normally less than fifty yards—making it difficult for invading forces to identify and react quickly to an armed threat.¹²

Beyond these pitfalls, invading forces must also assign a large number of soldiers to house-to-house and room-to-room searches. A building that has been captured but not fully secured can easily become a hideout for enemy soldiers, who can then attack advancing forces from the rear. Preventing this means leaving a considerable number of troops behind at every stage—enough to repel a local assault on the rear and flanks of the main force.¹³ As the history of modern urban warfare shows, capturing cities and other heavily populated areas requires the deployment of vast forces, with entire divisions frequently concentrated in an extremely small area.¹⁴ According to

conventional military thinking, the attacking side should have a numerical advantage of at least three to one in normal terrain to ensure victory; in cities and towns, that ratio must be far greater to compensate for the advantage held by defensive forces. Russian combat doctrine, for example, maintains that the occupation of a town requires a numerical advantage of at least six to one.¹⁵

Nor does the use of massive firepower, such as heavy artillery or aerial bombings, necessarily offer a workable solution even if one disregards the heavy civilian casualties involved. On the contrary: Demolished buildings block roads with rubble, leaving them impassable to military vehicles and complicating orientation for advancing forces. Ruins can also serve as convenient cover for the city's defenders.¹⁶ Nor has experience shown heavy shelling to be particularly effective against forces that have taken positions in buildings: First, stone and concrete structures are highly resistant to tank and artillery fire, and considerable accuracy is required to demolish them. Second, cannon and tank shells travel toward their target in a relatively flat arc, and are prone to missing enemy positions in bunkers. Cannon shells, moreover, often miss the lower floors of buildings, while tank shells tend to miss the upper floors. Last, the close proximity of the opposing sides in city fighting makes it difficult to hit a target without endangering nearby friendly forces.¹⁷

In other words, the peculiar constraints of urban combat can neutralize most of the advantages held by an invading force, even one that is numerically or technologically superior. But there is a further consideration, one that makes the decision to attack a city even more difficult: The presence of large numbers of non-combatants in the battle zone.

Most advancing armies have no interest in finding civilians in their path. As a rule, regular armies prefer to fight against an armed adversary in clearly defined conditions, which allow them to fire on anything that moves. Unless the advancing forces are deliberately targeting civilians¹⁸—a policy that is virtually unthinkable for the armies of civilized countries—

their presence in the battle area complicates things considerably. An invading force has a duty to avoid unnecessary harm to civilians, but at the same time, civilians can become tools in the hands of the enemy, willingly or not. This is especially true when the enemy “army” is made up of irregular forces, which capitalize on the other side’s difficulty in distinguishing soldiers from civilians. A man dressed in civilian clothes may in fact be a fighter waiting for the opportunity to strike. He might also be a saboteur or spy in the enemy’s service. Or he might be an innocent civilian being used as a human shield.

The rules of modern combat, as set out in international treaties, attempt to introduce some order into this chaotic context. They insist, for example, that combatants consider the safety of civilians and remove them, if possible, from harm’s way; they call on armed forces to prevent looting, riots, and other criminal acts; and they demand that all parties allow humanitarian aid to reach those in need. These guidelines also seek to distinguish between “permitted” and “prohibited” actions that an army is likely to take when fighting in residential areas. For instance, it is considered legitimate to shell or bomb military targets, including homes and even hospitals, if enemy forces have taken up positions there. However, needlessly damaging structures in which there are no enemy soldiers is prohibited, as is the use of excessive force in carrying out a task. The Hague Convention of 1907 specifically states that “the attack or bombardment of towns, villages, habitations, or buildings which are not defended is prohibited,” and that “in sieges and bombardments all necessary steps should be taken” to preserve buildings used for worship, art, medical purposes, and the like, “provided they are not used at the same time for military purposes.”¹⁹

At first glance, these restrictions seem reasonable. In the mayhem of urban fighting, however, they are often impracticable. When a densely populated area suddenly becomes a war zone, it is always a nightmare for civilians caught in the action. It is almost a given that many will be injured or killed, and that property damage will be significant. The refinements of

modern weaponry over the past century have also increased the potential for what is called “collateral damage,” a euphemism for the widespread death and destruction that results from attacks on military targets. Heavy bombing, long-range artillery, tank and missile fire, land mines, booby-trapped houses, and a host of other evils are likely to be visited upon the civilian population.²⁰

It is for this reason that political and military leaders strongly prefer to avoid urban combat if at all possible. Invading a city or town not only makes enormous demands on the skills and resources of the invading force, but it also exacts a heavy price from both sides—and especially from civilians. Reluctance to fight in urban conditions has therefore had a real impact on strategic and political decision-making on countless occasions. A well-known example is the Israeli siege of Beirut in 1982, in which Israeli forces, after deftly conquering the entire southern third of Lebanon, refrained from invading the capital.

But sometimes an attack on a city cannot be avoided. Regular armies, even those with the most humane of intentions, have in recent years been required to attack cities and towns on a number of occasions. All too often, the result was an unmitigated human disaster.

III

Given the nature of urban combat, any fair evaluation of the IDF’s behavior in Jenin should begin not only with a clear picture of the difficulties involved, but also with an account of how other armies have acted in similar circumstances. For this purpose, there is no need to go far back into history, as the last decade alone provides us with three instructive examples: The Russian army’s assault on Grozny, Chechnya; the NATO bombing of Kosovo; and the UN mission in Mogadishu, Somalia. Each, of

course, had its own dynamic: In the first case, the invading army was intent on imposing its authority on a rebellious province; in the second, military action was meant to prevent war crimes; and in the third, an international force sought to make peace among warring factions and ensure that humanitarian aid reached the needy. The combat objectives of each of these armies were completely different, yet in each case the military operation resulted in extensive losses among the civilian population, whose homes suddenly became the center of a war zone.

Of the three examples, the invasion of Grozny was undoubtedly the most brutal. Two wars were fought in Chechen territory in the last decade: The first began in December 1994 and lasted almost two years, ending in the defeat and withdrawal of the Russian army. The second, which began in September 1999 and continues to this day, started out as a Russian retaliation for ongoing Chechen terrorist activity. In both cases, the Chechen city of Grozny, once home to more than 300,000 people, suffered extensive damage.

In the first battle of Grozny, an unpleasant surprise awaited the Russian army. The initial invading force was ill prepared for Chechen resistance, which succeeded in wiping out nearly two full Russian brigades, and killing 1,500 to 2,000 soldiers. Reeling and humbled, the Russians changed their tactics. Their next offensive was more careful, and depended heavily on artillery and aerial bombing. At the peak of the bombing, four thousand shells per hour pounded the city, a level of bombardment unknown since World War II. While it is not clear that the massive bombing did much to weaken the Chechens' resolve,²¹ there is no doubt that the civilian population in Grozny suffered horribly, with conservative estimates putting the number of civilian dead at five thousand, and others claiming a figure five times as high.²² Half of Grozny was reduced to rubble, including the neighborhoods that housed the Russian citizens whose "liberation" was a major aim of the offensive.²³ A Russian woman told of how she lost ten friends at the hands of the invading forces, who "didn't care what they were hitting." A Chechen civilian who initially supported the offensive later

described the Russian soldiers as “extremely savage—hysterical, terrified, drunken—they would kill for no reason at all.”²⁴

In the second Chechen war, the Russians dropped all pretense of restraint. After issuing a warning to Grozny’s inhabitants and ordering them to leave, the army unleashed infantry, tanks, helicopters, artillery, and even “more-than-lethal” weapons, including surface-to-surface missiles and fuel-air munitions fired from multiple rocket launchers. According to Russian claims, one salvo from a “Buratino” fuel-air rocket launcher, which the Russians used extensively during the battle, can lay waste to an area of 400 by 200 yards.²⁵

The city was effectively destroyed. It is difficult to estimate the number of casualties among those who remained in the town, but it was surely quite large, considering the extent of the destruction: Entire neighborhoods were razed to the ground, and the Chechen capital was reduced to a wasteland.

