

The Johnny Procedure

LIKE THE ghost of Hamlet's father, the evil spirit of the Gaza War refuses to leave us in peace. This week it came back to disturb the tranquility of the chiefs of the state and the army.

"Breaking the Silence", a group of courageous former combat soldiers, published a report comprising the testimonies of 30 Gaza War fighters. A hard-hitting report about actions that may be considered war crimes. The generals went automatically into denial mode. Why don't the soldiers disclose their identity, they asked innocently. Why do they obscure their faces in the video testimonies? Why do they hide their names and units?

How can we be sure that they are not actors reading a text prepared for them by the enemies of Israel? How do we know that this organization is not manipulated by foreigners, who finance their actions? And anyhow, how do we know that they are not lying out of spite?

One can answer with a Hebrew adage: "It has the feel of Truth". Anyone who has ever been a combat soldier in war, whatever war, recognizes at once the truth in these reports. Each of them has met a soldier who is not ready to return home without an X on his gun showing that he killed at least one enemy. (One such person appears in my book "The Other Side of the Coin", which was written 60 years ago and published in English last year as the second part of "1948: A soldier's Tale".) We have been there.

The testimonies about the use of phosphorus, about massive bombardment of buildings, about "the neighbor procedure" (using civilians as human shields), about killing "everything that moves", about the use of all methods to avoid casualties on our side – all these corroborate earlier testimonies about the Gaza War, there can be no reasonable doubt about their authenticity. I learned from the report that the "neighbor procedure" is now called "Johnny procedure", God knows why Johnny and not Ahmad.

The height of hypocrisy is reached by the generals with their demand that the soldiers come forward and lodge their complaints with their commanders, so that the army can investigate them through the proper channels. First of all, we have already seen the farce of the army investigating itself.

Second, and this is the main point: only a person intent on becoming a martyr would do so. A soldier in a combat unit is a part of a tightly knit group whose highest principle is loyalty to comrades and whose commandment is "Thou shalt not squeal!" If he discloses questionable acts he has witnessed, he will be considered a traitor and ostracized. His life will become hell. He knows that all his superiors, from squad leader right up to division commander, will persecute him.

This call to go through "official channels" is a vile method of the generals – members of the General Staff, Army Spokesmen, Army Lawyers – to divert the discussion from the accusations themselves to the

identity of the witnesses. No less despicable are the tin soldiers called "military correspondents", who collaborate with them.

BUT BEFORE accusing the soldiers who committed the acts described in the testimonies, one has to ask whether the decision to start the war did not itself lead inevitably to the crimes.

Professor Assa Kasher, the father of the army "Code of Ethics" and one of the most ardent supporters of the Gaza War, asserted in an essay on this subject that a state has the right to go to war only in self defense, and only if the war constitutes "a last resort". "All alternative courses" to attain the rightful aim "must have been exhausted".

The official cause of the war was the launching from the Gaza Strip of rockets against Southern Israeli towns and villages. It goes without saying that it is the duty of the state to defend its citizens against missiles. But had all the means to achieve this aim without war really been exhausted? Kasher answers with a resounding "yes". His key argument is that "there is no justification for demanding that Israel negotiate directly with a terrorist organization that does not recognize it and denies its very right to exist."

This does not pass the test of logic. The aim of the negotiations was not supposed to be the recognition by Hamas of the State of Israel and its right to exist (who needs this anyway?) but getting them to stop launching missiles at Israeli citizens. In such negotiations, the other side would understandably have demanded the lifting of the blockade against the population of the Gaza Strip and the opening of the supply passages. It is reasonable to assume that it was possible to reach – with Egyptian help – an agreement that would also have included the exchange of prisoners.

No only was this course not exhausted – it was not even tried. The Israeli government has consistently refused to negotiate with a "terrorist organization" and even with the Palestinian Unity Government that was in existence for some time and in which Hamas was represented.

Therefore, the decision to start the War on Gaza, with a civilian population of a million and a half, was unjustified even according to the criteria of Kasher himself. "All the alternative courses" had not been exhausted, or even attempted.

But we all know that, apart from the official reason, there was also an unofficial one: to topple the Hamas government in the Gaza Strip. In the course of the war, official spokesmen stated that there was a need to attach a "price tag" – in other words, to cause death and destruction not in order to hurt the "terrorists" themselves (which would have been almost impossible) but to turn the life of the civilian population into hell, so they would rise up and overthrow Hamas.

The immorality of this strategy is matched by its inefficacy: our own experience has taught us that such methods only serve to harden the resolve of the

population and unite them around their courageous leadership.

