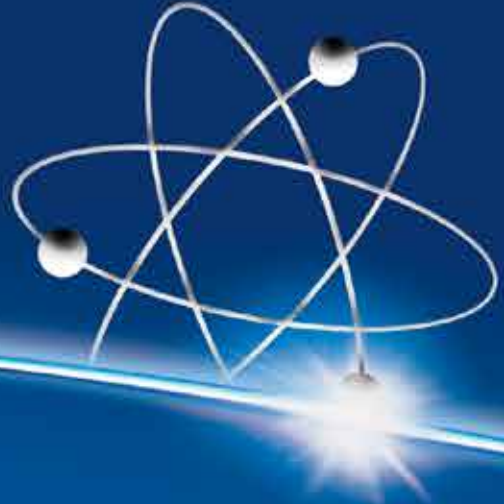




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# Israel's nuclear strategy and America's national security

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With a special post script by  
**General (USA/Ret.) Barry R. McCaffrey**



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# **ISRAEL'S NUCLEAR STRATEGY AND AMERICA'S NATIONAL SECURITY**

DECEMBER 2016

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PREPARED ESPECIALLY FOR PUBLICATION IN THE  
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## **ISRAEL'S NUCLEAR STRATEGY AND AMERICA'S NATIONAL SECURITY**

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# ABSTRACT

Normally, scholars interested in the specifically nuclear relationship between Israeli national security and US national security consider Israel only as the recipient of American protection – that is, as the receiving beneficiary of Washington's "nuclear umbrella." In these orthodox examinations, there has been almost no attention directed toward those more-or-less reciprocal circumstances in which the United States could conceivably benefit from Israel's nuclear strategy. Significantly, in such increasingly plausible and important circumstances – in situations establishing core hypotheses where US security becomes the "dependent variable," and Israeli nuclear strategy the "independent variable" – Jerusalem's nuclear security decisions should soon begin to take more explicit note of consequent policy advantages or disadvantages for Washington. Until now, this suggestion would have made little real sense, because, for practical purposes, there has been no identifiable Israeli nuclear strategy. Going forward, however, especially as Israel takes more seriously, *inter alia*, the prospective deterrence benefits of certain incremental shifts from "deliberate nuclear ambiguity" to selected forms of "disclosure," very precise assessments of connections between that country's nuclear strategy and US security will become more meaningful and, correspondingly, more helpful. With this understanding in mind, the following paper by Professor Louis René Beres, with added special Postscript by U.S. General (ret.) Barry R. McCaffrey (1) explores various complex synergies between Israeli and American nuclear postures; and (2) concludes with suitably precise policy recommendations that Washington recognize a distinctly vested American interest in safeguarding and strengthening Israel's nuclear strategy.

In the final analysis, Israel's always problematic survival will depend largely upon its core nuclear doctrine and strategy.<sup>1</sup> Oddly enough, this elementary observation is still widely overlooked, in Jerusalem, as well as Washington. Now, however, going forward – especially as the Middle East spins into more evident chaos,<sup>2</sup> and a new Cold War further hardens polar antagonisms between Russia and the United States<sup>3</sup> – Israel's nuclear strategy will demand more explicit attention and study.

But how best to plumb all probable linkages between this evolving strategy, and U.S. national security? Until now, this key question has generally been disregarded. One reason, of course, is that Israel's nuclear strategy has been shaped in understandably great secrecy, and isolation.

This strategy has also been detached from any regular or deliberate analytic "cross-checks" with American foreign policy. Moving ahead, the entire nuclear component of the Jewish state's security posture is apt to remain inconspicuous in the country's "basement." Nonetheless, whatever Jerusalem's intent might be about offering any future nuclear disclosures, an intent that could include a considered decision to end "deliberate ambiguity,"<sup>4</sup> the net effect would more-or-less impact America's relevant security policies.

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1 See Louis René Beres, "Changing Direction? Updating Israel's Nuclear Doctrine," INSS, Israel, *Strategic Assessment*, Vol. 17, No.3., October 2014, pp. 93-106.