While the Russian campaign in Chechnya cost both sides dearly, NATO forces considering an attack on Serb forces in Kosovo in 1999 went for a “cleaner” approach. The central aim of the operation was to stop Serbian war crimes in Kosovo with the least possible cost to NATO troops. Fearful of becoming mired in heavy fighting on the ground, the allied forces mounted a massive aerial-bombing campaign. The bombers, for the most part, maintained an altitude high enough to avoid anti-aircraft fire—which meant a notable decrease in accuracy and a commensurate increase in the likelihood of collateral damage. During the eleven-week spring air offensive, NATO bombers deployed 23,000 bombs and air-to-ground missiles in the Kosovo region. Though few of the Serbian army’s tanks and armored personnel carriers—the main targets of the attack—were destroyed in the operation,²⁶ the civilian death toll was at least 460, and some even put the number as high as 1,500 or 2,000—the unfortunate result of bombs that missed their mark.²⁷

Responding to critics, NATO placed the blame squarely on Yugoslav president Slobodan Milosevic, claiming that he had deliberately placed military targets close to residential areas. Under the circumstances, NATO

spokesmen insisted, civilian losses were unavoidable; the bombings were “legitimate” and would continue until the Serbs surrendered.²⁸ NATO similarly justified its air assault on the Serbian village of Korisa, which claimed the lives of about 100 civilians, by declaring the village “a legitimate military target” because of the presence of Serbian troops and “an armored personnel carrier and more than ten pieces of artillery.”²⁹ In response to another incident in which ten civilians were killed in a bombing of the bridge on which their train was traveling, General Wesley Clark, commander of NATO forces in Europe, blamed the debacle on “how suddenly that train appeared” and described the accident’s grim consequences as “really unfortunate.”³⁰ Finally, after a civilian convoy was bombed by mistake, a NATO spokesman explained, “Sometimes one has to risk the lives of the few to save the lives of the many.” Government officials in NATO countries supported this position. British Foreign Secretary Robin Cook, for example, expressed his outrage at the Yugoslavs: “How dare they now produce crocodile tears for people killed in the conflict for which they are responsible?”³¹

There were other such incidents, as well. When cluster bombs landed in residential neighborhoods in the Serbian city of Nis, they killed 14 people and injured twice as many. According to a Serbian source, “the bombs fell on a busy part of town at a time when people were out in the streets and at the market, not protecting themselves in the bomb shelters where they had spent the night.” In a NATO press briefing, Major-General Walter Jertz asserted merely that “cluster bombs are used in aerial targets where we know that collateral damage could not occur.”³² In Surdulica, 16 civilians, including 11 children, were killed when NATO jets attacked military barracks in the village. NATO sources acknowledged that a laser-guided bomb had gone astray and missed its target by 500 yards. The NATO statement noted that the organization “does not target civilians, but we cannot exclude harm to civilians or to civilian property during our air operations over Yugoslavia.”³³ In another incident in Surdulica about a month later, some 17 people died when missiles hit a hospital—which, according to Amnesty International,

was “reported to have been marked on all maps of the area.” Colonel Konrad Freytag explained that “NATO aircraft attacked the military barracks and an ammunition storage area in the vicinity of that city. Both these targets were legitimate military targets.... All munitions hit the planned aiming points.” NATO officials failed to explain how a hospital was struck during bombing of “legitimate military targets.”³⁴

In response to criticism from Amnesty International and other human rights organizations, a NATO spokesman retorted that “I have great respect for Amnesty, but their usual business is conducting inquiries into prisoners of conscience, and I think they have strayed a little bit beyond their turf in investigating military actions by NATO.”³⁵ Military experts also defended NATO’s claim that the deaths of hundreds of innocent civilians were a reasonable price to pay in a campaign against a war criminal. Philip Meilinger, a retired U.S. Army colonel, did not hesitate to assert that the civilian casualties in Kosovo and Yugoslavia were extraordinarily light considering the number of missions and bombings.³⁶

Like the Russians, NATO members considered injury to the civilian population unavoidable given the scope of the operations in the region. The United Nations intervention in Somalia, however, was supposed to be different. No doubt, the road to Mogadishu was paved with good intentions: In April 1992, Security Council Resolution 751 charged the international task force with providing humanitarian aid to the Somali population and facilitating an end to the civil war that had begun in 1988. It soon became clear, however, that delivering the aid would require the protection of an increasingly large military presence: More than 38,000 troops from 21 countries were deployed in Somalia by UNITAF, the UN Unified Task Force, from December 1992 through May 1993.³⁷ In time, this force engaged not only in providing and safeguarding humanitarian aid, but in actual fighting—which inevitably involved it in conflicts among local groups.³⁸ And even when the number of troops was reduced after May 1993, their mission grew increasingly combat-oriented: Instead of an

honest broker in disputes between local factions, the UN quickly became, in the eyes of many Somalis, yet another warring party.³⁹

The clashes multiplied. On June 5, during an operation to confiscate weapons, 24 Pakistani soldiers in the UN force were killed in an ambush led by members of the Somali National Front, one of the largest of the region's militias. Women and children took part in the ambush as well, placing themselves between Pakistani soldiers and militiamen, and making it difficult for the Pakistanis to open fire on their attackers.⁴⁰ The day after the incident, the UN Security Council passed a draft resolution calling on member states to "contribute, on an emergency basis... armored personnel carriers, tanks and attack helicopters... to confront and deter armed attacks" directed against UN forces in Somalia. In effect, the Security Council sanctioned the use of heavy weaponry against gangs armed with RPGs, machine guns, and light artillery. The international force's retaliation was harsh and swift: For three nights, American Hercules gunships shelled a neighborhood close to the home of Farah Aidid, the commander of the Somali National Front, despite the fact that the area was populated by civilians. Fourteen civilians were killed and 30 injured in the attack.⁴¹

On June 12, in response to the murder of local UN workers by the Somali National Front, the UN commanders decided to launch an attack on a building where a meeting of the Habar Gidir clan, to which Aidid belonged, was taking place. The Americans suggested sending in a force to take the meeting's participants captive, but this idea was rejected out of fear that the soldiers would be exposed to unnecessary risks.⁴² It was therefore decided to use helicopter gunships to attack the building. In what has been dubbed "the UN's first-ever officially authorized assassination,"⁴³ American gunships fired a total of 16 rockets and 2,000 shells at the building. Although the UN reported fewer than 20 deaths, all of them men, video footage of the area clearly showed women's bodies in the rubble. The Red Cross gave completely different figures: According to its estimate, there were 215 Somali casualties, among them 54 dead. Aidid supporters also

issued a list with the names of 73 victims, including women and children.⁴⁴ Fortunately for the UN, the attack received very little media coverage: Soon afterward an angry mob killed four Western journalists, turning public opinion in the West decisively against the Somalis.⁴⁵

As the UN force came under increased pressure, its responses claimed a growing number of victims. On June 13, for example, Pakistani soldiers opened fire on demonstrators, killing 20 and injuring dozens more. Some witnesses testified that the shooting came in response to sniper fire directed at the soldiers.⁴⁶ One eyewitness, Paul Watson of the *Toronto Star*, said that he did “not recall hearing a shot before the Pakistanis opened fire.”⁴⁷

The clashes between UN soldiers and local residents became increasingly bitter. On September 9, when a company of UN military engineers came under sniper fire, one Pakistani soldier was killed and five others were injured. In response, American helicopter gunships fired mortars and rockets at the crowd that had gathered at the site, which included women and children. An American pilot involved in the incident noted in his log that the helicopters “were shooting into crowds where they were taking fire” and “killed as many as 100.” The same pilot complained that the Somalis “are strange, or maybe smart depending on how you look at it. They will use women as cover and concealment for when they shoot at us to make it harder to see who is doing the shooting, if we can see them at all. Then they call us killers of women and children when we shoot the very same people who are shooting at us and we kill some of the people that they are using for cover.”⁴⁸

Despite the gruesome consequences of the incident, the UN gave its forces unqualified support, and its spokesmen defended the decision to open fire on the crowd by explaining that armed fighters were hiding in it.⁴⁹ Major David Stockwell of the U.S. Army, the senior UN spokesman in Somalia, explained to the media that “everyone on the ground in the vicinity was a combatant, because they meant to do us harm.”⁵⁰