WAS IT at all possible to conduct this war without committing war crimes? When a government decides to hurl its regular armed forces at a guerrilla organization, which by its very nature fights from within the civilian population, it is perfectly clear that terrible suffering will be caused to that population. The argument that the harm caused to the population, and the killing of over a thousand men, women and children was inevitable should, by itself, have led to the conclusion that the decision to start this was a terrible act right from the beginning.

The Defense Establishment takes the easy way out. The ministers and generals simply assert that they do not believe the Palestinian and international reports about the death and destruction, stating that they are, again in Kasher's words, "mistaken and false". Just to be sure, they decided to boycott the UN commission that is currently investigating the war, headed by a respected South African judge who is both a Jew and a Zionist.

Assa Kasher is adopting a similar attitude when he says: "Somebody who does not know all the details of an action cannot assess it in a serious, professional and responsible way, and therefore should not do so, in spite of all emotional or political temptations." He demands that we wait until the Israeli army completes its investigations, before we even discuss the matter.

Really? Every organization that investigates itself lacks credibility, not to mention a hierarchical body like the army. Moreover, the army does not – and cannot – obtain testimony from the main eye-witnesses: the inhabitants of Gaza. An investigation based only on the testimony of the perpetrators, but not of the victims, is ridiculous. Now even the testimonies of the soldiers of Breaking the Silence are discounted, because they cannot disclose their identity.

IN A war between a mighty army, equipped with the most sophisticated weaponry in the world, and a guerrilla organization, some basic ethical questions arise. How should the soldiers behave when faced with a structure in which there are not only enemy fighters, which they are "allowed" to hit, but also unarmed civilians, which they are "forbidden" to hit?

Kasher cites several such situations. For example: a building in which there are both "terrorists" and non-fighters. Should it be hit by aircraft or artillery fire that will kill everybody, or should soldiers be sent in who will risk their lives and kill only the fighters? His answer: there is no justification for the risking of the lives of our soldiers in order to save the lives of enemy civilians. An aerial or artillery attack must be preferred.

That does not answer the question about the use of the Air Force to destroy hundreds of houses far enough from our soldiers that there was no danger emanating from them, nor about the killing of scores of recruits of the Palestinian civilian police on parade, nor about the killing of UN personnel in food supply convoys. Nor about the illegal use of white phosphorus against civilians, as described in the soldiers' testimonies

gathered by Breaking the Silence, and the use of depleted uranium and other carcinogenic substances.

The entire country experienced on live TV how a shell hit the apartment of a doctor and wiped out almost all of his family. According to the testimony of Palestinian civilians and international observers, many such incidents took place.

The Israeli army took great pride in its method of warning the inhabitants by means of leaflets, phone calls and such, so as to induce them to flee. But everyone – and first of all the warners themselves – knew that the civilians had nowhere secure to escape to and that there were no clear and safe escape routes. Indeed, many civilians were shot while trying to flee.

WE SHALL not evade the hardest moral question of all: is it permissible to risk the lives of our soldiers in order to save the old people, women and children of the "enemy"? The answer of Assa Kasher, the ideologue of the "Most Moral Army in the World", is unequivocal: it is absolutely forbidden to risk the lives of the soldiers. The most telling sentence in his entire essay is: "Therefore...the state must give preference to the lives of its soldiers above the lives of the (unarmed) neighbors of a terrorist."

These words should be read twice and three times, in order to grasp their full implications. What is actually being said here is: if necessary to avoid casualties among our soldiers, it is better to kill enemy civilians without any limit.

In retrospect, one can only be glad that the British soldiers, who fought against the Irgun and the Stern Group, did not have an ethical guide like Kasher.

This is the principle that guided the Israeli army in the Gaza War, and, as far as I know, this is a new doctrine: in order to avoid the loss of one single soldier of ours, it is permissible to kill 10, 100 and even 1000 enemy civilians. War without casualties on our side. The numerical result bears witness: more than 1000 people killed in Gaza, a third or two thirds of them (depending on who you ask) civilians, women and children, as against 6 (six) Israeli soldiers killed by enemy fire. (Four more were killed by "friendly" fire.)

Kasher states explicitly that it is justified to kill a Palestinian child who is in the company of a hundred "terrorists", because the "terrorists" might kill children in Sderot. But in reality, it was a case of killing a hundred children who were in the company of one "terrorist".

If we strip this doctrine of all ornaments, what remains is a simple principle: the state must protect the lives of its soldiers at any price, without any limit or law. A war of zero casualties. That leads necessarily to a tactic of killing every person and destroying every building that could represent a danger to the soldiers, creating an empty space in front of the advancing troops.

Only one conclusion can be drawn from this: from now on, any Israeli decision to start a war in a built-up area is a war crime, and the soldiers who rise up against this crime should be honored. May they be blessed.