2 The chaos faced today is much more than the usual historic condition of structural anarchy originally bequeathed at the Peace of Westphalia in 1648. In essence, the current forms of chaos are more primal, more primordial, even self-propelled and lascivious, almost viscerally destructive. What Israel, in particular, is facing, is notably less like the traditional and recurrent breakdowns of a regional balance-of-power in world politics, than the near-total "state of nature" described in William Golding's possibly prophetic novel, *Lord of the Flies*. Even long before Golding, the seventeenth-century English philosopher, Thomas Hobbes, had warned insightfully, that in any such circumstances of utter human disorder, where there exists "continual fear, and danger of violent death," the "life of man" must inevitably be "solitary, poor, nasty, brutish, and short." (*Leviathan*, Ch. XIII).

3 See, by this writer: Louis René Beres, "Israeli Strategy in the Case of a New Cold War," *The Jerusalem Post*, March 5, 2014.

4 See, by this author: Louis René Beres, *Looking Ahead: Revising Israel's Nuclear Ambiguity in the Middle East*, Herzliya Conference Policy Paper, Herzliya Conference, March 11-14, 2013 (Herzliya, Israel). On this question, see also: Louis René Beres and Leon (Bud) Edney (Admiral/USN/ret.), "Facing a Nuclear Iran, Israel Must Rethink Its Nuclear Ambiguity," *U.S. News & World Report*, February 11, 2013, 3 pp; and

Also expected would be far more complex policy intersections between the two countries. Reciprocally, any American reactions to visible Israeli changes would then likely "feed back" into the next round of Israeli calculations, thereby generating an ongoing cycle of policy interrelatedness, one with substantial security consequences for each nation, and one with tangible geo-strategic implications for the wider regional and world systems. Additionally, at least by extrapolation, Russian military activities in the Middle East and elsewhere will surely impact certain U.S. strategic policies, and thereby, however indirectly, Israel's nuclear strategy. Of course, it is also plausible to expect that certain outcomes of persisting Russian actions in the Middle East, most notably Syria, would affect Israel's nuclear posture *directly*.

One evident scenario, in this connection, would center on prospectively needed Israeli responses to expanding regional chaos. Another would represent newly required enhancements of Israeli deterrence vis-à-vis Iran and Hezbollah, an expectedly "hybrid" beneficiary of ongoing Russian operations against multiple Sunni Arab adversaries.

The United States (and Russia) has a longer history of strategic nuclear posture creation and development, including its steady maintenance of a "triad" of nuclear retaliatory forces. From 1945 until the very early 1950s, the U.S. was literally the only country on earth with a security posture resembling a true nuclear strategy. Yet, throughout his presidency, Barack Obama declared a personal preference for a "world free of nuclear weapons."<sup>5</sup> In such an imagined world – by definition – there could be no possible use for any nuclear strategy.

Plainly, this particular presidential preference has had little or nothing to do with actual U.S. nuclear policy revisions, and it has remained recognizably distant from any doctrinal reality or expressions of reasonableness. Discernibly, in fact, the world is moving in a manifestly opposite direction, that is, toward increasing nuclear dependence, and increasing nuclear proliferation.

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Professor Louis René Beres and Admiral Leon (Bud) Edney, "Reconsidering Israel's Nuclear Posture," *The Jerusalem Post*, October 14, 2013. Admiral Edney served as Vice Chief of Naval Operations, and also as NATO Supreme Allied Commander, Atlantic.

5 See Louis René Beres and Thomas G. McInerney (Lt.Gen/USAF/ret.), "Obama's Inconceivable, Undesirable, Nuclear-Free Dream," *U.S. News & World Report*, August 29, 2013.

An effectively uncontrolled atomic expansion<sup>6</sup> is at least partially the result of President Obama's own recent multi-party pact with Iran, the *Joint Comprehensive Plan of Action* (JCPOA). Already, it is apparent that the new agreement, signed at Vienna on 14 July 2015, will be able to impose no viable constraints upon Iranian nuclearization.<sup>7</sup> It will also likely heighten rather than retard the incentive of various Sunni Arab states to consider "going nuclear" themselves. For now, it seems, the most plausible proliferation candidates, in this decisively unwelcome regard, would be Egypt, Turkey, and/or Saudi Arabia.<sup>8</sup>

As to pertinent considerations of reasonableness, a wished-for world without nuclear weapons is not only infeasible; it is also undesirable. This is especially true from the unique vantage point of a beleaguered Jewish state that is smaller than America's Lake Michigan, is surrounded by 22 hostile Arab states,<sup>9</sup> and is also threatened by Iran.

