AARMS

ACADEMIC AND APPLIED RESEARCH IN MILITARY
AND PUBLIC MANAGEMENT SCIENCE

AARMS

ACADEMIC AND APPLIED RESEARCH IN MILITARY AND PUBLIC MANAGEMENT SCIENCE

Volume 23
Issue 1
2024

Contents

Hybrid War: Theory and Ethics

Mihály BODA[1]

Terrorist attacks against the United States and some European states, and the war against terrorism characterised the end of the 20th century from the perspective of international relations. In harmony with this, military theoretical and ethical research aimed at terrorism, insurgency war in general and counterterrorism in this period. Some years later, however, at the beginning of the 21st century, some further questions joined these problems, like the theoretical and ethical issues of hybrid war. This essay deals with the theoretical and philosophical features of hybrid war in order to develop an ethical theory for it.

Keywords: *hybrid war, just war theory, cold war*

Introduction

One significant military ethical approach to analyse the phenomena of war is just war theory. This ethical theory includes several formal categories, which have been developing from the Middle Ages on, and a content which is specified by the features of the age, the society and the nature of war. The features of a particular form of war have particular relevance to the ethical content of the ethical theory of that war. This is because any ethical theory is logically permitted to articulate such prescriptions and values that are possible to be respected and honoured for the people addressed by the theory. As the philosophical slogan says, 'ought implies can', so an agent has an obligation to perform a certain action only if it is possible for him or her to perform it. So, although at first sight one can hold an ethical theory which prohibits any killing, injuring and even harming in war, this sort of ethical theory is not valid, because the concept of war includes killing, hurting and harming the enemies by definition. In sum, the nature of a specific sort of war has impacts on the content of the ethical theory of that sort of war.

In this way, others previously made attempts to extend or interpret just war theory to nuclear war, low intensity war, peacekeeping, proxy war and cyberattack. Concerning nuclear strategy, James P. Sterba argued for a just nuclear strategy despite the worries based on the disproportionate and indiscriminate nature of nuclear strategies. He claimed that: "Under present conditions, it is morally justified to possess a survivable nuclear force in order to be able to quickly threaten or bluff nuclear retaliation should conditions

---

[1]   Associate Professor, Head of Department, Ludovika University of Public Service, Department of Military History, Philosophy and Cultural History, e-mail: Boda.Mihaly@uni-nke.hu

change for the worse."[2] In connection to low intensity war, James Turner Johnson claimed it had a relevance contrary to the 'world's policemen' counterargument. As Johnson put it: "In the post-Cold War world, however, there is a greater possibility of achieving substantial international agreement on the kind of activities that warrant an unconventional response, extending, if necessary, to the use of force across national borders. […] We may be able to attack systematic human rights violations, State-sponsored terrorism, regional aggression, and the global traffic in narcotics – not as a lonely paladin – but with the approval and support of the community of nations."[3] Tony Pfaff demanded in regard to peacekeeping: "What has been suggested is that as an area of operations transitions from a state of nature to a state of peace, what it means morally to apply force also changes. This means when such a distinction can be made, soldiers are afforded a powerful and practical conceptual tool for resolving the inherent conflict between the due care they owe civilians and the due risk they are obligated to take to achieve their objectives."[4] Pfaff also noted in connection to proxy war that: "While the bi-polar Cold War world certainly had its fair share of proxy wars, the emerging polyarchic order proliferates not only the number and kind of actors that can serve as benefactors and proxies, but most importantly, it increases the need for such relationships. […] Thus proxy relationships can make apparently just wars more likely and messier. Given that the purpose of the Just War Tradition is to prevent war or limit the suffering it causes, the proxy relationship risks undermining that tradition even as it conforms to it."[5] Regarding cyberattack, Steven P. Lee analysed the new cyber technologies' impact on just war theory and claimed: "Cyber war is not a new kind of war, in the sense that it requires different moral rules about how it is fought. A similar judgment seems appropriate for the criteria of jus ad bellum, with one important exception. For the entire ad bellum criteria save one, the difficulties we have considered that arise when they are applied to cyberattacks are not sufficient to find that the technology threatens to make just war theory irrelevant. The one exception is the criterion of last resort."[6] Finally, David Whetham articulated the same position in general terms in connection with cyberattack which is supposed to be not war from the classical point of view: "To assume that the Just War Tradition cannot apply because the situation is not war as we understand it is to confuse what the purpose of the tradition is in the first place. While historically the moral reasoning invoked was applied casuistically to war (hence resulting in and evolving into what we call today the 'Just War Tradition'), that reasoning contained in the tradition could be (and often was) applied in a variety of other situations as well where one is seeking to do something that is, under normal circumstances, prohibited, i.e., deliberately cause harm to others."[7]

In a similar vein, this essay presents an extended or interpreted form of just war theory. It extends the theory from direct war to hybrid war by interpreting its ethical categories to hybrid war. The ground of the extension and interpretation is military philosophy of hybrid war, and hence that philosophical question: 'What is the definition of hybrid war?'

---

[2]   STERBA 1987: 169.
[3]   JOHNSON 1995: 168.
[4]   PFAFF 2000: 23.
[5]   PFAFF 2017: 350–351.
[6]   LEE 2014: 117.
[7]   WHETHAM 2016b: 62.

Theory of hybrid war

In one of his articles, George R. Lucas, Jr. attempted to uncover the moral rules of cyber war by examining some historical examples of cyberattacks and developing the definition of the effected moral rules.[8] In this essay, I follow a similar method, because I strive to define the rules of hybrid war by examining the concept and theoretical definition of hybrid war. For this reason, in what follows, I first develop a philosophical theory of hybrid war, and then I conclude with the ethics of hybrid war based on this theory.

Defining the hybrid form of war

Several research directions characterise the examination of hybrid war from the perspective of military philosophy at the beginning of the 21st century.[9] Hybrid war, according to some researchers, is not really a new phenomenon, but it has already occurred previously in the military history,[10] perhaps already in the works of Sun Tzu.[11] From this perspective hybrid war was and is a combination of the direct warfare of regular forces with the indirect warfare of irregular and other types of forces. What is new in the contemporary form of hybrid war is that while these different forces were deployed at the same time and separately in the past, nowadays their application is more integrated. Frank G. Hoffman defines hybrid war in this spirit: "Hybrid threats incorporate a full range of different modes of warfare including conventional capabilities, irregular tactics and formations, terrorist acts including indiscriminate violence and coercion, criminal disorder."[12]

Besides the military historical aspects of hybrid war, one should pay attention to the recent history of hybrid warfare. At the turn of the 20th and 21st centuries, terrorist organisations, counterterrorist agencies and military units of the Western states attained serious success with their asymmetric tactic. The success of this tactic was the consequence of its autonomous and indirect nature, that it was not joint direct tactics. For the reason of its successfulness, after the war on terror, states applied the same or similar indirect forms of hybrid aggression (meaning: violence) against other states. Hence hybrid warfare became an indirect, autonomous and symmetrical conflict between states.

Further, the applied means and methods of hybrid war, like social destabilisation, informational attack, espionage, targeted attack against individuals and objects are non-military or at least non-traditionally military means. Because of the nature of these means and methods, waging hybrid war appeared as the primary ability to manage a conflict with another state without waging direct war. From this perspective, hybrid war is very similar to the other types of indirect wars of the 20th and 21st centuries, like the low intensity

---

[8]   Lucas 2015: 252–256.
[9]   Wither 2016: 74–77.
[10] Murray–Mansoor 2012.
[11] Wither 2016: 74.
[12] Hoffman 2007: 8.

war and the fourth-generation war of the U.S., the unrestricted war of China and the Gerasimov's doctrine of Russia.[13]

Hence there are similarities and differences between hybrid war and the other types of indirect wars. One of the main similarities was already mentioned, another is that states attempt to satisfy their interest by deception in hybrid war and in all other forms of indirect wars.[14] In contrast to direct war, which is in general an open conflict between states (like field battles), indirect conflict applies violence secretly, deceiving the enemy. Hence, small wars of the 17th to 19th centuries, light infantry wars from the Second World War, and guerrilla wars of the second half of the 20th century all focused mainly on indirect tactics like deception, surprise and ambush. Hybrid war is just a 21st century form of indirect wars.

The difference between hybrid war and other types of indirect wars can be identified in the applied means and tactics. First, states in a hybrid war apply potentially any means and tactics to satisfy their interest, as Hoffman put it, hybrid wars "incorporate a full range of different modes of warfare".[15] On the other hand, states in a hybrid war strive to involve such means and methods, which were not (essential) parts of direct and indirect wars of the past. Some of these means and methods, such as deploying national secret services, launching informational attack and the application of autonomous weapon systems, have greater significance.[16]

Hence, hybrid war can be defined as one form of indirect wars in which states are in conflict with each other by applying non-military or non-traditionally military means and methods. The nature of the aim of hybrid war is the implication of this definition. Because of the deceptive means and methods applied in hybrid war, the aim of hybrid war has relatively low significance, which is not worth starting a direct war to reach it. This aim, however, is the satisfaction of some state interest, which in case of hybrid war, should be attained by the deception of the enemy. The deception-based means and methods and the relatively low significant aims of hybrid war limit the level and intensity of the applied aggression. In hybrid war the applied aggression is at a low level.

Hybrid aggression or hybrid war?

One can draw a clear distinction between direct and hybrid wars if we suppose that the analysis of the nature of hybrid war given above is correct and that in direct war there is a very serious cause (the *casus belli*) and a satisfiable state interest, which can be attained mainly by the mutually and clearly undertaken victorious field battle. At the same time, however, we generally understand the expression 'war' as direct war, so it seems to be a meaningful question whether 'hybrid aggression can be considered war at all or just a form of aggression'.

---

[13]   WITHER 2016: 77–79; BILBAN–GRININGER 2020: 211–237.
[14]   For deception see JOHNSON 1995: 166–167.
[15]   HOFFMAN 2007: 8.
[16]   BODA 2022: 100–106.

According to Carl von Clausewitz (direct) war is necessarily a state-organised and violent phenomenon which has its own logic. War is so prone to escalating and developing extremely, since it is waged by deploying the most effective weapons of the army of the state, by mobilising all the resources of the state, and by aiming at fully destroying the army of the enemy state.[17] Although hybrid war is a conflict between states, it is not a violent phenomenon in the Clausewitzian sense. This is because in hybrid war, states do not seek to fully destroy the army of the enemy state, they do not mobilise all their resources, and do not apply the most useful means and methods to satisfy state interest. Quite the contrary, hybrid war was led to reach low significant aims, and it adapts the suitable means and methods to this sort of aims. For this reason, hybrid conflict is a different form of aggression in which the applied aggression is less intensive than in direct war. This implies that one can call hybrid conflict 'war' only in a loose sense, but it is worth bearing in mind that it differs fundamentally from direct war.

Can hybrid war still be considered a war? Why? What is the common nature of direct war and hybrid war, by which both forms of aggressions can be called 'war'? According to Clausewitz, all wars in military history were so violent that they were potentially devastating enterprises in order to enforce the will of the state. Because this definition has two parts, the (extreme) violence part and the enforcing part, therefore, we can call this definition the violence-based definition of war after its first part.

The definition of hybrid war does not meet the violence part, but it fits the enforcing part. However, one can give a new definition of war that will suit direct conflict and hybrid conflict as well, grounding it on the enforcing part of Clausewitz's definition. According to Christopher J. Finlay, the new definition of war includes references to three intentions of the offensive state and to the realisation of these intentions. The first intention implies that state interests should be achieved by violence; according to the second intention, the interests of the attacked state should be harmed proportionally to the satisfaction of the interests of the offensive state; and finally, the third intention includes applying the proper means to cause harm to the attacked state and to satisfy the interests of the offensive state.[18] According to this definition, war is the realisation of the political will if the realisation intentionally includes harming the interests of another state by harming and even destroying those defensive mechanisms of the attacked state, which serve to protect its state interests. This definition can be called the intention-based definition of war, which wholly lacks reference to the potentially destructive nature of (direct) war. From the perspective of the intention-based definition, direct war is one in which …, for example, the attacker captures a previously disputed territory by destroying the army of the attacked state; and hybrid war is one in which, for example, the attacker intervenes in the political elections of the attacked state by cyberattacks.

---

[17] CLAUSEWITZ 2007: 13–44.
[18] FINLAY 2018: 367–372.

Hybrid war: between positive peace and direct war

Due to the relatively low intensity aggression applied in hybrid war, it is not a form of direct war, but it is not a clear form of peace either, because at peace states are not in conflict.[19] This feature of hybrid war can be understood in two ways. According to the first, the concept of hybrid war is philosophically vague, which means that whether a state is at peace or at war cannot be told from the objective (outsider) point of view. This question can be decided only by the state involved. For the reason of the involvement of the state, however, its decision is not objective but influenced by its interests.[20] The decision of the state is itself constitutive in answering the question whether the state is at war or peace.

The other approach claims that the in-between condition of hybrid war is clearly definable. I take this second stance, and I contend that hybrid war is very similar to the cold war of the second half of the 20th century.

During the cold war, states conflicted with each other, partly via their national security services.[21] In cold war the services' activity was the continuation of the political will of the two great powers by other means, for the purpose of getting the satisfaction of the interests of one great power by harming the interests of the other great power. In cold war, at the same time, two other characteristic types of aggression appeared, proxy war and potential nuclear war (deterrence).[22] Proxy wars were conflicts between the allies of the great powers, potential nuclear war in turn was conflict mainly between the great powers. In cold war international relations bipolarised between the United States of America and the Soviet Union. International relations at the beginning of the 21st century, however, are featured by multipolarity (and not bipolarity) in which proxy wars have less significance, and nuclear war plays an even more negligible role. There have been some proxy wars, like the war in Syria and in Yemen, and perhaps the one in Ukraine, but – at least before the Ukrainian war – proxy war was not the main form of hostilities between the U.S., Russia, China and the European Union. For this reason, I believe hybrid war is similar to cold war with respect to the role played by the national security services.

This is proved by the name of cold war and its middle position between peace and direct (hot) war. This position was the consequence of the main forms of conflicts of cold war, the conflicts of the security services, proxy wars and nuclear deterrence. The application of such means, which features these forms of conflict did not reach the threshold of direct war because the intensity of aggression of these forms of conflict is too low. Similarly, in hybrid war national security services have outstanding significance. According to several authors, one paradigmatic form of hybrid conflict, information attack is nothing but "sabotage, espionage, and subversion",[23] which is a "new form of cover political action".[24] With respect to another important means of hybrid war, the application

---

[19] RID 2013: 9-10; WHETHAM 2016a: 85–86.
[20] ALMÄNG 2019: 196.
[21] BLUM 2003; CALLANAN 2010.
[22] MOLLOY 2001.
[23] RID 2013: xiv.
[24] MILLER 2016: 228.

of an autonomous weapon system, one author notes that they "reinforced that which cover operations began: the possibility of endless war, temporally and spatially"[25] in the neither friendly, nor hostile states.

Besides the similarity between hybrid war and cold war (applying security services), there are differences between them in terms of applying proxy war and nuclear deterrence. This difference implies that hybrid war should be understood as being closer to peace than cold war and direct war, and it can be called 'hot peace'. There are at least two types of peace, positive and negative.[26] In positive peace the interests of the different states are in harmony, hence they are not in conflict either in their actions, or in their intentions. Instead, they cooperate with each other, and they put the abilities of their security services transparent to each other.[27] Contrary to this, negative or hot peace, implies conflicts of interests of the states and thus their intentions, which, however, do not necessary lead to direct conflict on the level of their actions. This excludes direct and proxy wars as forms of enforcement of state interests in hot peace. Conflicts on the level of intentions permit the application of only covert and deceptive operations. Since in negative peace security services do not have a guaranteed possibility to observe the abilities of the services of the other states, this sort of peace intensifies the activity of security services.

In sum, the different sorts of conflicts between the states can be presented on a spectrum with direct war and positive peace at the two extreme ends, and cold war and hot peace in-between. Cold war is closer to direct war, hot peace is closer to positive peace. Hybrid war is the characteristic conflict of hot peace.

The ethics of hybrid war

The concept of hybrid war can be defined as a politically determined, low intensity and deception-based use of aggression. These features are essential not only in themselves, in the philosophical theory of hybrid war, but also in connection to its ethics. To outline the ethics of hybrid war I briefly present the categories of just war theory and their application to direct war, then I develop the just hybrid war theory by comparing hybrid and direct war ethics.

Just (direct) war theory

I take the just war theory as the abbreviation of the just direct war theory. Although there is no consensus on the details of the just war theory, but I think one can find a common ground for presenting the main categories and their content without scrutinising them. I take Helen Frowe's book *The Ethics of War and Peace. An Introduction* as one that presents the common ground.[28]

---

[25] STEELE–HEINZE 2014: 103.
[26] BODA 2020: 72.
[27] BITTON 2014: 1021–1027.
[28] FROWE 2011.

Just war theory consists of several rules. Whether these rules are respected or disrespected defines the justice and injustice of war. Some of the rules are deontological rules, like rule of just cause, legitimate authority, right intention, public declaration and discrimination. Some others are consequentialist rules: like the rule of last resort, reasonable chance of success and proportionality. All these rules are relevant and should be respected in the just war theory.

In direct war, conventional weapons (like armoured vehicles and warplanes) are deployed in field battles and operations, and the level of the applied aggression and the harm caused is high. The character of direct war has a restricting impact on the possible just causes of such wars. Just causes of direct war include the violation of the state rights like the right for political sovereignty (the autonomous working of the internal political institutions) and the right for territorial sovereignty. The aim of just war is to protect these rights and to prevent their violation. These two state rights are analogous with two rights of human individuals (the rights for productive agency and private property),[29] and exactly for a reason they can be called rights.[30]

Just direct war is a war of self-defence. Starting self-defence war is just if the state protects their rights against an actual violation of these rights, or if there is no actual attack on the rights but another state threatens the rights with an imminent attack on the rights (potential right violation). The latter form of self-defence is pre-emptive attack, which is an offensive operation from a military perspective but is a defensive form of war from an ethical point of view. A just pre-emptive attack is different from a preventive attack, which is unjust. In case of preventive attack no threat and potential right violation occurs and hence the aim of the attack is not to protect rights, but to prevent the threat itself from coming into existence. For example, if a neighbouring state is in a hostile mood, has weapons capable of causing serious harm, and its army is mobilised, then the threatened state can use its force justly and pre-emptively against it. However, if the neighbouring state does not have these weapons but is constantly attempting to develop them, then a preventive war against it can only be deemed unjust. In the latter case, the occurrence of the threat is basically uncertain because the successful development of these weapons cannot be ascertained. Hence, the preventive intense use of aggression is unjust as a protection against a basically uncertain threat.

In the just war theory, legitimate authority belongs to one of the particular and high-level state institutions, like parliament. This institution is entitled to judge the situation and start the war. The rule of right intention prescribes that the entitled institution should listen to moral facts of the violations of the state rights only and not to the pure interests of the state in its decision about whether to start a war. The role of public declaration in the just war theory is to restrict state interests. The entitled institution can justify its decision to the citizens and other states about starting the war and can offer motivation to soldiers and citizens of the state to fight and remain steadfast by publicly declaring the just cause of the war.

---

29   GEWIRTH 1996: 106–213.
30   WALZER 1992: 58.

After judging the violations of state right(s), the entitled institution should examine the violation of rights and other morally relevant facts of the war. Some of these are future consequences. First, what needs to be considered is whether the violation of right can be avoided or eliminated with more peaceful means than direct war. Apart from nuclear war, any other means counts as more peaceful, such as diplomatic or economic sanctions, or the deployment of national security services. Respecting this point of view is to respect the rule of last resort, which claims to honour peace as long as possible. If the entitled institution finds that more peaceful means cannot be applied, then it should consider whether the aim of just war can be achieved by direct war. Respecting this point of view is to respect the rule of reasonable chance of success. Its function is to rule out self-sacrificing wars and sacrificing the lives of soldiers and citizens. Finally, if there is a reasonable chance to win the direct war and protect the rights of the state, then the entitled institution should consider whether the expected measure of the harm of the whole war is in proportion with the aim of the war, with the protection of the state rights. In calculating the measure of the harm, it should take into account the harm suffered by both warring parties. This approach concerns the rule of proportionality, which proposes the sparing of human life on both sides.

If the result of the whole consideration is a decision to start the war, then the rule of discrimination plays a part during the war. It discriminates those people who are morally permitted to be targeted and killed in war from those who are not, and by this at the same time, define who can take part in war. In the just war theory, the ground of discrimination is whether an action of a person presents an actual or possible threat to the state rights and so whether one should protect state rights against them. In direct war, in principle, professional soldiers have moral permission to take part in war and to target and kill anybody who presents a threat to the rights of the state. Also, they are the ones who are morally permitted to be targeted and killed in case of war.

The just hybrid war theory

The theory of just war and its elements serve as a starting point in the development of the just hybrid war theory. The elements of just war theory should be changed insomuch as direct war differs from hybrid war. I approached this problem in a former article by applying the categories of just war theory to the application of the specific means of hybrid war, like the deployment of national security services, informational attack, or the deployment of autonomous weapon systems.[31] Now, in this article, I focus on the definitional traits of hybrid war and with the help of those, I change just war theory. The definitional traits of hybrid war consist of its political nature, its deceptive nature and the low intensity of its applied aggression.

The level of the applied aggression and the harm caused is much lower in hybrid war than in direct war, hence the range of just causes of hybrid war is much broader than that of direct war. The just causes of hybrid war include the violation of three forms of state

---

[31]   BODA 2022: 95–108.

sovereignty: the violation of territorial sovereignty, the violation of broadly understood political sovereignty including the violation of the strategic and economic interests of the state, and finally the violation of cultural sovereignty.[32] These forms of state sovereignties are not analogous with individual rights, so they cannot be called state rights, only state interests.

These state interests cannot be satisfied by a clearly offensive operation but by self-defensive hybrid war only. Self-defence should be understood broadly including actual protection against actual injury of state interests, pre-emptive protection against possible injury and even preventive protection against possible threat.

Preventive self-defence is more offensive than actual self-defence or pre-emptive self-defence, but it is still not an obviously offensive war. The paradigm of obviously offensive war is when one state attacks a neutral other state with the intention of conquest. Contrary to this, if there is a long-standing quasi-hostile relationship between two states, then it can be presupposed without clear evidence that one state makes an attempt to injure the interest of the other state. This presupposed injury, in turn, serves as a just cause for a just preventive hybrid war. Preventive hybrid war in this sense is also a just war of self-defence.

Just causes and just methods of self-defence multiply in just hybrid war theory, but this does not turn hybrid war into an obviously offensive war. Hybrid war is a sort of self-defensive war, which is situated between obviously self-defensive war (like actual self-defence) and offensive (conquering) wars from a theoretical point of view. The reason for the extension of just causes and methods for self-defending state interest in hybrid war is the low intensity nature of hybrid aggression.

The second deontological rule of just hybrid war theory is the rule of legitimate authority (the first one was the rule of just cause). Legitimate authority can be interpreted in two ways here. The first sense is the same as was in the just war theory: the entitlement for starting a war. The entitlement for starting a hybrid war belongs to state institutions, but presumably to higher- and lower-level institutions as well. The second sense of legitimate authority is accountability, which is typical of direct war but not of a hybrid one. Accountability is about showing oneself as belonging to one or the other warring party in order that others can observe who is responsible for the deeds done. Because of the deceptive nature of hybrid war, the accountability sense of legitimate authority does not feature in hybrid war.

The rule of right intention is equally important in just direct and hybrid war theories, but for different reasons. In just direct war the function of right intention is to restrict state interest, but in just hybrid war, its role is to constrain private interests of the entitled state officeholders. Finally, the rule of public declaration does not have any role in just hybrid war. The change in the content of both rules is due to the deceptive nature of hybrid war.

The second set of rules is consequentialist in nature. These rules have weight in the consideration of legitimate authority of just direct war, however, they have little relevance or no relevance at all in just hybrid war. The rules of last resort, the reasonable chance of

---

success and proportionality lose their significance due to the low intensity and deceptive nature of hybrid war. Because of its low intensity, hybrid war should not be a last resort, but it is listed among the more peaceful methods. If we take intelligence as part of hybrid war, as I think we should, then hybrid war is not the last resort but the first one in managing a conflict. The low intensity nature of hybrid war combined with its deceptive nature are the reasons why the rules of reasonable chance of success and proportionality are not taken so seriously. Situations in hybrid conflicts are not so transparent and hence only a certain level of probability of success is valid. The unsuccessful missions, in turn, do not mean an excessive loss, and they are not recognised by the public. All in all, consequentialist rules do not play a significant role in just hybrid war.

Finally, I come to the last rule, the rule of discrimination. In just hybrid war legitimate authority to cause harm to the enemy belongs not only to professional soldiers, but also to many different people in harmony with the compound nature of hybrid war. So, the agents of national security services are responsible for lone missions and general organisation of the whole hybrid war, the information technology team is responsible for informational and propaganda attacks, and to a certain degree, the manipulated people are responsible for causing harm as well. They all present a threat to state interests, so they are all liable to be targeted and attacked. The basic concept of discrimination here is threat, like in the case of just war theory, but the scope of people who present (this) threat is extended.

Summary and conclusion

In general, philosophical explanations are the most general and most abstract explanations, and this is true for the analysis of war given by military philosophy and military ethics. This essay attempted to give an analysis of war from the perspective of military philosophy. It distinguished between direct and indirect war, as well as hybrid war as one form of indirect wars and took hybrid war as a separate and characteristic phenomenon of conflict between states at the beginning of the 21st century. The main distinguishing features of hybrid war are that it is a conflict between states (political nature), it proposes political aims by covered actions and deceptions (deceptive nature), and finally it is aggression on a low level of intensity, which causes only low-level harm (low intensity nature).

The just hybrid war theory can be developed partly by building on these features and partly by comparing direct war with hybrid war. Based on this, I made the necessary changes in the just war theory to outline a just hybrid war theory. The considerable differences of the just hybrid war theory are the total lack of the rules of the accountability version of legitimate authority, public declaration and last resort. Minor divergencies of the just hybrid war theory are the extension of the range of just causes including just methods, and the extension of the range of people who are morally permitted to be targeted and killed. The reason for all these changes is the low intensity and deceptive nature of hybrid war. On the whole, just hybrid war theory is morally more permissible than just war theory, which is an implication of the conceptual definition of hybrid war.

References

Almäng, Jan (2019): War, Vagueness and Hybrid War. *Defence Studies*, 19(2), 189–204. Online: https://doi.org/10.1080/14702436.2019.1597631

Bilban, Christoph – Grininger, Hanna (2020): Labelling Hybrid Warfare: The "Gerasimov Doctrine" in Think Tank Discourse. In Peischel, Wolfgang – Bilban, Christoph (eds.): *Building Military Science for the Benefit of Society. International Society of Military Sciences.* Berlin: Carola Hartmann Miles-Verlag. 211–237.

Bitton, Raphael (2014): The Legitimacy of Spying Among Nations. *American University International Law Review,* 29(5), 1009–1070.

Blum, William (2003): *Killing Hope. US Military and CIA Interventions since World War II.* London: Zed Books.

Boda, Mihály (2020): Peacekeepers' Autonomy and Military Authority. *AARMS*, 19(2), 65–78. Online: https://doi.org/10.32565/aarms.2020.2.5

Boda, Mihály (2022): A hibrid háború etikája: az igazságos hibrid háború elmélete. In M. Szabó, Miklós (ed.): *A hadtudomány aktuális kérdései I.* Budapest: Ludovika Egyetemi Kiadó. 95–109.

Callanan, James (2010): *Covert Action in the Cold War.* London: I. B. Tauris. Online: https://doi.org/10.5040/9780755625208

Clausewitz, Carl von (2007): *On War.* Oxford: Oxford University Press.

Finlay, Christopher J. (2018): Just War, Cyber War, and the Concept of Violence. *Philosophy and Technology,* 31(3), 357–377. Online: https://doi.org/10.1007/s13347-017-0299-6

Frowe, Helen (2011): *The Ethics of War and Peace. An Introduction.* London – New York: Routledge.

Gewirth, Alan (1996): *The Community of Rights.* Chicago: The University of Chicago Press.

Hoffman, Frank C. (2007): *Conflict in the 21st Century: The Rise of Hybrid Wars.* Arlington: Potomac Institute for Policy Studies.

Johnson, James Turner (1995): Just War Tradition and Low-Intensity Conflict. In Coll, Alberto R. – Ord, James C. – Rose, Stephen A. (eds.): *Legal and Moral Constraints on Low-Intensity Conflict.* Newport, Rhode Island: Naval War College. 147–170.

Lee, Steven P. (2014): The Ethics of Cyber Warfare. In Floridi, Luciano – Taddeo, Mariarosaria (eds.): *The Ethics of Information Warfare.* Cham: Springer. 105–122. Online: https://doi.org/10.1007/978-3-319-04135-3_7

Lucas, George R. Jr. (2015): Cyber Warfare. In Johnson, James Turner – Patterson, Eric D. (eds.): *The Ashgate Research Companion to Military Ethics.* Farnham: Ashgate. 245–258.

Miller, Seumas (2016): Cyberattacks and "Dirty Hands". Cyberwar, Cybercrime, or Covert Political Action? In Allhoff, Fritz – Henschke, Adam – Strawser, Bradley Jay (eds.): *Binary Bullets. The Ethics of Cyberwarfare.* Oxford: Oxford University Press. 228–250. Online: https://doi.org/10.1093/acprof:oso/9780190221072.003.0012

Molloy, Ivan (2001): *Rolling Back Revolutions. The Emergence of Low Intensity Conflict.* London: Pluto Press.

Murray, Williamson – Mansoor, Peter R. eds. (2012): *Hybrid Warfare. Fighting Complex Opponents from the Ancient World to the Present.* Cambridge: Cambridge University Press. Online: https://doi.org/10.1017/CBO9781139199254

PFAFF, Tony (2000): *Peacekeeping and the Just War Tradition.* Carlisle: U.S. Army War College. Online: https://doi.org/10.21236/ADA391358

PFAFF, C. Anthony (2017): Proxy War Ethics. *Journal of National Security Law and Policy,* 9(2), 305–353.

RID, Thomas (2013): *Cyber War Will not Take Place.* Oxford: Oxford University Press.

STEELE, Brent J. – HEINZE, Eric A. (2014): From Smart to Autonomous Weapons. In GENTRY, Caron E. – ECKERT, Amy E. (eds.): *The Future of Just War.* Athens, GA: The University of Georgia Press. 98–114. Online: https://doi.org/10.2307/j.ctt46nbn3.9

STERBA, James P. (1987): Just War Theory and Nuclear Strategy. *Analyse und Kritik,* 9(1–2), 155–174. Online: https://doi.org/10.1515/auk-1987-1-209

WALZER, Michael (1992): *Just and Unjust Wars.* New York: Basic Books.

