



# policy brief

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## The Israel-Hezbollah Conflict and the Shebaa Farms

**Asher Kaufman**

The recent war between Israel and Hezbollah brought to the forefront of regional and international attention the volatile boundaries between Israel, Lebanon and Syria. Indeed, the UN Security Council's August 11th Resolution, which facilitated the end of hostilities, dedicated much of its text to issues related to Lebanese sovereignty and its shared boundaries with Syria and Israel. In particular, the resolution stipulated the need to address the border dispute over the Shebaa farms.

On May 21, 2000, Hezbollah launched its first military operation in the area of the Shebaa farms, opening the battle for the "liberation" of this piece of land. At the time, few could have known that this small, mostly neglected area — some 16 square miles on the western slopes of the Hermon Mountain range — could become such a source of national pride for Lebanon and such an important strategic asset for Israel. Although the war erupted for reasons not directly related to the Shebaa farms, the resolution of this border issue could ease the tension between Israel and its neighbors to the north and could contribute to political stability within Lebanon.

The thirty days that UNSC Resolution 1701 gave Secretary-General Kofi Annan to offer proposals for defining Lebanon's borders, especially in the Shebaa farms, have passed without any action taken. Although the border between Israel and Lebanon has been quiet since the end of the recent war, the region is far from peaceful. Without major steps to change the volatile political climate, there is a high probability that violence could resume. Recently, leading Lebanese politicians reiterated Hezbollah's right to re-launch its resistance operations in the Shebaa farms. Given these dynamics, the UN will need to employ creative diplomacy to find a formula to resolve the conflict over the Shebaa farms and the wider political stalemate.

### From a neglected to a central issue

As in so many other post-colonial settings, the roots of this conflict lie in the clumsy manner in which France dealt with national boundaries in the area. France never bothered to demarcate the border between Syria and Lebanon, but it did draw maps. A French colonial project in 1862 produced the first map of “modern” Lebanon. This map helped facilitate the development of a separate Lebanese political identity, and in 1920 it was used by France to delineate the boundaries of the newly-founded Lebanese state, giving birth to many border irregularities, including the area of the Shebaa farms. Subsequent maps created during the period of the French mandate in the 1920s and 1930s did not resolve these irregularities. The Syrian-Lebanese border was marked on these maps unprofessionally, using old data instead of sending out survey teams, as

Israel inherited this border anomaly when it occupied Syria’s Golan Heights in June 1967, thereby bringing the Shebaa farms into the orbit of the Arab-Israeli conflict. Israel claimed that the area was part of the Golan Heights and could be negotiated only in the context of peace talks between Israel and Syria. In May 2000, following the Israeli withdrawal from south Lebanon, Hezbollah made a strategic decision to keep its arms and continue the armed struggle against Israel. In order to justify this decision and to maintain its stature and legitimacy in Lebanon, it needed a pretext. The UN unwittingly provided one when it sided with Israel and concluded that the Israeli withdrawal from south Lebanon was indeed complete. In the absence of a treaty demarcating the border, the UN had to resort to existing maps, which, as the Israelis claimed, unquestionably put the Shebaa farms within the Israeli-occupied Golan Heights, or the Israeli side of the Blue Line. The land deeds, tax

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required by all modern border demarcation projects. The maps placed the Shebaa farms within Syria, while, for all practical matters, the owners and residents of the farms considered themselves to be Lebanese citizens. They conducted their administrative affairs in Lebanon, paid taxes to Beirut, and held Lebanese identity cards.

During the 1950s, Syria exploited this border anomaly and took control of the area, establishing military posts in the farms and, in a 1960 census, even registering its residents as Syrian citizens. For different reasons the governments of Syria and Lebanon have never signed a legally-binding treaty that would resolve the Shebaa farms or other border issues. From 1920 until the Israeli occupation of the region in June 1967, the border between Syria and Lebanon in this area (and elsewhere) was porous and had little impact on the day-to-day lives of the local population. Lebanese enclaves were in Syrian territory and vice-versa, but neither Syria nor Lebanon paid much attention because it was a remote and insignificant region.

receipts and other documents that Lebanon submitted to support its claims to the farms were considered, at best, evidence of private ownership but not enough to establish its claim of sovereignty.

From May 2000 until July 2006, the area of the Shebaa farms functioned as the central arena of military confrontations between Israel and Hezbollah. For the Shi’ite organization it was a means to pursue its resistance against Israel in the context of its general rejection of Israel’s right to exist. Although Hezbollah’s arms have been directed against Israel, its resistance to Israeli hegemony has reinforced its domestic political support in Lebanon. The Shi’ite community, which had been politically and spatially marginalized by Lebanese elites, has used a marginal piece of territory — the Shebaa farms — to dictate the Lebanese national agenda and to assert its place within Lebanese society. In this way the Lebanese borderland, a neglected region since the country’s creation, has become a central issue in Lebanese national discourse.