The fighting in Somalia reached its climax in an incident that occurred in Mogadishu in October 1993. An American force sent to arrest two of

Aidid's collaborators was surrounded and became embroiled in an intensive gun battle. Many civilians found themselves in the line of fire; some of them were used by Aidid's men as human shields. In his analysis of the incident, Lieutenant-Colonel Norman Cooling related that on one occasion, an armed Somali fired at U.S. Army Rangers from between a woman's legs, with four children crouching on top of him. The soldiers were forced to decide whether to fire into the crowd or to allow the attackers to pick off their comrades. They decided, "logically," on the first alternative.⁵¹ Other civilians wounded in the same incident were apparently misidentified as combatants, or were just in the wrong place at the wrong time. Many of them were caught in the heavy UN fire as forces tried to prevent National Front fighters from closing in on the encircled troops. Colonel Lawrence Casper, who participated in the fighting, described the way soldiers used nearly every weapon they had: "Everything, from 5.56 mm. to the Malaysians' 12.7 mm. heavy machine guns, was firing in all directions.... On the night of October 3, we employed everything at our disposal with the exception of mortars." Casper had no qualms about the UN soldiers' behavior. "There was no doubt in my mind that we employed the appropriate level of force given the circumstances," he said.⁵² This "appropriate level of force" necessitated, as things got worse, the firing of 63 anti-tank missiles and 75,000 helicopter shells.⁵³ The incident cost the lives of 20 UN soldiers and no fewer than 312 Somalis—the majority of whom were not, apparently, involved in the fighting.⁵⁴

The American force made no apologies for its behavior in Mogadishu; instead, blame for civilian casualties was placed on Aidid. In a statement quoted by *The New York Times* on October 14, 1993, the U.S. Central Command insisted that "the nature and degree of the force used by U.S. and UN forces did not exceed what was necessary to counter this escalating fire and was consistent with the right of self-defense under international law." According to the statement, the Somalis "are not subject to military discipline and they do not comply with international law. It is they who

initiated the firefight and who bear ultimate responsibility for this tragic loss of life.” Robert Oakley, then U.S. ambassador in Mogadishu, expressed America’s determination to protect the lives of its soldiers by every means possible in an ultimatum he delivered to Aidid’s clan when clan members captured an American pilot:

So what we’ll decide is we have to rescue him, and whether we have the right place or the wrong place, there’s going to be a fight with your people. The minute the guns start again, all restraint on the U.S. side goes.... This whole part of the city will be destroyed—men, women, children, camels, cats, dogs, goats, donkeys, everything.... That would really be tragic for all of us, but that’s what will happen.⁵⁵

The ultimatum worked, and Aidid’s men let the pilot go.⁵⁶

The UN’s entanglement in a long and arduous campaign in Mogadishu is a striking example of the chaos that is so often the hallmark of urban combat. Although the force was stationed in Somalia to advance humanitarian objectives and facilitate peacemaking efforts, the violence on the ground led it to use every means at its disposal in the name of self-defense—against both real and imaginary threats. Not surprisingly, the result was catastrophic for the very civilians the UN forces had been sent to protect.

The three campaigns I have examined in this section are merely prominent examples of an oft-repeated phenomenon in the recent history of warfare. The 1980 Battle of Khorramshahr during the Iran-Iraq War and the 1989 U.S. invasion of Panama—to cite two more—follow a similar pattern.⁵⁷ While battles waged in urban areas may be won by either side, the greatest losses are inevitably suffered by the civilian population.

IV

The lessons of Chechnya, Kosovo, and Somalia were not lost on Israel's political and military leaders when, at the beginning of 2002, they prepared for the possibility of a military operation in the heart of Palestinian Authority territory. Indeed, there was a real fear that the densely populated, heavily armed West Bank towns and refugee camps would become a slaughterhouse for both Israelis and Palestinians.

This fear, however, proved almost totally unfounded. True, IDF operations in the Arab cities of the West Bank were not always free of tactical errors, and some non-combatants died in incidents that probably could have been avoided. Yet the Arab civilian population of the West Bank was spared the fate of the Chechens, the Serbs, and the Somalis. This fact can largely be attributed to the tactics employed by the IDF in battle, and to the Israeli policy of minimizing civilian casualties even if it meant putting Israeli forces at greater risk.

Until April 2000, Israel had not engaged in fighting on this scale since the war in Lebanon in the early 1980s. During the Intifada, from 1987 to 1992, Israeli security forces confronted widespread hostile activity, but clashes with Palestinian gunmen were extremely rare. Militant groups in Judea, Samaria, and the Gaza Strip were not sufficiently organized or armed to pose a significant threat.

This situation changed dramatically with the establishment of the Palestinian Authority as part of the 1993 Oslo accords. Almost immediately, arms and explosives began pouring into the area, some approved as necessary equipment for the Palestinian police, others in flagrant violation of the accords.⁵⁸ The violent clashes of September 1996 cost the lives of fourteen soldiers, and alerted IDF officials to the real possibility of a

wide-ranging conflict with the Palestinian Authority—one that became a brutal reality when the PA launched a war of terror in September 2000.

During the subsequent year and a half, hundreds of Israelis were killed in terror attacks, and the IDF responded with assaults on the extensive terror infrastructure in PA territory. There was escalation on both sides: The Palestinians moved from stones and Molotov cocktails to light and medium anti-tank weapons, anti-tank mines, mortars, rockets, and suicide bombers in crowded civilian centers. The IDF responded with the increased use of tanks, armored personnel carriers, and helicopter gunships, and, on rare occasion, with fighter planes armed with precision-guided munitions. As the Palestinians stepped up their assault, the IDF began carrying out operations in PA territory, including residential areas where terror groups had set up their headquarters, explosives laboratories, and arms caches.

By far the toughest challenge, however, was the densely populated refugee camps, considered an almost impossible nut to crack. Experts estimated that any operation in the camps would mean hundreds of casualties for both sides. These dark predictions resurfaced time and again in intelligence reports, war simulations, and newspaper articles.⁵⁹ Indeed, the IDF's first incursions into the Jenin and Nablus refugee camps, beginning in late February of 2002, did little to dispel the fears. Ze'ev Schiff, military analyst with *Ha'aretz*, pointed out that fighting in the camps would be a "move which the IDF has refrained from taking up till now," and recounted the many misgivings that had prevented this kind of operation in the past: "While the General Security Service was proclaiming that the 'snake's head' of Palestinian terror can be found in these camps, and calling for a ruthless military operation, IDF officials were worried that such an operation would lead to heavy losses among both the local population and IDF soldiers...."⁶⁰

For their part, the Palestinians were determined to inflict heavy damage on any Israeli forces entering Arab population centers. Local armed groups were readied, and almost every major town and refugee camp in Judea and

Samaria was extensively booby-trapped, with hundreds of explosive charges in Jenin and Bethlehem alone. These ranged in size from small anti-personnel charges to explosives weighing 250 pounds or more, capable of blowing up a tank or turning a building into a pile of rubble.⁶¹ Statements by leading figures in the PA and various terror groups made it clear they had no intention of giving up without a fight: The day after Israel began operating inside the refugee camps, PA leaders announced that “the Palestinians will not kneel to the tanks and planes of the Israeli occupation and will continue to defend their lives and freedom.” Fatah’s secretary general in the West Bank, Marwan Barghouti, likewise declared, “We know the terror government in Tel Aviv has decided to commit a massacre against our people, but we will remain steadfast.”⁶²

The real test came at the end of March 2002, when, in response to the Passover massacre of 29 Jews at the Park Hotel in the seaside town of Netanya, the IDF embarked on a massive campaign known as Operation Defensive Shield. Within about a week—a remarkably short time by all accounts—the IDF had successfully taken control of the cities of Ramallah, Bethlehem, Nablus, Jenin, Hebron, Tulkarm, and Kalkilya. The losses suffered by both sides were far smaller than anyone had expected: According to the IDF, 29 Israeli soldiers were killed (23 of them in Jenin) and 127 wounded. Palestinian losses were heavier, including 130 killed in Nablus and Jenin, according to IDF figures. More than 4,000 Palestinians were arrested, some 2,800 of whom were on Israel’s wanted list. In West Bank cities, Israeli security forces uncovered vast arms and ammunition caches, explosive-manufacturing laboratories, and documents proving the extent of PA-sponsored terrorist activity. The principal success of Operation Defensive Shield, however, lay in its swift neutralization of Palestinian defenses. With the notable exception of Jenin, the IDF advance was met with surprisingly little resistance.⁶³