WHETHAM, David (2016a): Cyber *Chevauchées:* Cyberwar Can Happen. In ALLHOFF, Fritz –HENSCHKE, Adam – STRAWSER, Bradley Jay (eds.): *Binary Bullets. The Ethics of Cyberwarfare.* Oxford: Oxford University Press. 75–88. Online: https://doi.org/10.1093/acprof:oso/9780190221072.003.0005

WHETHAM, David (2016b): "Are We Fighting Yet?" Can Traditional Just War Concepts Cope with Contemporary Conflict and the Changing Character of War? *The Monist,* 99(1), 55–69. Online: https://doi.org/10.1093/monist/onv029

WITHER, James K. (2016): Making Sense of Hybrid Warfare. *Connections,* 15(2), 73–87. Online: https://doi.org/10.11610/Connections.15.2.06

Domestic Lawfare in South America

Ferenc PETRUSKA[1]

Domestic lawfare, using legal measures or their potential utilisation as strategic tools in political or ideological disputes within a nation, is a prevalent phenomenon in South America. Such measures may include lawsuits, investigations, and other legal mechanisms aimed at eradicating, intimidating, penalising, or undermining rivals to achieve specific political or policy objectives. This practice can be identified as domestic lawfare by prioritising legal technicalities over substantive matters. Its impact is of particular concern, as it is employed to suppress dissenting voices and curtail essential liberties, such as freedom of speech. This article sheds light on the significant challenge that constitutional democracies in South America currently face due to the rise of lawfare. This does not mean that it is an exclusively South American phenomenon. Influential individuals or entities around the world equipped with ample resources, financial means, influence, or political clout could deploy these assets to target individuals or organisations they perceive as threats to their interests. By examining the potential legal ramifications that may arise from rigid adherence to legal requirements, this study aims to underscore the crucial importance of legal protection as a topic requiring meticulous deliberation. Lawfare presents formidable challenges in theory and practice, making it essential to comprehend its implications fully. Understanding and addressing this issue can safeguard democratic values and protect fundamental rights.

Keywords: *lawfare, threat, lawsuits, democracy, risk*

Introduction

In dealing with the instruments of war, the work of Carl von Clausewitz is indispensable. In his classic monograph *On War*,[2] he explains the concept of attrition.[3] On closer examination, lawfare can also be understood as the equivalent of attrition. Legal warfare is lawfare in a country's political or ideological conflict. It can include using judicial and other official procedures, investigations and other legal means to oust, threaten, punish or humiliate opposition, opponents or competitors and achieve political or policy goals.

---

[1]   Associate Professor, Head of Department, Ludovika University of Public Service, Department of Defence Law and Administration, e-mail: petruska.ferenc@uni-nke.hu
[2]   Clausewitz 1989.
[3]   Forgács 2017: 32.

Domestic legislation may also be characterised by a focus on legal techniques rather than on substantive issues. In South America, lawfare is often used to silence critics and restrict freedom of speech and other fundamental rights. Those with significant resources, finances, influence or political power usually use their capabilities to target individuals or groups that they perceive as threatening their interests. This article aims to clarify that protecting rights is a vital issue that requires careful consideration. Naturally, it should be noted that the methods outlined above are not exhaustive in encompassing all kinds of tactics, nor are they universally applicable to all South American countries. Instead, the focus lies on presenting strategies that pertain to distinct domains within law enforcement.[4]

Effective battlefield selection in legal warfare

Battlefields are carefully chosen in every war after considering strategic advantages and disadvantages.[5] In legal conflict, selecting an appropriate strategy and tactics is essential. In this context, "battlefield" refers to the preferred international or national platform, administrative entity, or governing body tasked with enforcing legal regulations or to which the involved parties willingly opt or acquiesce to be subject. The selection of a particular governing body can significantly impact the effectiveness of lawfare strategies.[6]

Equally significant is the selection of appropriate legal mechanisms, which, drawing an analogy from kinetic conflict, might be likened to weaponry. The application of the law is intricately linked to the selection of the forum, as the law and the chosen forum are mutually binding. Insufficiently heavy legal action may result in ineffectiveness, underscoring the critical significance of selecting appropriate legal tools. The following list comprises the ten most significant legal tools in the context of lawfare.[7]

Legislative machination

Legislative manipulation refers to the deliberate act of enacting or modifying laws in a manner that is detrimental to an individual.[8] As an example, it is pertinent to note that a legislative approach employed against Brazilian President Luiz Inácio Lula da Silva (re-elected in 2022) was the deliberate utilisation of the Clean Records Act as a means to impede his candidature in the 2018 presidential elections. The majority decision of the Supreme Electoral Tribunal, led by Minister Edson Fachin, resulted in the rejection of Lula's candidature registration. This occurred after implementing a precautionary measure by the U.N. Human Rights Committee aimed at prohibiting the former president from participating in the electoral process. Hence, it may be inferred that the strategic use of the Ficha Limpa legislation has the potential to impede an adversary's participation in

---

4   Kirchheimer 2015.
5   Sun Tzu 2006.
6   Mazanec–Whyte 2023.
7   Carr 2012; Goh 2007.
8   Fletcher–Weinstein 2002: 573–639.

electoral processes. The strategic use of the legislation of impeachment has the potential to lead to the removal of an elected political adversary from their position of authority. These practices can also be categorised as lawfare. Legal rules were first created with seemingly legitimate intentions. However, eventually wielded as tools to target specific adversaries.[9]

Forum non conveniens: The principle against abusive forum shopping

In the field of law, we come across the term *forum shopping,* i.e. the choice of the law or jurisdiction where the claim is brought. The European Parliament has pointed out in a special report[10] that "[the] courts will only accept jurisdiction if the case has a satisfactory, substantial or significant connection with the country where the action is brought, as this makes it easier to achieve a balance of interests, in particular between the right to freedom of expression and the right to reputation and privacy". In this exercise, the aim is to choose the most favourable law ("weapon") and jurisdiction ("battlefield"). The objective of this exercise is to select the most advantageous legal framework ("weapon") and jurisdiction ("battlefield"). In light of the availability of many platforms, it is inherent that the customer would opt for the one that appears to offer the most safeguarding of their interests.[11] Lawfare occurs when the exercise of a legal right is incompatible with good faith and is accompanied by a distinct aim to inflict harm, such as destruction, impairment, or delegitimisation.[12] Furthermore, the necessity of a jurisdictional shift is frequently imperative in the context of defensive enforcement. Strategically withdrawing from a geographical region in which the outcome is predetermined due to the presence of a prejudiced adjudicator is a viable manoeuvre that can effectively counteract an offensive action. The practice of forum shopping does not fall within the scope of the exemption from the prohibition of abuse of rights, whether in the context of offensive or defensive lawfare.[13]

The principle preventing abusive forum shopping is *forum non conveniens.* According to this principle, a judge may decline jurisdiction based on various criteria, some too subjective. More precisely, forum non conveniens means the court's discretion to refuse to exercise jurisdiction if another court or forum is more appropriate to hear the case.[14] The dismissal of a case based on forum non conveniens does not constitute a bar to res judicata and therefore does not prevent the plaintiff from restarting his criminal case in a more appropriate forum. The defendant or the court may also invoke this doctrine. Courts will not uphold a refusal of forum non conveniens if the alternative forum's system of justice is seriously inadequate. For example, a court in a State governed by the rule of law would not uphold a refusal of forum non conveniens if the alternative forum were a court in a state that does not respect fundamental rights. Courts generally apply a two-part test

---

[9]   MARTINS et al. 2021: 45–46.
[10]   ZWIEFKA 2010.
[11]   BLOCK-LIEB 2018: 1–52.
[12]   RINGE 2020: 1–19.
[13]   JONES 2016: 221–239; GOLDENZIEL 2020: 1085–1171.
[14]   SURI 2018: 54–55.

to decide whether to grant a defendant's application for forum non conveniens. The first part is a balancing of private and public law factors, and the second part is an assessment of the availability of appropriate alternative courts.[15] First and foremost, it is imperative to establish an alternative venue, distinct from the one where the legal proceedings are initiated, with the authority to adjudicate the matter at hand. Ensuring that this forum is designed to maximise convenience and comfort for all involved parties is imperative. To evaluate the aspect of "convenience", it is necessary to investigate the private interests associated with the lawsuit. The pertinent private interests of the parties encompass various factors, such as the ability to get evidence, the impartiality of the court, the origin of witnesses, the execution of the judgement and the expenses associated with the legal proceedings.[16] In the event that the party or defendant's private interests are not fulfilled, the court will assess the theory of forum non conveniens concerning the pertinent public interest. In this context, it is possible that the court may lack knowledge of the relevant legal principles pertaining to the case. Ultimately, the forum conveniens, the most suitable legal forum, should handle claims that fall within its jurisdiction. This entails imposing sanctions that align with the forum's jurisdiction, ensuring that the individual seeking justice will not be deprived of their rights in a foreign jurisdiction.[17] Regrettably, despite the diligent and unbiased implementation of the theory of forum non conveniens, litigants have a proclivity to depart from the jurisdictions and forums they first selected. This phenomenon might be especially evident during legal warfare, wherein the selection of jurisdiction by strategists is deliberately upheld artificially.

Lawfare strategists are more likely to succeed when they engage in legal battles inside a certain jurisdiction where there is a favourable probability of achieving their objectives. In pursuit of this objective, they demonstrate a willingness to manipulate the jurisdiction. Instances where individuals misuse legal norms and principles sometimes involve the manipulation of jurisdictional regulations as well. When considering the manipulation of jurisdiction, several aspects are taken into consideration. Various variables can influence the administration of justice, such as the potential bias of the judge and prosecutor, the jurisdiction's historical, cultural and socio-economic environment, or the personal ties among the authority members. In instances of this nature, unlawful prosecutions may be initiated, resulting in the potential conviction of judges who have demonstrated personal prejudice or lack the requisite jurisdiction or competence of the court. According to some Brazilian lawyers,[18] Sergio Fernando Moro, a Brazilian lawyer, former federal judge, university professor and politician, serves as a prominent illustration.[19] Moro concurrently served as the Minister of Justice and Public Security under the administration of President Jair Bolsonaro from 2019 to 2020. In April 2020, Moro tendered his resignation from the administration, asserting that the president had engaged in unwarranted interference in the Ministry of Justice and Public Security operations. In 2022, a panel established

---

[15]   Zhenjie 2001: 143.
[16]   Zaborovskyy et al. 2022: 418–428.
[17]   Rechsteiner 2019: 274–275.
[18]   Martins et al. 2021; Chade 2022.
[19]   Rousseau 2016.

by the United Nations determined that Sergio Moro had exhibited prejudice in all of his interactions with Brazilian President Luiz Inácio Lula da Silva. Moro's conviction was rooted in his belief that he could hold the strong, including President Lula, accountable and pronounce judgement upon them. It involves strategically selecting a jurisdiction most conducive to achieving the objective of incapacitating the adversary. By carefully choosing the appropriate legal arena, one can secure a conviction, even on a weak or unsubstantiated accusation, due to the advantageous conditions prevailing in that jurisdiction.[20] In order to destroy the enemy, the right 'battlefield' is chosen where, under favourable circumstances, one can be convicted with finality, even on a flimsy charge.

Another tactic related to geography, which is included in the concept of forum shopping, is the practice of so-called "libel tourism". This means choosing a country that is biased against the accused, thus presumably accepting the accusation and not demanding detailed evidence. This is a case of manipulation of this jurisdiction, where a state is sought not in a specific forum but under universal jurisdiction in general.[21] In this case, international law is therefore applied in national fora, but in the hope that the state's involvement in question will lead its courts or authorities to take a more stringent decision or a more favourable decision to the initiator. In this way, because of the universal jurisdiction of the courts in cases of international law and specific crimes, criminal proceedings are not brought before the International Criminal Court but before the court of a deliberately chosen State on the pretext of alleged war crimes. Universal jurisdiction is a legal principle that enables states to assert criminal jurisdiction over individuals suspected of committing crimes, irrespective of the location where the alleged offence took place or the nationality of the accused. Suppose the accusations are manifestly unfounded and are deliberately brought against the suspect by the authorities of a hostile country. There are also examples of the reverse, where international legal protection can be invoked before domestic courts.[22] In jurisdictions where defamation tourism occurs frequently, it is common for the defendant to bear the burden of establishing their own innocence.

The legal challenges of doxing: Domestic criminal law implications

Doxing is the deliberate disclosure of personally identifying information about an individual or organisation, commonly executed via online platforms. The process entails consolidating and disseminating confidential data acquired from diverse origins or by unauthorised or illegal techniques. The term doxing has a terrible reputation because it aims to invade privacy and harm by exposing the personal data of individuals or groups without their consent.[23] Those who engage in doxing may use strategies such as variants of harassment, extortion, deceptive online registration, unauthorised access to email or dating app accounts, or the delivery of an unsolicited food. Doxing is a widely seen strategy in

---

[20] CHADE 2022.
[21] ROBERTSON–NICOL 2007: 127.
[22] KITTRIE 2016: 31–34.
[23] LEVER 2021; FLEWELLING 2023.

the realm of online harassment, which has been utilised in contentious circumstances such as the Covid-19 vaccine debates. This practice significantly harms individuals' privacy, safety and overall welfare. Efforts should be undertaken to mitigate and proactively deter deleterious internet behaviours.[24]

As individuals increasingly disclose more significant and intimate portions of personal information on the internet and certain governments gain extensive authority over online platforms, doxing may be employed to identify and target specific groups. The legal prohibition of expressive actions presents a vague structure for addressing the practice of doxing, which entails the targeted online harassment of non-public figures, perhaps resulting in actual physical damage. This reflects the field of domestic criminal law, as well as surrounding the topic of domestic terrorism.[25]

The prevalence of states engaging in doxing is relatively low, albeit not entirely absent. The most appropriate remedy would be to criminalise doxing to incite war crimes. However, it seems likely that individual criminal responsibility can only be established when the incited crimes are committed. A government stands accused of engaging in the practice of doxing, which involves the public disclosure of personal information about individuals.[26]

Baseless accusations and unfounded lawsuits

In contemporary times, lawfare strategies encompass the utilisation of unfounded and forceful legal actions, such as defamation and hate speech lawsuits, targeting individuals such as authors, politicians, media figures and even cartoonists who exhibit courage in expressing their views or employing satire pertaining to matters of national security or public concern. Lawfare includes legal actions, such as workplace harassment lawsuits, directed towards counterterrorism professionals who engage in discussions regarding radical Islam, aiming to suppress individuals who express critical views on Islam. These legal proceedings may also encompass private legal connections, diminishing one of the defining attributes of lawfare, namely its distinctiveness in public international law.[27] The prevailing standard also in Brazil necessitates that, apart from the essential explication of the act that constitutes the offence, a legal fact must encompass the circumstances that substantiate the accusation brought forth by the prosecution. In compliance with legal requirements, the indictment serves the purpose of substantiating a criminal accusation by providing evidence to establish the occurrence of the alleged crime. In order to establish the veracity of the charges outlined in the indictment, it is imperative that the indictment is accompanied by precise elements that substantiate the defendant's real commission of the alleged offences. This is commonly referred to as establishing probable cause in legal terminology. The absence of a criminal offence in the circumstances of the indictment or

---

[24] MATHEWS 2014; FLEWELLING 2023.
[25] SHEHABAT–MITEW 2018: 81–99; FLEWELLING 2023.
[26] FLEWELLING 2023.
[27] AUST 2021: 301–307.

the non-involvement of the accused in its commission is deemed to be in violation of the law.[28] Several critics have described the handling of the Covid-19 pandemic in Brazil as deeply catastrophic. During the pandemic, the combination of neoliberal authoritarianism, scientific denial, and reliance on our purported abilities has resulted in a terrible situation for Brazil. Allegedly, the government has tried to discredit experts and professional critics.[29]

Inspecting pre-trial detention: Targeting accused individuals

Unjustified pre-trial detention refers to incarcerating individuals before they have been convicted of a crime without sufficient legal grounds or justification. Pre-trial detention can be seen as a legal measure that involves restricting an individual's freedom by the judiciary, specifically targeting individuals who have been accused of a crime but have not yet undergone a trial. Pre-trial confinement may alone be mandated according to explicitly delineated criteria. The order can only be requested when its implementation would render the case more challenging or unfeasible to establish or when it represents the sole means to avert the recurrence of an offence. The individual facing charges may be subjected to various restrictive measures that curtail personal liberty, such as physical restriction, criminal supervision, arrest and mandatory temporary treatment. If an offence is penalised by deprivation of liberty, coercive measures may be implemented when a person is suspected or charged. These measures are necessary to achieve the intended objective and cannot be accomplished through alternative methods. The general condition for the imposition, prolongation and maintenance of a coercive measure involving personal liberty with a judicial authorisation is that the presence of the suspect can only be ensured in this way because the suspect has absconded, attempted to abscond or is hiding from the court, prosecution or investigating authority (1), or there exist legitimate reasons to assert that he or she would abscond, hiding (2), the suspect has intimidated, unlawfully influenced, or destroyed, tampered with or concealed material evidence, electronic data or confiscated property in order to prevent the production of evidence (3), there exist legitimate reasons to assert that the suspect would compromise the production of evidence, in particular, to intimidate, unlawfully influence, destroy, falsify or conceal material evidence, electronic data or confiscated property (4), the suspect has continued to commit the offence in question after being questioned, or has been questioned as a suspect for a new intentional offence punishable by imprisonment committed after the suspect was questioned (5), there exist legitimate reasons for arguing that the suspect would commit the attempted or prepared offence, would continue the offence which is the subject of the proceedings or would commit a new offence punishable by imprisonment (6). In cases where these components are lacking, the objective of interim detention might be to impose punitive measures or compel cooperation from the detained individual. Excessive confinement can potentially

---

[28]   MEIRELLES 2020: 127–144; ZUGAIBE 2019; CUTRUPI FERREIRA 2020: 202–222.
[29]   ORTEGA–ORSINI 2020: 1257–1277.

be regarded as a manifestation of torture. Furthermore, the utilisation of torture not only compromises the reliability of any evidence derived from "confessions", but it has been widely acknowledged for ages that individuals exposed to torture are inclined to provide false information to halt the torment inflicted upon them. A noteworthy indication arises when an individual, after pre-trial imprisonment, is promptly released once more. The expeditious dissolution of the grounds for pre-trial detention is challenging to conceive. In certain countries, the unique purpose of incarceration is disregarded, leading to its use to infringe upon the rights of defendants and coerce them into cooperation and the extraction of confessions.[30]

Overcharging as a tool of coercion: Forcing guilty pleas

In the majority of criminal cases, the public prosecutor's office conducts the prosecution since it assumes the role of the prosecuting entity. In certain instances, the aggrieved party may assume the role of the prosecuting entity, as exemplified by private prosecution and private surrogate prosecution. Following the initiation of legal proceedings, the case proceeds to the trial phase. The initial step taken by the court is to arrange a preparatory hearing, wherein the prosecution, the accused and the defence are all asked to attend. During the preparatory hearing, the accused can provide a confession and forgo additional evidence, potentially resulting in immediate sentencing. In the event that this occurrence does not transpire, the court will proceed to schedule a trial, whereby the presentation and examination of evidence will occur.[31]

In criminal proceedings, the prosecution may use overcharging, known as "overcharging", to ensure that the accused is pressured. Criminal law doctrine defines overcharging in two ways: vertically and horizontally. Vertical overcharging is when the charge is more severe than what happened. For example, when the accused is asked to pay a penalty that is so severe that the offence does not justify it. Horizontal overcharge, on the other hand, refers to when an offence is charged for several offences. This can be the case when one offence is charged with corruption, money laundering, negligence, misappropriation and embezzlement. Prosecutors then play on the fear of excessive punishment. Overcharging becomes the prosecutors' primary tactic to force the accused to confess to the less threatening crime in the criminal proceedings. Prosecutors set the bar by overcharging and then prosecuting the defendant in court for a correct or lenient sentence, giving the defence the impression that they have achieved victory.[32] This can also result in the accused pleading guilty to crimes he did not commit in exchange for benefits. Under this logic, the defendant accepts a predetermined, supposedly less severe plea bargain to escape punishment that corresponds to the facts initially alleged in the indictment. Some criminal lawyers describe what might happen to informants and defendants when a criminal case

---

[30] MARTINS et al. 2021: 47–52.
[31] HEINZE–FYFE 2019: 343–388; GOLOVKO 2020: 98–106.
[32] LIPPKE 2011: 31.

pressures them.[33] Sometimes, a businessman of public standing is accused in a criminal case, and the situation is emotionally distressing. He is afraid of prison, he is threatened without a plea and with coercive measures, he is pressured to lose his assets. His close friends fear his complicity and treat him with reservations. The media already presume his guilt and refer to him as a criminal. In the context of criminal prosecutions, instances of unwarranted accusations and excessive actions are more often than commonly perceived. It is imperative to bear in mind that instances of legal misconduct, which may transpire concerning those in the public eye, can similarly manifest in the lives of those who find themselves in more precarious circumstances. Consequently, the defence attorney must address instances of legal abuses and misapplications. The proper functioning of justice within democratic states necessitates this aspect.[34]

Negotiating with the prosecution: The role of self-denouncement

The objective of this approach is to enable companies to voluntarily disclose and report specific violations before the authorities become aware of any misconduct committed by their employees through alternative channels. By engaging in voluntary reporting, companies may have the opportunity to negotiate an agreement with the prosecution, potentially resulting in a reduced sentence. The self-denouncement approach serves as a mechanism to mitigate legal action against firms in cases where they proactively reveal their transgressions, demonstrate complete cooperation, and take appropriate efforts to rectify these violations. This strategy entails the implementation of reduced penalties for entities that willingly confess the offence, exhibit complete cooperation and acknowledge accountability for their actions.[35]

Indeed, self-denouncement and collaboration among corporations serve various purposes and mutually benefit both the private sector and prosecuting entities. Law enforcement authorities promote such conduct as it reduces their operational expenses.[36] One prominent issue pertains to the lack of ongoing judicial scrutiny that should be applied to this technique. Establishing transparency within the legitimate judicial process, accompanied by the presentation of counterarguments and a comprehensive defence, is of utmost importance in ensuring effective oversight of prosecutions. Applying judicial scrutiny is especially warranted in cases where a heavy penalty is deemed acceptable. This phenomenon can result in convictions without the requirement of stringent evidentiary standards.[37]

---

[33]   FRAGOSO 2018.
[34]   Migalhas s. a.
[35]   SCHORMAIR–GERLACH 2020: 475–493.
[36]   Migalhas s. a.
[37]   KENTON 2023.

Lawfare and obstruction of legal protection: Frightening legal professionals

Lawfare might be employed as a means to frighten legal professionals. Specifically, it is employed by autocratic governments who perceive lawyers as simply hired collaborators. One illustrative instance of employing the lawfare strategy is evident in the precarious and susceptible circumstances endured by the inmates held at Guantánamo. Individuals are occasionally apprehended without the presence of substantiating evidence of their involvement in criminal activities, afterwards enduring instances of torture and inhumane treatment. Government policies have regularly imposed barriers to hinder the provision of legal representation for detainees, thereby demonstrating a deliberate effort to undermine their entitlement to legal safeguards. This objective was accomplished by implementing a restriction that prohibits solicitors from engaging in "disclosing confidential information" to their clients. Indeed, this material was not clandestine but rather vital for the defence, namely as to the rationale behind the apprehension. The lack of presence failed to develop a foundation of confidence between the legal representatives and the individuals under suspicion. Furthermore, the inmates were deprived of the opportunity to use telephones, and the authorities frequently intercepted any local mail that experienced significant delays. Hence, the preparation of the accused's case was hindered by practical challenges and the client's lack of confidence, thereby impeding the attainment of a successful defence.[38]

Based on the 2016 comprehensive report by the *United Nations Special Rapporteur on the Independence of Judges and Lawyers*, there is a pressing need for a renewed dedication to upholding the fundamental tenets of independent and impartial justice. To realise these promises, it is imperative that all relevant parties, including political figures, judicial members, prosecutors and civil society leaders, maintain a comprehensive understanding of the significance of attorneys within a democratic framework. For legal practitioners to fulfil their professional responsibilities with efficacy, they must be safeguarded by the due process rights ensured by domestic and international norms. Additionally, they must be able to operate without undue influence from the judges, prosecutors and the media. In order to ensure the equitable and efficient dispensation of justice, legal practitioners must be able to do their duties without coercion or intimidation. Individuals must uphold and protect their autonomy, recognising their pivotal responsibility in ensuring the preservation of the fundamental rights of the populace.[39]

Strategic lawsuits against public participation

This behaviour encompasses detrimental instances of using the privilege to initiate legal proceedings. Strategic lawsuits against public participation (SLAPP) refer to legal actions initiated by organisations and people to curb fundamental rights. These lawsuits are characterised by their protracted nature, lack of merit and substantial financial burden,

---

[38] HANDMAKER 2020; BOT 2019: 421–445.
[39] KEITH et al. 2009: 644–660; GARCÍA-SAYÁN 2017.

primarily in the civil and criminal domains. Their ultimate objective is to stifle the voices of journalists, critics and professionals. One issue with this litigation is its potential to impede the enjoyment of fundamental rights, undermining its underlying principles and operations.[40]

In South America, judiciary members have brought several legal actions against social networks, journalists and bloggers who have expressed their opposition to the law. They have seized assets or imposed heavy fines, severely violating freedom of expression. The semiotic definition of lawfare also highlights the importance of media involvement. In the semiotic interpretation, lawfare is a weapon aimed at destroying the enemy through the use and abuse of law and the media to incite and mislead public opinion.[41] The weapon used is the rule of law, which was not initially created to silence the innocent but to restrain authoritarians and criminals. Ironically, it is precisely this rule of law in which the law can even be used to restrict fundamental rights.[42]

Media, corruption and public perception: Analysing scandal-mongering

Throughout history, using war propaganda to advocate for the annihilation of the adversary has been a longstanding occurrence in times of armed conflict. During periods of peace, the efficacy of war propaganda is in its ability to substitute the concept of a destructive adversary with an alternative entity that can captivate the attention of the populace and media, eliciting a sense of outrage. During periods of peace, corruption emerges as a prevalent phenomenon.[43]

The criminal proceedings involving those engaged in corrupt activities exert a significant influence and possess a remarkable ability to garner support from both the media and the general populace. The enactment and subsequent scrutiny of anti-corruption legislation can give rise to significant media spectacles, potentially eroding the accused individuals' social reputation, privacy and financial stability.[44]

Corruption is brought to public attention and becomes a subject of scandal through media coverage, specifically through the programming conducted by media outlets. The media disseminates information regarding a corruption case, transforming it into a theatrical production complete with narratives, main characters and supporting cast members. This is the genesis of the scandal. A scandal is a phenomenon constructed by the media, characterised by a singular narrative, accompanied by a distinctive label, and encompassing much information, statements, anecdotes, documents and legal actions.[45]

---

[40]   Mirocha 2019: 76–93; Petruska 2022a: 1–12; Petruska 2022b: 1–16.
[41]   Tiefenbrun 2010: 29.
[42]   Vegh Weis 2023: 909–933.
[43]   Forest 2021: 13–33; Mutonyi 2021: 3001–3010.
[44]   Breit 2010: 619–635.
[45]   Jain 2001: 71–121; Schultz–Søreide 2008: 516–536.

The role of the media in public perception: A key aspect of legal warfare

The media and the internet significantly support legal warfare beyond their traditional function as mediators. This refers to the assistance offered by the media or specific segments of the media using diverse, sophisticated communication methods.[46] The objective is to optimise the tactical utilisation of legal mechanisms in order to exert influence over the adversary. The media has the potential to establish a context that validates the utilisation of lawfare by displaying a predisposition towards the guilt of the adversary, rather than their innocence. Lawfare can potentially lead to the unjust condemnation of individuals without substantial proof, as well as the mobilisation of public opinion to seek official intervention from society.[47] The media has the potential to augment the efficacy of legal instruments by serving as a conduit for various functions such as shaping public opinion and gauging public sentiment.[48]

Conclusions

The primary objective of this article was to demonstrate how, within the framework of promoting the elimination of war, terrorism, corruption, crime and numerous other unpleasant phenomena, individuals can inadvertently face persecution and experience limitations on their rights through the utilisation of legal mechanisms.

It is evident from the present study that lawfare is a matter of considerable importance, thus warranting substantial and meticulous consideration. The author expresses their anticipation that this study would make a valuable contribution towards exposing the alarming phenomenon wherein the law transforms from being a tool for democracy and the rule of law to an adversary of these principles. Many legal professionals typically associate the term "lawfare" with its use in international law and defence, overlooking its relevance to private law disputes as a form of legal warfare. There are other grounds for the author's rejection of this method. Lawfare refers to a defined set of practices encompassing a strategic use of the law, either directly or indirectly, to undermine, inflict harm against, or dismantle an opposing party to delegitimise their position.[49] It can be applied in public law and, as shown in this article, already in private and criminal law.[50]

---

[46] Caled–Silva 2022: 123–159.
[47] Caled–Silva 2022: 123–159.
[48] Caled–Silva 2022: 123–159; Breit 2010: 619–635.
[49] Petruska 2021: 97–106; Petruska–Vikman 2021: 1–18.
[50] Martins 2010.

References

Aust, Helmut Philipp (2021): Abuse of Rights: From Roman Law to International Law? Comments on the Contribution by Andrea Faraci and Luigi Lonardo. In Baade, Björnstjern – Burchardt, Dana – Feihle, Prisca – Köppen, Alicia – Mührel, Linus – Riemer, Lena – Schäfer, Raphael (eds.): *Cynical International Law? Abuse and Circumvention in Public International and European Law.* Berlin–Heidelberg: Springer. 301–307. Online: https://doi.org/10.1007/978-3-662-62128-8_17

Block-Lieb, Susan (2018): Reaching to Restructure Across Borders (Without Over-Reaching), Even after Brexit. *American Bankruptcy Law Journal,* 92(1), 1–52.

Bot, Michiel (2019): The Right to Boycott: BDS, Law, and Politics in a Global Context. *Transnational Legal Theory,* 10(3–4), 421–445. Online: https://doi.org/10.1080/20414005.2019.1672134

Breit, Eric (2010): On the (Re)Construction of Corruption in the Media: A Critical Discursive Approach. *Journal of Business Ethics,* 92(4), 619–635. Online: https://doi.org/10.1007/s10551-009-0177-y

Caled, Danielle – Silva, Mário J. (2022): Digital Media and Misinformation: An Outlook on Multidisciplinary Strategies against Manipulation. *Journal of Computational Social Science,* 5(1), 123–159. Online: https://doi.org/10.1007/s42001-021-00118-8

Carr, Jeffrey (2012): *Inside Cyber Warfare. Mapping the Cyber Underworld.* Newton, Mass.: O'Reilly Media.

Chade, Jamil (2022): Comitê da ONU conclui que Moro foi parcial e dá vitória para Lula. *UOL,* 27 April 2022. Online: https://noticias.uol.com.br/colunas/jamil-chade/2022/04/27/comite-da-onu-conclui-que-moro-foi-parcial-e-da-vitoria-para-lula.htm

Clausewitz, Carl von (1989): *On War.* Edited and translated by Michael Howard and Peter Paret. Princeton: Princeton University Press.