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- 6 Such an expansion references more than just the simple number of new and expected nuclear powers. It takes into account the increasingly palpable absence of any still-enforceable nuclear nonproliferation regime, and also the expressed or otherwise decipherable nuclear strategies of certain existing nuclear states. For example, Pakistan has clarified that it is now more reliant upon an openly counterforce nuclear strategy, one based more and more upon tactical or theater nuclear weapons. Here, the net effect of such changes is apt to be expanding probabilities of actual nuclear weapons use. After all, it is precisely this assumption that must have given rise to the Pakistani deterrence policy shift in the first place.
- 7 To recall the prophetic words of Thomas Hobbes in *Leviathan*, "And Covenants, without the Sword, are but Words, and of no strength to secure a man at all." (Chapter XVII). This argument is based not on any narrowly legalistic examination of the Pact's specific articles, but on the much broader understanding that international legal constraints are always contingent upon antecedent considerations of power, and that this particular agreement plainly bestows no such necessary power upon the United States or any of its pertinent allies. Moreover, in philosophy of science terms, some circumstances are better explained with a "phenomenological" insight than with a purely "positivistic" one. To wit, if one were to place himself or herself in the shoes of relevant Iranian decision-makers, and then take into account the long history of nuclear weapons planning in Iran, and also the undiminished Iranian Shiite preference to "balance" Sunni Saudi Arabia, Egypt, and Pakistan, it would be clear that the present Iranian leadership could have absolutely no intention of long-term and meaningful compliance.
- 8 In the near term, only Saudi Arabia might actually be able to buy an "off the shelf" nuclear weapon via Pakistani sources. Egypt and/or Turkey would find such atomic acquisition vastly more problematic, most conspicuously for basic economic reasons.
- 9 This brings in the consequential but generally disregarded issue of Palestinian statehood as a potentially "nuclear issue." To be sure, this 23rd Arab enemy state, should it eventually emerge from some combination of "third intifada" successes,



Israel, as David Ben-Gurion, the country's first prime minister, had earlier understood, a mini-state with literally no "strategic depth," and existing in an irredeemably hostile environment, would require a genuinely compensatory military "equalizer."<sup>10</sup>

For Israel, holding and upgrading such an equalizer would be indispensable, but only if it could become part of a more comprehensive, coherent, and continuously refined nuclear strategy.<sup>11</sup>

Although little is generally known about its continuous evolution or current configuration, this atomic equalizer is essentially defined by Israel's nuclear weapons and corollary doctrine. Ultimately, only this particular capacity and conceptual posture could prevent enemy states (plausibly, together with certain assorted sub-state surrogates) from launching prospectively final wars of annihilation against Israel. In

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and the persistently contrived sympathies of other states and peoples, would be non-nuclear itself. Nonetheless, because of its incontestable impact on Israel's strategic depth, an impact that would be true *by definition*, "Palestine" would inevitably degrade the Jewish state's overall conventional force capability. Any resultant degradation of the region's "correlation of forces" for Israel, could then generate an increasing Israeli reliance on specifically nuclear deterrence, a still-unanticipated development that could produce certain more-or-less corollary changes in U.S. defense policy. In turn, per the earlier argument, above, these once-unforeseen American policy changes could then "feed back" into Israel's pertinent strategic decisional loop, producing yet another set of meaningful and even plausibly "synergistic" consequences. The "bottom line" here is that Palestinian statehood could seriously affect Israel's nuclear strategy, and – in turn – U.S. security.

- 10 While this view is inconsistent with Israel's official policy (Jerusalem supports the creation of a Nuclear Weapons Free Zone in the Middle East, and has also supported assorted UN resolutions on the issue), it would be impossible to disregard Israel's actual policy history regarding national nuclear weapons. See, for example, Avner Cohen, *Israel and the Bomb* (New York: Columbia University Press, 1998); Louis René Beres, *Israel's Strategic Future: Project Daniel*, The Project Daniel Group, Ariel Center for Policy Research, ACPR Policy Paper No. 155, Israel, May 2004; and Louis René Beres, *Surviving Amid Chaos: Israel's Nuclear Strategy* (New York and London: Rowman & Littlefield, 2016).
- 11 Following Sun-Tzu, any such strategy must be founded upon a full understanding of one's own pertinent capabilities, and also those of the expected enemy: "One who knows the enemy and knows himself will not be endangered in a hundred engagements. One who does not know the enemy but knows himself will sometimes be victorious, sometimes meet with defeat. One who knows neither the enemy nor himself will invariably be defeated in every engagement." Increasingly, the "One" defined in Sun-Tzu's third and last category closely fits the United States, especially in regard to ongoing wars in Iraq, Syria, and Afghanistan, and to unhindered nuclear weapons development in Iran.