But the numbers alone are not sufficient to describe the true scope of the IDF’s achievement. Operation Defensive Shield involved 30,000 Israeli troops, both regular and reserve forces, along with tanks, heavy armored

vehicles, helicopters, surveillance equipment, and sophisticated weaponry. A casual observer, unfamiliar with the nature and history of urban combat, might conclude that their success was a foregone conclusion. Reporters like Gidon Levi of *Ha'aretz*, for example, averred that “the IDF invaded West Bank cities to carry out police operations. . . . Most of the West Bank fell to the IDF without a battle. Some pockets of resistance, particularly the Jenin camp, led to painful casualties; but even in these locales, the fighting was between an army and some individuals. It was not a war.”⁶⁴ Yet the operational success that Levi portrays as inevitable was nothing of the sort. As we have seen, combat in a built-up area can frequently neutralize the quantitative and technological advantages of the attacking side, making it easy prey for ambushes and booby traps. In urban fighting, a relatively small number of defenders can waylay even the largest and best equipped of armies. The Palestinian forces, moreover, were *not* small in number: In March 2000, six months before the outbreak of the current war, the combined branches of the Palestinian security forces numbered at least 40,000—more than all the IDF soldiers involved in Operation Defensive Shield—while the militias of Fatah, Hamas, and Islamic Jihad fielded thousands more.⁶⁵

Although the operation did not completely stamp out Palestinian terrorism, it did demonstrate the IDF’s ability to act effectively inside PA territory. Yet this was not the only criterion for success. Many people, in Israel and abroad, judged the operation by a strict moral standard concerning treatment of civilians. Most of the focus was on the heavy fighting in Jenin, and particularly in its refugee camp, where PA spokesmen and the international media alike were claiming that a massacre had taken place. In hindsight, and with a clear perspective on the reality of urban combat, we are in a far better position today to assess what really took place in the Jenin refugee camp.

V

The battle of Jenin in early April 2002 was, from a military standpoint, the most difficult campaign in the current conflict between Israel and the Palestinians. The intense fighting cost the lives of 23 IDF soldiers—far more than in all the other battles of Operation Defensive Shield combined—and tested the IDF’s capacity to function in conditions that have spelled disaster for other armies. The biggest challenge, however, concerned the prevention of harm to non-combatants. In this regard, the IDF set a remarkable standard that other armies will be hard-pressed to match.

The IDF’s achievement is particularly noteworthy considering that the Jenin refugee camp was not exactly an innocent residential area. Home to 14,000 people, the camp was a central pillar of the Palestinian terror infrastructure. Groups such as Islamic Jihad and Hamas had dispatched dozens of suicide bombers from the camp into Israel.⁶⁶ A letter written by Fatah members in Jenin to Marwan Barghouti in September 2001 provides insight into the extent of terrorist activities there:

Of all the districts, Jenin boasts the greatest number and the highest quality of fighters from Fatah and the other Islamic national factions. The refugee camp is rightly considered to be the center of events and the operational headquarters of all the factions in the Jenin area—it is, as the other side calls it, a hornets’ nest. The Jenin refugee camp is remarkable for the large number of fighting men taking initiatives in the cause of our people. Nothing will defeat them, and nothing fazes them. They are prepared to fight with everything they have. It is little wonder, therefore, that Jenin is known as the capital of the suicide martyrs.⁶⁷

Palestinian forces were thoroughly prepared for an Israeli operation in Jenin. The camp was booby-trapped from top to bottom. “From the very

first moment that their tanks left Jenin last month [after an initial IDF raid], we began to work on the plan to draw the Israeli soldiers into a trap and then blow them up,” recounted a Palestinian fighter. Everyone, apparently, had a hand in these efforts: “The entire camp was busy preparing charges and explosives,” Mohammed Balas, an eyewitness, was quoted as saying in the Israeli newspaper *Yedi’ot Aharonot*. “Even women and small children openly laid explosives in the streets.” Jenin’s defenders did not hesitate to endanger their fellow Palestinians, nor did they think twice about planting bombs in houses—“inside cupboards, under sinks, inside sofas,” according to one resident. Cars and dumpsters were also booby-trapped. By the time Israeli forces arrived, the whole city had become a minefield. On one street alone, an Israeli armored bulldozer detonated 124 explosive charges, some weighing as much as 250 pounds. And this was in the city of Jenin; the refugee camp itself was even more thoroughly laden with explosives.⁶⁸

Explosive booby traps, however, were only part of the challenge facing the IDF in Jenin. The greatest threat came from the Palestinian force that had holed itself up in the camp. A conservative estimate put the number of armed defenders at about 300, although some put this figure much higher.⁶⁹ The Israeli troops numbered about 1,000—a ratio which, as we have seen from other armies’ urban combat doctrines, was far from ideal.

But while conditions in Jenin did not make the IDF’s task easy, its policy of restraint out of concern for the civilian population made its job even harder. The Israeli government, navigating between the needs of security and politics, took the lead in ordering restraint. As early as March, Ze’ev Schiff was reporting in *Ha’aretz* that the IDF had been told that “one of the criteria for judging the success of your operation in the refugee camps will be the lowest possible number of civilian casualties.”⁷⁰ These guidelines set the tone for combat in Jenin.

In keeping with orders from the government and the military high command, Israeli soldiers issued warnings to the camp’s inhabitants before the battle began, and even tried to evacuate by force those who would not

leave voluntarily. This, of course, hampered the operation by eliminating any element of surprise. On April 8, CNN quoted a Palestinian from Jenin who reported that the Israelis “used loudspeakers to call on residents to evacuate, saying they were preparing to strike the camp. Some residents refused to leave and were evacuated by force, but a majority were still in the camp when the strike began.” According to *Time* magazine, half the residents left the camp before the battle began, and 90 percent had left by the third day. Of approximately 14,000 residents, only about 1,300 remained. Even during the fierce house-to-house fighting, the warnings and announcements continued. Awad Masarweh, a resident of Jenin, recalled that an Israeli officer with a megaphone was calling out: “People in the house, get out. We don’t want you to be hurt... Get out... We are going to come in.” According to Israeli sources quoted by CNN, such warnings are standard practice for the IDF, even in the thick of battle: “The civilian population was asked to leave. Most of them did. When troops came close to a house, they checked to see if there were civilians inside. If so, they were asked to leave. If they refused, they were moved to one room and kept there for the rest of the fight.”⁷¹

Further evidence of the measures taken by the IDF to protect the safety of civilians in Jenin is seen in the very limited use it made of the deadlier weapons at its disposal. While the army deployed tanks, infantry, and attack helicopters, its artillery was silent. The division commander refused to shell the refugee camp for fear of injuring civilians: “I could have finished it all in a whistle,” he said. “Full-corps fire on the center of the camp, and the whole thing would have been over. But we behave differently.”⁷² The same is true for Israel’s fighter planes, which remained grounded throughout Operation Defensive Shield. OC Central Command Major-General Yitzhak Eitan refused his subordinates’ requests for air cover in Jenin, “apart from the carefully controlled use of helicopters.” As he put it, “there are innocent civilians involved... if we act aggressively, many of them could be injured.”⁷³ This policy was followed even though aerial bombings would certainly have ended the fighting more quickly, and with less risk to Israeli soldiers.