Cutrupi Ferreira, Carolina (2020): Los Tribunales de Cuentas van a la cárcel: gestión de recursos públicos para garantizar los derechos de las personas recluidas [Courts of Accounts Go to Prison: Administration of Public Resources in Securing Prisoners' Rights]. *Estudios de Derecho,* 78(171), 202–222. Online: https://doi.org/10.17533/udea.esde.v78n171a08

Fletcher, Laurel E. – Weinstein, Harvey M. (2002): Violence and Social Repair: Rethinking the Contribution of Justice to Reconciliation. *Human Rights Quarterly,* 24(3), 573–639. Online: https://doi.org/10.1353/hrq.2002.0033

Flewelling, Riley (2023): Not Just Words: Grappling with the Doxing of Civilians in War. *Center on Law, Ethics and National Security, Essay Series,* (19). Online: https://sites.duke.edu/lawfire/files/2023/07/R.-Flewelling-Essay-7.25.23.pdf

Forest, James (2021): Political Warfare and Propaganda An Introduction. *Journal of Advanced Military Studies,* 12(1), 13–33. Online: https://doi.org/10.21140/mcuj.20211201001

Forgács, Balázs (2017): *Hadelmélet. A magyar katonai gondolkodás története és a hadikultúrák.* Budapest: Dialóg Campus.

Fragoso, Rodrigo (2018): Overcharging, a prática de exagerar nas acusações. *InfoMoney,* 16 August 2018. Online: www.infomoney.com.br/colunistas/crimes-financeiros/overcharging-a-pratica-de-exagerar-nas-acusacoes/

García-Sayán, Diego (2017): *Report of the Special Rapporteur on the Independence of Judges and Lawyers.* Online: https://typeset.io/papers/report-of-the-special-rapporteur-on-the-independence-of-29axsa9ukf

Goh, Gérardine Meishan (2007): *Dispute Settlement in International Space Law. A Multi-Door Courthouse for Outer Space.* Leiden: Martinus Nijhoff Publishers. Online: https://doi.org/10.1163/ej.9789004155459.i-408

Goldenziel, Jill I. (2020): Law as a Battlefield: The U.S., China, and Global Escalation of Lawfare. *Cornell Law Review,* 106(5), 1085–1171. Online: https://doi.org/10.2139/ssrn.3525442

Golovko, Irina I. (2020): The Prosecutor as a Subject of Prosecution in the Civil Procedural Order. *Ugolovnaya Yustitsiya,* (16), 98–106. Online: https://doi.org/10.17223/23088451/16/20

Handmaker, Jeff (2020): *Lawfare against Academics and the Potential of Legal Mobilization as Counterpower.* Online: https://doi.org/10.5040/9781350219922.ch-009

Heinze, Alexander – Fyfe, Shannon (2019): The Role of the Prosecutor. In Ambos, Kai –Duff, Antony – Roberts, Julian – Weigend, Thomas – Heinze, Alexander (eds.): *Core Concepts in Criminal Law and Criminal Justice.* Cambridge: Cambridge University Press. 343–388. Online: https://doi.org/10.1017/9781108649742.010

Jain, Arvind K (2001): Corruption: A Review. *Journal of Economic Surveys,* 15(1), 71–121. Online: https://doi.org/10.1111/1467-6419.00133

Jones, Craig A. (2016): Lawfare and the Juridification of Late Modern War. *Progress in Human Geography,* 40(2), 221–239. Online: https://doi.org/10.1177/0309132515572270

Keith, Linda Camp – Tate, C. Neal – Poe, Steven C. (2009): Is the Law a Mere Parchment Barrier to Human Rights Abuse? *The Journal of Politics,* 71(2), 644–660. Online: https://doi.org/10.1017/S0022381609090513

Kenton, Will (2023): What Is the Foreign Corrupt Practices Act (FCPA)? Antibribery Aim. *Investopedia,* 18 September 2023. Online: www.investopedia.com/terms/f/foreign-corrupt-practices-act.asp

Kirchheimer, Otto (2015): *Political Justice. The Use of Legal Procedure for Political Ends.* Princeton: Princeton University Press.

Kittrie, Orde F. (2016): *Lawfare. Law as a Weapon of War.* Oxford – New York: Oxford University Press. Online: https://doi.org/10.1093/acprof:oso/9780190263577.001.0001

Lever, Rob (2021): What Is Doxxing? *U.S. News & World Report,* 16 December 2021. Online: www.usnews.com/360-reviews/privacy/what-is-doxxing

Lippke, Richard L. (2011): *The Ethics of Plea Bargaining.* Oxford – New York: Oxford University Press. Online: https://doi.org/10.1093/acprof:oso/9780199641468.001.0001

Martins, Cristiano Zanin – Martins, Valeska Teixeira Zanin – Valim, Rafael (2021): *Lawfare. Waging War through Law.* Translated by Colleen Boland. London – New York: Routledge. Online: https://doi.org/10.4324/9781003158257

Martins, Mark (2010): Reflections on 'Lawfare' and Related Terms. *Lawfare,* 24 November 2010. Online: www.lawfareblog.com/reflections-lawfare-and-related-terms

Mathews, Roney S. (2014): *A Study of Doxing, Its Security Implications and Mitigation Strategies for Organizations.* Online: https://doi.org/10.7939/R3-NH05-7X95

Mazanec, Brian – Whyte, Christopher (2023): *Understanding Cyber Warfare. Politics, Policy and Strategy.* London: Routledge. Online: https://doi.org/10.4324/9781003246398

Meirelles, Karla Bárdio (2020): Juizado Especial Criminal: A Divergência Doutrinária Quanto Aos Efeitos Da Lei n. 9.099/95 No Processo Penal Brasileiro. *Atuação: Revista Jurídica Do Ministério Público Catarinense,* 15(33), 127–144.

Migalhas (s. a.): *Migalhas é o Maior e Mais Importante Veículo Jurídico Do Brasil.* Online: www.migalhas.com.br/

Mirocha, Łukasz (2019): Strategic Litigation: The Problem of Abuse of Law and Other Critiques. *Forum Prawnicze,* 53(3), 76–93. Online: https://doi.org/10.32082/fp.v3i53.211

Mutonyi, Gerald Peter (2021): Warpreneurship: War as a Business. *Path of Science,* 7(9), 3001–3010. Online: https://doi.org/10.22178/pos.74-11

Ortega, Francisco – Orsini, Michael (2020): Governing Covid-19 without Government in Brazil: Ignorance, Neoliberal Authoritarianism, and the Collapse of Public Health Leadership. *Global Public Health,* 15(9), 1257–1277. Online: https://doi.org/10.1080/17441692.2020.1795223

Petruska, Ferenc (2021): A lawfare fogalma. *Katonai Jogi és Hadijogi Szemle,* 9(3), 97–106. Online: https://hadijog.hu/megjelent-a-katonai-jogi-es-hadijogi-szemle-2021-3-szama/

Petruska, Ferenc (2022a): A lawfare tipológiája. *Védelmi-biztonsági Szabályozási és Kormányzástani Műhelytanulmányok,* (16), 1–12.

Petruska, Ferenc (2022b): A jogi hadviselés eszköztára. *Védelmi-biztonsági Szabályozási és Kormányzástani Műhelytanulmányok,* (17), 1–16.

Petruska, Ferenc – Vikman, László (2021): Egy formabontó hírszerzési nyilatkozat a jogi sérülékenységek szempontjából. *Military and Intelligence Cybersecurity Research Paper,* (4), 1–18. Online: https://hhk.uni-nke.hu/document/hhk-uni-nke-hu/4_2021_MIC_RP.pdf

Rechsteiner, Beat Walter (2019): *Direito internacional privado: teoria e prática.* São Paulo: Saraiva.

Ringe, Wolf-Georg (2020): Insolvency Forum Shopping, Revisited. In Lazić, Vesna – Stuij, Steven (eds.): *Recasting the Insolvency Regulation. Improvements and Missed Opportunities.* The Hague: T.M.C. Asser Press. 1–19. Online: https://doi.org/10.1007/978-94-6265-363-4_1

Robertson, Geoffrey – Nicol, Andrew G. L. (2007): *Media Law.* London: Sweet & Maxwell.

Rousseau, Kevin G. (2016): *The Influence of Law on Strategy.* Fort Leavenworth: U.S. Army Command and General Staff College.

Schormair, Maximilian J. L. – Gerlach, Lara M. (2020): Corporate Remediation of Human Rights Violations: A Restorative Justice Framework. *Journal of Business Ethics,* 167(3), 475–493. Online: https://doi.org/10.1007/s10551-019-04147-2

Schultz, Jessica – Søreide, Tina (2008): Corruption in Emergency Procurement. *Disasters,* 32(4), 516–536. Online: https://doi.org/10.1111/j.1467-7717.2008.01053.x

Shehabat, Ahmad – Mitew, Teodor (2018): Black-Boxing the Black Flag: Anonymous Sharing Platforms and ISIS Content Distribution Tactics. *Perspectives on Terrorism,* 12(1), 81–99. Online: www.jstor.org/stable/26343748

Sun Tzu (2006): *The Art of War.* Minneapolis: Filiquarian Publishing.

Suri, Noémi (2018): *Az európai öröklési rendelet eljárásjogi intézményeinek elemzése.* PhD thesis. Budapest: Pázmány Péter Katolikus Egyetem. Online: https://doi.org/10.15774/PPKE.JAK.2018.008

Tiefenbrun, Susan W. (2010): Semiotic Definition of Lawfare. *Case Western Reserve Journal of International Law,* 43(1), 29–60. Online: https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1142&context=jil

Vegh Weis, Valeria (2023): What Does *Lawfare* Mean in Latin America? A New Framework for Understanding the Criminalization of Progressive Political Leaders. *Punishment and Society,* 25(4), 909–933. Online: https://doi.org/10.1177/14624745221116348

Zaborovskyy, V. – Peresh, I. – Stoika, A. (2022): Concept of Non-Legal Disputes in Ukrainian Judicial Practice. *Uzhhorod National University Herald, Series: Law,* (69), 418–428. Online: https://doi.org/10.24144/2307-3322.2021.69.70

Zhenjie, Hu (2001): Forum Non Conveniens: An Unjustified Doctrine. *Netherlands International Law Review,* 48(2), 143–169. Online: https://doi.org/10.1017/S0165070X00001236

Zugaibe, Nathália Cassola (2019): *Valoração dos indícios nas decisões penais.* Mestrado em Direito Processual, Universidade de São Paulo. Online: https://doi.org/10.11606/D.2.2019.tde-16072020-182037

Zwiefka, Tadeusz (2010): *Report on the Implementation and Review of Council Regulation (EC) No 44/2001 on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters.* Online: www.europarl.europa.eu/doceo/document/A-7-2010-0219_EN.html

The Israeli Way of War: How Israel Would Wage a 'War for Existence' against a Peer Competitor

Zsolt CSEPREGI[1]

The study demonstrates the difference between contemporary Israeli military and national security operations under the 'Campaign between Wars' framework and the way Israel would wage a 'war for existence'. The paper first outlines Israeli military strategy and theory regarding an existential war, while aiming to show how Israel would use its military capabilities. The paper explains the most plausible scenario of a war between Israel and a peer competitor, namely Iran and its proxy network, and the question of using nuclear weapons. Finally, the study presents the potential effects of such war on Israel, its enemies and the region. The paper argues that the most important aspect of Israeli conventional and nuclear warfighting capabilities is that they provide such a robust deterrent that they make war extremely unlikely. However, Israeli deterrence is based on the firm belief that the preparation for the war for existence is the most significant national goal, thereby establishing Israel as a linchpin to the regional balance of power, as a regional great military power itself is incapable of becoming a regional hegemon while assertively balancing against any such contender.

Keywords: *Israel, military strategy, Middle East, Iran, balance of power*

Introduction

The Middle East has emerged in the post-Cold War order as one of the most instable regions, plagued with various security challenges. While terrorism, proxy conflicts and civil wars are constant factors, albeit to various degrees in all Middle Eastern states, conventional wars between regional states have not erupted since 1990, when Iraq attempted to integrate Kuwait through forceful annexation. Israel is one of the countries that is characterised by persistent security challenges, first and foremost terrorism, while it is also an active participant of an asymmetric conflict against Iran and its regional allies. The current situation of Israel cannot be directly compared to the historic examples of conventional warfighting against various coalitions of the surrounding Arab states. Israel, which is a regional military great power, has not waged a conventional war

---

[1] PhD student, Ludovika University of Public Service, Doctoral School of Military Sciences, e-mail: zsolt.jcpa@gmail.com

since 1973.[2] The paradox lies in the Israeli narrative of assuming a constant existential danger for which the state is planning and preparing, and the reality of the ongoing low intensity conflict fought against Iran and its proxy network, the so-called Campaign between Wars (CBW).

This paper aims at analysing the hypothetical Israeli 'war for existence', the ways in which Israel would use its weapon systems, conventional and non-conventional military capabilities against a peer-competitor, an emerging regional hegemon. This we will distinguish from CBW and describe as "the Israeli way of war", as it stands in 2023. What we can claim for certain is that the contemporary Israeli way of waging war against a peer competitor would be very different from the last such event in 1973, and it would be also different from the current military operations under the framework of the CBW. We must underline that the possibility of a war does not mean that it is inevitable. On the contrary, the lingering threat of Israeli warfighting capabilities create such deterrent power that, as we will demonstrate in this paper, no hostile party can rationally believe that there would be net benefits from directly challenging Israel's existence. However, the eruption of war is not always rational, miscalculations can occur on both sides, which can lead to Israel engaging in a military conflict perceived as a war for its existence. At that point, fighting an all-out war with Israel might be seen by the enemy a less costly endeavour than unilaterally backing down. That is why analysing the Israeli way of war is a vital research question to understand the balance of power and regional security dynamics in the Middle East. The paper does not directly analyse the Israel–Hamas War which has erupted as a result of the mass terrorist attack committed by Hamas on 7 October 2023, as Hamas is not itself a peer-competitor to Israel. While Israel has declared a state of war, it has done so mostly in a preventive manner and Israel is not fighting a war for existence as of 1 January 2024. Regardless, a short analysis will be provided in the section on war scenarios arguing why the 2023 war does not negate the reasoning of this paper.

The paper will first detail the relevant Israeli military and national security strategy on how Israel might wage a war for existence. It will briefly demonstrate that Israeli threat perception has a key role in its regional security role and deterrent power. The study identifies the main factors where aggravating threats might be perceived to tip over to endanger Israel's fundamental security, triggering war. The paper will list the most relevant weapon systems and abilities which would be utilised in a war for existence, both conventional and non-conventional. It will then outline the Israeli threat environment, focusing on the Iran-led "Axis of Resistance". Thirdly, the paper will present the likely scenario of Israel mobilising for an existential war against Iran and its proxies on multiple fronts, while also pondering the question of at what point Israel would consider using its nuclear armaments. Finally, the paper will analyse the potential effects of a war erupting between Israel and Iran, using it as a hypothetical case study for any war between Israel and a potential regional hegemon. It will also demonstrate that the effects would hinder any potential enemy in the Middle Eastern power competition to such a degree it makes

---

[2]   The paper has been written before 7 October 2023 and revised on 1 January 2024. I will briefly argue that what we call the Israel–Hamas War is a significant armed conflict, but it is well short of a conventional war or a war for existence which is the topic of this paper.

the eruption of an all-out war a case of fatal miscalculation. The paper concludes with the point that the Israeli way of war is itself a key anchor of the regional balance of power, that of regional stability, which, however, due to its nature as a systemic and all-out threat of armed force, can get out of hand and lead to grave destabilisation and damage to the Middle East and all surrounding regions.

The Israeli war for existence: Doctrine, capabilities and weapon systems

In order to understand how Israel would be engaged in conventional warfare, we must first analyse the relevant indications in its national security strategy. Doctrinal considerations are also indicative of the type of military operations that Israel would employ against a peer competitor, which can be an individual state, or more probably a coalition of states and/or non-state actors, including terrorist organisations. The most important distinction in the Israeli national security strategy is the triad of routine security situation, emergency and fundamental security.[3] Routine security encompasses a state of relative calm, while emergency means a situation in which the IDF needs to operate above routine levels, but short of a war, without the need for war mobilisation. These stages encompass all military and national security operations which aim at reducing disturbances between wars, while the level of fundamental security is triggered by a direct military challenge against the existence of the state, and, according to the IDF Strategy, it remains the "guiding compass" of IDF preparation.[4] A state of war can erupt through the initiation of a conventional war, mass ballistic missile strikes, or a nuclear strike. Israel would not wage war when it believes that the level of security challenges stays at the routine security level. If it, however, perceived that its fundamental security might be challenged, it would create a tipping point where Israel would unleash its warfighting capabilities under the concept of the 'war for existence'. It is important to highlight the vital role that the notion of fighting for existence plays in the Israeli society, as well as political and military thinking. Israeli decision makers operate under the assumption that Israel is a constantly threatened state, informed by the tragedies of the millennia of Jewish history and the threats that modern Israel has had to face since its independence.[5] This unique threat perception means that, once fundamental security considerations are triggered, the Israeli military stance and their guiding political considerations would focus on the sole requirement of cancelling the existential threat.

Israeli military strategy is based on three plus one pillars; that is, early warning, deterrence, decisive victory and defence.[6] The logic behind this is that Israel, as a small state, intends to delay war through deterrence, while constantly monitoring the threat environment to receive as early indication as possible of an upcoming armed aggression.

---

[3] IDF Strategy 2018: 12–13.
[4] IDF Strategy 2018: 13.
[5] Barak–Sheffer 2013: 1.
[6] Eizenkot–Siboni 2019: 33–38.

Once this indication arrives, Israel aims at pre-emptive strikes to disable the enemy and move the fighting to enemy territory,[7] to safeguard its home front. Israel cannot wage conventional war for a long time without exhausting its resources. Rapid decisive victory is pursued to conclude the fighting on terms favourable to Israel. This entails taking away the enemy's ability and the will to threaten Israel, and return to a relative calm, back to the routine security stage. Defence, as a fourth pillar, has been enshrined in Israel military doctrine as a response to the growing threat of ballistic missiles and recently unmanned aerial vehicles striking the home front. Unlike the conventional wars of Israel's early decades, the enemy can indeed circumvent the Israeli armed forces without breakthrough or achieving air superiority. In addition, it can wage direct attacks on the Israeli population to a greater degree than before. These four basic considerations will be re-examined in detail during the war scenario analysis of this paper. Here, it is sufficient to underline that the traditional military doctrine of Israel is a defensive strategy built on offensive execution.

After signing a peace treaty with Egypt in 1979, conventional methods of achieving decisive victory by the Israeli armed forces against their remaining enemies have become an elusive option. The age of mass armoured pushes into enemy territory, surrounding their forces and using occupied territory to negotiate armistice, or even peace, fell out of favour as non-state entities and hybrid terrorist organisations (Hamas and Hezbollah) became the main threats to Israel. In the emerging age of asymmetric conflicts, the Israeli armed forces became wary of capturing territory on the scale that it did in the Arab–Israeli wars, and it was instead utilising precision fire to destroy enemy forces and equipment in order to negate their ability to present a threat.[8] This shift has been highly criticised by many in the Israeli security sector, and finding a new balance has been an issue at least since the nineties. This, however, has been hypothetical, as there was no state in the Middle East that had the will and the capability to present a fundamental security challenge to Israel against which ground manoeuvre warfare was needed. This is gradually changing with Iran's ongoing nuclear programme. Israel fears that Teheran will eventually possess nuclear weapons, and in combination with its proxy network and substantial state capabilities it can emerge as a regional hegemon. The threat was already identified by the Meridor Commission that aimed to revise Israeli national security strategy in 2008, calling for a new balance between captioning territory through manoeuvre warfare and achieving decisive victory, precision fire and defensive capabilities.[9]

While new military capabilities were under development guided by the 2018 IDF Strategy and the various army development programs, Israel has been engaged in delaying the rise of Iran and its proxies through waging the Campaign between Wars (CBW).[10] CBW involves, on the one hand kinetic, precision strikes against Iranian, Syrian and Hezbollah assets. These include launch sites, missile depots, and other weapon systems and bases. It also involves targeted killings and cyberattacks mainly against the Iranian

---

[7]   IDF Strategy 2018: 20.
[8]   Eilam 2023: 1.
[9]   Meridor–Eldadi 2019: 52.
[10]   Freilich 2018: 225.

nuclear program. The goal of CBW is not to defeat Iran but to delay any threat to Israel's fundamental security, deter its enemies and to create more favourable conditions for any eventual armed conflict. CBW is a gradual, methodical way of a series of strikes and it presents certain aspects of where Israeli warfighting capabilities are currently at; however, it does not provide an accurate picture of how Israel would fight a war for existence. Most importantly the CBW does not have any intention of achieving decisive victory, the fundamental aspect of overall Israeli military strategy. It does directly contribute to early warning through monitoring enemy assets and buildup and it also supports deterrence and defence through the kinetic strikes and cyberattacks. We must therefore look for the Israeli way of war where CBW does not extend, namely the intention of achieving decisive victory and the role of manoeuvre warfare, capturing territory, the role of mass application of precise firepower and nuclear weapons.

Table 1: Roads to war: Israeli security stance and types of threats

Israel security stance	Triggering action
Fundamental security threatened – 'War for existence'	Mass missile barrage / mass and incursion / nuclear strike/threat against Israel
Emergency situation – 'Rounds of conflict'	Limited missile barrage / limited incursion against Israel
Routine security situation – 'Relative calm'	Baseline situation in the conflict countered by Israel through the Campaign between Wars (CBW) and counterterror operations

Source: Compiled by the author.

Before turning to these issues, we will shortly detail the assets Israel can rely on in an eventual war for existence. Again, some weapon systems are already employed regularly during the CBW, but as we pointed out, contemporary military operations are just the tip of the iceberg of Israeli military capabilities. In case of a war, Israel can rely on substantial conventional forces in all domains and nuclear armaments as well. The Israel Defense Forces (IDF) is built on a three-tier structure, a strong, but relatively small professional core, the male and female conscripts serving on duty, and a large group of reservist forces. A theoretical fourth tier can also be imagined in case of a total war, as the former conscripts already exempt from reservist service. The standing Israeli peacetime army of 169,000 soldiers can be supplemented by 465,000 reservists and another hundreds of thousands to defend the home front in case the regular army would be defeated and breached. Due to the asymmetry in the available manpower of Israel and its enemies, the Israeli leadership has traditionally viewed its fight as a "war of the few against the many" and aimed to counter this asymmetry with an advantage in quality, including training, strategy, weaponry and advanced technology.[11] Without going into details regarding all military equipment of the IDF, just to demonstrate its conventional capabilities, it is worthwhile to note that it possesses 400 Merkava IV main battle tanks, with an additional 900 Merkava III and IV in storage, also approximately 7,500 armoured personnel carriers

---

[11]   Finkel–Friedman 2021: 47.

are available to the land forces.[12] These enable mechanised warfare on a grand scale, especially compared to the relatively limited ground territory the war would be waged upon which we will detail in the chapter regarding the war scenarios. Alongside the land forces, the war would be greatly supported by aerial, naval and ballistic missile forces, relying on the more than 300 advanced fighters and fighter-bombers, including a F-35I fleet working in a networked tandem with the F-15 and F-16 fleet, and the German-made navy assets of frigates and submarines, enabling control of the Mediterranean (unless that enemy would be Turkey) and denying access to the Red Sea by its enemies.

Here we have only listed capabilities possessed and, in many cases, indigenously built by Israel, we will mention potential involvement of partner nations and non-state actors during the scenarios part. The reason for this is that while other actors might aid Israel in a war for existence, Israel will plan with the possibility of fighting for its survival alone.[13] The upper tier of escalation in the case of Israel is based on the understanding of the international community that Israel possesses nuclear weapons, and it is able to deliver them through surface-to-surface, air-to-surface missiles and also from its modified Dolphin submarines.[14] This nuclear triad and Israel's estimated 80 nuclear warheads enable it to launch a first strike in case of a conventional military defeat and in effect destroy any state apart from the U.S., Russia, China and India. The submarine fleet believed to be capable to launch nuclear strikes on an enemy state also means that Israel possesses the limited means to deliver a second strike after the country is destroyed in a hypothetical nuclear strike by an enemy. All the above means that Israel possesses the capabilities on the one hand to wage mechanised warfare on its enemies, has multiple advanced methods of employing precise firepower both close and far from its borders, while maintaining the threat of using nuclear weapons if these conventional capabilities would prove insufficient in a war for existence.

Threat landscape of Israel

While contemplating an Israeli war for existence against a peer competitor might seem like a hypothetical exercise, it is undoubtable that the first twenty-five years of the history of modern Israel was full of such challenges. From the Israeli War of Independence through the Six Day War and the Yom Kippur War, all had the potential to end the Israeli state, not to speak of all the potential wars Israeli (and U.S.) deterrence has pre-empted. During the Arab–Israeli wars, with the leadership of Egypt, various coalitions of neighbouring states aimed at ejecting the young Jewish state from the heart of the Middle East. These conventional wars were supplemented by asymmetric challenges, exemplified by the Palestinian fedayeen militias and Egypt's War on Attrition against Israeli forces occupying the Sinai. However, the age of Arab coalitions against Israel came to an end with the peace treaty with Egypt in 1979 and nor Iraq nor Syria was able and/or willing

---

[12]   The International Institute for Strategic Studies 2022: 347.
[13]   AMIDROR 2021: 25.
[14]   SIPRI 2020: 375–377.

to take over the mantle of leading the fight against Israel, at least not in conventional terms. After 1991 and the collapse of the Soviet Union, the former Arab Socialist regimes lacked the necessary support to pose a credible existential threat to Israel.[15] The threat of terrorism and asymmetric conflict became the focus of Israeli national security strategy as it seemed that mechanised warfare against coalition of states is if not impossible, but surely implausible in the near and mid-term.

The significant change in the Middle Eastern balance of power (or rather the undoing of it) came with the U.S. invasions on Afghanistan (2001) and Iraq (2003), which promised a new, democratic, more secure region. The Iranian regime however first feared that it would be the target of the West's regime change aspirations, in line with neoconservative stream of U.S. foreign policy. Instead of a democratic Middle East both nation building projects turned out to be transformative in a different sense, as they indeed transformed the U.S. will to engage in such an undertaking in the future and contributed to its (relative) disengagement from the Middle East. Iran gained both a motivating reason and a way to extend its influence westwards to the Mediterranean after Saddam Hussein's Iraq was not an obstacle anymore.[16] Teheran could rely on Shia forces in Iraq, the Assad regime in Syria and Hezbollah in Lebanon. This "Axis of Resistance" was supplemented in the south with the Houthis in Yemen, creating a revisionist camp of state and non-state forces, against the status quo states partnering with the U.S.[17] In 2010, another upheaval further complicated Middle Eastern fault lines by elevating political Islam to leadership position in various countries, and initiating civil wars in other, leading to power vacuum and instability. The civil wars in Yemen, Syria and Libya also enabled greater regional competition between the great powers, both regional and global and the emergence of a radical violent form of Jihadism, the Islamic State. While after more than a decade of upheaval, the regional players achieved a degree of détente by 2023, the Middle East is still a highly fractured and contested environment, with an Iran-led revisionist bloc competing against status quo powers, including Israel, and a conservative Sunni camp fighting off the challenge of various versions of political Islam, ranging from the Muslim Brotherhood aligned groups to the extremes of Jihadism.

All these changes had significant consequences on the Israeli security environment raising the possibility of the need to fight a war for existence. Israel is a steady member of the status quo camp of countries, in strong partnership with the U.S., which as an offshore balancer utilises Israeli abilities and deterrence to contribute to the balance of power in the Middle East. Israel is one of the "four plus one" great powers in the region, alongside Iran, Turkey, Saudi Arabia and Egypt as a slumbering giant.[18] However, Israel is the only great power which is not a potential regional hegemon, due to its relatively small territory and population and most importantly its dominant Jewish ethnoreligious character setting it apart from the predominantly Muslim neighbours. This dual nature, however, does not give it a pass on the regional competition, as it is the prime object of

---

[15]   IDF Strategy 2018: 6.
[16]   Harrison 2018: 10.
[17]   Steinberg 2021: 5–6.
[18]   Krasna–Meladze 2021: 6.

revisionist ambitions both from the Iranian camp and the Sunni Jihadist groups. There are four main, interlinked reasons for this. The first is that Israel exemplifies the grievances of those groups which aim at disbanding the U.S.-led Middle Eastern order and its regional allies. Secondly, Israel is also the sole non-Muslim majority state in the Middle East, and its Jewish character makes it a natural enemy to radical Islam. Thirdly the Israeli–Palestinian conflict creates both a real grievance for many and a useful propaganda tool for revisionist powers to mask their hegemonic aspirations. Fourthly, Israel as a military great power can deter its enemies from conventional attacks and defend itself, enforce the balance of power its enemies so much detest, which adds insult to injury, making it one of the keys of unlocking the current status quo.

According to the Israeli political and military leadership and the security sector, the main and currently only potential threat to Israel's existence is presented by Iran and the members of its axis.[19] This threat is unlike the former, conventional threat of Egyptian, Syrian and Iraqi mechanised brigades storming through Israel's borders and destroying the country, killing and expulsing its population. Iran possesses a set of symmetric and mostly asymmetric capabilities, either by itself or through its regional allies, which in combination provide it a near-peer set of power to Israel.[20] We must also note that Israel and Iran themselves are also similar in terms of defence expenditure.[21] Iran can rely on three main categories of sources of military power. The first is its own armed forces, its army which is focusing on the defence of Iranian territory and the Islamic Republican Guard Corps (IRGC) with a much larger set of responsibilities, which include ballistic missile development, expeditionary forces and the Iranian nuclear program.[22] Iran's proxies include the Assad regime, which, although much weakened by more than a decade of the Syrian Civil War, still possesses the capabilities of a regular armed state. Down in the hierarchy Iran can rely on the Hezbollah, which is the strongest in presenting a threat of missiles on Israel and possesses significant irregular warfare capabilities.[23] We must note, however, that a large percentage of Hezbollah's forces are bogged down in the Syrian Civil War. Iran also has Shia militias operating in Iraq and Syria, based on the Hezbollah model; however, these organisations are in much earlier stages in their development, and serve local roles in maintaining Iranian influence across the Shia Arch. Finally, there are several terrorist organisations which received support from Teheran and are expected to coordinate with it in case of an armed conflict against Israel, including the Palestinian Islamic Jihad in the Gaza Strip and Hamas, which is of doubtful usefulness to Iran. As with Hamas, apart from the Iranian army and the IRGC, Teheran cannot be sure that its proxies would join it in case of Israel waging a war for existence as these organisations have several options across a spectrum in case war erupts.

The Israeli security sector is also monitoring other challenges which might emerge in the future as a threat to Israel's existence; however, only Iran has the necessary combination of capabilities and the will to mount an attack on Israel. Countries such as

---

19   IDF Strategy 2018: 16.
20   McKenzie 2023: 2.
21   Rome 2023: 10.
22   Orion 2021: 4.
23   Lappin 2021a: 2.

Turkey have the capability theoretically but have not manifested any such intentions to present an existential risk, other lesser parties might have the intention but do not have the resources to challenge Israel. It is worthwhile to point out that it is often debated how credible are on the one hand Iranian threats to Israel and on the other what would Iranian capabilities amount to during a war. These are important factors to consider; however, the basic argument is not affected by these, the Israeli security sector will take any threats from a near-peer competitor on face value, and it will operate under the assumption that Iran can efficiently employ the maximum amount of armed force, symmetric and asymmetric in a hypothetical war situation with Israel. The key here is that Israeli threat perception and realities of the Middle East do not permit any naïve assumptions. Therefore, Israel is operating under the assumption that a war for existence might be forthcoming regardless of any delaying military operations under the CBW and it must be ready for it.

