Who Really Started the War Against Lebanon?

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A team of Israeli lawyers are suing the Lebanese government for starting the war. The projected multi-million dollar case, to be filed in US civil court, will sue for compensation and war damages incurred by Israeli residents and businesses. Attorneys Yehudah Talmon, Yoram Dantziger and Nitzah Libai claim the Lebanese government violated international law because it didn't stop Hezbollah's casus belli cross-border raid into Israel.

The contested justification for Israel's 'self-defense' invasion, and the location of its original provocation will take on new legal significance in coming months. Who infiltrated who, and on what territory did the initial capture of the IDF soldiers occur? Differing press accounts that the capture occurred in Lebanon- not Israel- are now widely known: AFP, Hindustan Times, Deutsche Press Agentur, Asia Times, Bahrain News Agency and Voltairenet are a few. Others reflect changes of direction in the recording of basic facts.

Newsweek's Michael Hirsh of MSNBC.com on July 12 said: "As a result, things are blowing up so quickly it's difficult to know where to focus any longer. After the kidnapping of two Israeli soldiers by Hizbullah in Lebanon on Wednesday, which the hard-line group linked to a similar kidnapping by Hamas the week before, the mideast seemed to be closer to all-out war."

By July 13, the story out of MSNBC.com's Jerusalem bureau was different. In a piece titled "Crisis allows Israel to pursue strategic goals- Kidnappings give Israel excuse to neutralize Hamas, Hezbollah", Jerusalem bureau chief Steven Gutkin wrote: "Kidnappings changed everything: All that changed Wednesday, when Hezbollah guerillas crossed into Israel, seizing Goldwasser and Regev and killing eight other soldiers in the ensuing fighting."

AP also ran changed versions. On July 12, at 5:41AM Joseph Panossian wrote: "The militant group Hezbollah captured two Israeli soldiers during clashes Wednesday across the border in southern Lebanon, prompting a swift reaction from Israel, which sent ground forces into its neighbor to look for them."

At 7:09 AM, Associated Press Writer Joseph Panossian had altered his report: "The Hezbollah militant group captured two Israeli soldiers during clashes along the Lebanese border on Wednesday."

By late afternoon, at 4:13 PM, AP's Panossian had completely shifted location: "Hezbollah militants crossed into Israel on Wednesday and captured two Israeli soldiers. Israel responded in southern Lebanon with warplanes, tanks and gunboats, and said eight of its

soldiers had been killed in the violence."

Israeli sources went almost unnoticed. Cybercast News Service (CNSNews.com) of July 12 said: "The abduction of two Israeli soldiers by Hizbullah militants in southern Lebanon was not a terrorist attack but an act of war, Israeli Prime Minister Ehud Olmert said Wednesday."

Australia's ABC News (Reuters) on July 13 quoted the IDF: "The sources say the Israeli soldiers had been seized at around 9am local time across the border from Aita al Shaab, some 15 kilometers from the Mediterranean coast. The Israeli army confirmed that two Israeli soldiers had been captured on the Lebanese frontier. Israeli ground forces crossed into Lebanon to hunt for the missing soldiers, Israeli Army Radio said."

Voice of America, Jerusalem, on July 12 said: "Speaking to reporters outside the Israeli Foreign Ministry, spokesman Mark Regev says Hezbollah is responsible for the violence. "It appears we have an escalation in the North," he said. "It is very clear that the escalation started on the Lebanese side of the border, and Israel will respond appropriately."

In his article "Casus Belli", IDF Brigadier General Moshe Yaalon wrote: "The present crisis was initiated- in Gaza by Hamas and in southern Lebanon by Hezbollah- from lands that are not under Israeli occupation." New Republic, July 31

A quote by Hamas political bureau member Mohammad Nazzal in the July 13 edition of Haaretz said: "This is a heroic operation carried out against military targets and so it is a legitimate operation, especially as it took place in occupied Lebanese territory."

A Lebanese government official told this writer that the first information about the soldiers' capture in southern Lebanon came from the Lebanese Army Police, a source also quoted in many media accounts. "At the beginning the Lebanese Army said it was on the Lebanese side," the official told me. The verbatim Army communique' to the Lebanese government follows: " 'At 9:03 or 9:05am in the vicinity or in front of Ayt Al Shaab village the members of the resistance have abducted two soldiers. At 9:15am the resistance shelled the position of the enemy in the occupied territories. At 10:10am the Resistance and Israeli forces clashed with each other in the area of Naqoura,' on Lebanon's side of the border."

Lebanon's Ambassador to the US, Farid Abboud discussed the events publicly on July 12, 2006. Because of his stance to CNN Abboud was reprimanded, and recalled to Lebanon.

MICHAEL HOLMES, CNN International: You say that you don't want any escalations, but…

FARID ABBOUD: No, we don't.

MICHAEL HOLMES: … but crossing over the border into Israel, killing and seizing soldiers, what did you think would happen?

FARID ABBOUD: I'm not sure where the location of the attack took place. I understand that there was another battle, also, where during which the Israelis crossed Lebanese soil and that the casualties that fell then were inside Lebanon territory… We do not want any escalation, and I don't think we have ever attacked Israel. I mean, Israel has always occupied our territory, and we have always defended ourselves. Our position has always

been very reactive, defensive.

This writer then spoke to the chief of the Lebanese Defense Cabinet General Edmond Fadel in Beirut for clarification. He said he was not authorized to speak on Hezbollah's position.

Hezbollah's position had been earlier cited in the Jerusalem Post of July 12 : "Hizbullah leader Sheikh Hassan Nasrallah said the timing of the capture of two Israeli soldiers in southern Lebanon on Wednesday would boost the position of Palestinians in Gaza."

It was a view Hezbollah spokesman Ibrahim Mousawi had reiterated to me on July 16 by phone. He insisted that the crisis occurred on the Lebanese side of the border "in front of the village of Ayt Al Shaab" adjacent to a military post.

On August 2, I discussed the kidnapping issue again with Hezbollah's Mousawi in Beirut.

Q: We spoke earlier on July 16, 2006 about this issue and I would like to make it official. The Lebanese Army has claimed that the Israeli soldiers captured on July 12, 2006 were captured in Lebanon, not Israel as we hear in the US. Were they caught inside Israel or Lebanon?

A: How can you possibly say Israel? This is an occupied land, occupied Palestine.

Q: Alright. Was it in occupied Palestine or Lebanon?

A: It was in Lebanon, on the border.

Q: On the border- What town? Where was it near?

A: There is no town. It was a military post.

Q: Did Hezbollah cross over into Israel?

A: This has never been claimed by Hezbollah- only on the border. And don't say Israel- its occupied Palestine.

Q: The IDF soldiers in the tank who hit the mine and were killed?

A: It was all in the Lebanese lands when they wanted to penetrate- to go after the resistance.... No one believes anymore that this is about the two soldiers, not with the destruction of the infrastructure. Besides, Hezbollah got information that this Israeli aggression was scheduled to take place this September or October...

According to Attorney Yehudah Talmon, Israelis will also sue to collect money from Lebanese assets and property in the United States. "No group associated in any way, shape or form to Hizbullah is immune to these claims." Never mind if the claims are based on shifting boundaries.

Trish Schuh wrote on the coming Hezbollah-IDF border crisis in "Faking the Case Against Syria" in November, 2005.

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