Even tanks were brought in only at a relatively late stage in the operation, though the infantry sorely needed their help. Army commanders apparently feared that using heavy weapons in the camp's narrow alleyways would result in considerable property damage, and preferred to postpone their use.⁷⁴ Moreover, the tanks that were finally introduced into the battle were primarily used as armed bases for machine guns, as the tanks "were not allowed to use their main gun for fear of uncontrolled damage."⁷⁵

These constraints prevented far more significant harm to the camp's civilian population. But they also put IDF soldiers at clear risk. "We could have finished it much faster," admitted a reservist, "but we have strict orders not to throw a grenade into a house without first making sure there are no civilians in it." Many soldiers complained that these orders had made them especially vulnerable. "In Jenin we're like pizza delivery boys who have to come right to the door of the terrorists' houses," complained one soldier. Even the Palestinians had to admit that the IDF exercised remarkable restraint: Thabet Mardawi told CNN how he and other Palestinian fighters "had expected Israel to attack with planes and tanks." Yet this did not happen. "I couldn't believe it when I saw the soldiers" walking into the camp without armor or air cover, he said. "The Israelis knew that any soldier who went into the camp like that was going to get killed."⁷⁶

The IDF's worst fears were finally realized on April 9, when a force of reservists stumbled into an ambush in one of the camp's courtyards. Thirteen soldiers were killed—convincing army commanders to change their tactics. That evening, the IDF began using D-9 armored bulldozers, which are almost impervious to sniper fire and explosives. They began clearing wide paths for other armored vehicles and systematically destroying the buildings from which heavy fire had been directed at soldiers.⁷⁷ While the bulldozers did indeed cause considerable damage to property—about 150 homes were razed⁷⁸—their use does not appear to have taken a significant toll in lives. In fact, it greatly speeded up the surrender of militants sheltered in the buildings, and brought the fighting to a rapid close. *Time* described a typical scene in the last few days of the fighting in

Jenin: “A D-9 had sliced the wall off a house; dazed fighters came out with their hands in the air.” Helpless in the face of the crushing power of the heavy vehicles, most of the Palestinian fighters chose to give themselves up rather than be buried alive.⁷⁹

The operation in the Jenin camp was not, of course, flawless. Indeed, the criticism of groups like Amnesty International and B’tselem, an Israeli human rights organization, deserves serious examination. Testimony by both Palestinians and Israelis raises the possibility that some of the damage caused by bulldozers was the result of carelessness or lack of concern, and had no real military justification.⁸⁰ There also may well be grounds for the claim by the UN and humanitarian organizations that there were unnecessary delays in allowing medical aid to reach the sick and injured after the camp had been occupied.

But on the whole, Israeli forces did take remarkable care to avoid endangering the lives of the camp’s residents. It is useful to contrast this with the lack of parallel concern shown by the Palestinian fighters in Jenin, who made little effort to distinguish between combatants and civilians; on the contrary, an Israeli source relates that “in many cases, they [women and children] took an active part in the combat, helping to prepare—or even detonate—bombs or explosive traps. In others, terrorists holed up in a house would have a woman or even a child open the door to the approaching Israeli soldiers, forcing them to hesitate just long enough to allow the terrorists to shoot first.” Foreign sources confirmed these reports. The *Los Angeles Times*, for example, quotes camp residents who said that the Palestinian fighters in Jenin “intermixed with the camp’s civilian population,” and a report by Amnesty International notes that women and children helped keep the fighters supplied and relayed messages for them. These tactics were not just employed by Palestinians in Jenin: IDF paratroopers operating earlier in the Balata refugee camp near Nablus reported that civilians were fully involved in the fighting. “The entire refugee camp has been called on to serve in this war. Old men on the rooftops report with walkie-talkies. Fifteen-year-olds with binoculars jump on top of tin huts...

armed Palestinians run back and forth on the approach road. Some of them are holding little children. There are even women standing in the middle of the road, keeping a lookout for soldiers and then running away. An ambulance approaches and drops off five armed men in a nearby street....”⁸¹

In a similar situation in Mogadishu, UN troops fired indiscriminately on women and on armed men carrying children. The IDF, however, behaved otherwise. Its insistence on protecting Palestinian non-combatants—even to the extent of putting its own soldiers at risk—resulted in a remarkably small number of civilian casualties. Thus, according to the report by Human Rights Watch, which usually adopts an extremely critical attitude toward Israel, only 22 civilians were killed in Jenin. Given the report’s shortcomings, the real number may be even smaller.⁸² The number of lives lost among Palestinian civilians in Jenin, then, was actually smaller than the number of losses among the Israeli force that moved into the camp—a ratio unprecedented in modern urban combat, reflecting an unparalleled policy of self-restraint in hostile territory.

VI

The dust has not fully settled on the battle of Jenin. Some of the facts came to light only months after the fighting ended, while others are still in dispute. Even where the facts are clear, controversy over their interpretation continues, both among those involved in the fighting and among foreign observers who visited the battle scene. Yet at this point it can be said with a high level of certainty that not only was the IDF not guilty of massacring Palestinians in Jenin, but in fact it made a supreme effort to spare them the fate of other civilian populations caught in an urban battlefield.

The IDF's actions in Operation Defensive Shield were not flawless, and well-substantiated claims should be investigated thoroughly. Nevertheless, the comparison with other armies, including those with the best of intentions, provides a jarring sense of perspective. The horrors of the Russian campaign in Chechnya, the NATO operation in Kosovo, and the UN intervention in Somalia show just how unusual the behavior of Israeli soldiers in Jenin really was. The facts speak for themselves: It is extremely difficult, if not impossible, to find similar instances of urban combat that resulted in so few civilian losses.

Throughout its actions in Palestinian Authority territory, and in particular during the fighting in Jenin, the IDF proved that it operates according to standards unequalled among the world's armies. Civilian casualties, of course, are a horrible consequence of war, even when they are few in number. Yet we must bear in mind the truth of what NATO spokesman Jamie Shea said when asked to explain the civilian losses in Kosovo: "There is always a cost to defeat an evil. It never comes free, unfortunately. But the cost of failure to defeat a great evil is far higher."⁸³

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Notes

1. Of the 52 Palestinians killed, the IDF reported that at least 38 were armed fighters. *Ha'aretz*, August 2, 2002.

2. *The Jerusalem Post*, April 14, 2002; *The Financial Times*, April 17, 2002; *Courier Mail*, April 20, 2002.

3. Justin Huggler and Phil Reeves, "Palestine Under Attack," *The Independent*, April 25, 2002.

4. *The Guardian*, April 17, 2002.

5. *Evening Standard*, April 15, 2002. It should be noted that these claims were also echoed in the Israeli press: Six months after Operation Defensive Shield, journalist Gidon Levi wrote that the Jenin refugee camp was "hell" from the time Israeli forces entered to "sow death and destruction there." Gidon Levi, "Death Here, Destruction There," *Ha'aretz* supplement, October 25, 2002. *Ma'ariv* columnist Meir Schnitzer described the actions of the Israeli soldiers in the camp as "a profanity, a desecration of the dead, a contempt for the lives of those left alive... abuse, deliberate starvation, death and destruction... something for the International Court of Justice in The Hague to think about." Meir Schnitzer, "Haven't We Been Here Before?" *Ma'ariv*, October 29, 2002.

6. "Jenin Camp: 'Horrific Beyond Belief,'" BBC News, April 18, 2002.

7. Human Rights Watch, *Palestinian Authority Territories—Jenin: IDF Military Operations*, vol. 14, no. 3, May 2002.

8. Amnesty International, "Shielded from Scrutiny: IDF Violations in Jenin and Nablus," November 2002.

9. George J. Mordica II, "It's a Dirty Business, But Somebody Has to Do It" (Urban Combat), U.S. Army Center for Army Lessons Learned, call.army.mil/products/trngqtr/tq4-99/mordica2.htm.

10. Mordica, "Dirty Business."

11. For example, if several forces from the same army are inside one building or in adjacent buildings and they come under fire from different directions, they may incorrectly identify the source of the fire and hit each other.

12. Field Manual (FM) 3-06.11 (FM 90-10-1), *Combined Arms Operations in Urban Terrain*, Washington, D.C. Headquarters, Department of the Army, February 28, 2002, www.adtdl.army.mil/cgi-bin/atdl.dll/fm/3-06.11/toc.htm.