Scenarios for warfighting

To analyse the hypothetical war between Israel and a peer power, we are going to use the most plausible scenario which is a war erupting between Israel and Iran with all or some of its proxies. It is implausible that Iran could wage any significant kind of armed conflict against Israel without the support and integrated action of its proxies as the two countries are separated by more than 900 kilometres. Furthermore, in case for some reason Iran could not rely on the backing of its proxies through Iraq, Syria, Lebanon, that would mean that its western security buffer area has collapsed, and it would have much graver security concerns than waging a war against Israel and aiming at regional hegemony. Therefore we (and the Israeli high command) must assume that Iran and its proxy network are going to wage a coordinated war against Israel. We will analyse this war in three stages, the conditions of its possible eruption, the main factors in its conduct on both sides and finally the potential outcomes in the political and security spheres.

As we have seen in the previous conflicts Israel has participated in, the escalation can happen very rapidly, in mere hours, but the situation can also fluctuate through days. However, as we have only witnessed rounds of conflict, reaching the level of an 'emergency situation' involving Israel and Hezbollah or Hamas and the Palestinian Islamic Jihad we do not have evidence of the 'final step' of engaging in a war with a peer power, this aspect we will need to theorise. The baseline security situation is not peace, but a sporadic cycle of violence, with terrorist, mortar and rocket attacks on Israel and Israeli counterterrorist operations, targeted killings and missile strikes as part of the CBW on targets mostly in Syria.[24] Therefore, the shift to a war would occur when a 'usual' military operation on any side would trigger such a response on the other side which would trigger a rapid escalation and the stepping in of more actors on the Iranian side. The eruption of a war can occur through four paths, which are 1. a significant land based aggression; 2. mass missile attack against Israel; 3. Israeli pre-emptive attack on Iranian nuclear installations; 4. a hypothetical nuclear exchange. Apart from the last one, neither would immediately

---

[24] KADURI 2023.

lead to Israel shifting to a war for existence stance, the question would be the scope of the initial aggression and how the other types of military operations and actors would step into the escalation cycle. As a massive land-based attack on Israel seems highly improbable, the two most plausible triggers would be either a multifront missile barrage on Israel or Israel pre-emptively launching a war based on assuming such a barrage most probably in parallel of a strike against Iranian nuclear installations. It is unlikely that Israel would react to a series of missile attacks immediately with launching a nuclear attack on its enemies, unless it is attacked by nuclear weapons, or such an attack is imminent.

An Israeli war for existence would therefore most probably start with a massive missile attack from multiple directions, including Lebanon, the Gaza Strip, Syria, and potentially Iran and Iraq as well.[25] Israel would need first cope with the first hours of hundreds if not thousands of different types of rockets, missiles and artillery strikes, and it would not have a chance to destroy them completely before impact on its territory.[26] The attack can be supplemented by limited incursion into Israeli territory, again from multiple directions. These enemy troops would have very different capabilities, on a spectrum from Hamas or Palestinian Islamic Jihad guerrillas through Hezbollah and other Shia militia forces to potentially Syrian regular army and Iranian Islamic Republican Guard Corps expeditionary forces. I argue that similarly to the eruption causes, land-based warfare against Israel would not be the focus of the enemy's efforts. It would need to defeat the well-equipped and trained Israeli ground forces on its fortified home territory with all the backing of Israeli armour and artillery. Land-based incursion would have the utility, however, to draw away Israeli forces from destroying missile launch sites in the neighbouring states, which would decide the outcome of the war.

While the 2023 Israel–Hamas War will need extensive analysis once the war is over, based on the initial outcomes, the above logic has been proven on and after 7 October 2023. On the one hand, the Hamas attack has been traumatic to the Israeli public, political and security leadership, and it can be argued that the existing Israeli security doctrine has collapsed.[27] However, the attack on the ground has not extended to more than an incursion-type terrorist attack on a massive scale, which in the end did not manage to threaten Israeli population centers like Beer-Sheva or Ashkelon. This means that it has fallen well short of an existential threat on its own and most of the Hamas and Palestinian Islamic Jihad troops were deployed not to attack Israel but in preparation for the eventual Israeli counterattack and invasion of the Gaza Strip. Israel also did not need to shift to a war for existence strategy because of a coordinated mass assault by the Axis of Resistance on multiple fronts. Hezbollah and its other enemies in the north did not launch a mass barrage of projectiles and missiles on Israel in coordination with Hamas keeping their involvement in the conflict well short of the war threshold.[28] Israel, however, calculated with a possible coordinated onslaught from the other members of the Axis of Resistance after the initial Hamas attack and did keep a large amount of its forces on standby for

---

25   SHELAH et al. 2023: 77.
26   BICOM 2019: 11.
27   SHABTAI 2023: 1.
28   MIZRAHI 2023.

focusing on the theoretical main, northern theatre of its war for existence, Lebanon and Syria. The members of the Axis of Resistance are maintaining a sporadic fire on Israel and U.S. troops in the region, thereby raising the cost of the war for Israel and its patron great power, but they have opted not to risk and commit the bulk of their military assets. This kind of pressure strategy is highly disrupting, and it can draw away Israeli forces and present the threat of a war for existence limiting Israeli freedom to wage its conflict against Gaza as it wishes. Therefore, while Israel did need to mobilise its reserves and maintain troops ready for a war erupting in the north as well, alongside its counterinvasion of Gaza, Israel is not fighting a war for existence as of 1 January 2024.

Continuing with the main line of my theoretical argument of Israel waging a hypothetical war for its existence on multiple fronts, we would see two very different strategies implemented by the hostile sides. Israel would aim to strike fast on a massive scale and finish the war, by achieving decision in the shortest time possible with minimum casualties. On the other side Iran and its proxies would be interested to drag out the war until Israel is exhausted and its assets and population concentrated on a small strip of land are devastated. Israel would have no chance to destroy Iran as a state, it could only aim at ending the war on favourable terms, destroy most of the Iranian military assets and capabilities and potentially decimate some of its proxies and create such hostility in Iran to facilitate regime change. Israel on the other hand can be destroyed which is the reason of the war for existence. Paradoxically, the two very distinct strategies would culminate in similar tactics in the first hours and days of the war to have very intensive strikes on the other side, but with different intentions. The Iranian side would aim at weakening Israel until most of the Iranian and its proxies' missile launch capabilities are intact and Israeli mobilisation is still ongoing to have the capacity and relative advantage to then drag the war out for a long time until Israel is exhausted. Israel would in return aim at mass strikes on Iran and its proxies' missile launch capabilities to deny the capability to strike Israel, secure its home front and thereby create freedom of action for its fully mobilised armed forces to focus on setting back the enemy to such degree that another similar attack would be incomprehensible for many years.[29] However, as the Israelis say, there is no 'Berlin moment' for Israel where it could sign a comprehensive peace treaty with its enemies after a military victory, it can only hope to win the war, defeat its enemies, continue to deter them more effectively and prepare to fight its next war for existence.[30]

Therefore, the war would have three distinct phases, the initial massive operations, where each side would aim at rapidly suppressing the other's offensive and defensive capabilities, a middle section if Israel cannot rapidly gain an advantageous position, and a final stage in which one side gets the upper hand and works to settle the war on advantageous terms for itself. The main issue of the Iranian side would be the number of proxies which would join the war effort and on what level of participation. Would they be only giving lip service, contribute with a certain amount of missile attacks but retaining the main force to deter Israel or would they completely unleash their assets. Here, we will assume, as Israel is, that there is a possibility that Iranian proxies would commit

---

[29]   IDF Strategy 2018: 20–22.
[30]   AMIDROR 2021: 23.

completely to the war, but they would not engage in irrational attacks, such as facing head on Israeli armour with their ground troops and not send all their trained soldiers to attack Israel and let their domestic enemies take their abandoned positions. Regardless, Israel would be faced with a difficult decision regarding those proxies which would not seem like committing completely to the war effort and aim at standing aside completely or wait for an opportune moment to step in. Israel would be interested in a first strike against their offensive missile capabilities too, not to lose the window of opportunity, but also signal that it is not interested in further escalation and all parties' interest would be best served if they would stay out of the conflict.

In the initial phase of the conflict, we will see the unfolding of the new Israeli way of war, which will by all indication be much more than a scaleup of the Campaign between Wars. The main aim of the Israeli war effort will be destroying the enemy's air defences and missile launch capabilities and other core assets deep in enemy territory, instead of focusing on the friction with enemy forces at the borders.[31] This would be achieved first and foremost by precision firepower, missile attacks launched from the Israeli multirole combat aircraft fleet of F-35 and F-15/F-16 planes, UAVs, ballistic missiles and the Israeli Navy's frigates, mainly to suppress Hezbollah assets. We only have estimates of the firepower Israel could bring in these initial hours of the war, but unlike the CBW, the main goal will be to go through valid targets in its databases and rapidly detect launchers and strike them through as many sorties its air force can manage for which it is optimised. Those enemy assets which are in relative proximity to Israel's borders would be attacked by artillery strikes. This mass application of precision fire would be supplemented by special forces capturing those high-value assets deep in enemy territory which for some reason would not be possible to destroy by missile strike. Israeli weapon systems would operate in a networked manner to strike as many targets as possible in the first few hours, to provide freedom of action to the IDF for the later stages of the war. The Israeli Navy would likely participate in striking enemy missile launch sites and serve as advanced combat intelligence platforms, but its main goal would be to secure Israeli maritime assets, including the gas fields, prevent any incursion from the seas and keep naval supply lines open so that Israel can be reinforced by sea as well during the war.[32] Alongside kinetic operations both sides would aim at striking the other in the cyber domain and digitally crippling it as much as possible. This is an area in which Israeli allies, first and foremost the U.S. could immediately come to aid Israel in its war effort.

The issue of ground manoeuvre warfare is also an important one, would Israel be interested to immediately capture enemy territory, or it would focus on defending its core during the first phase against enemy incursion? Here we argue that Israeli ground troops would conduct limited incursions themselves in the first hours of the war and rely on airpower and missile strikes.[33] They would only do this to position their artillery to more favourable firing positions and defensible borders. This is because the need to cover a ground manoeuvre would draw away assets needed for the massive application of

[31] Meridor–Eldadi 2019: 36.
[32] Lappin 2021b.
[33] Eilam 2023: 2.

precision fire to take out enemy firing positions which are the existential threat to Israel. One might argue that an immediate ground push towards the Litani River might be a cost effective method to capture Hezbollah and Palestinian armed factions' launch positions, especially those mortar teams which can proliferate Northern Israel with their firing but taking them out one by one would hinder the air force in focusing on more destructive enemy missile systems. Based on timely intelligence, the Israeli high command might decide to follow the orthodox Israeli military strategy and order its northern troops to start an immediate push northward in case of a war, if it can assume that Hezbollah can be rapidly caught off balance and ejected from the conflict. Israel would be fighting a multifront war and while it would initially focus on destroying the missile launch sites, it would also start working on achieving decision and start defeating enemy actors in parallel by shifting its main thrust between the battlefields.[34] Due to these complex needs a mass ground manoeuvre hundreds of kilometres into enemy territory in one direction is therefore highly unlikely as even though mobilisation is quite rapid in Israel, it would still take many hours for the reservists to be notified, transported to the borders, armed, and take their positions on the front to support a ground manoeuvre into enemy territory. The first phase of the war would be mostly over by that time.

In the first phase, either Israel wins that round by effectively taking out enemy air defence capabilities and most of the missile launch capabilities with its home front largely intact and then it would have the freedom to immediately jump to the concluding phase. With the freedom to achieve decisive victory it would do as much damage to the enemy as it considers beneficial for its long-term deterrence and regional balance of power. If for some reason the war drags on, with Iran and its proxies keeping their strike capabilities, a second, middle phase would start. Israel would need to employ ground manoeuvre warfare with the aim of rapidly capturing launch positions and subjugating Iranian proxies not only close to its borders but far away also, with the home front under constant attack. In case a war of attrition emerges, with Israel needing to use ground manoeuvre warfare to counter the existential threat, that is a highly unfavourable position. Israel always needed to push the war to the enemy's territory, it is still a main part of military doctrine, but it is difficult to imagine an Israeli armoured push past Damascus to take out missile positions north of the metropolis, with Syrian army, Iranian expeditionary forces and other proxy troops resisting and with time on the enemy's side. Israel has no chance to occupy swaths of enemy territory in Syria and Lebanon, like it did fifty years ago in the sparsely populated Sinai Peninsula. Parallel to the ground forces needing to operate far from Israeli borders to eliminate the enemy missile positions, a war of attrition would provide enough time for popular resistance to emerge in the West Bank and potentially also on sovereign Israeli territories, creating a "double multifront war" with external and internal enemies operating alongside each other, potentially overburdening, and stretching Israeli security forces.

The outcome of the first phase would largely decide the outcome of the war. Israeli successes would swiftly lead to a final phase in which Israel would operate under air superiority with relative invulnerability of the home front to carry out offensive ground operations and continue to eliminate enemy assets of secondary importance. Again, Israel

---

[34]   AMIDROR 2021: 30.

would not have a "Berlin moment" to sit down with the defeated adversary to sign a peace treaty, it could only punish the enemy to such a degree that both it and all other parties would be deterred and/or incapable to even contemplate truly challenging Israel on the security front. Even in this advantageous case Israel would most probably need resupply from the United States, to continue waging aerial and missile warfare on its enemies. U.S. support, coordination and aid during the war would be greatly enabled as Israel was moved in January 2021 under the auspices of the U.S. Central Command and it being a Major Non-NATO Ally.[35] While outside support would be highly appreciated in a war for existence it would also provide a leverage to Washington if it wanted to at a certain point leash Israel in order not to tip the balance of power in the Middle East too far.[36] Although Israel is in constant discussion with the U.S. on all security issues, the only instance it would act against U.S. wishes would be if it perceived a direct challenge to its existence.[37] The important factor in this stage is that whatever Israel does and regardless how big of a damage it causes to its enemies or land it occupies in the process, due to its distinct Jewish nature, it cannot emerge as a regional hegemon even after successfully and efficiently defeating a peer or near-peer competitor. Other regional powers opposing Iran would also be reluctant to hold back Israel from cementing its victory over the aggressor. At this stage the main issue would be the degree Israel would be interested to conduct land warfare and take territory of its enemies, with the short-term goal of eliminating residual resistance and military assets of its enemies. Occupying the enemy's territory could serve three possible mid- to long-term goals of 1. holding it as a bargaining chip for peace or normalisation negotiations; 2. setting up its own proxy forces (like Christian forces in Lebanon or Druze in Southern Syria, maybe handing over Gaza to Fatah in some form); or 3. occupy itself to create a defensive buffer zone. It is sure that there is no great appetite in Israel to hold enemy territory and deal with resistance there, the historical example of Southern Lebanon showed Israel that even with the Phalangist support, maintaining a security buffer might not be a cost effective or politically worthwhile solution, both in domestic and international terms.

The outcome of the war would be very different if at any point Israel would perceive that it is losing or have lost the war against its enemies. After a certain degree of defeat, which might manifest in a conventional breakthrough through the Israeli borders towards population centres, mass casualties in Israeli cities due to missile strikes, exhaustion of Israeli strike capabilities or an imminent nuclear threat, Israel would decide to conduct nuclear strikes on its enemies, the so-called 'Samson Option'.[38] The reason for this need and that a mere nuclear threat would be insufficient is that after a visible defeat Israel must establish deterrence through achieving decisive victory by unconventional means, create realities on the ground and regain its lost position. It needs to set back the aggressor, but also deter any other power witnessing the potentially insufficient capabilities of the IDF, who might be tempted to further challenge Israel. Without effective defence against an

---

[35]   LEVY 2023: 3.
[36]   HECHT–SHAMIR 2023: 303.
[37]   FREILICH 2018: 309.
[38]   BERES 2023: 9.

Israeli nuclear strike, which we do not believe Iran currently possesses, nor a comparable nuclear deterrent on the enemy's side, a war against Israel cannot be won. Either Israel outright wins or both sides lose. The only way out of this logic if a peer competitor emerges which possesses a nuclear deterrent power which would force Israel to continue waging a conventional war, beyond the logic it would currently employ in terms of launching nuclear strikes in a war for existence. Again, in this situation Israel would not go down without delivering at least some nuclear strikes against its enemy, but a sufficiently capable country with a combination of missile defence over its population centres, great territory and its own nuclear strike capability might challenge Israel to a war for its existence in the coming years. This is however not the currently plausible scenario, but it leads us to the final issue of an Israeli war for existence, which is a pre-emptive strike against Iranian nuclear assets. Israel can endure the current situation in which it has enough deterrent power that no other state wishes to force it to unleash the above described first war phase, but based on its security perception it cannot forfeit its nuclear advantage. Would Iran back down after such an Israeli attack against its nuclear installations or would it start its own escalation cycle and try to appear strong in the tense Middle Eastern power struggle? It is also probable that Israel would accompany such an attack on Iranian nuclear capabilities with parallel strikes on its assets threatening Israel to deny even the possibility of gaining advantage in the early stage of the war for existence. We conclude this section that while all rational calculation would advise Israel's enemies against challenging Israel and forcing it into a corner where it would perceive that it is fighting a war for its existence, but wars are not always based on pure rational calculations, therefore, the above detailed scenario must be calculated with.

The regional effects of Israel waging a war for existence

In this section we will analyse four main long-term questions, connected to the outcome of an Israel–Iran war in the near-future. The first is the effects of an Israeli victory, the second is the outcome of an Israeli defeat and nuclear strike on Iran, thirdly we discuss a few factors which can create different outcome in the above scenario and finally we detail the most important effect of the above thought exercise, which is Israeli deterrent power and its effects on the Middle East balance of power system. Israel coming out victorious from a war against Iran and its proxies would reassure its stance as a great power in the Middle East, eliminating the sole potential existential threat it currently faces. A military victory might embolden Israel to create new facts on the ground, such as it did with establishing a security zone in South Lebanon after its southern flank was secured by the Israeli–Egyptian peace treaty or embark on a new political process with the Palestinians not necessarily towards a two-state solution. Israeli security perception and deep sense of insecurity, however, would not permit a situation in which the national psyche would lack a potential existential threat, it would just be pushed back from the imminent nature of the threat of a nuclear Iran to some more fluid image of a future aggressor.

On the Iranian side a defeat would be much graver because what use is an 'Axis of Resistance' if it cannot even resist Israel? While Israel might be emboldened to some

degree to venture into foreign intervention, it lacks the resources and the will to occupy any significant territory apart from South Lebanon and Southwest Syria up until Damascus. The real danger to Iran and its proxies would come from Sunni forces, Arab, Druze, Kurdish, Turkish/Azeri and potentially Christians in Lebanon which would aim at utilising the power vacuum and chaos on the Iranian side with the backing of the Gulf States and Turkey. The balance of power system in the Middle East has complex balancing dynamics as power is distributed between various regional and extra-regional actors.[39] This means that as the U.S. intervention against Iraq and the 'Arab Spring' had unexpected outcomes and results, the weakening of Iran would threaten with a similar or even greater shakeup of the current balance of power system. As the power competition in the Middle East is often perceived as a zero-sum game, it would be logical for any power not to let potentially hostile forces pick up the pieces after an Iranian retreat and fill the gaps before a group such as the Islamic State moves on to use the instability and power vacuum for expansion. Naturally the issue of regime change would be high on the agenda in Tehran, as the cyclical protest waves would get a new fuel, namely why were Iranian funds spent on building the 'Axis of Resistance' towards the Mediterranean if it can be defeated easily. Let us not forget, that based on the hypnotised way Israel would wage its war, if it is successful, defeat would come with dramatic speed, with Israeli and allied media giving it additional spin to create a shock and awe effect in public relations sense as well and establish Israeli deterrence for the coming era.

In case Israel would counter a military defeat with a nuclear strike on Iran, the question is how large destruction Israeli military leaders would deem necessary to firstly, stop the war, secondly create deterrence. It is highly unlikely that a strike in an unpopulated area would be considered sufficient. A middle ground would be striking military bases, research facilities and critical infrastructure in Iran with nuclear weapons, which were not destroyed during the initial phase of the war. Thirdly, Israel might consider an even stronger deterrent and strike Iranian population centres, creating mass casualties in the tens of thousands and upwards. Israel would re-establish a kind of deterrence, but it would be the country which used nuclear weapons after the Second World War and become a pariah nation to some degree. The change would be similarly grave in Israel and such a war would contribute to the radicalisation and further militarisation of the state as the ultimate fear was realised, and its existence was indeed challenged and only the most extreme military means were sufficient to guarantee the continued existence of the Jewish state. Depending on the devastation of the war up to the launch of the nuclear strike, Israel would be weakened, meaning that it would need further nuclear assets to ensure continued deterrence and guarantee its survival. Regional states and non-state actors would be at that point even more motivated to acquire nuclear weapons, as it would be proven that no power is safe from Israeli nuclear retaliation once the initial barriers are broken. Iran would not cease to exist, but it could also radicalise after enduring nuclear strikes.

Before turning to the most likely outcome, we must note four factors which might change the calculations regarding the war between Israel and a peer competitor, not necessarily Iran in its current form. The first is a massive development in missile defence

---

[39]   SELJÁN 2023: 14.

systems on any of the sides. If Israel would successfully develop its laser-based air defence system called Iron Beam, and create a scaled up integrated missile defence system, it could be able to alter the above calculation and not necessarily consider a mass missile barrage an existential threat. This would give Israel a similar freedom of manoeuvre to take a more gradual approach in escalating the conflict to a war for existence. But paradoxically also give more room for its enemies to test Israeli resolve with missile strikes, similarly to how terrorist groups in Gaza fire indiscriminately rockets on Israel with the knowledge that the damage will most likely be minimal and not trigger an asymmetric Israeli response. If Iran and its proxies would find some novel method to effectively keep most of their missile launch capabilities beyond the initial hours of the war, with air defence systems or some other method including enhanced mobility and physical or digital camouflage, this would bring the above mentioned "middle phase" of an existential warfare much closer. Israel would have to decide to utilise mass ground manoeuvre warfare or decide to cut the war short with a nuclear strike and bear the costs of its decision at a later stage.

An interesting option would be if a peer competitor would develop effective ground capabilities, comparable to the former Egyptian and Syrian armoured and mechanised infantry battalions but on a 21st century developmental level. This is no easy task as such a force would not have to meet the level of the current Israeli ground forces but the one which is in development, with many unmanned weapon platforms accompanying manned vehicles. The direction of the development is well exemplified by the Merkava V main battle tank under development, which unlike its predecessors, which are the quintessential main battle tanks with massive passive and active defences and a turret providing great firepower, the Israeli systems under development are more like network nodes directing fleets of drones, much lighter and more mobile, gaining new abilities without compromising on total firepower and defensive capabilities.[40] This development will happen in the coming years in air, land and maritime warfare as well, making the opponents' regular forces even more obsolete. Aside from this consideration, if a peer competitor would emerge with comparable ground forces to the IDF, that would mean that Israel would need to cope both with missile attacks and support its ground forces in mechanised warfare on its borders and not just defend against limited incursions before going on the offensive to capture some enemy territory. This would again raise the importance of using nuclear strikes to turn the tide of the war.

Finally, a factor which is important to consider is a 'divided and broken Israel' especially after years of domestic political strife, protest movement peaking in 2023. Regardless of what the outside word thinks, Israelis are as much afraid of becoming vulnerable because of an internal split than the threat of a nuclear Iran or other peer competitor.[41] Again, Israel's enemies might be interested in the weakening of Israel, but only to a certain degree and under certain conditions, as the IDF and Israeli politicians might be more inclined to shift to a war for existence mentality if their state is already undergoing internal strife, may that be a domestic conflict within the Jewish majority based on their political preferences or an internal clash between Jewish and Arab Israelis or between Israelis and Palestinians

---

[40] GAT 2023: 8.
[41] COHEN 2023.

or a combination of the three. A weaker Israel would probably be an even more militarily aggressive Israel which would not provide any leeway to its enemies under a security challenge.

Considering the above, the most likely outcome of the Israeli potential to wage war under the current conditions and the fact that in case of a defeat Israel could still exact the ultimate price from the aggressor through a series of nuclear strikes is that Israel has created a high degree of deterrent potential by preparing for a 'war for existence'. Israel is constantly signalling its resolve and lack of tolerance for any security challenge which it deems as an existential threat. The two pillars of deterrence complement each other, the 'Israeli Way of War' of mass precision strikes and the capability to carry out grand manoeuvre warfare provide the first tier of deterrence as no aggressor can be sure that its assets would survive the first hours and days of the war in a sufficient number to drag out the war until Israel would be exhausted. But even under such conditions Israel's policy of nuclear ambiguity and the international consensus that Israel has advanced nuclear strike capabilities means that even the enemy's victory would end in a relative defeat for it. Regardless of what would happen with Israel after its war for existence, the enemy would be weakened to such a degree that it would lag behind other regional competitors who would stand ready to use the gaps created by Israel to gain advantage in the regional competition. Similarly, non-state entities otherwise interested in the destruction of Israel would be highly reluctant to participate in such a war as first, their own assets would be destroyed, secondly, they would find themselves after the war on the side of a country which would be gravely weakened by the war, either through the Israeli victory or the retaliatory (nuclear) strikes. Under the cover of this dual deterrence of conventional warfare based on mass precision fire and the emerging new networked and unmanned capabilities reinvigorating ground manoeuvre warfare and the nuclear deterrent, Israel can employ the campaign between wars to continue deterring immediate enemy military activities and weapon buildup short of a war. Without the assets prepared for a 'war for existence', Israel's enemies would be tempted to react to limited Israeli military operations with escalatory steps, but knowing that Israel has a hypersensitive threat perception, they need to reign in their reactions. It is not a coincidence that seemingly U.S. forces receive the backlash for Israeli actions, as Iran and its proxies know that the U.S. would never see such strikes as threats to their security and existence.[42]

Israel became the linchpin of the Middle Eastern balance of power, through its deterrent power, as no rational actor can be interested in pushing it into a corner, triggering it to wage a war for existence. Israel is a status quo power as itself cannot become a regional hegemon, so its interest is to stop any other power to become a hegemon and thereby becoming so powerful that it could absorb Israeli retaliation and would not have to fear the other regional powers after even a Pyrrhic victory over Israel. Israel will be always interested to work in tandem with the offshore balancer in this regard, as currently the U.S. is also interested in a Middle Eastern balance of power and stopping the rise of one hegemonic power. Israel is a useful partner to any other status quo powers in the region in balancing the rising power. This Israeli role is based however on a paradox, it is rationally

---

[42]   Kaduri 2023: 7–9.

incomprehensible to initiate a war against Israel, but only because Israel is convinced that it might be attacked at any moment, and it must be ready to utilise overwhelmingly more powerful destructive power compared to its enemies. At any point when Israel would feel subjectively secure, it would lose its objective security as a result. This however will not happen, and we can take Israeli security perception as a constant factor and the resulting new 'Israeli way of war' based on mass precision firepower aiming at demolishing the enemy assets in a matter of hours. The question remains how Israel will update and utilise its manoeuvre warfare capabilities in the future, whether it can serve a more robust role even in the initial phases of the war and will Israel be more willing to use networked ground forces and UAVs in short and midrange to free up the air force and ballistic missile forces for long range strikes. This is very plausible, however, these developments will most likely manifest only in the 2030s.

Conclusions

This paper argued that Israel is a linchpin of Middle Eastern balance of power, due to it being a military great power but not a potential hegemon, which is therefore always interested in balancing a rising power. Its unique security perception furthermore means that it is constantly occupied with a potential war for its existence, for which it has developed overbearing conventional and nuclear warfighting capabilities. We have outlined the possible scenarios of a war between Israel and the current hostile emerging regional hegemon, Iran and its proxies and we concluded that a war would be irrational as it would lead to a great setback on the Iranian side or hypothetically any other challenger. Israel is therefore a guarantor of Middle Eastern balance of power both through deterrence, and through defeating its enemy directly or indirectly if a war would erupt due to a miscalculation. This Israeli role is useful for regional status quo powers and to outside powers wary of a Middle Eastern regional hegemon, including the U.S. and the EU. On the other hand, Israeli sensitivities must be understood, and its threat perception eased to a degree that it does not initiate a war for its existence but also does not lose its subjective insecurity which underpins its deterrent efforts. Israel is a key for regional balance of power and stability, but all keys can be broken, and a broken Israel would bring as much turbulence by waging a war for existence as the stability it brings through the deterrent power of the 'Israeli way of war'.