Since the Palestinian Intifada erupted in September 2000, only five months after the Israeli withdrawal from south Lebanon, Israel was preoccupied with suppressing the Palestinian uprising, so it tolerated the low intensity, but extremely volatile, conflict with Hezbollah over the Shebaa farms. Although the area was attacked periodically by Hezbollah and Israel suffered some casualties, the past six years was the calmest period along the Israeli-Lebanese boundary since the late 1960s. It could be said that a “Shebaa order” was formed, with all sides content to contain their conflict within this territory in order not to inflame their precarious situation into an all-out war.



The UN could also serve as an arbiter, if the parties agreed in advance to abide by its decision. The fact that Hezbollah, followed by the Lebanese government, did not accept the UN’s demarcation of the Blue Line in 2000 is a good example of the limitations of an arbitration that is not agreed upon in advance. Israel’s role must also be considered, even though, as an occupying power, it has no legal standing on the matter. This is a border dispute between Lebanon and Syria, but, as the de-facto sovereign over the disputed territory, Israel would have to facilitate, or at least cooperate in, any process of border demarcation.

Walking such a thin line was a risky matter, and war did erupt on July 12th as a result of miscalculations on both sides. Hezbollah miscalculated the Israeli response to its cross-border operation (which was not conducted in the Shebaa farms area), believing that the rules of the “Shebaa order” would still hold. For its part, Israel miscalculated its ability to crush Hezbollah militarily and became engaged in a full-scale war that failed to achieve its objective.

### Procedural and political challenges

As is often the case in border disputes, both procedural and political issues must be resolved. Unfortunately, this dispute faces major obstacles on both counts. On the procedural side, the parties need to agree on a mechanism for resolution, such as bilateral negotiations or third-party arbitration (e.g., the International Court of Justice). Lebanon has demanded the establishment of a Lebanese-Syrian joint demarcation commission that would produce a long-overdue, internationally recognized border treaty. Such a commission is strongly supported by the United Nations and has produced one of the few recent cases of U.S.-European diplomatic cooperation in the Middle East.

The political challenges are even more daunting. In large part due to Hezbollah’s politicization of the border issue, even before the recent war, the Lebanese government linked its resolution to political stability in Lebanon. In a tour of Western capitals in early 2006, Lebanese Prime Minister Fouad Siniora urged the international community to pressure Israel to withdraw from the farms. According to Siniora, a withdrawal would empower the Lebanese government, would provide the right climate for a Lebanese move to disarm Hezbollah, and would ease tense Syrian-Lebanese relations. Although the July war reshuffled Lebanese and regional cards, this linkage was central to Siniora’s seven-point plan to end the war, and was ultimately included in the UN resolution.

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Syria, for its part, has used this dispute in recent years to keep Israel “on its toes,” so long as it occupies the Golan Heights. Furthermore, since Syria’s withdrawal from Lebanon in May 2005, it has used the Shebaa farms to remain influential in the country by supporting Hezbollah’s operations and by refusing to settle boundary disputes, despite repeated pleas by the Lebanese government and the international community.

Given these political complexities, the UN will not be able to resolve this conflict without the good will of regional players. While the attempt to isolate this border conflict and “resolve” it by means of an Israeli withdrawal from this region is a noble idea and merits consideration, the climate of belligerency among Syria, Lebanon and Israel cast serious doubt on their ability to make progress on this issue. After all, this border conflict is a symptom of much larger issues pertaining to Israeli occupation of the Golan Heights and, indirectly, to its occupation of the Palestinian territories; to the difficult relationship between Syria and Lebanon; to Hezbollah’s strategic and political goals in Lebanon and the region; and to Iran’s attempts to play a leading role in the conflict against Israel. Indeed, the Arab-Israeli conflict operates

according to the law of the “connected vessels,” where one flashpoint affects all others. While that law might make it more difficult to resolve this issue peacefully, it also means that a peaceful resolution could positively affect other regional “vessels.”

### **Need for a comprehensive solution**

In order to have a lasting ceasefire, Israel and Lebanon must respect each other’s sovereignty. This is not simply a matter of Israeli withdrawal from the Shebaa farms; until an exact line of demarcation is agreed upon, calls for Israel’s withdrawal will ring hollow. A more comprehensive approach is needed that would involve a coordinated effort by Syria, Lebanon, and Israel, with the UN playing a supportive role, starting with prompt submission of a border proposal by the Secretary-General. A process that could finally demarcate Lebanon’s border could help prevent further conflict between Israel and Lebanon, and could be a major turning point for a negotiated peace between Israel and Syria, and, indirectly, even between Israel and the Palestinians. The price tag for such a peace deal is clear. The question is: Do Israeli, Syrian, and Lebanese leaders have the political will to follow through with such an ambitious plan?



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