13. Suppose, for example, that an attacking force is advancing along a main street with houses two to three stories high, each of which is secured by a squad of only 12 soldiers (four guarding the entrance to the house and eight on the second floor, facing in all four directions). A simple calculation shows that after advancing only a few hundred yards the invading force will have left behind many hundreds of soldiers whose sole duty is security. Moreover, high buildings are liable to allow the enemy to cross from roof to roof. The occupation of a residential district with 200 four- to six-story buildings may require an entire division.

14. At Stalingrad, for example, bloody, drawn-out battles were fought inside individual buildings. Whole divisions occupied fairly small areas, because the need

to defend buildings and streets that had been occupied swallowed up vast forces. More than fifty-five years later, the Russians fought to take the town of Grozny, the capital of Chechnya, in conditions that recalled the famous World War II battle. In Grozny, though the two sides fought for days to capture positions in a single twelve-story building with 500 apartments, they never succeeded in gaining complete control of the building. See also Olga Oliker, *Russia's Chechen Wars 1994-2000: Lessons from Urban Combat* (Santa Monica: RAND, 2001).

15. Timothy L. Thomas, "The Battle of Grozny: Deadly Classroom for Urban Combat," *Parameters*, Summer 1999, p. 89.

16. The historian John Ellis stresses this in his discussion of the urban battles of the Second World War: "The sniper's other natural habitat was any built-up area, and even where a village or town had been pounded with bombs and shells the heaps of rubble still offered excellent cover. More in fact, for while a building is still standing it is possible to collapse it on the men within, but once it has been demolished even artillery can rarely make much impression." See John Ellis, *The Sharp End of War: The Fighting Man in WWII* (London: David and Charles, 1980), p. 90.

17. Marshal Chuikov, the Russian commander at Stalingrad, was well aware of the dilemma: "Our storm groups, coming up to within a grenade's throw of the enemy, presented the German airmen with a dilemma—could they bomb the Russians without hitting their own men? And whenever they tried to bomb our storm groups they hit Germans." Vasili I. Chuikov, *The Beginning of the Road*, trans. Harold Silver (London: Macgibbon and Kee, 1963), p. 283. Some fifty years later, these same tactics, nicknamed "the embrace" by observers, were employed most effectively by the Chechens, who fought so close to the Russians that the latter could use only light weapons and hand grenades. Even the Russians' laser-guided munitions could not be operated in such close proximity to the target.

18. Such was the case, for instance, in Nagorno-Karabakh, in Bosnia-Herzegovina, and in several other places in Eastern Europe. See, for example, Mary Kaldor, *New and Old Wars—Organized Violence in a Global Era* (Stanford: Stanford, 1999).

19. Appendix 1 to the Hague Convention—"Laws and Customs of War on Land: Section 2—On Hostilities," clauses 25, 27. The IDF's rules of engagement obviously adopted this principle: "The legal responsibility for the death of civilians in the case of a strike against a civilian target that was being used for military purposes will be that of the party that made the improper use of the civilian target, and not of the party that responded to the attack.... Even when there is no possibility of isolating the civilians during the attack, and there is no alternative but to attack, this does not give a green light to causing unfettered damage to civilians. The commander is required to abstain from any attack that can be expected to cause injury to the civilian population that is not in proportion to the

anticipated military gain.” Erez Hason and Michael Ben-David, *Laws of Warfare on the Battlefield* (IDF—Military Law School, 1998), pp. 42, 44. [Hebrew]

20. An example is the bombing of the French town of Saint Lo by the Allies on D-Day, June 6, 1944, which cost the lives of some 800 local residents, who were not enemy civilians, but French citizens under German rule. The battle for the town began only a month later and it, too, caused many deaths among the civilian population, although no precise figures are available. By the end of the battle, the town had been almost completely destroyed. On the battle of Saint Lo see, for example, Martin Blumenson, *United States Army in World War II—The European Theater of Operations: Breakout and Pursuit* (Washington, D.C.: Office of the Chief of Military History, Department of the Army, 1961), pp. 146-182.

21. John F. Antal, “A Glimpse of Wars to Come: The Battle for Grozny,” *Army*, June 1999, p. 34; Timothy L. Thomas, “The Caucasus Conflict and Russian Security: The Russian Armed Forces Confront Chechnya: Part III: The Battle for Grozny, 1-26 January 1995,” *The Journal of Slavic Military Studies*, March 1997, p. 59; Yagil Henkin, *Grozny, Chechnya: Combat in Urban Terrain* (Tel Aviv: Tora V’hadracha, 2000). [Hebrew]

22. Most sources rely on the estimates of Sergei Kovalev, the Russian human rights activist who lived in Grozny in January 1995. He claims that there were 25,000 civilian dead in the town at the end of January. According to John Wright, Suzanne Goldenberg, and Richard Schofield, 20,000 civilians were killed. Carlotta Gall and Thomas de Waal put the number at 27,000, while other sources put it even higher. John Dunlop estimates that during 1994-1996, 35,000 people were killed in the war. See John F.R. Wright, Suzanne Goldenberg, and Richard Schofield, eds., *Transcaucasian Boundaries* (New York: St. Martin’s, 1996), p. 11; Carlotta Gall and Thomas de Waal, *Chechnya: Calamity in the Caucasus* (New York: New York University, 1998), p. 217; John Dunlop, “How Many Soldiers and Civilians Died During the Russo-Chechen War of 1994-1996?” *Central Asian Survey* 19:3/4 (2000), pp. 329-339.

23. This was reported in *The Washington Post* of May 8, 1995, for example. The information can be crosschecked in the British Ministry of Defense publication on combat rules in urban terrain, Army Code No. 71346 (pt. 5), *Army Field Manual Volume IV—Operations in Special Environments: Part 5—Operations in Built-Up Areas (OBUA)* (London: Ministry of Defense, 1998).

24. Gall and de Waal, *Chechnya*, p. 220; Anatol Lieven, *Chechnya: Tombstone of Russian Power* (New Haven: Yale, 1999), p. 50.

25. Arthur L. Speyer, *The Two Sides of Grozny* (RAND CF-162), app. C, p. 81, www.rand.org/publications/CF/CF162/CF162.appc.pdf. For Russian tactics in the occupation of Grozny during the second war, see, for example, Oliker, *Russia’s Chechen Wars*, chapter 3; Tim Leaf, Marine Corps Study Group,

“Thermobaric Weapons: A Weapon of Choice for Urban Warfare,” CALL website: call.army.mil; Timothy L. Thomas, “A Tale of Two Theaters: Russian Actions in Chechnya in 1994 and 1999,” call.army.mil/fmsso/fmsopubs/issues/chechtale.html; Robert Seely, *Russo-Chechen Conflict, 1800-2000: A Deadly Embrace* (London: Frank Cass, 2001); Lester W. Grau, “A ‘Crushing’ Victory: Fuel-Air Explosives and Grozny 2000,” *Marine Corps Gazette*, August 2000, p. 31.

26. Evidence found in the area showed that at most 26 tanks and mobile cannons were destroyed, which contradicted NATO’s earlier announcements of hits on “more than 400 Serb artillery pieces, some 270 armored personnel carriers, 150 tanks.” NATO later adjusted its estimates, and the new tally was two-thirds of the original number. A special team appointed by the allies to investigate the matter later discovered that the number of tanks, armored personnel carriers, and cannons that retreated from Kosovo was greater than the number supposedly still in the possession of the Serbians, according to NATO’s estimate at the end of the bombing. See Nick Cook, “War of Extremes,” *Jane’s Defense Weekly Online*, July 7, 1999, www.janes.com/defence/news/kosovo/jdw990707_01_n.shtml; a U.S. Department of Defense news briefing in May 2000: DoD News Briefing, May 8, 2000; John Barry and Evan Thomas, “The Kosovo Cover-Up,” *Newsweek*, May 15, 2000, p. 22; Stephen P. Aubin, “*Newsweek* and the 14 Tanks,” *Air Force Magazine*, July 2000, www.afa.org/magazine/july2000/0700kosovo.html.