References

AMIDROR, Yaakov (2021): תפיסת הביטחון הלאומי של מדינת ישראל [The Concept of National Security of the State of Israel]. Israel Defense Forces. Online: www.idf.il/media/r3gebykq/%D7%A2%D7%9E%D7%99%D7%93%D7%A8%D7%95%D7%A8-%D7%A7%D7%95%D7%91%D7%A5-%D7%9C%D7%90%D7%AA%D7%A8.pdf

BARAK, Oren – SHEFFER, Gabriel (2013): *Israel's Security Networks.* Cambridge: Cambridge University Press. Online: 10.1017/CBO9781139540896

BERES, Louis René (2023): Russia's War Against Ukraine – Impacts on Israeli Nuclear Doctrine and Strategy. *Mideast Security and Policy Studies,* (200). Online: https://besacenter.org/russias-war-against-ukraine-impacts-on-israeli-nuclear-doctrine-and-strategy/

BICOM (2019): *Hezbollah's Precision Missile Project.* Britain Israel Communications and Research Centre. Online: www.bicom.org.uk/wp-content/uploads/2019/10/Precision-Project-Paper-Oct-2019.pdf

COHEN, Moshe (2023): 58% of Israelis Fear a Civil War amid Judicial Reform Crisis. *The Jerusalem Post,* 28 July 2023. Online: www.jpost.com/israel-news/politics-and-diplomacy/article-752856

EILAM, Ehud (2023): Israel's Main Military Challenges. *BESA Center Perspectives Paper,* (2,191). Online: https://besacenter.org/israels-main-military-challenges/

EIZENKOT, Gadi – SIBONI, Gabi (2019): *Guidelines for Israel's National Security Strategy.* Washington, D.C.: The Washington Institute for Near East Policy. Online: www.washingtoninstitute.org/media/4613

FINKEL, Meir – FRIEDMAN, Viniv (2021): שבעה עשורים ליתרון האיכותי של צה"ל [Seven Decades of the IDF's Qualitative Advantage]. Israel Defense Forces. Online: www.idf.il/media/5upgmcf0/%D7%9E%D7%90%D7%99%D7%A8-%D7%A4%D7%99%D7%A0%D7%A7%D7%9C-%D7%95%D7%99%D7%A0%D7%99%D7%91-%D7%A4%D7%A8%D7%99%D7%93%D7%9E%D7%9F-%D7%A9%D7%91%D7%A2%D7%94-%D7%A9%D7%95%D7%A8%D7%99%D7%9D-%D7%9C%D7%99%D7%AA%D7%A8%D7%95%D7%9F-%D7%94%D7%90%D7%99%D7%9B%D7%95%D7%AA%D7%99-%D7%A9%D7%9C-%D7%A6%D7%94%D7%9C.pdf

FREILICH, D. Charles (2018): *Israeli National Security. A New Strategy for an Era of Change.* Oxford: Oxford University Press. Online: https://doi.org/10.1093/oso/9780190602932.001.0001

GAT, Azar (2023): *The Future of the Tank and the Land Battlefield.* Tel Aviv: The Institute for National Security Studies. Online: www.inss.org.il/publication/tanks/

HARRISON, Ross (2018): *Shifts in the Middle East Balance of Power. An Historical Perspective.* Al Jazeera Centre for Studies. Online: https://studies.aljazeera.net/sites/default/files/articles/reports/documents/d5c3525d0759469eb1569983a729a408_100.pdf

HECHT, Eado – SHAMIR, Eitan (2023): The Role of Israel's Ground Forces in Israel's Wars. In WEISSMANN, Mikael – NILSSON, Niklas (eds.): *Advanced Land Warfare. Tactics and Operations.* Oxford: Oxford University Press. Online: https://doi.org/10.1093/oso/9780192857422.003.0015

IDF Strategy (2018): אסטרטגיית צה"ל [Strategy of the Israel Defense Forces]. Online: www.idf.il/media/eu1nb5dc/%D7%90%D7%A1%D7%98%D7%A8%D7%98%D7%92%D7%99%D7%99%D7%AA-%D7%A6%D7%94%D7%9C-1.pdf

KADURI, Eden (2023): *The Campaign between the Wars in Syria: What Was, What Is, and What Lies Ahead.* Tel Aviv: The Institute for National Security Studies. Online: www.inss.org.il/publication/war-between-the-wars-syria/

KRASNA, Joshua – MELADZE, George (2021): *The "Four Plus One": The Changing Power Politics of the Middle East.* The Moshe Dayan Center. Online: https://dayan.org/content/four-plus-one-changing-power-politics-middle-east

LAPPIN, Yaakov (2021a): How Israel Is Adapting to the Growing Threat of Terror Armies. *BESA Center Perspectives Paper,* (1,882). Online: https://besacenter.org/perspectives-papers/israel-terror-armies-threat/

LAPPIN, Yaakov (2021b): Arrival of Sa'ar 6 Ships Marks Evolution of Israeli Naval Doctrine. *BESA Center Perspectives Paper,* (1,893). Online: https://besacenter.org/saar-6-israel-naval-doctrine/

LEVY, David (2023): Israel's Future in Multinational Coalitions. *BESA Center Perspectives Paper,* (2,176). Online: https://besacenter.org/israels-future-in-multinational-coalitions/

MERIDOR, Dan – ELDADI, Ron (2019): *Israel's National Security Doctrine. The Report of the Committee on the Formulation of the National Security Doctrine (Meridor Committee). Ten Years Later.* Tel Aviv: The Institute for National Security Studies, Memorandum No. 187. Online: www.inss.org.il/wp-content/uploads/2019/02/Memo187_11.pdf

MCKENZIE, Kenneth (2023): *Striking Back: Iran and the Rise of Asymmetric Drone Warfare in the Middle East.* The Washington Institute for Near East Policy. Policy Notes 128. Online: www.washingtoninstitute.org/policy-analysis/striking-back-iran-and-rise-asymmetric-drone-warfare-middle-east

MIZRAHI, Orna (2023): *Swords of Iron: The Escalation with Hezbollah Remains Below the Threshold of War.* Tel Aviv: The Institute for National Security Studies. Online: www.inss.org.il/publication/north-front/

ROME, Henry (2023): *Arming the Revolution: Trends in Iranian Defense Spending, 2013–23.* The Washington Institute for Near East Policy. Policy Notes 135. Online: www.washingtoninstitute.org/policy-analysis/arming-revolution-trends-iranian-defense-spending-2013-23

ORION, Assaf (2021): *Israel's Grand Strategy Ripples Begin at Home.* The Hoover Institute. Online: www.hoover.org/sites/default/files/research/docs/orion_webreadypdf-rev.pdf

ORTAL, Eran (2021): The Fly on the Elephant's Back: The Campaign between Wars in Israel's Security Doctrine. *The Institute for National Security Studies, Strategic Assessment*, 24(2), 108–115. Online: www.inss.org.il/publication/the-fly-on-the-elephants-back-the-campaign-between-wars-in-israels-security-doctrine/

SELJÁN, Péter (2020): The Balance of Power System of the Middle East. *AARMS*, 19(2), 5–17. Online: https://doi.org/10.32565/aarms.2020.2.1

SHABTAI, Shai (2023): Iron Swords I: A Fundamental Miscalculation on Both Sides That Must Lead to the Defeat of Hamas. *BESA Center Perspectives Paper,* (2,217). Online: https://besacenter.org/iron-swords-i-a-fundamental-miscalculation-on-both-sides-that-must-lead-to-the-defeat-of-hamas/

SHELAH, Ofer – HAYMAN, Tamir – ANTEBI, Liran (2023): Military Power: Overhauling the IDF and Adjusting Its Mission. In HAYMAN, Tamir – YAVNE, Ram – KURZ, Anat (eds.): *Strategic Analysis for Israel 2023: Israel Among the World's Democracies.* Tel Aviv: The Institute for National Security Studies. 76–81. Online: www.inss.org.il/publication/strategic-analysis-israel-2023/

SIPRI (2020): *SIPRI Yearbook 2020. World Nuclear Forces.* Stockholm: Stockholm International Peace Research Institute (SIPRI).

Steinberg, Guido (2021): The "Axis of Resistance". Iran's Expansion in the Middle East Is Hitting a Wall. German Institute for International and Security Affairs. *Stiftung Wissenschaft und Politik,* 2021/RP 06. Online: 10.18449/2021RP06

The International Institute for Strategic Studies (2022): *The Military Balance 2022.* London: Routledge.

Analysing the Rhetoric of Latin American Populist Leaders Regarding the European Union: The Cases of Bolivia and Ecuador[1]

Lizeth Vanessa Ayala CASTIBLANCO[2]

Historically, Latin America has been a fertile ground for the emergence of populism. Scholars have identified several waves of populist governments flourishing in the region during the last century. The third wave began in the 2000s when leftist leaders came to power in some Latin American countries, a phenomenon called "the Pink Tide". Two of the most notable examples of populist governments in this wave were Evo Morales in Bolivia (2006–2019) and Rafael Correa in Ecuador (2007–2017). Both leaders promoted an anti-elitist rhetoric highlighting a confrontational divide between domestic elites (as perpetrators of injustices) and the people (as victims). This rhetoric also involved external actors. The relationship with the great powers was permeated by the populist discourse based on the logic of "them vs. us". In this context, the paper analyses the rhetoric of Evo Morales and Rafael Correa concerning the role of the European Union in their countries. Primary sources (speeches, press releases and official documents) are examined to understand the image built around the EU and to grasp how populist rhetoric portrayed the EU's role in areas such as trade and migration. The result is a complex assessment of the ideas about the EU disseminated by these leaders, examining how Morales's and Correa's rhetoric evolved over the years and identifying similarities and differences between their approaches.

Keywords: *populism, Ecuador, Bolivia, European Union*

Introduction

Populism is an extensively debated topic in Political Science. Many scholars have devoted significant attention to the question of what populism is and how to identify it. In this endeavour, multiple theoretical and methodological approaches have been considered,

---

[2] PhD candidate, Doctoral School of International Relations and Political Science at the Corvinus University of Budapest, e-mail: lizethayalac@gmail.com

resulting in different definitions.[3] Some authors describe populism as an ideology that underlines the antagonism between "the elite" and "the people" in a society. Others prefer to label it as a discursive style based on a Manichean language that emphasises the logic of "them vs. us". Finally, some scholars define populism as a political strategy that represents a specific form of mobilisation and organisation whereby the interplay between populist leaders and their constituents plays an important role.

Regardless of its different conceptualisations, populism is primarily distinguished by its hostility towards elites and the political establishment.[4] While this characteristic is commonly observed at the domestic level, the question of whether populist leaders behave the same at the international level remains open. Understanding how the rhetoric[5] about the antagonism between "the elites" and "the people" ("them vs. us") may be extrapolated to external actors is a key topic when analysing populism in view of its implications on foreign policy actions. In this regard, the study of Latin American countries provides a valuable contribution, as many of them have experienced the rise of populist governments on multiple occasions since independence. Moreover, the role of external powers in the region has been frequently questioned and contested by many of the populist leaders that have come to power.

In this context, the role of the European Union (EU) as an external power in Latin America has been understood from different perspectives over time. The EU is counted among the great powers in the international system in consideration of its political clout and economic power in the world. Furthermore, "development, modernity and civilization have been conceived as a transfer from Western Europe and North America to the rest of the world".[6] This notion has placed them as part of an "elite"[7] at the international level. Under this premise, and considering the historical background of the European colonisation in the Americas, the study on how the image of the EU has been portrayed in the region gains special importance in the context of populist governments that have based their rhetoric on the antagonism between "the elites" and "the people".

In particular, this research aims to understand how the populist rhetoric of Latin American leftist leaders has portrayed the role of the EU in their countries, specifically studying the cases of Evo Morales in Bolivia and Rafael Correa in Ecuador. The analysis focuses on identifying how the EU's image was represented in their discourse and what were the implications of this rhetoric for their relationship with the EU. To this end, selected speeches of Evo Morales and Rafael Correa are examined to recognise what kind

---

[3] GIDRON–BONIKOWSKI 2013.

[4] ZAKARIA 2016: 9–15.

[5] According to the Cambridge Dictionary, rhetoric is defined as "speech or writing intended to be effective and influence people". Meanwhile, the Oxford Dictionary identifies rhetoric as "the art of effective or persuasive speaking or writing, especially the exploitation of figures of speech and other compositional techniques" as well as "the language designed to have a persuasive or impressive effect on its audience, but which is often regarded as lacking in sincerity or meaningful content". Considering these definitions, rhetoric is understood, in this paper, as the use of language to persuade an audience by promoting and reinforcing certain ideas that may be of dubious veracity.

[6] LÓPEZ-ALVES 2011: 51–77.

[7] However, it should be noted that, within this elite, the EU is considered a supporting actor while the U.S. has been perceived as the main head due to its leading role since the end of the Second World War and its efforts to expand the so-called capitalist system globally.

of language they use when they talk about the EU, how they refer to the EU's role in their countries, and whether they appeal to the remembrance of colonial times to extrapolate internal hostility towards elites to external partners such as the EU.

The contribution of this paper is threefold. First, it sheds light on less studied cases of populism in Latin America such as Bolivia and Ecuador, considering that countries such as Argentina, Venezuela and Brazil have received more attention from scholars in the field.[8] Secondly, the paper fills a gap in the literature on the Pink Tide leaders' foreign policy since most of the analyses in this regard focus mainly on their relations with the United States and China, leaving aside the study of other actors such as the EU. Finally, the paper contributes to enrich the debate on populist foreign policy in general considering that the implications of populism in domestic politics have been largely studied but its consequences in terms of external action require a deeper analysis.[9]

The article is organised according to the following structure. First, the conceptualisation of populism is addressed, introducing its main characteristics and discussing its implications on foreign policy and external relations. Secondly, a contextual framework is presented to examine the rise of populist leaders in Latin America during the Pink Tide and its implications for the relationship with external partners such as the EU. Third, the cases of Bolivia and Ecuador are introduced, portraying their peculiarities and providing a detailed analysis of the rhetoric of Evo Morales and Rafael Correa on the EU during their terms in office. The article concludes by presenting a comparative analysis of the cases and outlining possibilities for further research.

Conceptualisations of populism

Despite being a highly debated topic in academia, populism is a phenomenon notoriously difficult to conceptualise.[10] Depending on the theoretical and methodological framework used to analyse it, different definitions arise. The literature in this field identifies three main conceptualisations of populism.[11] The first defines populism as an ideology or set of ideas.[12] Cas Mudde is the most famous exponent of this approach. Mudde contends that populism is a thin-centred ideology that "considers society to be ultimately separated into two homogenous and antagonistic groups, 'the pure people' versus the 'corrupt elite', and which argues that politics should be an expression of the *volonté générale* (general will) of the people".[13] Under this approach, populism, as a thin-centred ideology, is usually accompanied by a thicker ideology, such as socialism or liberalism.

---

[8] On the cases of populism in Argentina, Venezuela and Brazil see Hawkins 2003: 1137–1160; Brading 2013; Grigera 2017: 441–455; Muno 2019: 9–26; Wehner–Thies 2020: 320–340.

[9] The need for further analysis on populist foreign policy has been pointed out by authors such as Verbeek–Zaslove 2017: 384–405; Burrier 2019: 165–193; Wajner 2019: 195–225; Wehner–Thies 2020: 320–340; Wajner–Wehner 2023: 1–13.

[10] Jansen 2011: 75–96.

[11] Gidron–Bonikowski 2013.

[12] This approach is endorsed by authors such as Mudde 2004: 541–563; Abts–Rummens 2007: 405–424; Stanley 2008: 95–110; Pankowski 2010; Pauwels 2011: 97–119; Kriesi 2014: 361–378.

[13] Mudde 2004: 543.

Other scholars argue that populism should be understood as a discursive style.[14] According to this conceptualisation, language is a key aspect when analysing populism, since strategic rhetoric is used to assign a binary moral dimension to political conflicts.[15] Hostility towards the established order and the glorification of the common folk are the main characteristics of the populist message.[16] Ernest Laclau is one of the most recognised authors of this approach. Laclau contends that a distinction between two groups ("us" and "them") is constructed in populist discourse and used strategically since they constitute empty signifiers whose meaning can be interpreted at convenience.[17]

Finally, populism has also been defined as a political strategy manifested through specific policy choices and mobilisation practices.[18] In this approach, some scholars focus on the economic policies implemented by populist governments;[19] others examine their types of political organisation[20] and forms of mobilisation.[21] Meanwhile, authors such as Moffitt and Tormey narrow their focus to the performative elements of politics and point out that populism is a political style in which particular performative repertoires connect the leader with the people.[22]

Regardless of its conceptualisation, one of the prevalent characteristics of populism is its emphasis on the existence of antagonistic identities in society. Populist leaders stress a division between "the elite", often described as corrupt and reluctant to lose their power; and "the people", depicted as inherently good and represented as victims of injustices perpetrated by the elites. However, the criteria for determining who can be considered part of each group may vary from case to case. In fact, Hadiz and Chryssogelos contend that the meanings attached to the labels "elite" and "people" are continually reshaped by social conflicts based on the contest over power and resources in specific national and international contexts.[23]

When studying populism, the analysis of its repercussions at the domestic level has been privileged in the academic debate. Yet, some authors have shed light on the foreign policy consequences of populist governments. Drezner holds that populist leaders tend to reject alternative centres of power beyond their personal control and are averse to any external interference.[24] Furthermore, he argues that populist leaders are more likely to escalate conflicts as they "tend to project anger as part of their leadership style".[25] Meanwhile, Kane and McCulloch contend that a new form of populist governments characterised by nativist and anti-establishment sentiments has increased popular divisions over foreign

---

[14] This conceptualisation is supported by scholars such as Kazin 1995; Laclau 2005; Hawkins 2009: 1040–1067; Panizza 2005; Jagers–Walgrave 2007: 319–345; Aslanidis 2016: 88–104.
[15] Hawkins 2009: 1040–1067.
[16] Taggart 2000.
[17] Laclau 2005.
[18] This approach is supported by authors such as Weyland 2001: 1–22; Roberts 2006: 127–148; Madrid 2008: 475–508; Acemoglu et al. 2011; Levitsky–Roberts 2011; Moffitt–Tormey 2013: 381–397.
[19] Madrid 2008: 475–508; Acemoglu et al. 2011.
[20] Weyland 2001: 1–22.
[21] Levitsky–Roberts 2011.
[22] Moffitt–Tormey 2013: 381–397.
[23] Hadiz–Chryssogelos 2017: 399–411.
[24] Drezner 2017: 23–44.
[25] Drezner 2017: 31.

policy issues and fuelled the formation of an inefficient and less experienced foreign policy apparatus.[26]

More recent research has focused on comparing the foreign policy behaviours exhibited by populist governments.[27] These studies have found that populist governments formulate and implement a wide variety of foreign policy strategies. Thus, there is no homogeneous populist foreign policy. However, "the literature tends to neglect the diversity of populist foreign policies and the different contexts in which it unfolds".[28] In this sense, there is a need for empirical studies that shed light on this diversity. This paper aims to contribute to this endeavour.

Finally, while this research recognises the variety of conceptualisations, the understanding of populism as a discursive style is the privileged approach. This selection is consistent with the aim of identifying populist rhetoric in the discourses of Evo Morales and Rafael Correa when referring to external actors such as the EU. Moreover, the analysis of the narrative that these leaders built around the EU's role in Latin America allows us to understand the practices and behaviours exhibited by them in negotiation spaces such as the trade negotiations between the Andean Community and the EU. Therefore, the paper focuses on the use of a rhetoric that emphasises antagonistic divisions ("them vs. us") extrapolated to the regional and international levels.

Contextual framework

After the difficult period of the debt crisis in the 1980s (also called the "lost decade") Latin America went through the implementation of neoliberal reforms proposed by international financial institutions such as the International Monetary Fund and the World Bank. These reforms were aimed at disciplining fiscal policies and stabilising the region's economies after years of mismanagement. Privatisation of state-owned companies, tax reforms, market liberalisation and, in general, reduction of state intervention in the economy were some of the neoliberal policies promoted within the framework of the so-called Washington Consensus.[29]

Although these policies helped to stabilise macroeconomic indexes such as inflation, the debt rate and the fiscal deficit, austerity measures led to an increase in poverty and inequality rates. In this sense, neoliberal policies meant a setback in terms of social development in the region, triggering high levels of social unrest. Disappointment with neoliberal reforms led to the rise of left-wing governments in many Latin American countries, a phenomenon called "the Pink Tide".[30] Leftist leaders such as Luiz Inácio Lula da Silva and Dilma Rousseff in Brazil, Néstor Kirchner and Cristina Fernández in Argentina, Hugo Chávez in Venezuela, Tabaré Vázquez and José Mujica in Uruguay,

---

[26] Kane–McCulloch 2017: 39–52.
[27] For example Burrier 2019: 165–193; Wajner 2019: 195–225; Wehner–Thies 2020: 320–340.
[28] Wehner–Thies 2020: 321.
[29] Llistar 2003: 11–20.
[30] Edwards 2009; Weyland 2010: 1–27.

Evo Morales in Bolivia, Rafael Correa in Ecuador and Michelle Bachelet in Chile among others, were categorised under this label. Some of them used populist rhetoric to come to power in their respective countries.

During the first decade of the 2000s, coinciding with the onset of the Pink Tide, Latin America benefited from an economic boom driven by growing Asian demand for raw materials, especially China's demand. The price of commodities increased exponentially and export revenues filled government coffers. Moreover, "the booming commodity sector expanded and drew in labor, raising wages and employment. The demand for more workers also spilled over to other sectors, such as construction".[31] The economic boom allowed the implementation of redistribution policies and social transfers led by leftist presidents.[32] The positive impact of those policies increased the popularity levels of these leaders and, in several cases, favoured their re-election.

In terms of foreign policy and external relations, leftist leaders tended to reframe the role of their own countries in the international order and questioned the influence of external powers in Latin America. Particularly, the U.S. was perceived by some of them as one of the biggest enemies due to its interventionist past in the region. Aspirations for greater autonomy appeared alongside new integration processes that explicitly excluded the U.S. (for example Unasur, CELAC and ALBA). In general, anti-hegemonic rhetoric against major Western powers increased. Rapprochements to non-traditional partners became more frequent in an attempt to diversify the region's foreign relations.[33]

In this context, the relationship between Latin American countries and the EU has gone through different stages. In the 1990s, during the implementation of neoliberal reforms, the EU was eager to establish closer relations with Latin America as conditions for foreign investment were more favourable.[34] Countries such as Spain, France, Germany and the Netherlands were interested in investing in the newly opened Latin American markets. Furthermore, the EU was looking for opportunities to increase interregional trade in the context of a "post-Cold War world" in which regions were expected to play a greater role. The peak of this rapprochement was the establishment of a strategic partnership between the EU and Latin America in 1999. However, during the following years, the relationship lost dynamism as the Pink Tide governments had an anti-hegemonic approach and the Asian demand for commodities overshadowed the importance of the EU in the region. Moreover, the EU's priorities also changed.

It is important to note that the EU has approached Latin America by establishing dialogues with various actors in the region over the years. Thus, in addition to the strategic partnership with Latin America as a whole, the EU has also maintained dialogues with sub-regions and countries directly. Each of these dialogues has followed a different path depending on the eagerness of the actors involved to establish new agreements and engage more deeply with the EU. In the case of Bolivia and Ecuador (which are the focal points of this research) the relationship with the EU has developed

---

[31] BALAKRISHNAN–TOSCANI 2018.
[32] URIBE GÓMEZ 2018: 101–118.
[33] MOLANO 2012: 1–28.
[34] Economic Commission for Latin America and the Caribbean 1999.

within the framework of the dialogue between the EU and the Andean Community (AC). The AC is a regional bloc created in 1969 and composed of four countries: Bolivia, Colombia, Ecuador and Peru.[35]

One of the most important topics in this dialogue has been trade. Since July 2005, the AC benefited from trade preferences granted by the EU under the Generalized System of Preferences (GSP) on the modality of the Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+). The main aim of the GSP+ was to promote exports from developing countries by granting them tariff preferences to enter the EU market.[36] However, the AC was interested in establishing a long-term association agreement with the EU. Negotiations to create this association formally began in April 2007, but were suspended in June 2008 due to differences in the views of the Andean presidents. Evo Morales and Rafael Correa were reluctant to continue with the process due to their cautious stance on trade negotiations with the EU.

This disagreement led the Andean countries to follow different paths. Bolivia withdrew from the negotiations while Ecuador remained under certain conditions. Colombia and Peru maintained the initial enthusiasm and pushed the agreement forward. In this context, the European Council had to modify the authorisation mandate so that the European Commission could negotiate bilaterally with the countries and not with the Andean Community as a whole. This stage of the negotiations began in February 2009. In July of the same year, Ecuador suspended its participation due to disagreements with the EU proposals related to labour and environmental regulations. In February 2010, Ecuador rejoined the negotiations but maintained a cautious attitude by including some changes in its own agreement with the EU.[37] Finally, Colombia and Peru reached an agreement with the EU in 2012 while Ecuador, under Correa's government, negotiated for 4 more years and signed its own agreement in 2016.

The reluctance of Bolivia and Ecuador to participate in these negotiations can be explained by analysing Morales's and Correa's views on the role of the EU in their countries. The extrapolation of their populist rhetoric (the antagonism between elites and people) from the domestic to the international level provides key elements to understand their behaviour in dealing with the EU. Under this premise, the following section focuses on the analysis of the evidence collected from each case, explaining how the role of the EU has been portrayed in the speeches of these leaders and how populist rhetoric influenced their relationship with the EU during their tenure.

The case of Bolivia: Evo Morales's rhetoric

Evo Morales's rise to power in 2006 represented a milestone in Bolivia. As the country's first indigenous president, Morales led a profound transformation process in political, economic, social and cultural terms to favour the population that had been largely

---

[35]   This regional bloc was called the Andean Pact until 1996 when it was reformed and renamed.
[36]   Leví Coral 2013.
[37]   Leví Coral 2013.

neglected over the years.[38] The fact that he belongs to the Aymara ethnic was understood as the beginning of an era of vindication for the indigenous population in the country (which is the biggest share of the Bolivian population[39]). Furthermore, his government embodied a "re-foundation of the nation" that aimed to transform not only the role of the state at the domestic level but also its international projection and external relations.[40]

Domestically, Morales (like other leftist presidents in Latin America) was in favour of a greater role of the state in the economy. This approach entailed a set of major changes in the management of the country. One of the most important ones was the nationalisation of gas and oil in 2006, right after Morales came to power. The state took control of the operations of foreign energy companies in the country on the grounds that Bolivian natural resources should not be under foreign management. Hence, these transnational firms had to sign new contracts with the government (which included higher taxes and royalties) and convert their operations into minority partnerships with the state-owned company YPFB.[41] As a result, between 2006 and 2016, the nationalisation of gas and oil generated $31.5 billion for the public coffers.[42]

This reform allowed Morales to increase public spending and invest in social policies that improved access to public services for the majority of the population to unprecedented levels.[43] These policies raised the living standard of the Bolivian population, especially in rural areas. Basic services such as electricity and potable water reached large parts of the country for the first time during Morales's tenure. Health and education indices also improved considerably.[44] In general, there was a successful effort to raise the standard of living of the poor population in Bolivia.[45]

At the socio-cultural level, Morales promoted the "re-founding of Bolivia" as an indigenous country in the hope of reversing decades of contempt for the native heritage. Historically, the indigenous people had been relegated and discriminated against despite being the majority of the population. During his tenure, Morales exalted the Bolivian identity and tried to change the negative perception traditionally associated with the indigenous population. Morales's presidency made many Bolivians feel that they were truly represented in politics.[46] He took advantage of this circumstance to use populist rhetoric to present himself as the true representative of "the people" unlike previous Bolivian presidents that were part of "the elite".

At the political level, Morales proposed the creation of a new Constitution for Bolivia in 2008 with the aim of giving more power to the indigenous majority and "rolling back half a millennium of colonialism, discrimination and humiliation".[47] The approval of the

---

[38] Querejazu Escobari 2015: 159–184.
[39] According to the latest census conducted in 2012 by the National Institute of Statistics (INE), the indigenous population constitutes 41% of the Bolivian population.
[40] Ceppi 2014: 125–151.
[41] Kaup 2010: 123–138.
[42] EFE Agency 2016.
[43] Uharte Pozas 2017: 13–48.
[44] Johnson 2010: 139–159.
[45] Gómez Sarmiento 2019.
[46] Postero 2010: 18–34.
[47] Taylor 2009.

final text was submitted to a referendum in January 2009 and 61.4% of the population supported it.[48] This Constitution refounded the country, naming it the Plurinational State of Bolivia. The name was changed in order to recognise the right of indigenous people to have their autonomous territories where they can govern according to their traditions and customs but always subordinate to the central government. The Constitution also included clauses on land redistribution to vulnerable sectors and reserved congressional seats for indigenous minority groups.

Changes at the domestic level were followed by changes in terms of foreign policy. Morales aimed at a more assertive international projection based on two main drivers: "indigeneidad" and decolonisation. "Indigeneidad" can be defined as belonging to and identification with indigenous origins.[49] This concept also implies the strategic use of ethnic identity to achieve the recognition of certain rights and the acknowledgment of the indigenous population as a social actor.[50] In Bolivia, this approach included historic vindications of indigenous legacies and proposals for alternative models to the neoliberal economic system based on indigenous worldviews such as "el buen vivir" (the good living) which refers to living in harmony with all forms of existence, prioritising respect for nature over economic considerations.[51]

Morales used the notion of "indigeneidad" to support his own views on global issues, mixing it with populist rhetoric to be recognised as the legitimate voice of indigenous peoples. As a consequence, Bolivia's international projection and its relationship with some external actors changed. Morales's foreign policy can be labelled revisionist since it involved the rupture of relationships that previous Bolivian governments had prioritised and asserted a new stance on trade agreements and diplomatic relations in general.[52] This policy also entailed a contestatory attitude towards what Morales identified as colonialist practices. In this sense, it is important to highlight that the assertion of "indigeneidad" is closely related to the experience of colonialism.[53] The vindication of the indigenous identity leads to revisiting the history and rethinking the past and present role of colonial powers. Thus, "indigeneidad" was followed by the notion of decolonisation.

Decolonisation represents a restorative process that aims to restore voice and power to those who were oppressed.[54] Decolonisation seeks to challenge the superiority of the coloniser over the colonised. Due to his origins and ideology, Evo Morales has been one of the main promoters of decolonisation in Bolivia. His decolonial approach was strongly institutionalised at the national level. For example, "the Vice-Ministry of Decolonisation was created, with the mission of making forgotten historical processes visible and putting them on an equal footing with the Western version of Bolivian history".[55] In the same vein,

---

48 Vicepresidencia de la República Plurinacional de Bolivia 2009.
49 QUEREJAZU ESCOBARI 2015: 159–184.
50 FRANKE 2009: 47–60.
51 MAKARÁN 2013: 141–156.
52 QUEREJAZU ESCOBARI 2015: 180.
53 VECCHIONE GONÇALVES 2009: 133–153.
54 JOHNSON 2010: 139–159.
55 QUEREJAZU ESCOBARI 2015: 166.

Morales's rhetoric was openly confrontational towards what he called "the hegemonic powers". His views were recognised as anti-imperialist and resembled those deployed by leftist movements during the Cold War.[56]

In terms of discursive practices, Morales was enthusiastic in highlighting the changes he planned to implement during his administration. Domestically, for example, his inauguration speech reflected "the rescue of the insurrectional memory of the Bolivian indigenous movement" and "the decolonising utopia".[57] At the international level, Morales used his participation in global forums as an opportunity to draw attention to the injustices of the international system and the relegated role of Latin American countries in it.[58] In this context, he used populist rhetoric to position himself as the representative of the oppressed, emphasising an antagonistic division between "them" (the oppressive colonisers) and "us" (the oppressed people).

Decolonisation was also understood in terms of trade. Morales's goal was to reduce trade flows with big economic centres such as the U.S. His decolonial approach did not entail isolation from the world but an attempt to diversify trade partners[59] based on ideological affinity.[60] The logic behind this behaviour was the perceived need to strengthen ties only with like-minded countries (identified as "us") to avoid relations with colonialist actors (identified as "them"). In this sense, regarding the relationship with the EU, Evo Morales showed a contestatory attitude, which was reflected in his speeches both domestically and internationally.[61] Unsurprisingly, the notions of indigeneidad and decolonisation played an important role.

Bolivia was part of the association agreement negotiations between the EU and the AC since its inception in 2007. However, Evo Morales had some reservations about what should and should not be included in the agreement. In particular, he viewed the trade component with caution. He argued that international trade should aim to reduce the asymmetry between developed and developing countries by providing some guarantees for the latter (which are not provided for in agreements such as FTAs, according to him). In this regard, one of the most remembered speeches of Evo Morales regarding the association agreement between the EU and the AC is the one he delivered in Lima in May 2008 on the occasion of the 5th EU – Latin America Biregional Summit. At that time, Morales said: "FTAs are

---

[56]   Maira 2007.
[57]   Caudillo Félix 2007: 183–201.
[58]   Rosell 2010.
[59]   However, it is important to note that the expected trade diversification based on ideological affinity was not fully achieved. For instance, in 2006, at the beginning of Morales's term, the U.S. was Bolivia's third largest trading partner with a total trade flow of USD 756 million (according to statistics retrieved from the World Bank System, see WITS s. a.). In 2017, after 11 years of the Morales Government, the U.S. was still among the most important trade partners, ranking fourth, with a total trade flow of USD 1,390 million. Thus, trade with the U.S. continued to be crucial for Bolivia. Moreover, the trade relationship with the EU also continued to grow. The total trade flow in 2006 was EUR 290 million while in 2017 was EUR 1479 million (according to statistics retrieved from Eurostat s. a.).
[60]   Agramont Lechín 2015: 15–26.
[61]   It should be highlighted that although the coloniser of the Bolivian territory was Spain, Morales's anti-colonialist discourse referred to European countries in general. However, on some occasions, Morales specifically criticised Spain on issues such as the Spanish policy of treatment of Bolivian immigrants and the participation of the King of Spain in the Ibero–American summits.

instruments of colonisation and domination. The FTA [between the EU and the AC] does not sit well with Bolivia. I want to ask the presidents to submit to the people and not to the empire. Why not submit [this decision] to a referendum in the Andean region and let the people decide with their vote?"[62]

This part of the speech reveals Morales's opinion on FTAs. He contends that FTAs are harmful to Bolivia (and to developing countries in general) because they promote foreign domination just as colonisation did. Morales equated FTAs with colonisation processes, understanding them as promoters of exploitation and oppression of the weakest actors. Moreover, the analysis of this excerpt exposes the link established by Morales between the EU and the notion of "empire", as well as the importance of giving voice to the Andean people instead of following the orders of the "empire". The idea of decolonisation, as opposed to accepting orders from the big powers, is a predominant pattern in Morales's discourse, as is the populist idea of the antagonism between "them" (the empire) and "us" (the people).

In the same speech, Morales stated:

> The underlying issue is that they talk about free trade of products, of services, but there is no free movement of human beings. Why is there no treaty on the free movement of human beings? Let us be responsible with humanity: to enter Europe, there are procedures and visas; to enter Latin America, there is no (need for) visa. It would be important for these authorities to begin to reflect deeply on life, on poverty.[63]

In this case, the migration issue is addressed by Morales to highlight the reluctance of the EU to open its borders to Latin American migrants. When he says "they talk about free trade of products, of services, but there is no free movement of human beings", he refers to the EU's interest in liberalising trade with Latin America while rejecting migration from this region. He stresses what he considers an injustice since Latin America is open to European migration and there is no reciprocal behaviour from the EU. Once again, his rhetoric endorses the logic of "them vs. us" in which "they" are unfair to "us".

Later, speaking to the media in November 2008, Morales said: "We don't want an FTA [with the EU] because sardines cannot compete with sharks."[64] As Rosell explains, Morales used this metaphor to represent the asymmetry between Bolivia and the EU, as well as Bolivia's role as a victim of a much bigger (and dangerous) competitor like the EU.[65] Thus, a negative image of the EU was reinforced through Morales's lexical manoeuvres in multiple contexts and for different audiences.

The Morales Government abandoned the negotiations of the agreement between the Andean Community and the EU at the end of 2008. However, the EU decided to continue the process with the other Andean countries. In his speech to the Bolivian National Congress on the occasion of his third year in office in January 2009, Morales stated:

---

[62]   This excerpt from the speech was retrieved from Ministerio de Relaciones Exteriores de Bolivia 2009.
[63]   Ministerio de Relaciones Exteriores de Bolivia 2009: 24.
[64]   This declaration was retrieved from El Universo 2008.
[65]   ROSELL 2010.

> The EU has made a big mistake by giving up on negotiating bloc-to-bloc with the Andean Community […]. It is a shame that the promoters of the integration processes are not consistent with their principles and put their commercial interests before the need for integration of our peoples. As far as I know, Europe is the great promoter of integration and now they only try to divide us in the Andean region.[66]

In this case, Morales questions the coherence of the EU by comparing its principles (specifically, the spirit of integration) and the decision to negotiate separately with Ecuador, Colombia and Peru instead of with the AC as a whole. He argues that the EU generates disagreements and conflicts within the AC, whereas promotes integration in Europe. His purpose was to portray the EU as a troublemaker that seeks to harm the union among the Andean countries.

Finally, as repeatedly mentioned, Morales privileged a populist rhetoric that emphasised the antagonism between the EU (identified as "them") and Latin American countries, particularly Bolivia, (identified as "us"). This rhetoric is used by populist leaders to create a division between two groups (the victims and the victimisers) and present themselves as the true representatives of the victims. In this sense, Morales identified himself as the representative of the native peoples in Latin America in the fight against the colonial legacies promoted by the great powers. In this line, a negative image of the EU was reinforced through Morales's discourse in multiple contexts and before different audiences, preventing a closer relationship with this region and hindering the progress of negotiations between the AC and the EU from the beginning.

The case of Ecuador: Rafael Correa's rhetoric

After several years of political and economic instability, Rafael Correa's rise to power in 2007 represented the beginning of a new era in Ecuadorian politics. Correa was elected on the promise of changing the neoliberal system that had been implemented in Ecuador since the 1990s. His political project was called "the Citizen Revolution". He aimed to undertake a set of socio-economic reforms that would encourage citizen participation in decision-making processes and promote a change in the economic development model to give greater prominence to the role of the state.[67]

As in the case of Morales, high revenues from raw materials exports allowed Correa to implement redistributive and progressive public policies. The economic boom that Ecuador experienced since 2005, mainly due to oil exports, provided the Correa Government with the necessary resources to run ambitious social programs. As a result, poverty and inequality levels in Ecuador decreased exponentially.[68] Moreover, unprecedented infrastructure projects were developed throughout the country. However, the extractivist economic model was reinforced during this period, increasing the country's dependence on changes

---

[66]   This declaration was retrieved from CORNEJO 2009.
[67]   BASABE-SERRANO 2015.
[68]   MUÑOZ JARAMILLO 2014.

in commodity prices in the international market and perpetuating the vulnerability of the Ecuadorian economy to external shocks.[69]

At the political level, Correa established a hyper-presidential system based on his personal charisma, polarising rhetoric and technocratic support.[70] In this sense, his approach was described as "technopopulism" because it was characterised by the appointment of technocrats to the highest offices of government.[71] Moreover, since Correa identified himself as the maximum representative of the collective political will, he favoured the concentration of power in the Executive, which gave him the possibility of intervening in all spheres of government.[72] As the media frequently criticised this way of governing, Correa got into constant disputes with them. He was reluctant to accept negative judgments about his administration. In this context, the Ecuadorian Congress passed a controversial communication law in 2013 that gave the government broad powers to restrict media activities.[73] Because of this media censorship, Correa was accused of limiting press freedom in Ecuador.

Like Evo Morales in Bolivia, Correa promoted the creation of a new Constitution as a necessary step to make the changes that Ecuador needed. Therefore, a constituent assembly was instituted in 2007 to draft the text. In December 2008, 63.9% of Ecuadorians approved the document in a referendum.[74] In Correa's words, the new Constitution "laid the foundations for a new coexistence pact that allowed the country to get out of neoliberalism, recover national sovereignty over strategic resources, and relaunch the state at the forefront of social coordination".[75]

In terms of foreign policy, as the new Constitution granted a greater role to the president, Correa was deeply involved in all the decisions to be taken. At the beginning of his tenure, Correa's foreign policy was characterised by a strong nationalist and anti-imperialist orientation.[76] As Córdova Jaramillo pointed out, "Correa's discourse always included, both domestically and internationally, references to anti-imperialism, anti-colonialism and reforms to capitalism as we know it".[77] During his government, Ecuador maintained a distant relationship with the U.S. and rather diversified its diplomatic ties by establishing relations with other countries.[78] Besides, Correa used populist rhetoric to highlight the division between developed countries ("them") and developing countries ("us") criticising how the former take advantage of the latter due to the asymmetry of power between them.

Regarding the relationship with the EU, the possibility of a trade agreement and the treatment of Ecuadorian migrants in Europe were the most relevant issues during Correa's administration. In terms of trade, Ecuador, like Bolivia, was part of the negotiations

---

[69] ALBUJA–DÁVALOS 2013: 83–112.
[70] MELÉNDEZ–MONCAGATTA 2017: 413–447.
[71] MELÉNDEZ–MONCAGATTA 2017: 413–447.
[72] MUÑOZ JARAMILLO 2014.
[73] MELÉNDEZ–MONCAGATTA 2017: 413–447.
[74] Tribunal Supremo Electoral de Ecuador 2008.
[75] This declaration was retrieved from New Left Review 2012.
[76] MALAMUD–GARCÍA-CALVO 2009.
[77] CÓRDOVA JARAMILLO 2018: 19.
[78] In this sense, as Díaz González points out, Correa's government promoted the development and strengthening of relations with countries such as China, Russia, Iran and Belarus.

for the association agreement between the AC and the EU. When negotiations began in 2007, Correa had some reservations about the agreement, as did Evo Morales. In fact, the discourses of both leaders coincided in pointing out the importance of maintaining the independence of their national economies according to their own views on how international trade should be.[79] However, it is important to note that Ecuador's economy was more dependent on trade with the EU since the European market was, and still is, one of the main destinations for Ecuadorian agricultural exports.[80]

Concerning the treatment of Ecuadorian migrants in Europe, Correa was a staunch critic of some policies implemented by the EU.[81] For example, he strongly condemned the so-called Return Directive, which is the European policy that established common rules and procedures for the return of migrants residing irregularly in the EU.[82] In this regard, Correa stated:

> We are negotiating a trade and political cooperation agreement between the EU and the AC. What cooperation are they talking about when migrants are treated as criminals? There are many Africans but also Latin Americans. What cooperation are we talking about? If it were up to me, I would even suspend those negotiations. What do we have to talk about with a union of countries that criminalises immigrants?[83]

Making emphasis on the colonisation period, he added:

> We are going to respond strongly, comrades. Enough of being trampled on, of being humiliated. What would have happened if we had applied the same laws when the Europeans invaded us? If we analyse history, their well-being depends on all the looting they did in our territories. How long are we going to allow so much humiliation, so much indignity?[84]

These statements reveal Correa's confrontational attitude towards the EU at that time.[85] He conditioned the ongoing agreement negotiations on the treatment of Latin American migrants in Europe. He drew a parallel between recent Latin American migration to Europe and the arrival of European colonisers in the 15th century, arguing that Latin

---

[79] BANCHÓN 2019.
[80] In 2007, at the beginning of Correa's mandate, the total trade flow between the EU and Ecuador was EUR 2,551 million. Bilateral exchange increased gradually over the years reaching a total of EUR 5,172 million in 2019 with a surplus in favour of Ecuador of EUR 550 million (according to statistics retrieved from Eurostat s. a.).
[81] In this regard, it is worth noting that Latin American populist leaders of the Pink Tide had a different approach to migration compared to European populist leaders, since the former demanded more open borders and recognition of migrants' rights while the latter tend to favour xenophobic policies.
[82] The Return Directive was adopted in December 2008. According to the European Parliament's Research Service, this regulation aimed to "ensure that the return of third-country nationals (non-EU nationals) without legal grounds to stay in the EU is carried out effectively through fair and transparent procedures that fully respect the fundamental rights and dignity of the people concerned".
[83] This excerpt from the speech was retrieved from Archivo Audiovisual 2017a.
[84] Archivo Audiovisual 2017a.
[85] It should be mentioned that Rafael Correa did not address his confrontational discourse specifically toward Spain (which was the coloniser of the Ecuadorian territory) but toward Europe as a whole.

America never expelled European migration when it arrived in the region. Moreover, he appealed to memories of the colonisation era to create an antagonistic division between "them" (Europeans as invaders) and "us" (victims of their invasion), which is a typical characteristic of the rhetoric of populist leaders. It should be noted that the Return Directive was criticised not only by Correa but also by other Latin American presidents including Evo Morales.

Despite these discrepancies, negotiations for the agreement continued. However, Correa maintained a cautious view of the EU's intentions behind the process. For him, the association agreement was an understatement while the real interest was to achieve an FTA. In May 2009, during his weekly radio and television program called *Enlace Ciudadano*, Correa said: "The European Union can call it whatever nice name it wants, but the direction this is taking is to lead us towards a free trade agreement, and we are not going to accept it."[86] He also pointed out that these trade negotiations included issues such as intellectual property in which "they try to impose neoliberal principles of intellectual property on us".[87] His aim was to emphasise what he perceived to be the dominant character of the EU in negotiating with the Andean countries.

In July 2009, Ecuador withdrew from the talks due to a dispute over the conditions for banana exports and some disagreements with EU proposals related to labour and environmental regulations.[88] Furthermore, Correa insisted that the EU was offering nothing more than an FTA to the Andean countries. He claimed that FTAs only serve the interests of developed countries and perpetuate inequality in the international system. In this regard, he stated during a radio interview: "I ask: Has the U.S. signed an FTA with Europe? Or Europe with Japan? No, it is the developed countries that sign it with the underdeveloped countries to guarantee free access to their goods, because they know that they are going to gain from it."[89]

However, Correa had to reconsider his approach after Colombia and Peru signed their trade agreement with the EU. The entry into force of that agreement jeopardised Ecuadorian economic interests since agricultural products from Colombia and Peru would be more competitive in the EU. Therefore, Correa's discourse underwent a transformation from a confrontational attitude to a more pragmatic approach when dealing with the EU. In this sense, Malamud and García-Calvo point out that, in terms of international politics, there was a learning process that led Correa to adopt pragmatic positions in order to defend better Ecuadorian interests.[90] For example, in May 2011, Correa declared: "We go to international trade intelligently, in a patriotic way. And we go, if possible, […] to a trade agreement and not an FTA with the European Union, beneficial for both parties, avoiding the neocolonialism that has been imposed on other treaties."[91]

This excerpt from Correa's speech reveals the change in his rhetoric regarding the EU. Although he continued to argue that there is a link between neocolonialism and the

---

[86] This declaration was retrieved from Archivo Audiovisual 2017b.

[87] Archivo Audiovisual 2017b.

[88] Leví Coral 2013.

[89] This declaration was retrieved from Mena Erazo 2010.

[90] Malamud–García-Calvo 2009.

[91] This declaration was retrieved from Estévez 2012.

signing of FTAs, his position became more conciliatory and he showed more willingness to reach an agreement with the EU. Yet, he insisted that he wanted to obtain a "development agreement" with the EU rather than an FTA. In August 2012, during his weekly radio and television program, Correa said: "Our political will is to sign a treaty with the European Union, but we are not going to sign an FTA. We are going to sign a trade agreement that truly benefits our country and, obviously, that also benefits Europe."[92]

His discourse became less confrontational and his hostile attitude diminished. In this declaration, Correa portrayed the EU as a partner rather than an enemy that takes advantage of the negotiations. This time he did not appeal to rhetoric about neocolonialism or neoliberal impositions. He was more willing to recognise the role of the EU as one of the main markets for Ecuador's non-oil exports.[93] Thus, his positions became progressively more pragmatic in consideration of the expected disadvantages of not having a trade agreement with the EU, especially for Ecuadorian agricultural products. The reasons for his change of attitude were also made explicit in some of his speeches. For example, in July 2014, he stated:

> We have to be realistic because economies that export goods very similar to ours, such as Colombia and Peru […] have already signed those agreements. So we have to be very objective on this. Honestly, if I didn't have the pressure that we don't have the tariff preferences that Colombia and Peru have […] I wouldn't worry about signing a trade agreement [with the EU]. But the reality is different.[94]

In 2014, after several rounds of negotiation, Ecuador and the EU reached a trade agreement that, according to Correa, is not an FTA. Two years later, in November 2016, the Ecuadorian Government signed the Protocol of Accession to the Multiparty Trade Agreement with the EU, of which Colombia and Peru were already part. Back then, Correa said in an interview: "The agreement we have signed with Europe cannot be called a free trade [agreement]. There are a series of protection restrictions for our small producers, for our agricultural sector, for public procurement, a powerful development instrument that we were not going to give in."[95] He further stressed: "If we did not lose the [GSP+] tariff preferences in December, I would not have negotiated a multiparty agreement with the European Union."[96]

Certainly, the pressure of losing preferential access to the European market accelerated the pace of negotiations and influenced Correa's change of attitude. As Meléndez and Moncagatta point out, the signing of the agreement with the EU constituted a sacrifice of ideological principles for the Correa Government.[97] However, Córdova Jaramillo argues

---

92   This declaration was retrieved from BBC News 2012.
93   El Economista 2014.
94   This excerpt from the speech was retrieved from Telesur TV 2014.
95   This declaration was retrieved from Medios Públicos EP 2016.
96   Medios Públicos EP 2016.
97   MELÉNDEZ–MONCAGATTA 2017: 421.

that Correa's foreign policy orientation was, in general, a mixture of ideological and pragmatic aspects.[98] In this sense, his populist rhetoric based on the antagonism between "them" and "us" was replaced by a less confrontational approach over time.

Conclusions

Evo Morales and Rafael Correa were recognised for the profound changes that their governments brought to Bolivia and Ecuador respectively. Both represented the beginning of a new political era in their countries. Consequently, their rhetoric was characterised by the refoundational sense of their political projects that aimed to mark a solid break with the past. This sense of exceptionalism was fuelled by their populist discourse according to which they were the only true voice of "the people" in the context of a confrontation against "the elites". Their governments were favoured by an economic boom that allowed them to implement redistributive social programs that increased their popularity and reinforced their role as representatives of "the people".

This populist rhetoric was also extrapolated to the international level, specifically to the relationship with the EU. However, although both leaders maintained a confrontational position towards the EU at the beginning, they followed different approaches later. On the one hand, Evo Morales championed the vindication of Bolivia's native heritage, highlighting the negative legacies of the colonisation period. His government sought to represent the rise of indigenous power, which implied the rejection of what were perceived as colonialist attempts to assert control over the country. In this sense, the agreement negotiations between the AC and the EU were seen by Morales as a European effort to impose unfavourable conditions for Bolivia's development. Moreover, Morales's rhetoric underlined the asymmetry between Latin America and the EU and how it was reflected, for example, in European policies to contain migration from the region. A negative image of the EU based on the logic of "them vs. us" was reinforced through Morales's discourse in multiple contexts and before different audiences.

On the other hand, Rafael Correa's government was characterised by a strong nationalist and anti-colonialist orientation. At the beginning of his term, his rhetoric revolved around the importance of maintaining the independence of the Ecuadorian economy and diversifying the country's diplomatic relations. This implied questioning the role of actors such as the EU by taking a critical stance on the agreement that was being negotiated between the AC and the EU and even temporarily withdrawing from the talks. However, after observing the progress of the trade agreement between the EU and other Andean countries (and in the face of the imminent cancelation of trade preferences for Ecuador) Correa had to change his discourse to a moderate and pragmatic rhetoric. This is explained by the fact that Ecuador had a higher dependence on exports to the EU (especially agricultural products) compared to Bolivia. Thus, Correa moved towards a more conciliatory position in which references to European neocolonialism gradually decreased. His rhetoric shifted from constantly attacking the EU to focusing on the refusal

---

[98] CÓRDOVA JARAMILLO 2018.

to negotiate an FTA. The discourse on the EU evolved from portraying it as a colonising actor to considering it only as a trading partner. In the end, Correa went ahead with the negotiations and signed an agreement with the EU, which represented an ideological sacrifice for him as he had rejected this option in previous years.

When analysing the speeches of these leaders, several similarities were found in their rhetoric. Morales and Correa maintained a frontal opposition to what they perceived as colonialist practices in their countries. They sought to vindicate the role of "the people" in the face of "oppression and abuse" by domestic and international elites. Regarding the relationship with the EU, migration and trade were the most important issues for both leaders. In terms of migration, they coincided in condemning the EU's management of immigration from Latin America. In particular, they criticised that, in the negotiations of the agreement between the AC and the EU, the free movement of goods and services was promoted while the free movement of people was hindered. In terms of trade, Morales and Correa had a negative view of the negotiation of an FTA with the EU. In their speeches, FTAs were portrayed as instruments of colonisation from which only developed countries benefit. Moreover, the notion of asymmetry between Latin American countries and the EU was constantly highlighted by them to justify their position in the negotiation and the concessions they tried to obtain.

Regarding the differences, Morales's rhetoric placed more emphasis on the recognition of the power of the indigenous population, as he is part of one of the most important indigenous ethnic groups in Bolivia and identified himself as their legitimate voice. The notion of "indigeneidad" played an important role in his rhetoric by claiming the importance of indigenous legacies and the recognition of ethnic groups as social actors. Meanwhile, Correa's discourse was less related to the indigenous population since he does not belong to any specific native ethnicity, so his leadership did not depend on that aspect. Furthermore, Morales held a stronger ideological position based on the decolonisation approach that openly challenged the superiority of the coloniser over the colonised peoples. Morales's rhetoric was more incisive in references to the colonisation period and highlighted more vehemently its negative legacies in Latin America. In contrast, Correa adopted a more moderate view that also condemned colonisation and questioned the role of the EU in Latin America but was more willing to adapt his rhetoric to the circumstances.

Finally, it is clear that the use of certain rhetoric influences the image that is constructed about a certain actor. In this case, at the beginning of the Morales and Correa Governments, an image of the EU as a promoter of colonialism was reinforced, limiting the possibility of negotiating an agreement with that region. The populist logic of "them vs. us" was promoted and replicated in different spheres and levels. Their discourses portrayed the EU as "an empire", "a dangerous competitor" and, in general, as an "elite" that perpetuates injustices against "us" ("the people"). Thus, the domestic antagonism between "the elite" and "the people" was extrapolated to the relationship with the EU. However, rhetoric can change at convenience according to the circumstances, as was in the case with Correa.

As for further research, it is recommended to explore the populist rhetoric of other Latin American leaders regarding the EU in order to compare them with the cases of Bolivia and Ecuador, and identify whether there is any common pattern across the region. Another research direction is to conduct an analysis of the Latin American populist

rhetoric on the role of the U.S. in the region and compare it with the role of the EU to point out the similarities and differences between them. Studies in this direction are especially important in the context of the rise of non-Western powers, since the image that has been portrayed of the EU and the U.S. in Latin America may determine future alliances with these actors in future reconfigurations of the international system.

References

ABTS, Koen – RUMMENS, Stefan (2007): Populism Versus Democracy. *Political Studies*, 55(2), 405–424. Online: https://doi.org/10.1111/j.1467-9248.2007.00657.x

ACEMOGLU, Daron – EGOROV, Georgy – SONIN, Konstantin (2011): A Political Theory of Populism. *Working Papers N° 17306 of the National Bureau of Economic Research.* Online: https://doi.org/10.3386/w17306

AGRAMONT LECHÍN, Daniel (2015): Bolivia mira hacia el sur: El ingreso al Mercosur y la política exterior de Evo Morales. *Nueva Sociedad*, (259), 15–26. Online: https://nuso.org/articulo/bolivia-mira-hacia-el-sur/

ALBUJA, Verónica – DÁVALOS, Pablo (2013): Extractivismo y posneoliberalismo: el caso de Ecuador. *Estudios críticos del desarrollo*, 3(4), 83–112. Online: https://doi.org/10.35533/ecd.0304.va.pd

Archivo Audiovisual [@archivoaudiovisual7874] (2017a): Enlace Ciudadano 74. *YouTube*, 24 March 2017. Online: www.youtube.com/watch?v=JQbBnA-msGE

Archivo Audiovisual [@archivoaudiovisual7874] (2017b): Enlace Ciudadano Nro 121 desde Quito – Pichincha 23-05-2009. *YouTube*, 24 March 2017. Online: www.youtube.com/watch?v=raCM38XJoCw

ASLANIDIS, Paris (2016): Is Populism an Ideology? A Refutation and a New Perspective. *Political Studies*, 64(1), 88–104. Online: DOI: https://doi.org/10.1111/1467-9248.12224

BALAKRISHNAN, Ravi – TOSCANI, Frederik (2018): How the Commodity Boom Helped Tackle Poverty and Inequality in Latin America. *IMFBlog*, 21 June 2018. Online: https://blogs.imf.org/2018/06/21/how-the-commodity-boom-helped-tackle-poverty-and-inequality-in-latin-america/

BANCHÓN, Mirra (2019): ¿Por qué Bolivia ahora sí quiere acuerdo comercial con la UE? *Deutsche Welle*, 27 March 2019. Online: www.dw.com/es/por-qu%C3%A9-bolivia-ahora-s%C3%AD-quiere-acuerdo-comercial-con-la-ue/a-48083697

BASABE-SERRANO, Santiago (2015): La Revolución Ciudadana de Rafael Correa. *Foreign Affairs Latinoamérica*, March 2015. Online: https://revistafal.com/la-revolucion-ciudadana-de-rafael-correa/

BBC News (2012): Ecuador no quiere "firmar cualquier cosa" con la UE. *BBC News*, 04 August 2012. Online: www.bbc.com/mundo/ultimas_noticias/2012/08/120804_ultnot_correa_ue_acuerdo

BRADING, Ryan (2013): *Populism in Venezuela.* New York: Routledge. Online: https://doi.org/10.4324/9780203098592

BURRIER, Grant Alan (2019): Populists and Foreign Policy: Evidence from Latin America. In STENGEL, Frank A. – MACDONALD, David B. – NABERS, Dirk (eds.): *Populism and World*

Politics. Basingstoke: Palgrave Macmillan. 165–193. Online: https://doi.org/10.1007/978-3-030-04621-7

Cambridge University Press (s. a.): Rhetoric. *The Cambridge Dictionary.* Online: https://dictionary.cambridge.org/dictionary/english/rhetoric

Caudillo Félix, Gloria Alicia (2007): De la resistencia a la toma del poder: El discurso de Evo Morales ante el Congreso. *Perspectivas,* 32, 183–201.

Ceppi, Natalia (2014): La política exterior de Bolivia en tiempos de Evo Morales Ayma. *Si Somos Americanos,* 14(1), 125–151. Online: https://doi.org/10.4067/S0719-09482014000100007

Córdova Jaramillo, Gerwin Oswaldo (2018): *Política exterior de Ecuador en el período 2009–2016: Entre la ideología y el pragmatismo.* Quito: Universidad Andina Simón Bolívar.

Cornejo, Humberto (2009): Morales dice que la UE comete un grave error con la negociación bilateral al margen de la CAN. *Panamá América,* 22 January 2009. Online: www.panamaamerica.com.pa/node/324380

Díaz González, José Andrés (2019): Populismo y política exterior: los casos de los gobiernos de Hugo Chávez y Rafael Correa. *Papel Político,* 24(1). Online: https://doi.org/10.11144/Javeriana.papo24-1.ppec

Drezner, Daniel W. (2017): The Angry Populist as Foreign Policy Leader: Real Change or Just Hot Air. *Fletcher Forum of World Affairs,* 41(2), 23–44.

Economic Commission for Latin America and the Caribbean (1999): *América Latina en la agenda de transformaciones estructurales de la Unión Europea.* Santiago de Chile: ECLAC.

Edwards, Sebastian (2009): *Populismo o mercados: El dilema de América Latina.* Bogotá: Editorial Norma.

EFE Agency (2016): YPFB: Bolivia's Oil and Gas Nationalization Generated $31.5 bn over a Decade. *EFE Agency,* 16 April 2016. Online: www.efe.com/efe/english/business/ypfb-bolivia-s-oil-and-gas-nationalization-generated-31-5-bn-over-a-decade/50000265-2898302

El Economista (2014): Ecuador y UE alcanzan acuerdo comercial. *El Economista,* 17 July 2014. Online: www.eleconomista.com.mx/economia/Ecuador-y-UE-alcanzan-acuerdo-comercial—20140717-0157.html

El Universo (2008): Bolivia y Ecuador excluidos del acuerdo comercial entre Perú y Colombia con UE. *El Universo,* 11 November 2008. Online: www.eluniverso.com/2008/11/11/0001/14/EE3FC33A9CB34AC6B1367E074F163264.html

Estévez, Isabel (2012): *¿Hacia dónde va la Política Comercial Ecuatoriana? Nuevos elementos normativos en el ámbito comercial y sus implicaciones para el Acuerdo Comercial Multipartes con la Unión Europea.* Quito: IAEN.

European Parliamentary Research Service (2020): *The Return Directive 2008/115/EC.* Brussels: European Parliament.

Eurostat (s. a.): *Extra–EU Trade by Partner.* Online: https://ec.europa.eu/eurostat/databrowser/view/EXT_LT_MAINEU__custom_7598063/default/table?lang=en

Franke, Mark F. N. (2009): The Political Stakes of Indigenous Diplomacies. Questions of Difference. In Beier, J. Marshall (ed.): *Indigenous Diplomacies.* New York: Palgrave Macmillan. 47–60. Online: https://doi.org/10.1057/9780230102279_4

GIDRON, Noam – BONIKOWSKI, Bart (2013): Varieties of Populism: Literature Review and Research Agenda. *Working Paper Series N° 13-0004 of the Weatherhead Center for International Affairs.* Online: https://doi.org/10.2139/ssrn.2459387

GÓMEZ SARMIENTO, Isabella (2019): How Evo Morales Made Bolivia a Better Place… Before He Fled the Country. *NPR*, 26 November 2019. Online: www.npr.org/sections/goatsandsoda/2019/11/26/781199250/how-evo-morales-made-bolivia-a-better-place-before-he-was-forced-to-flee

GRIGERA, Juan (2017): Populism in Latin America: Old and New Populisms in Argentina and Brazil. *International Political Science Review,* 38(4), 441–455. Online: https://doi.org/10.1177/0192512117701510

HADIZ, Vedi R. – CHRYSSOGELOS, Angelos (2017): Populism in World Politics: A Comparative Cross-Regional Perspective. *International Political Science Review,* 38(4), 399–411. Online: https://doi.org/10.1177/0192512117693908

HAWKINS, Kirk (2003): Populism in Venezuela: The Rise of Chavismo. *Third World Quarterly,* 24(6), 1137–1160. Online: https://doi.org/10.1080/01436590310001630107

HAWKINS, Kirk (2009): Is Chavez Populist? Measuring Populist Discourse in Comparative Perspective. *Comparative Political Studies,* 42(8), 1040–1067. Online: https://doi.org/10.1177/0010414009331721

JAGERS, Jan – WALGRAVE, Stefaan (2007): Populism as Political Communication Style: An Empirical Study of Political Parties Discourse in Belgium. *European Journal of Political Research,* 46(3), 319–345. Online: https://doi.org/10.1111/j.1475-6765.2006.00690.x

JANSEN, Robert S. (2011): Populist Mobilization: A New Theoretical Approach to Populism. *Sociological Theory,* 29(2), 75–96. Online: https://doi.org/10.1111/j.1467-9558.2011.01388.x

JOHNSON, Brian B. (2010): Decolonization and Its Paradoxes: The (Re)envisioning of Health Policy in Bolivia. *Latin American Perspectives,* 37(3), 139–159. Online: https://doi.org/10.1177/0094582X10366535

KANE, Catherine – McCULLOCH, Caitlin (2017): Populism and Foreign Policy: Deepening Divisions and Decreasing Efficiency. *Global Politics Review,* 3(2), 39–52.

KAUP, Brent Z. (2010): A Neoliberal Nationalization?: The Constraints on Natural-Gas-Led Development in Bolivia. *Latin American Perspectives,* 37(3), 123–138. Online: https://doi.org/10.1177/0094582X10366534

KAZIN, Michal (1995): *The Populist Persuasion. An American History.* Ithaca: Cornell University Press.