27. Human Rights Watch, “Under Orders—War Crimes in Kosovo,” chapter 16, 2001, www.hrw.org/reports/2001/kosovo/undword2b.html; “Operation Allied Force, Operation Noble Anvil,” Federation of American Scientists (FAS), www.fas.org/man/dod-101/ops/allied_force.htm. The last article includes a short list of incidents involving harm to civilians in the NATO bombings, as well as responses.

28. See, for example, “NATO Hit Old People’s Home,” BBC News, May 31, 1999; Jim Randle, “Kosovo Bridge,” FAS, April 12, 1999, www.fas.org/man/dod-101/ops/docs99/990412-kosovo29.htm.

29. “Village ‘Legitimate Target’—NATO,” BBC News, May 15, 1999.

30. “When War Goes Wrong,” BBC News, April 15, 1999.

31. “NATO Pilot Bombed Refugees,” BBC News, April 15, 1999.

32. Amnesty International, “NATO/Federal Republic of Yugoslavia, ‘Collateral Damage’ or Unlawful Killings? Violations of the Laws of War by NATO During Operation Allied Force,” June 2000, pp. 56, 57.

33. “NATO Says Bomb May Have Hit Serb Civilians,” CNN, April 27, 1999, www.cnn.com/world/europe/9904/27/kosovo.03/index.html.

34. Amnesty International, “NATO/Federal Republic of Yugoslavia, ‘Collateral Damage’ or Unlawful Killings?” pp. 69, 70.

35. "Amnesty Accuses NATO of War Crimes," *Guardian Unlimited*, June 7, 2000, www.guardian.co.uk/Kosovo/Story/0,2763,329232,00.html.

36. Philip S. Meilinger, "Gradual Escalation," *Armed Forces Journal International* 137, October 1999. See also Merrill A. McPeak, "The Kosovo Result," *Armed Forces Journal International* 138, September 1999; Cook, "War of Extremes"; BBC *Online*, July 8, 14, 1999, September 6, 1999; the impressive FAS information bank, www.fas.org/man/dod-101/ops/kosovo.htm, and *Report to Congress: Kosovo/Operation Allied Forces After-Action Report*, www.defenselink.mil/pubs/kaar02072000.pdf.

37. Norman L. Cooling, "Operation 'Restore Hope' in Somalia: A Tactical Action Turned Strategic Defeat," *Marine Corps Gazette*, September 2001, pp. 92-106.

38. The UN forces were compelled to take this action in response to attempts by the Somali militias to appropriate the aid packages by force. Following the new deployment of March-April 1993, the commanders of the international force decided to break off talks with the leaders of the various Somali clans and militias. Cooling, "Operation 'Restore Hope,'" p. 95.

39. Cooling, "Operation 'Restore Hope,'" p. 95.

40. *The New York Times*, June 8, 1993.

41. "U.S. Planes Slam Somali Capital, Home of Warlord Apparently Hit," *Miami Herald*, June 13, 1993.

42. Mark Bowden, *Black Hawk Down: A Story of Modern War* (New York: Penguin, 2000).

43. Bowden, *Black Hawk Down*, p. 365.

44. Bowden, *Black Hawk Down*, p. 365.

45. Bowden, *Black Hawk Down*, p. 95.

46. *The New York Times*, June 18, 1993.

47. *Detroit Free Press*, June 13, 1993.

48. Bowden, *Black Hawk Down*, p. 366.

49. "U.S. Copters Fire on Somali Women, Kids," *Wichita Eagle*, September 10, 1993; *The Los Angeles Times*, September 10, 1993.

50. *Manchester Guardian Weekly*, September 18, 1993. Quoted also in Alexander Safian, "Is Israel Using 'Excessive Force' Against Palestinians?" *CAMERA Backgrounder*, November 9, 2000 (revised December 19, 2000).

51. Cooling, "Operation 'Restore Hope,'" p. 98.

52. Lawrence E. Casper, *Falcon Brigade: Combat and Command in Somalia and Haiti* (Boulder: Lynne Rienner, 2001), pp. 68, 70.

53. Gannett News Service, November 22, 1993, quoted by Safian, "Excessive Force."

54. Rick Atkinson, "Night of a Thousand Casualties," *The Washington Post*, January 31, 1994. In addition, more than 800 Somalis were wounded. Atkinson's estimate is based on contacts with Somali National Front leaders. Most Western sources estimated the number to be between 500 and 1,000. See Bowden, *Black Hawk Down*, p. 310.

55. Bowden, *Black Hawk Down*, p. 328.

56. The pilot, Mike Durant, was captured on October 3 and released on October 14.

57. During the Iran-Iraq War, an Iraqi armored division attacked the town of Khorramshahr, which was defended by a makeshift force of 3,000 Iranians armed only with light weapons and rocket-propelled grenades. The Iraqis swiftly overran the Iranian army forces in the region, but the Revolutionary Guard continued to offer stiff resistance to the attacking force. Although the Iraqis had absolute superiority in firepower, and employed heavy artillery and aerial attacks, the defenders managed to hold them off long enough for a large body of Iranian reinforcements to come to their aid. In the end, after 27 days of fighting, the two sides suffered a total of 10,000 to 12,000 dead or injured. The Iranians lost around 2,000 soldiers, whereas the Iraqis counted their losses in hundreds and a large number of armored vehicles. Pesah Melubani, "The Iraqi Occupation of Khorramshahr," *Ma'arachot*, July 2002, pp. 74-85; Anthony H. Cordesman and Abraham R. Wagner, *Lessons of Modern War: The Iran-Iraq War* (Boulder: Westview, 1990); Edgar O'Ballance, *The Gulf War* (London: Brassey's, 1988); Sopher Zabih, *The Iranian Military in Revolution and War* (London: Routledge 1988).

In the American invasion of Panama, Americans enjoyed absolute qualitative superiority over the defending forces as well as a quantitative superiority of at least six to one. The 2,000 Panamanian soldiers were poorly equipped and trained. Nevertheless, the action, described as a "precision attack" on military targets, cost the lives of many civilians. The U.S. Army admitted responsibility for the deaths of 202 civilians and 314 Panamanian soldiers. In a report by Physicians for Human Rights, it was asserted that only about 50 Panamanian soldiers died in the operation, whereas there were more than 300 civilian dead. Others estimated the civilian deaths at between 500 and 1,000. It should be noted that U.S. losses were extremely low, a mere 24 soldiers. These figures can be explained by American tactics: For example, when American tanks and planes fired on General Manuel Noriega's headquarters, they destroyed many buildings in neighboring residential areas. *60 Minutes*, September 30, 1990, quoted in Safian, "Excessive Force";

Ronald H. Cole, *Operation Just Cause: The Planning and Execution of Joint Operations in Panama, February 1988–January 1990* (Washington, D.C.: Joint History Office, Office of the Chairman of the Joint Chiefs of Staff, 1995), p. 66; Edward M. Flanagan, Jr., *Battle for Panama: Inside Operation Just Cause* (Washington, D.C.: Brassey's, 1993); Safian, "Excessive Force"; *Panama: "Operation Just Cause": The Human Cost of the U.S. Invasion* (Boston: Physicians for Human Rights, 1991); Margaret E. Scranton, *The Noriega Years: U.S.-Panamanian Relations, 1981-1990* (Boulder: Lynne Rienner, 1991).

58. A recently published book deals, among other things, with precisely this matter: Ronen Bergman, *Authority Given* (Tel Aviv: Yedi'ot Aharonot, 2002). [Hebrew]

59. Amir Oren, "Generals Make Mistakes, Soldiers Pay for Them," *Ha'aretz*, April 12, 2002.

60. Ze'ev Schiff, "Going for the Snake's Head," *Ha'aretz*, March 1, 2002.

61. See, for example, *Ha'aretz*, April 5, 2002.

62. Amira Hass, "Palestinians Vow They 'Will Not Kneel to the Tanks,'" *Ha'aretz*, March 1, 2002.

63. According to IDF reports, there were 29 dead and 127 injured. IDF spokesman, "Operation Defensive Shield: Consolidated Data 28.3-21.4," www.idf.il/hebrew/news/netunim.stm. More than 130 Palestinians were killed in Nablus and Jenin according to IDF data. According to Amnesty International, "Shielded from Scrutiny," p. 9, 80 Palestinians and 4 IDF soldiers were killed in the fighting in Nablus. According to a report by B'tselem, April 2002, more than 250 Palestinians were killed in Operation Defensive Shield. The report does not indicate how many of them were civilians. Cf. www.btselem.org/English/Statistics/Fatalities_Lists/Pal_by_IsSec_april02_eng.asp.