KRIESI, Hanspeter (2014): The Populist Challenge. *West European Politics,* 37(2), 361–378. Online: https://doi.org/10.1080/01402382.2014.887879

LACLAU, Ernesto (2005): *On Populist Reason.* London: Verso.

LEVÍ CORAL, Michel (2013): Ecuador – Unión Europea: lógicas de una negociación inconclusa. *Análisis ILDIS – Friedrich–Ebert–Stiftung,* September 2013. Online: https://library.fes.de/pdf-files/bueros/quito/10376.pdf

LEVITSKY, Steven – ROBERTS, Kenneth M. (2011): *The Resurgence of the Latin American Left.* Baltimore: Johns Hopkins University Press. Online: https://doi.org/10.1353/book.1866

L‌listar, David (2003): El Consenso de Washington una década después. In R‌amos, Laura (ed.): *El fracaso del Consenso de Washington, la caída de su mejor alumna: Argentina.* Barcelona: Icaria Editorial. 11–20.

L‌ópez-A‌lves, Fernando (2011): Los caminos de la modernidad: comparando a Europa y Estados Unidos con América Latina. *América Latina Hoy,* 57, 51–77. Online: https://doi.org/10.14201/alh.8123

M‌adrid, Raúl L. (2008): The Rise of Ethnopopulism in Latin America. *World Politics,* 60(3), 475–508. Online: https://doi.org/10.1017/S0043887100009060

M‌aira, Luis (2007): Dilemas internos y espacios internacionales en el gobierno de Evo Morales. *Nueva Sociedad,* (209). Online: https://nuso.org/articulo/dilemas-internos-y-espacios-internacionales-en-el-gobierno-de-evo-morales/

M‌akarán, Gaya (2013): Entre el Buen Vivir y el sobrevivir, modelos de desarrollo en la Bolivia de Evo Morales. *Cuadernos Americanos,* 145(3), 141–156.

M‌alamud, Carlos – G‌arcía-C‌alvo, Carola (2009): La política exterior de Ecuador: entre los intereses presidenciales y la ideología. *ARI Nº 61 of the Instituto Real Elcano,* 13 April 2009. Online: http://biblioteca.ribei.org/id/eprint/1586/1/ARI-61-2009.pdf

Medios Públicos EP [@andesecuador] (2016): Pdte. Correa asegura que Acuerdo con la UE protege la industria nacional y no es de libre comercio. *YouTube,* 11 November 2016. Online: www.youtube.com/watch?v=OBj1Q9edicE

M‌eléndez, Carlos – M‌oncagatta, Paolo (2017): Ecuador: Una década de correísmo. *Revista de Ciencia Política,* 37(2), 413–447. Online: https://doi.org/10.4067/s0718-090x2017000200413

M‌ena E‌razo, Paúl (2010): Ecuador: no al TLC, sí a un "acuerdo de comercio para el desarrollo". *BBC News,* 02 June 2010. Online: www.bbc.com/mundo/economia/2010/06/100602_0510_tlc_ecuador_union_europea_acuerdo_comercio_correa_fp

Ministerio de Relaciones Exteriores de Bolivia (2009): *ALBA-TCP: El Amanecer de Los Pueblos.* Online: www.cancilleria.gob.bo/webmre/sites/default/files/libros/Alba-tcp%20el%20amanecer%20de%20los%20pueblos.pdf

M‌offitt, Benjamin – T‌ormey, Simon (2013): Rethinking Populism: Politics, Mediatisation and Political Style. *Political Studies,* 62(2), 381–397. Online: https://doi.org/10.1111/1467-9248.12032

M‌olano, Andrés (2012): América Latina y las Potencias Extra-Regionales. *Análisis Latinoamericano,* 3, 1–28.

M‌udde, Cas (2004): The Populist Zeitgeist. *Government and Opposition,* 39(4), 541–563. Online: https://doi.org/10.1111/j.1477-7053.2004.00135.x

M‌uno, Wolfgang (2019): Populism in Argentina. In S‌tockemer, Daniel (ed.): *Populism Around the World.* Cham: Springer. 9–26. Online: https://doi.org/10.1007/978-3-319-96758-5_2

M‌uñoz J‌aramillo, Francisco (2014): *Balance crítico del gobierno de Rafael Correa.* Quito: Universidad Central del Ecuador.

New Left Review (2012): La vía del Ecuador. *New Left Review,* 77, 81–102. Online: https://newleftreview.es/issues/77/articles/rafael-correa-la-via-del-ecuador.pdf

P‌anizza, Francisco (2005): *Populism and the Mirror of Democracy.* London: Verso.

P‌ankowski, Rafal (2010): *The Populist Radical Right in Poland. The Patriots.* London: Routledge. Online: https://doi.org/10.4324/9780203856567

Pauwels, Teun (2011): Measuring Populism: A Quantitative Text Analysis of Party Literature in Belgium. *Journal of Elections, Public Opinion and Parties,* 21(1), 97–119. Online: https://doi.org/10.1080/17457289.2011.539483

Postero, Nancy (2010): Morales's MAS Government: Building Indigenous Popular Hegemony in Bolivia. *Latin American Perspectives,* 37(3), 18–34. Online: https://doi.org/10.1177/0094582X10364031

Querejazu Escobari, Amaya (2015): Indigeneidad en la política exterior de Bolivia en el gobierno de Evo Morales. *Desafíos,* 27(1), 159–184. Online: https://doi.org/10.12804/desafios27.01.2015.05

Roberts, Kenneth M. (2006): Populism, Political Conflict, and Grass-Roots Organization in Latin America. *Comparative Politics,* 38(2), 127–148. Online: https://doi.org/10.2307/20433986

Rosell, Christoffer (2010): *Sardinas contra tiburones: El discurso de la política comercial de Evo Morales con respecto al Acuerdo de Asociación entre la Comunidad Andina y la Unión Europea.* Master thesis. Stockholm: Stockholm University.

Stanley, Ben (2008): The Thin Ideology of Populism. *Journal of Political Ideologies,* 13(1), 95–110. Online: https://doi.org/10.1080/13569310701822289

Taggart, Paul A. (2000): *Populism.* Buckingham–Philadelphia: Open University Press.

Taylor, Matthew (2009): Evo Morales Hails 'New Bolivia' as Constitution Is Approved. *The Guardian,* 26 January 2009. Online: www.theguardian.com/world/2009/jan/26/bolivia

Telesur TV (2014): Ecuador desea beneficiarse con acuerdo comercial con UE: Rafael Correa. *Telesur TV,* 11 July 2014. Online: www.dailymotion.com/video/x21auvs

Tribunal Supremo Electoral de Ecuador (2008): *Resultados electorales referéndum 2008.* Online: http://app.tse.gov.ec/resultadosrefe2008/

Uharte Pozas, Luis Miguel (2017): Una década del gobierno del M.A.S. en Bolivia: un balance global. *Barataria,* 22, 131–148. Online: https://doi.org/10.20932/barataria.v0i22.363

Uribe Gómez, Mónica (2018): Ciclos políticos y política social en América Latina en el siglo XXI. *Revista Forum,* 13, 101–118. Online: https://doi.org/10.15446/frdcp.n13.70491

Vecchione Gonçalves, Marcela (2009): Between the Leader of Virtù and the Good Savage. Indigenous Struggles and Life Projects in the Amazon Basin. In Beier, J. Marshall (ed.): *Indigenous Diplomacies.* New York: Palgrave Macmillan. 133–153. Online: https://doi.org/10.1057/9780230102279_9

Verbeek, Berthan – Zaslove, Andrej (2017): Populism and Foreign Policy. In Rovira Kaltwasser, Cristóbal – Taggart, Paul – Ochoa Espejo, Paulina – Ostiguy, Pierre (eds.): *The Oxford Handbook of Populism.* Oxford: Oxford University Press. 384–405. Online: https://doi.org/10.1093/oxfordhb/9780198803560.013.15

Vicepresidencia de la República Plurinacional de Bolivia (2009): *Referendum constituyente. Resultados Finales Corte Nacional Electoral.* Online: www.vicepresidencia.gob.bo/IMG/pdf/referendum_constituyente.pdf

Wajner, Daniel F. (2019): Making (Latin) America Great Again: Lessons from Populist Foreign Policies in the Americas. In Stengel, Frank A. – MacDonald, David B. – Nabers, Dirk (eds.): *Populism and World Politics.* Basingstoke: Palgrave Macmillan. 195–225. Online: https://doi.org/10.1007/978-3-030-04621-7_8

Wajner, Daniel F. – Wehner, Leslie E. (2023): Embracing or Rebuffing "the International"? Populist Foreign Policy and the Fourth Wave of Populism in Latin America. *Global Studies Quarterly*, 3(2), 1–13. Online: https://doi.org/10.1093/isagsq/ksad026

Wehner, Leslie E. – Thies, Cameron G. (2020): The Nexus of Populism and Foreign Policy: The Case of Latin America. *International Relations*, 35(2), 320–340. Online: https://doi.org/10.1177/0047117820944430

Weyland, Kurt (2001): Clarifying a Contested Concept: Populism in the Study of Latin American Politics. *Comparative Politics*, 34(1), 1–22. Online: https://doi.org/10.2307/422412

Weyland, Kurt (2010): The Performance of Leftist Governments in Latin America. In Weyland, Kurt – Madrid, Raúl L. – Hunter, Wendy (eds.): *Leftist Governments in Latin America. Successes and Shortcomings.* Cambridge: Cambridge University Press. 1–27. Online: https://doi.org/10.1017/CBO9780511778742.001

WITS (s. a.): *Bolivia Trade Balance, Exports and Imports.* World Integrated Trade Solution. Online: https://wits.worldbank.org/CountryProfile/es/Country/BOL/Year/2006/TradeFlow/EXPIMP/Partner/by-country

Zakaria, Fareed (2016): Populism on the March: Why the West Is in Trouble. *Foreign Affairs*, 95(6), 9–15.

The 7 October Hamas Attack

A Preliminary Assessment of the Israeli Intelligence, Military and Policy Failures

Péter SELJÁN[1]

On 7 October 2023, Palestinian militants led by Hamas launched a complex coordinated attack on Israel from the Gaza Strip, triggering an Israeli ground invasion combined with an aerial bombing campaign. The Hamas fighters killed around 1,200 people and took more than 250 hostages, while the death toll from Israeli military operations in the Gaza Strip exceeded 31,600 in mid-March 2024. The Hamas attack not only shocked the whole world but also caught most people by surprise. Probably only a few could have imagined that the Palestinian organisation that controls the Gaza Strip could carry out such an attack on Israel. Following 7 October, several questions arose. Why Israeli intelligence could not predict the attack, and why did security and defence forces not react in time? The Israeli Government promised a full investigation once the Gaza ground offensive launched in response to the attack was over. But even without knowing more details of the events, we might still be able to provide a preliminary assessment of the surrounding Israeli intelligence failures based on the reports and accounts made public in the international media. Three months after the attack, the publicly available information showed that the Israel Defense Forces were unprepared and there was no battle plan in place in case Hamas militants broke out of the Gaza Strip with large forces. Clarifying what happened will be crucial not only to learn from the mistakes, but also because other actors or adversaries can learn from Hamas and copy its tactics.

Keywords: *Israel, Hamas, Palestine, Gaza, terrorism*

Introduction

It probably goes without saying that the historical background of the Israeli–Palestinian conflict is not easy to summarise in a simple but adequate and still, somewhat comprehensive way, with all the various surrounding issues. Some call this conflict the

---

1   Security and Defense Policy Expert, PhD in International Relations, Corvinus University of Budapest, e-mail: peter@seljan.hu

"maze of conflicts", not without any reason. Answering the tough questions, like why the Holy Land became a focal point throughout history and whether there can be lasting peace in the region, is a more complex endeavour than one might think.[2] It is beyond debate that the Israeli–Palestinian conflict is one of the longest-running in the Middle East, with deep historical roots, which divides both the great powers and the world's public opinion. The essence of the dispute is that Israeli Jews and Palestinian Arabs claim the same historical land[3] based on the ideology of political Zionism and Palestinian nationalism, not to mention the religious beliefs of the two sides. Although the area in question is only around 24,000 square meters, approximately 15 million residents share this land, having very serious grievances and disagreements. The answer to the question of why the Israelis and the Palestinians are fighting over such a small area of land is far from simple, and it is well beyond the scope of this paper. But after the deadliest Hamas attack and after Israel's military response using overwhelming force exacting a heavy death toll on the Palestinians, I am afraid the solution has never been farther than it is today in 2024.

7 October, and the Israel–Hamas war that followed was not the first time that a confrontation between the two sides took a heavy human toll, caused severe economic damage, and increased mutual enmity and mistrust to levels hindering dialogue, not only about resolving the conflict but even on its management.[4] As neither side expects the conflict to last long or escalate ferociously, it tends to become intractable, dominated by uncontrolled violence. The failure of both sides and the international community to resolve it quickly, or even to moderate its intensity, results in a protracted confrontation.[5]

In the following pages, I will first briefly summarise the events of 7 October, and then I will explain what mistakes or "failures", based on the information that has been made public so far, may have played a role in the fact that Israel was unable to prevent the attack or react quickly to it. I will show how an overreliance on technology, misjudgment of threats, a false sense of security and unpreparedness, combined with flawed policies, have increased Israel's vulnerability in recent years. After this, I will also touch on Israel's defence strategy so that 7 October and the subsequent events can be more easily put into context. In the end, the paper concludes with conclusions.

Hamas, and the events of 7 October

Hamas (its official name, the Islamic Resistance Movement) is a Palestinian Sunni Islamist political and military organisation governing the Gaza Strip. It was established in 1987, after the outbreak of the First Intifada, by members of the Muslim Brotherhood

---

2   For a rigorous overview of the Arab–Israeli and the Palestinian–Israeli conflicts see MILTON-EDWARDS–HINCHCLIFFE 2008: 8–35. For more information on the historical background see PAPPÉ 2007; BUBER 2005.
3   The territory of the former British Mandate for Palestine, which consisted of Palestine and Transjordan.
4   Conflicts that defy resolution for one reason or another can only be managed, as management remains the default option, which is usually also perceived as an incipient stage toward resolution (BAR-SIMAN-TOV 2007: 3).
5   BAR-SIMAN-TOV 2007: 1.

and religious factions of the Palestine Liberation Organization (PLO).[6] In 2006, Hamas surprisingly won the Palestinian legislative election and took control of the Gaza Strip in the following year from the secular rival Fatah. After the Hamas takeover of the Gaza Strip, Israel declared Gaza under Hamas a hostile entity, introduced a series of sanctions, and implemented a strict blockade with Egyptian assistance. Since then, multiple wars have taken place between Hamas fighters and Israel, including in 2008–2009, 2012, 2014 and 2021.[7] The organisation has carried out attacks against Israeli civilians, including suicide bombings and indiscriminate rocket attacks. The United States and the European Union, among others, designated Hamas as a terrorist organisation, while in contrast, Turkish President Recep Tayyip Erdogan recently described the Hamas militants as "resistance fighters" trying to protect their lands and people while calling Israel a "terrorist state".[8]

On 7 October 2023, during the Jewish holiday of Simchat Torah, the Palestinian militants launched an attack on Israel, combining gunmen breaching security barriers and a massive barrage of rockets fired from the Gaza Strip. The surprise attack came 50 years and a day after Egyptian and Syrian forces launched an assault against the State of Israel during the Jewish holiday of Yom Kippur in an effort to reclaim territory taken by Israel in 1967. According to Ely Karmon, the strategic goals of Hamas in its attack on Israel were the disruption of the normalisation process between Saudi Arabia and Israel and the weakening of the Fatah-led Palestinian Authority in the West Bank.[9]

According to Reuters, at about 6:30 a.m. local time, Hamas fired thousands of rockets into southern Israel hitting several cities including Tel Aviv, Rehovot, Gedera and Ashkelon.[10] Mohammed Deif, the head of the Qassam Brigades, the military wing of Hamas, announced the start of "Operation Al-Aqsa Flood". By 7:40 a.m., it was clear that the barrage of rockets served as cover for an unprecedented multipronged infiltration of Hamas fighters into Israel while it also managed to overwhelm the Israeli Iron Dome

---

[6]   The historical background of Hamas can be traced back to 1967. According to the Palestinian movement's narrative, the organisation evolved through four main stages, the first of which was the construction of the main elements of the Muslim Brotherhood in the Gaza Strip between 1967 and 1976. The leading figure behind the Muslim Brotherhood's rise was Sheikh Ahmad Yasin, who founded the Islamic Center in Gaza in 1973, which served as the centre for the administration of religious and educational Islamic institutions in the Gaza Strip (MISHAL–SELA 2000: 18–19).

[7]   For a historical context on Israel's war against Hamas see SHLAIM 2009: 307–317. Avi Shlaim argues that the Israeli occupation of the West Bank and the Gaza Strip in the aftermath of the 1967 war was rather about territorial expansionism than security, and Gaza is a "classic case of colonial exploitation in the post-colonial era". According to Shlaim, the Palestinian people are a "normal people with normal aspirations", and their aspiration is to have a piece of land to call their own on which they can live in freedom and dignity. Although, as Shlaim notes, Hamas is not an innocent party in this conflict either.

[8]   Encyclopaedia Britannica 2023; The Times of Israel 2023b. For more on Hamas, see MISHAL–SELA 2000. Considering the complexity of defining terrorism and the lack of a widely accepted general definition, in this paper, I will refrain from using this term, as questions like, what is terrorism and who is a terrorist would require a detailed answer and more clarification which cannot be covered here as part of this paper. According to Richard English, terrorism represents a "subspecies of warfare", involving heterogeneous violence used or threatened with a political aim, a variety of acts, targets and factors, possessing a psychological dimension producing terror or fear. For more on these questions see ENGLISH 2009: 1–26. For more on Hamas and Palestinian terrorism see ENGLISH 2016: 148–185.

[9]   KARMON 2023.

[10]   WILLIAMS 2023.

missile defence system. As come to light, Palestinian fighters had crossed into Israel through breaches in security barriers separating the Gaza Strip and Israel. As reports kept coming in, videos and photos of the unfolding events started to appear online on social media platforms and news sites. One video showed at least six motorcycles with fighters crossing through a hole in a metal barrier.[11] Another one uploaded to social media showed a bulldozer tearing down a section of the security fence.[12] While most of the gunmen entered Israel through breaches of the security barrier, a video was circulating on the Internet showing one Hamas fighter using a paraglider, and even a motorboat carrying gunmen was seen heading to Zikim, an Israeli coastal town with a military base.[13]

Around 9:45 a.m., the Israeli Air Force started carrying out attacks in the Gaza Strip. The Israel Defense Forces (IDF) said at 10:00 a.m. that Palestinian fighters penetrated at least three military installations around the border – the Beit Hanoon border crossing (called Erez by Israel), the Zikim base and the Gaza division headquarters at Reim. According to news reports, Hamas gunmen raided the Israeli towns of Sderot, Be'eri and Ofakim, 30 km east of the Gaza Strip. Although residents of southern Israel fortified their homes to function as bomb shelters, now they were using them as panic rooms as Israel's military ordered residents to shelter inside. But by late evening, Israeli troops were still working to clear communities overrun by Hamas militants.[14] The preliminary assessments said some 700 were killed in the attack while the number of wounded was above 2,000. The Israeli Ministry of Foreign Affairs accused Hamas of going house-to-house and killing civilians, while the Israeli media reported gunmen seized at least 150 hostages. Palestinian Islamic Jihad said it was holding soldiers. Israeli air attacks continued during the night, as did rocket fire into southern Israel. The fact that the IDF was still fighting hundreds of Hamas infiltrators overnight in 22 locations near the Gaza Strip was a clear sign of the breadth of the surprise attack and indicated the scale of the escalation of the conflict in Israel and Gaza.[15]

Many Israelis had no idea that Hamas gunmen infiltrated Israel because they had turned their phones off for the Jewish Sabbath. When they found out that Palestinian militants, armed with rifles and rocket launchers, had infiltrated their neighbourhood, they did not understand what was happening.[16] Details of the events of 7 October started to emerge only on the following day as survivors recounted the most complex and brazen attack on their nation since the 1973 Arab–Israeli war.[17] As it turned out, on 7 October, some 3,000 Hamas fighters crossed the border from Gaza into Israel, killing about 1,200 people (including 360 at a music festival called Nova), engaging in widespread violence, including sexual assault,[18] and taking some 240 hostages.

---

[11]   The Washington Post 2023.
[12]   The Times of Israel 2023a.
[13]   Al Jazeera 2023a; WILLIAMS 2023.
[14]   Al Jazeera 2023a; WILLIAMS 2023.
[15]   DUTTA et al. 2023.
[16]   KINGSLEY et al. 2023.
[17]   BYMAN et al. 2023.
[18]   GETTLEMAN et al. 2023.

Overreliance on technology is a vulnerability

The surprise attack by Hamas proved to be a stunning intelligence failure by Israel that involved undetected warnings, overwhelmed missile defences, and a slow response by apparently unprepared security and defence forces. It appears that Hamas pulled off a total tactical surprise, as evidenced by the approximately 1,200 Israeli deaths. The Palestinian militant group broke through walls with the help of bulldozers, sending thousands of fighters through, killing soldiers and civilians in long-lasting shooting sprees. Reading the initial reports, it was difficult to believe that none of Israel's intelligence services had specific warnings that Hamas was planning a sophisticated attack involving coordinated land, air and sea strikes. The attack surprised even many Western intelligence agencies, although they do not track Hamas activities as closely as Israel or Egypt do. Experts were taken aback by the attack's success as well because, over the years, Israel has established a network of sensors, electronic intercepts and human informants throughout the Gaza Strip. Furthermore, the Jewish State and its neighbours have previously made significant efforts to locate and disrupt Hamas networks, frequently stopping the shipment of missile parts. After 7 October, a series of questions about Israel's intelligence and defence failures started to become more and more pressing. Why was Israel's Iron Dome missile defence system, which is now more than ten years old, apparently overwhelmed by a barrage of inexpensive missiles? How did Hamas amass such a large arsenal of rockets without Israeli intelligence noticing the growing stockpile? Was Israel focusing too much on Hezbollah and the West Bank rather than on Gaza with its military and intelligence resources? And why were so many Israeli forces on leave or far away from the border, allowing Hamas to capture Israeli military bases near the Gaza Strip?[19]

The Iron Dome system got overwhelmed because Hamas was able to fire more rockets into Israel than the system's interceptors could handle, and in effect, it became oversaturated with targets. It was designed to protect densely populated areas, so it will not launch any interceptors if it determines that an incoming missile or rocket will land in an unpopulated area. Also, it has only a limited number of Tamir interceptors, and reloading the system takes time. Judging from the way Hamas used the rocket barrage as a cover for the ground assault, the Palestinian group has probably studied the system's vulnerabilities over the years. In addition, it is possible that Hamas used even a new type of missile on 7 October, which was perhaps harder to intercept. According to Janes, a defence and open-source intelligence firm, Hamas used a mix of missile systems during the attack, and we also know that the Palestinian group employed small drones that dropped munitions on Israeli military positions. Overall, Hamas fired a wide variety of rockets and missiles, combining the new ones with the older models. Many of these rockets and missiles were Soviet and Iranian-designed weapons (Grad, Fajr-3 and Fajr-5 rockets) smuggled into the Gaza Strip

---

[19]   BARNES et al. 2023a.

as components and then assembled covertly, while a large part of Hamas's rocket arsenal (Qassam-type rockets) was domestically manufactured.[20]

Since Hamas took control of the coastal strip in 2007, Gaza has been under an Israeli blockade supported by Egypt. The blockade restricts the import of goods that could be used to manufacture weapons while also preventing most people from leaving the territory. Tensions between Israelis and Palestinians have been rising for months before the attack, as have warnings of an impending war.[21] But recently, the focus has been on the West Bank, where recurring Israeli military operations have resulted in frequent gun battles with Palestinians, although tit-for-tat battles have also occurred in the Gaza Strip between Israel and Palestinian militants. In addition, Israeli intelligence agencies believed that Iran and Hezbollah posed the most serious threat to Israel, and this belief diverted attention and resources away from the fight against Hamas.

The IDF was convinced that the security fence along the border – a long, underground, and above-ground wall made of reinforced concrete that was finished in 2021 – would successfully keep Hamas militants out of the border communities. Additionally, a surveillance system consisting primarily of remote-operated machine guns, cameras and sensors was also in place at the border. Senior Israeli military officials thought that the wall would make it nearly impossible for Hamas militants to enter Israel, thereby reducing the number of soldiers that needed to be stationed nearby. However, the shortcomings of that technology were made clear by Hamas's attack.[22] The Palestinian militants exploited vulnerabilities created by Israel's reliance on technology at the Gaza border neutralising long-range cameras, sophisticated sensors and remote-controlled weapons to breach the high-tech fence.[23] As Emily Harding points out, while Israel's technological advancement has resulted in some impressive intelligence wins in the past, this overreliance on technology most likely contributed to the intelligence failure in October 2023.[24] This time, the Hamas fighters were better prepared than the Israel Defense Forces. They had a sophisticated plan and must have been training for months, if not years, for its execution.

Incorrect threat assessment and a false sense of security

Israel has used extensive human networks in Gaza and intercepts of electronic communications to pick up any signs of a potential attack.[25] Reportedly, members of Israel's

---

[20] Janes 2023; Hambling 2023; Ben-David 2021. According to Israeli military and intelligence officials, unexploded ordnance was a main source of explosives for Hamas. In addition, thousands of bullets and hundreds of guns and grenades had been stolen from poorly guarded military bases (Abi-Habib–Frenkel 2023).

[21] According to news reports, the CIA issued a pair of classified intelligence reports in the days leading up to the Hamas attack on Israel, warning of a potential escalation in violence (Barnes et al. 2023b).

[22] Bergman et al. 2023; Bergman–Kingsley 2023.

[23] Swaine et al. 2023.

[24] Davis et al. 2023.

[25] Human intelligence (HUMINT) is intelligence gathered by means of human sources. Signals intelligence (SIGINT) is intelligence gathered by interception of signals, communication (COMINT) or electronic signals (ELINT).

domestic security service, Shin Bet,[26] monitoring Hamas activity in the Gaza Strip on the eve of 7 October, assumed at first that the Palestinian organisation was only conducting an exercise. They must have believed that Hamas had no interest in carrying out terrorist attacks against Israel anymore.[27] Moreover, Unit 8200, Israel's signals intelligence agency, even suspended eavesdropping on Hamas communications in 2022 because they deemed it unnecessary.[28] Nevertheless, the head of Shin Bet, Ronen Bar, thought that Hamas might attempt a small-scale attack. He ordered a group of elite counterterrorist forces to deploy to Israel's southern border, who soon found themselves in the middle of a battle with thousands of Hamas gunmen.[29]

One possible explanation for 7 October is that Israeli intelligence was caught completely off-guard by the attack. This scenario would suggest that Hamas fighters avoided discussing the plans over mobile phones or other means of communication that could have been intercepted by Israeli intelligence agencies. For this to work, everyone aware of the attack plans had to have used face-to-face planning exclusively, and the number of participants had to stay small for Hamas to be able to elude detection. However, if hundreds of people were aware of the plans, Hamas essentially proved that its attempts to disrupt Israel's informant network were successful and managed to deceive its adversary. On the other hand, as others have noted, despite Hamas's designation as a terrorist organisation, the Israeli Government previously decided to ease some of its stringent regulations to improve the lives of Palestinians living in the Gaza Strip and issued more than 15,000 work permits to Gazans who were allowed to work in Israel.[30] Hamas might have used this opportunity to gather its own intelligence, to recruit informants, and to facilitate its operations while preparing for the 7 October attack.[31]

---

[26] The Israel Security Agency (ISA) or Shin Bet, is Israel's internal security service. It has a crucial role in providing intelligence for counterterrorist operations in the West Bank and the Gaza Strip.

[27] Regarding the characteristics of the operational environment, according to the IDF's military strategy, there was a "decline in threats from regular national armies and a rise in threats from irregular or semiregular substate organizations supported by Iran". The document also notes that there was a "decline in the threat of maneuvers into Israel's territory with limited threat of infiltration to carry out hostile terrorist activity or for propaganda purposes" (Belfer Center Special Report 2016: 8).

[28] Unit 8200 was not even operational near the border on the morning of 7 October due to a two-year-old decision to reduce personnel and halt operations overnight and on weekends. This move left the IDF without a key-asset for wiretapping and code decryption. According to media reports, the decision was made after the IDF's Intelligence Corps concluded that intelligence gathering methods utilised by 8200 would not help detect a threat from Gaza in real time. As a result, the intelligence unit could not provide a clearer picture of what was happening during the first hours of the attack (The Times of Israel 2023c).

[29] Bergman et al. 2023.

[30] Palestinians working in Israel earned ten times as much as they would have earned in the Gaza Strip. These permits allowed Palestinians to cross into Israel from Gaza and work mostly menial jobs that paid far higher wages than those available inside the strip. More than 100,000 Palestinians from the West Bank have similar permits that allow them to enter Israel for work. The Israeli Government believed that the permits – while considered as goodwill measures – gave a form of leverage over Hamas, which was genuinely interested in preserving economic understandings with the Jewish State that have provided economic opportunities to Palestinians (Akram–McNeil 2022).

[31] Critics say the work permits were rather a vulnerability then leverage, as they allowed Hamas to gain detailed intelligence on Israeli positions and targets (Greenfield 2023).

It appears that Israeli officials underestimated the threat that Hamas posed for years, as Israeli Military Intelligence[32] assessments since May 2021 have indicated that Hamas had no intention of attacking Israel and possibly provoking a catastrophic counterattack. Instead, Israeli intelligence determined that Hamas was trying to provoke violence in the West Bank, which is under the control of the Palestinian Authority, its rival.[33] Thus, according to Tricia Bacon, Israel's primary intelligence failure was not recognising the shift in Hamas's intentions in addition to its capabilities,[34] despite the fact that both are vital to evaluate the threat posed by any militant organisation. 7 October proved that the Israeli calculus failed as a highly capable group managed to conceal a change of intent.[35]

According to Jessica Davis, it is also astonishing that Hamas could plan and finance the preparations for the attacks of 7 October, likely over the course of at least two years, without being detected by Israeli or U.S. intelligence. As she notes, after 11 September 2001, the international community has made financial intelligence and counterterrorist financing a key pillar of counterterrorism. The Hamas attack was complex and expensive, and it is still too early to tell what it might have cost, but according to Davis's estimates, 7 October cost probably way more than one million USD. The fact that Israeli intelligence, and especially the Five Eyes intelligence-sharing network, missed millions of dollars' worth of procurement, planning and preparation activities by Hamas is troubling.[36] This also shows that the Palestinian organisation had not been a counterterrorist focus for many years, and not just for Israel. At the same time, as Beth Sanner, a former Deputy Director of National Intelligence for Mission Integration, points out, there is no such thing as perfect intelligence collection, and Israeli intelligence services are among those who are good at learning from their mistakes.[37]

Unprepared, disorganised and without a plan

Reportedly, Israeli officials obtained Hamas's 40-page battle plan for the 7 October attack more than a year before it happened, but military and intelligence officials dismissed the plan as merely aspirational, considering it too difficult for Hamas to carry out. The document, code-named "Jericho Wall" by the Israeli authorities, outlined the invasion point by point, describing a methodical assault designed to overwhelm the fortifications around the Gaza Strip, storm military bases and take over cities. The plan also included

---

[32] The Israeli Military Intelligence, or Aman, is the central military intelligence body of the Israel Defense Forces, and as such, it is the largest component of the Israeli intelligence community, next to Shin Bet and Mossad.