64. Gidon Levi, "Too Soon to Hand Out Medals," *Ha'aretz*, June 9, 2002.

65. The agreements between Israel and the Palestinian Authority permitted the deployment of only 30,000 policemen. See Bergman, *Authority Given*, p. 41. On the structure of the Palestinian security apparatus, see Bergman, *Authority Given*, pp. 357-359. The IDF has four regular divisions and a number of battalions, which means no more than 15,000 soldiers. For data on Israel, see *Jane's World Armies*.

66. Yoav Limor, "Operation Too Late and Too Costly," *Ma'ariv*, Weekend supplement, April 12, 2002.

67. Bergman, *Authority Given*, p. 266.

68. Jonathan Cook, "The Engineer," *Al-Abram Weekly Online*, April 18-24, 2002, no. 582. The Palestinian fighter quoted by Cook claimed that everyone in

the camp knew where the booby traps were. His claim does not square with the fact that some Palestinians living in the camp were killed by the booby traps; see, for example, Yoav Limor, "Explosives in Every House, Car, and Cart," *Ma'ariv*, Today, April 8, 2002; Matt Rees, "The Battle of Jenin," *Time Magazine Online*, www.time.com/time/2002/jenin/story.html. Setting traps and laying explosive charges in a residential area are a contravention of the international rules of war. The Geneva Conventions of 1977 state that it is prohibited to "direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations." The UN Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which came into effect in 1983, expressly prohibits the use of booby traps against a civilian population. In a report on the events in Jenin by the UN secretary general, the Palestinians were sharply criticized for adopting "methods which constitute breaches of international law." Report of the Secretary General Prepared Pursuant to General Assembly Resolution ES-10/10, www.un.org/peace/jenin/index.html; Roni Shaked and Amir Rappaport, "IDF Gains Control Over Most of Jenin Refugee Camp," *Yedi'ot Aharonot*, April 8, 2002.

69. Ze'ev Schiff, "The IDF Will Carry Out Similar Raids in the Camps," *Ha'aretz*, March 3, 2002. Ya'akov Erez mentions a similar figure, as reported by IDF Fifth Battalion Commander Didi Yedidya, who commanded the occupation of the refugee camp. Ya'akov Erez, "What We Proved in Jenin," *Ma'ariv*, April 26, 2002. According to Amnesty International, there were only about 120-150 men, not all of whom were armed, but in the same report some Palestinian fighters are quoted as claiming that there were 400 of them in the camp. Amnesty International, "Shielded from Scrutiny," p. 6. Journalists Amira Hass and Amos Harel reported that 1,000 men gave themselves up, but they did not indicate how many were armed or on the wanted list. *Ha'aretz*, April 11, 2002. The BBC reported on several "hundred" Palestinian fighters. *BBC Online*, April 12, 2002.

70. Schiff, "The IDF Will Carry Out Similar Raids."

71. Rees, "The Battle of Jenin"; CNN, April 8, 2000; Gideon Avidor, "The Battle of Jenin: April 2002," *The Urban Operations Journal*, www.urbanoperations.com/jenin.htm.

72. *Ha'aretz*, April 15, 2002.

73. Ze'ev Schiff, "The Battle of Jenin," *Ha'aretz*, April 10, 2002.

74. It is possible that they were also concerned about the tanks' ability to negotiate the narrow alleyways. Even if that had been the case, had the Israelis not cared about the consequences for Palestinian civilians, they could have used bulldozers from the outset to make way for the tanks, as they did several days after the battle began.

75. Avidor, "The Battle of Jenin."

76. *Guardian Unlimited*, April 20, 2002, www.guardian.co.uk/international/story/0,3604,687644,00.html; Yisrael Moskovitz and Tzadok Yehezkeili, "The Reservists' Hell," *Yedi'ot Aharonot*, April 10, 2002; CNN, May 4, 2002; Jerome Marcus, "Jenin's War Criminals," *The Wall Street Journal*, April 30, 2002.

77. Erez, "What We Proved in Jenin"; Rees, "The Battle of Jenin"; *Ha'aretz*, April 12, 2002.

78. According to UN figures, about 150 houses were reduced to ruins and many others were badly damaged. Four hundred fifty families were left homeless. The damage to property was about 27 million dollars' worth. Report of the Secretary General Pursuant to General Assembly Resolution ES-10/10.

79. Rees, "The Battle of Jenin"; a Human Rights Watch report was sharply critical of bulldozers being used in this way: "Particularly in the Hawashin district, the destruction extended well beyond any conceivable purpose of gaining access... and was vastly disproportionate to the military objectives pursued." Unfortunately, the report does not take into account the damage caused to houses in the camp by the explosive charges placed in them, or the fact that these charges made progress through the camp by any means other than bulldozers virtually impossible. The international laws of war recognize this difficulty, and allow the use of bulldozers to open routes for armored vehicles, to deal with traps, and to damage buildings where there are enemy fighters. Human Rights Watch, *Jenin*, p. 3.

80. Tzadok Yehezkeili, "We Made Them a Stadium in the Middle of the Camp," *Yedi'ot Aharonot*, 7 Days, May 31, 2002. A report by B'tselem, published with *Ha'aretz* on July 18, 2002, quotes an Israeli soldier as saying, "After the thirteen soldiers were killed, the bulldozers were employed much more aggressively... it continued even after the fighting—for about a day and a half after no more shots had been heard." The report asserted, "Such destruction cannot be justified on grounds of military necessity. It was, therefore, illegal." Eyal Raz and Yael Stein, *Defensive Shield: Soldiers' Testimony, Palestinians' Testimony* (Jerusalem: B'tselem, 2002), p. 13. [Hebrew] It should be noted that even IDF sources had confirmed as early as the middle of April (to *Ma'ariv* on April 4, and to *Ha'aretz* on April 15) that the demolition of buildings in the camp continued after the end of the fighting, but they said it was done to demolish booby-trapped houses.

81. Leiah Elbaum, "An Insider's Perspective from the Jenin Camp," April 25, 2002, www.israelinsider.com/views/articles/views_0359.htm#top. This and many other discrepancies between the British and American press led Tom Gross to comment that the British and the Americans apparently didn't interview the same Palestinians. Tom Gross, "Jeningrad," *National Review Online*, May 13, 2002, www.nationalreview.com/comment/comment-gross051302.asp; Amnesty

International, "Shielded from Scrutiny," p. 6; Ron Leshem, "Paratroopers in the Balata Hell: Operations Log," *Yedi'ot Aharonot*, April 2, 2002.

82. Human Rights Watch, *Jenin*, p. 12. In at least two instances, it is clear that whoever wrote the report had little understanding of what he was describing: Regarding the deaths of Ahmad Hamduni on April 3 (Human Rights Watch, *Jenin*, pp. 15-16) and of Abd al-Karim Sa'adi Wadah Shalabi on April 6 (Human Rights Watch, *Jenin*, p. 20, also cited by Rees), the IDF fired on Palestinians because suspicious bulges on their bodies looked like explosive belts. In one case it turned out to be a hump, and in the other a back brace. In both cases the soldiers' reaction was not entirely unreasonable: They had been instructed to kill immediately anyone wearing an explosive belt by shooting him in the head, because shooting at the body was liable to detonate the explosives or give the wearer a chance to detonate them. Whatever the facts, this was not a case of cold-blooded murder of a civilian who had surrendered, but of a tragedy caused by prompt action in response to what seemed to be danger. A later report by the IDF determined that only three Palestinian non-combatants were killed in the fighting (Ada Ushpiz, "The Living Dead," *Ha'aretz*, July 19, 2002); for some of the cases mentioned in the Human Rights Watch report, Israel has different versions and different data.

83. Quoted from a report, "Civilian Deaths 'Necessary' Price," *BBC Online*, May 31, 1999.