[33] AL-MUGHRABI 2023.

[34] To provide military commanders with an understanding of an enemy's style or way of war, intelligence analysts are taught to use Military Capabilities Analysis, to assess how conventional military forces intend to fight. But this approach is of little help in uncovering how non-state/substate actors or militant organisations fight. Understanding unconventional is more challenging, and as such, requires a different approach (SCHULTZ–DEW 2006: 17–37).

[35] DAVIS et al. 2023.

[36] DAVIS et al. 2023.

[37] BARNES et al. 2023a.

details about the location and size of IDF forces, communication hubs and other sensitive information, raising questions about how Hamas gathered its intelligence and whether there were leaks inside the Israeli security establishment.[38]

Three months prior to the attacks, an analyst from Unit 8200 warned that Hamas had carried out an intense, daylong exercise that resembled the details in the previously acquired plan. However, the senior officers dismissed the worries about a possible Hamas attack. According to other reports, surveillance soldiers belonging to the Combat Intelligence Corps and serving on a base in Nahal Oz reported signs that something unusual was underway at the Gaza border. The activity reported included information on Hamas operatives conducting training sessions multiple times a day, digging holes and placing explosives along the border. According to the accounts of the soldiers, no action was taken by those who received the reports.[39] It seems that the top commanders of the IDF were aware of Hamas's preparations but failed to act. Despite the series of consultations that took place in the hours leading to the attack, the senior officers concluded that no definitive explanation could be reached regarding questions of the unusual Hamas activity, so they sought additional intelligence from Unit 8200.[40]

Although we cannot rely solely on analysis published in the mainstream Western media, and we must always read news reports with some healthy skepticism, it is worth reading the various reports from different sources while looking for answers. A New York Times investigation published on 30 December 2023 found that on 7 October, the Israeli security and defence forces were disorganised, the troops were out of position, and there was no plan in place for a massive Hamas attack that would have involved thousands or even hundreds of fighters breaching the security barrier into Israel attacking towns and military bases.[41] According to their sources, when a commander from the division overseeing military operations along the Gaza border called the IDF General Headquarters (GHQ) in Tel Aviv, requesting all available reinforcements because their base was under attack, still nobody could accurately describe the scope of the attack yet.[42] The first orders for deployment came from Tel Aviv more than an hour after the rocket barrage from Hamas began (7:43 a.m.), at which point all available units were ordered to move south. It took hours for the military leadership to recognise that there was a Hamas invasion underway.[43] The slow response of the Israel Defense Forces on 7 October gave Hamas militants many hours to infiltrate more than 20 towns outside of the Gaza Strip, where they killed around 1,200 people and took an estimated 250 hostages.[44]

---

[38]   BERGMAN–GOLDMAN 2023.
[39]   SILKOFF 2023.
[40]   The Times of Israel 2023d.
[41]   GOLDMAN et al. 2023.
[42]   The Israel Defense Forces has four regional commands, the Northern Command, the Central Command, the Southern Command and the Home Front Command. The division responsible for military operations on the border with the Gaza Strip is known as the Gaza Division, also called the 143rd Division or Fire Fox Territorial Division, and it is subordinated to the Southern Command. See the description of the regional commands on the IDF's official website at www.idf.il/en/mini-sites/regional-commands.
[43]   GOLDMAN et al. 2023.
[44]   LEATHERBY et al. 2023.

The civilian guard of Kitat Konnenut is supposed to serve as the first line of defence in the towns and villages close to the border. However, they were poorly equipped, had varying training levels, and were disorganised.[45] Furthermore, the training of Israeli military reservists presumed that Israeli intelligence would be able to provide warning of a looming invasion, allowing reservists to prepare for deployment within 24 hours. Meaning reservists were not ready to mobilise and deploy quickly enough. They were unprepared for a Hamas invasion. This was well known to the Palestinian militants who took advantage of these mistakes.[46] To hinder Israeli mobilisation and to deny access to areas under attack, they blocked key highway intersections and main roads. Hamas managed to paralyse the Israeli military response for long hours by attacking the Reim military base in southern Israel, the regional command post, and headquarters for the Gaza Division.[47]

Commando units were among the first to mobilise after they learned about the infiltrations. While some units were on standby and received activation orders, others charged into the battle after reading the news on social media or receiving private messages. But these were mostly just small teams armed with assault rifles and handguns; they were ill-prepared for a massive clash with enemy forces. According to reports, the Palestinian militants broke through Israel's border fence in over 30 locations prepared to fight for days. They carried heavy machine guns, rocket-propelled grenade launchers, mines and more. They swiftly advanced deep into southern Israel, while the IDF misread the situation and – even during the attack – believed that Hamas would only be able to breach the security fence in just a few places. At 9 a.m., realising the dire situation, while the Shin Bet does not normally activate with the defence forces, even the head of the domestic security agency ordered all combat-trained, weapons-carrying employees to go south. There were only three infantry battalions and one tank battalion along the border with the Gaza Strip, and since 7 October was a Jewish holiday, approximately half of the 1,500 soldiers stationed in the area were on leave. In addition, as the former head of the Southern Command, General Yom Tov Samia highlighted, the three commanders of the brigades and division were housed together close to the Gaza border, which was clearly a mistake from an operational perspective, offering a high-value target for the attackers.[48]

The Hamas fighters had undergone extensive training for the attack, which had been planned for at least a year. The militants were most probably organised into different units according to their specific objectives, minimising the number of people with comprehensive knowledge of the plan. In terms of intelligence gathering and choosing their targets, Hamas had detailed information on Israel's military bases and the layout of kibbutzim. Videos of the attack, interviews with security officials, and documents found on the Hamas militants, according to media reports, reveal that the Palestinian group had

---

[45]   This does not mean that the civilian guards were overrun everywhere. In Mefalsim and Sa'ad, the volunteer guards engaged in firefights with the attackers and managed to protect their communities (TOLAN et al. 2023).
[46]   GOLDMAN et al. 2023.
[47]   FRANTZMAN 2023; GOLDMAN et al. 2023.
[48]   GOLDMAN et al. 2023.

a thorough understanding of how the Israeli military operated, where it stationed specific units, and even how long it would take for reinforcements to arrive.[49]

In contrast, Israeli soldiers had to rely on social media posts and messenger apps for communication and targeting information during the chaos of the first hours of the attack. As both General Samia and former Gaza Division deputy commander Amir Avivi said, the Israel Defense Forces did not have a plan in place to respond to a large-scale surprise Hamas attack on Israeli soil.[50] Meanwhile, due to the country's lack of strategic depth, Israel's national security doctrine follows an offensive military concept according to which the IDF must always anticipate attacks and fight its battles in enemy territory.[51]

Deterrence and the use of disproportionate force

Israel's military strategy states that "Israel is a peace-seeking nation that aspires to avoid confrontations", but "if a confrontation is forced on Israel, it will concentrate its capabilities and will win".[52] According to some Israeli experts, the Hamas attack "proved beyond doubt the Israeli argument that it is fighting a war of self-defense against a murderous terrorist organization", thus "Israel is fully justified to act in such a way that ensures that Hamas cannot continue attacking the country or threaten its security". At the same time, they note that Israel is obligated to act by the rules of war. However, this time, those "rules give Israel much greater room for maneuver because of the immense threat that Hamas poses to its security".[53]

There are four general principles for deploying the IDF's force:[54]

1. Prevent confrontation and deter the enemy: harm the enemy's capability, expand and deepen regional and international cooperation against the enemies.
2. Early warning and intelligence: maintain intelligence superiority that will provide sufficient early warning on the enemy's capabilities and intentions.
3. Defence and protection: defence in land, sea, air and cyber; defence of Israel's citizens and inhabitants, infrastructure, and its physical integrity securing its sovereignty; preventing the enemy from making any territorial gain at the conclusion of a confrontation and reduce its achievements in all other dimensions.
4. Victory and defeat.

---

[49]   KINGSLEY–BERGMAN 2023.
[50]   GOLDMAN et al. 2023.
[51]   Belfer Center Special Report 2016: 4.
[52]   Belfer Center Special Report 2016: 7.
[53]   BARUCH–CANER 2023: 3–4; The Israeli strategy also highlights that the "enemy is deployed and integrated in inhabited civilian areas in order to make it more difficult for the IDF to fight it, to increase the attacks on noncombatants, and to hinder the IDF's freedom of action". The IDF cannot allow its enemies to limit its freedom of action, which means that while it is making efforts to minimise the number of civilian casualties, depending on the operational environment, it is ready and willing to accept the risk of causing collateral damage (Belfer Center Special Report 2016: 8).
[54]   Belfer Center Special Report 2016: 11–12.

Regarding victory and defeat, the document states that the "IDF must use military superiority to achieve the objectives of the operation as defined by the political echelon in order to improve Israel's strategic situation". And, in case the use of force become necessary, one of the key political and strategic goals is to "radically change the situation until there is a shift in the strategic balance which finds expression in neutralizing players or in a significant change in their capabilities or status". In addition, the strategy mentions that in a war situation, the use of force is "characterized by a significant mobilization of military and state resources for action together with readiness to take high risks and using force at continuous high level in order to achieve victory".[55]

As per the Israeli military strategy, in emergency and war situations, at the strategic level, the aim of a campaign or military operation is to achieve victory "by creating a situation in which a cease-fire or political arrangement can be forced on the enemy from a position of strength, based on its military defeat or on its inability or lack of desire to continue fighting", as "a victory based on defeat makes an important contribution towards creating or restoring deterrence". That is why Israeli officials stated several times that the war against Hamas would last months and ruled out chances of a cease-fire despite global calls for one, as concerns grew that the conflict could escalate further while the Palestinian death toll kept rising.[56]

The IDF's strategy also includes the description of defensive efforts, where defence is to prevent the enemy from attaining territorial gains in the border areas, which refers to defence against raids, attacks and complex terrorist attacks (including from the air and sea). As the strategy points out, this capability is based on the flexibility in using IDF forces in the border areas, on reducing civilian weak spots (and evacuating civilians) in the border area, and on collecting intelligence and early warning systems.[57] This part of the strategy shows that Israel began carefully choosing its priorities and relying on flexibility over maintaining forces for every possible need and scenario.

Another relevant element of Israel's strategy that must be mentioned here is deterrence. According to the document, "deterrence is created in perception but based also on physical and concrete elements that constitute part of the enemy's considerations", and "it must be specific and adapted to each enemy". It is worth highlighting that the first and probably the most critical component of deterrence in Israeli strategic thinking is "a credible threat of severe offensive operations that will exact a heavy toll" if Israel gets attacked.[58] All of this may explain why the Israel Defense Forces would use such an amount of force that can be considered disproportionate[59] or – according to some experts and human rights organisations – even a war crime.[60] The IDF's top priority is to achieve complete victory

---

[55]   Belfer Center Special Report 2016: 12–14.
[56]   AL-MUGHRABI et al. 2023.
[57]   Belfer Center Special Report 2016: 21–22.
[58]   Belfer Center Special Report 2016: 24–25. Deterrence and the use of disproportionate force in its military response in case of war was established in the so-called "Dahiya Doctrine", which dictates the use of overwhelming force and the targeting of government and civilian infrastructure during military operations (KATZ 2010).
[59]   ROGERS 2023; SIBONI 2008.
[60]   Amnesty International 2023.

and to restore deterrence through a credible threat. Considering the scale of the Hamas attack and the atrocities of 7 October, the IDF had to respond with overwhelming force. At the same time, it must be mentioned that before 7 October, the Israeli strategic thinking was that as long as the IDF was able to establish deterrence, it would not be necessary to destroy the capabilities of Hamas and Hezbollah.[61] Behind this rationale was that when these organisations are aware that they are responsible for the economy, services and the lives of their people, they will not dare to use violence and engage in terrorist activities against Israel. Which also means that in case Israel temporarily loses its ability to maintain its deterrence, the IDF must restore it.

Conclusions

There is still much to learn about what Israeli intelligence knew and what warning signs were ignored or missed. There was an intelligence failure indeed, but probably it is too early to determine how serious it was. And it was more of a combination of intelligence and policy failures than a mistake solely by the intelligence agencies.[62] The IDF bears almost exclusive responsibility for national intelligence assessment and strategic planning. The basic professional interest of the military echelon requires identifying military risk elements in political and military policies, analysing them, and preparing an appropriate response. Furthermore, the military echelon tends to think in terms that increase the state's security threats (worst case scenarios), because the army, by definition and essence, must be prepared for the worst.[63] The military rarely receives a clear mission, and in the absence of a clear political-security directive, it has to interpret the political leadership's intentions for itself to translate them into military actions to further the intentions of the political level.[64]

Since intelligence agencies are supposed to be apolitical and there is no such thing as perfect intelligence, as Daniel Byman points out, they make convenient scapegoats. But their failures should not excuse the policy decisions that shaped intelligence priorities and capabilities and the very nature of the threat. Since policymakers set a state's priorities and allocate funds to intelligence agencies, there is a close relationship between intelligence and policy. And intelligence services frequently struggle to persuade decision-makers that a threat exists.[65] According to Richard Betts, many supposed intelligence failures stem from policymaker disbelief. As he notes, psychological characteristics of leaders are more likely to cause significant shortcomings in attack warning, operational evaluation, and intelligence for strategic planning than the inability of analysts to identify relevant data.

---

[61] See quotes from Moshe Ya'alon, former Israeli Minister of Defense (2013–2016), and Amos Yadlin (2006–2010), the former chief of Military Intelligence on deterring Hamas and Hezbollah (Belfer Center Special Report 2016: 1, 24).
[62] BERGMAN et al. 2023; BARNES et al. 2023a.
[63] KOBI 2007: 102.
[64] KOBI 2007: 105–106.
[65] DAVIS et al. 2023.

Since officials frequently hear accurate estimates but disregard them, policy failure and intelligence failure are inextricably linked.[66]

It is important to highlight that the military can influence the decision-making process of the political leadership. As Michael Kobi notes, civil control over the military defines the political orders of priority and subordinates the military level to them in order to carry out the goals set by the political level. However, the decision-making process that takes place between the political and the military level can be described as a reciprocal influence. In this context, the influence of the military can also be viewed as a challenge to civil control. There is an inherent imbalance between the military echelon and the political level, which is likely to be exacerbated when managing a violent confrontation due to the traditional structural weaknesses of the political level. In certain cases, the political leadership can even find itself in a situation where it is incapable of efficiently reviewing the military's activity.[67]

The military's influence on political decision-making is based on three main inputs: intelligence assessment, strategic planning, and the implementation of the directives of the political level. The potential influence of Military Intelligence (MI) on policy formation has grown in Israel due to its proximity to the prime minister, elevated status and expanded role. The primary function of MI in the Israeli national security establishment is to provide warnings by focusing on identifying potential security threats to the country and signs that indicate security deterioration and escalation of violence, which are prelude to war. However, this method focuses on military-security concerns, and the assessments typically highlight risks rather than prospects. In the past, this tendency of intelligence has resulted in errors in assessment or flawed assessments of the adversary's political initiatives. As Michael Kobi puts it, such errors are liable to produce a "surprise" for the intelligence level, and thus for the political level as well. The intelligence agencies devote significant effort and resources to collecting detailed information, but far less effort is given to research and intelligence assessment itself. In addition to the description and analysis of the facts about the adversary and the assessments themselves, the evaluations of the research units in the intelligence community presented to the political level also contain basic assumptions and a general conception. However, the basic assumptions serve only as a starting point for understanding the goals, military and political plans of the enemy.[68]

Reportedly, Israeli intelligence and security officials tried for months to alert Benjamin Netanyahu, the country's prime minister, to the fact that the political turmoil brought on by his domestic policies was undermining national security and giving Israel's enemies more confidence.[69] Despite these warnings, Netanyahu disregarded them and persisted in pursuing his policies, which likely left Israel vulnerable and exposed to an attack. On 7 October, the Prime Minister moved quickly to declare war on Hamas in Gaza, later repeatedly stressing that Israel will not stop its military operations until it accomplishes all its objectives, chief among them being the destruction of Hamas. Three months after

---

[66] BETTS 1978: 61–89.
[67] KOBI 2007: 106–107.
[68] KOBI 2007: 108.
[69] FABIAN–FULBRIGHT 2023.

the launch of the Israeli ground invasion of the Gaza Strip, as a new phase of the war had just begun, it was still not clear if the main objective of the military response was even realistic, and what have the IDF achieved so far in Gaza.

In 2009, Avi Shlaim noted that "no amount of military escalation could break the spirit of Hamas or its hold on power", since it is a movement that glorifies victimhood and martyrdom, and dealing with such a movement, military force has its limits. And while Israel keeps justifying its resort to force by invoking its right to security and self-defence, it denies even the most elementary security to the people living in the Gaza Strip.[70] Whether Shlaim was right about Hamas being unbreakable remains to be seen.

References

Abi-Habib, Maria – Frenkel, Sheera (2024): Where Is Hamas Getting Its Weapons? Increasingly, from Israel. *The New York Times*, 28 January 2024. Online: www.nytimes. com/2024/01/28/world/middleeast/israel-hamas-weapons-rockets.html

Akram, Fares – McNeil, Sam (2022): Israeli Work Permits for Gazan Palestinians: A Lifeline, a Leverage Tool or Both? *The Times of Israel*, 26 August 2022. Online: www.timesofisrael. com/israeli-work-permits-for-gazan-palestinians-a-lifeline-a-leverage-tool-or-both/

Al Jazeera (2023a): What Happened in Israel? A Breakdown of How Hamas Attack Unfolded. *Al Jazeera*, 07 October 2023. Online: www.aljazeera.com/news/2023/10/7/what-happened-in-israel-a-breakdown-of-how-the-hamas-attack-unfolded

Al-Mughrabi, Nidal (2023): Hamas Sees West Bank as Battleground with New Israel Gov't. *Reuters*, 18 January 2023. Online: www.reuters.com/world/middle-east/hamas-sees-west-bank-battleground-with-new-israel-govt-2023-01-18/

Al-Mughrabi, Nidal – Masoud, Bassam – Lubell, Maayan (2023): Gaza War to Last Months, Israel Army Chief Says; Escalation Alarms UN. *Reuters*, 27 December 2023. Online: www.reuters.com/world/middle-east/netanyahu-vows-no-let-up-war-un-worker-says-gazans-have-no-place-go-2023-12-25/

Amnesty International (2023): Damning Evidence of War Crimes as Israeli Attacks Wipe Out Entire Families in Gaza. *Amnesty International*, 20 October 2023. Online: www.amnesty. org/en/latest/news/2023/10/damning-evidence-of-war-crimes-as-israeli-attacks-wipe-out-entire-families-in-gaza/

Bar-Siman-Tov, Yaacov ed. (2007): *The Israeli–Palestinian Conflict. From Conflict Resolution to Conflict Management.* New York: Palgrave Macmillan. Online: https://doi.org/10.1057/9780230603110

Barnes, Julian E. – Sanger, David E. – Schmitt, Eric (2023a): Hamas Attack Raises Questions Over an Israeli Intelligence Failure. *The New York Times*, 08 October 2023. Online: www.nytimes.com/2023/10/08/us/politics/israel-hamas-intelligence.html

Barnes, Julian E. – Entous, Adam – Wong, Edward – Goldman, Adam (2023b): C.I.A. Reports Contained General Warnings of Potential Gaza Flare-up. *The New York Times*, 13 October 2023. Online: www.nytimes.com/2023/10/13/us/politics/cia-reports-gaza-hamas-israel.html

---

[70]　Shlaim 2009: 316.

Baruch, Pnina Sharvit – Caner, Tammy (2023): *The Legal Aspects of Hamas's Murderous Attack on Israel.* Institute for National Security Studies. Online: www.jstor.org/stable/resrep53660

Belfer Center Special Report (2016): *Deterring Terror. How Israel Confronts the Next Generation of Threats. English Translation of the Official Strategy of the Israel Defense Forces.* Cambridge, Mass.: Belfer Center for Science and International Affairs, Harvard Kennedy School. Online: www.belfercenter.org/sites/default/files/files/publication/IDF%20doctrine%20translation%20-%20web%20final2.pdf

Ben-David, Lenny (2021): Hamas' Advanced Weaponry: Rockets, Artillery, Drones, Cyber. *Jerusalem Center for Public Affairs*, 01 August 2021. Online: https://jcpa.org/article/hamas-advanced-weaponry-rockets-artillery-drones-cyber/

Bergman, Ronen – Goldman, Adam (2023): Israel Knew Hamas's Attack Plan More Than a Year Ago. *The New York Times*, 30 November 2023. Online: www.nytimes.com/2023/11/30/world/middleeast/israel-hamas-attack-intelligence.html

Bergman, Ronen – Kingsley, Patrick (2023): How Israel's Feared Security Services Failed to Stop Hamas's Attack. *The New York Times*, 10 October 2023. Online: www.nytimes.com/2023/10/10/world/middleeast/israel-gaza-security-failure.html

Bergman, Ronen – Mazzetti, Mark – Abi-Habib, Maria (2023): How Years of Israeli Failures on Hamas Led to a Devastating Attack. *The New York Times*, 29 October 2023. Online: www.nytimes.com/2023/10/29/world/middleeast/israel-intelligence-hamas-attack.html

Betts, Richard K. (1978): Analysis, War, and Decision: Why Intelligence Failures Are Inevitable. *World Politics*, 31(1), 61–89. Online: https://doi.org/10.2307/2009967

Buber, Martin (2005): *A Land of Two Peoples.* Chicago: University of Chicago Press.

Byman, Daniel – McCabe, Riley – Palmer, Alexander – Doxsee, Catrina – Holtz, Mackenzie – Duff, Delaney (2023): Hamas's October 7 Attack: Visualizing the Data. Commentary. *Center for Strategic and International Studies (CSIS)*, 19 December 2023. Online: www.csis.org/analysis/hamass-october-7-attack-visualizing-data

Davis, Jessica – Bacon, Tricia – Harding, Emily – Byman, Daniel (2023): Experts React: Assessing the Israeli Intelligence and Potential Policy Failure. *Center for Strategic and International Studies (CSIS)*, 25 October 2023. Online: www.csis.org/analysis/experts-react-assessing-israeli-intelligence-and-potential-policy-failure

Dutta, Prasanta Kumar – Zafra, Marioano – McClure, Jon – Bhandari, Aditi – Saul, Jonathan – Trainor, Clare – Bankova, Dea (2023): Mapping the Conflict in Israel and Gaza. *Reuters*, 22 December 2023. Online: www.reuters.com/graphics/ISRAEL-PALESTINIANS/MAPS/movajdladpa/#how-the-surprise-attack-on-israel-unfolded

Encyclopaedia Britannica (2023): *Hamas. Palestinian nationalist movement.* Online: www.britannica.com/topic/Hamas

English, Richard (2009): *Terrorism. How to Respond.* New York: Oxford University Press.

English, Richard (2016): *Does Terrorism Work? A History.* New York: Oxford University Press.

Fabian, Emanuel – Fulbright, Alexander (2023): Gallant Calls to Pause Judicial Overhaul, Citing 'Tangible Danger' to State Security. *The Times of Israel*, 25 March 2023. Online: www.timesofisrael.com/gallant-calls-to-pause-judicial-overhaul-citing-tangible-danger-to-state-security/

Frantzman, Seth J. (2023): Overwhelmed: The IDF's First Hours Fighting the Terror Waves on Oct 7. *The Jerusalem Post*, 16 October 2023. Online: www.jpost.com/israel-news/defense-news/article-768702

Gettleman, Jeffrey – Schwartz, Anat – Sella, Adam (2023): 'Screams Without Words': How Hamas Weaponized Sexual Violence on Oct. 7. *The New York Times*, 28 December 2023. Online: www.nytimes.com/2023/12/28/world/middleeast/oct-7-attacks-hamas-israel-sexual-violence.html

Goldman, Adam – Bergman, Ronen – Mazzetti, Mark – Odenheimer, Natan – Cardia, Alexander – Tiefenthäler, Ainara – Frenkel, Sheera (2023): Where Was the Israeli Military? *The New York Times*, 30 December 2023. Online: www.nytimes.com/2023/12/30/world/middleeast/israeli-military-hamas-failures.html

Greenfield, Daniel (2023): Israel's Work Permits for Gazans Enabled the Hamas Attack. *Jewish News Syndicate*, 23 October 2023. Online: www.jns.org/israels-work-permits-for-gazans-enabled-the-hamas-attack/

Hambling, David (2023): How Hamas Leveraged Cheap Rockets and Small Drones to Ambush Israel. *Forbes*, 09 October 2023. Online: www.forbes.com/sites/davidhambling/2023/10/09/how-hamas-leveraged-cheap-rockets-and-small-drones-to-ambush-israel

Janes (2023): *Israel–Gaza: Situation update, 8 October 2023.* Online: www.janes.com/defence-news/news-detail/israelgaza-situation-update-8-october-2023

Karmon, Ely (2023): *The Goals of Hamas' Terrorist Attack on Israel from Gaza.* International Institute for Counter-Terrorism (ICT). Online: www.jstor.org/stable/resrep53546

Katz, Yaakov (2010): The Dahiya Doctrine: Fighting Dirty or a Knock-Out Punch? *The Jerusalem Post*, 28 January 2010. Online: www.jpost.com/Features/Front-Lines/The-Dahiya-Doctrine-Fighting-dirty-or-a-knock-out-punch

Kingsley, Patrick – Bergman, Ronen (2023): The Secrets Hamas Knew about Israel's Military. *The New York Times*, 13 October 2023. Online: www.nytimes.com/2023/10/13/world/middleeast/hamas-israel-attack-gaza.html

Kingsley, Patrick – Boxerman, Aaron – Sobelman, Gabby (2023): 'There Were Terrorists Inside': How Hamas's Attack on Israel Unfolded. *The New York Times*, 08 October 2023. Online: www.nytimes.com/2023/10/08/world/middleeast/israel-hamas-attack.html

Kobi, Michael (2007): The Interaction between the Military Echelon and the Political Echelon in the Management of the Israeli–Palestinian Confrontation. In Bar-Siman-Tov, Yaacov (ed.): *The Israeli–Palestinian Conflict. From Conflict Resolution to Conflict Management.* New York: Palgrave Macmillan. 101–132. Online: https://doi.org/10.1057/9780230603110_5

Leatherby, Lauren – Bubola, Emma – Lajka, Arijeta – Schoenfeld Walker, Amy – Cook Escobar, Molly – Robles, Pablo (2023): The Long Wait for Help as Massacres Unfolded in Israel. *The New York Times*, 11 October 2023. Online: www.nytimes.com/interactive/2023/10/11/world/middleeast/israel-gaza-hamas-attack-timeline.html

Milton-Edwards, Beverly – Hinchcliffe, Peter (2008): *Conflicts in the Middle East since 1945.* London – New York: Routledge. Online: https://doi.org/10.4324/9780203934432

Mishal, Shaul – Sela, Abraham (2000): *The Palestinian Hamas.* New York: Columbia University Press.

Pappé, Ilan ed. (2007): *The Israel/Palestine Question. A Reader.* London – New York: Routledge.

Rogers, Paul (2023): Israel's Use of Disproportionate Force Is a Long-Established Tactic – With a Clear Aim. *The Guardian,* 05 December 2023. Online: www.theguardian.com/commentisfree/2023/dec/05/israel-disproportionate-force-tactic-infrastructure-economy-civilian-casualties

Schultz, Richard H. Jr. – Dew, Andrea J. (2006): *Insurgents, Terrorists, and Militias. The Warriors of Contemporary Combat.* New York: Columbia University Press.

Shlaim, Avi (2009): *Israel and Palestine. Reappraisals, Revisions, Refutations.* London – New York: Verso.

Siboni, Gabi (2008): Disproportionate Force: Israel's Concept of Response in Light of the Second Lebanon War. *INSS Insight,* (74). Online: www.inss.org.il/publication/disproportionate-force-israels-concept-of-response-in-light-of-the-second-lebanon-war/

Silkoff, Shira (2023): Surveillance Soldiers Warned of Hamas Activity on Gaza Border for Months before Oct. 7. *The Times of Israel,* 26 October 2023. Online: www.timesofisrael.com/surveillance-soldiers-warned-of-hamas-activity-on-gaza-border-for-months-before-oct-7/

Swaine, Jon – Lee, Joyce Sohyun – Cahlan, Sarah – Piper, Imogen – Monrote, Brian – Hill, Evan – Kelly, Meg (2023): How Hamas Exploited Israel's Reliance on Tech to Breach Barrier on Oct. 7. *The Washington Post,* 17 November 2023. Online: www.washingtonpost.com/investigations/2023/11/17/how-hamas-breached-israel-iron-wall

The Times of Israel (2023a): Footage Shows Bulldozer Breaking Through Border Fence from Gaza into Israel. *The Times of Israel,* 07 October 2023. Online: www.timesofisrael.com/liveblog _entry/footage-shows-bulldozer-breaking-through-border-fence-from-gaza-into-israel/

The Times of Israel (2023b): Erdogan: Israel Is a 'Terrorist State,' Hamas Are 'Resistance Fighters'. *The Times of Israel,* 15 November 2023. Online: www.timesofisrael.com/liveblog_entry/erdogan-israel-is-a-terrorist-state-hamas-are-resistance-fighters/

The Times of Israel (2023c): Top Israeli Intel Unit Wasn't Operational on October 7 Due to Personnel Decision. *The Times of Israel,* 28 November 2023. Online: www.timesofisrael.com/top-israeli-intel-unit-wasnt-operational-on-october-7-due-to-personnel-decision/

The Times of Israel (2023d): More Details Unveiled of IDF Intel on Oct. 7 Plans, Consults Hours before Hamas Attack. *The Times of Israel,* 05 December 2023. Online: www.timesofisrael.com/more-details-unveiled-of-idf-intel-on-oct-7-plans-consults-hours-before-hamas-attack/

The Washington Post (2023): Maps and Videos Show How the Deadly Surprise Attack on Israel Unfolded. *The Washington Post,* 08 October 2023. Online: www.washingtonpost.com/world/2023/10/07/israel-gaza-timeline-videos-maps/

Tolan, Casey – Chance, Matthew – Davey-Attlee, Florence – Glover, Scott – Devine, Curt (2023): How Volunteer Guards Foiled a Carefully Planned Hamas Attack on One Kibbutz. *CNN,* 18 October 2023. Online: https://edition.cnn.com/2023/10/18/middleeast/hamas-documents-invs/index.html

Williams, Dan (2023): How the Hamas Attack on Israel Unfolded. *Reuters,* 07 October 2023. Online: www.reuters.com/world/middle-east/how-hamas-attack-israel-unfolded-2023-10-07/

Contents