brief, therefore, the day that Israel would agree to sign on to the 1968 *Non-Proliferation Treaty* (NPT) as a non-nuclear weapons state – the only status in which it could be allowed to enter this agreement – is the day on which it would sign its own death warrant. This is the compelling analytic or strategic case, irrespective of Israel's official "long corridor" doctrine, which supports some forms of *de jure* regional disarmament, and even an eventual in-principle adherence to the NPT.

By themselves, as Mr. Obama still fails to recognize, nuclear weapons are neither good nor evil. As with any other weapon system devised since time immemorial, particular categories of weapons lack any inherently moral or ethical content. All that really matters here, and all that is codified within pertinent humanitarian international law, (*aka*, the law of armed conflict) is conformance with the binding expectations of *jus in bello*, or "justice in war."

These expectations are well-known, and even have roots in the Hebrew Bible, especially *Deuteronomy*. They are widely affirmed as the normative standards of *distinction*, *proportionality*, and *military necessity* within belligerent action. However counter-intuitive, all specific types of non-nuclear weapons could conceivably be used in stark violation of these authoritative criteria, while, in other circumstances, various kinds of modern nuclear weapons could be employed lawfully.

There is still more substance to the well-founded argument against blanket condemnations of nuclear weapons and strategies. For one, the nuclear "balance of terror" that had once obtained between the original superpowers, from the late 1940s, until the collapse of the Soviet Union, may have prevented a third world war. Arguably, in this connection, Moscow and Washington, already aware of the devastating consequences of any war involving nuclear weapons, were then far more reluctant to confront each other militarily than they would have been in the pre-nuclear age.

In the best of all possible worlds, Israel would remain the only nuclear power in the region. For certain, however, this is not yet such a world, there already exists a non-Arab "Islamic bomb" in Pakistan, and the prospect of seeing still more virulent "scorpions in the bottle" – to recall physicist J. Robert Oppenheimer's original and grotesque metaphor about nuclear armed states – is compellingly high. This implies that Israel must now do everything possible to refine and operationalize

its already dispersed nuclear deterrent, including an incremental end to "deliberate nuclear ambiguity," a limited clarification of its nuclear targeting doctrine (counter-value vs. counterforce), and possibly even additional sea-basing (submarines) of its pertinent nuclear retaliatory forces.<sup>12</sup>

This is not meant to imply that Israel can in any way afford not to address those corollary security issues concerning sub-state terrorist actors, a significant imperative that would normally need to be met outside of the realm of nuclear deterrence. Of course, where such sub-state adversaries were also aligned with certain state adversaries of Israel – in essence, constituting a "hybrid" enemy of the Jewish State – some forms of nuclear deterrence could still conceivably apply.

For Israel's nuclear strategy, and thus also for certain derivative security obligations of the United States, it is not enough simply to have nuclear weapons. Rather, all possible enemies must be made to believe that there is accompanying doctrine regarding their use, that this strategic doctrine is coherent and comprehensive, that the weapons themselves are sufficiently well-protected from enemy first-strikes, and that these same weapons are fully capable of penetrating every expected national aggressor's active defenses. Should Israel fail, for any reason, to convince its principal state enemies of these indispensable and inter-dependent traits, it could ultimately face devastating missile attacks, along with more-or-less corresponding security costs accruing indirectly to the United States.<sup>13</sup>

For the long-term benefit of the United States, as well as Israel itself, foreseeable enemies of the Jewish state will need to believe

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12 On the sea-basing issue, see: Louis René Beres and (Admiral/USN/ret.) Leon "Bud" Edney, "Israel's Nuclear Strategy: A Larger Role for Submarine Basing," *The Jerusalem Post*, August 17, 2014; and Professor Louis René Beres and Admiral Leon "Bud" Edney, "A Sea-Based Nuclear Deterrent for Israel," *Washington Times*, September 5, 2014.

13 Actual nuclear war-fighting could never be an acceptable strategic option for Israel. This point was a major conclusion of the *Final Report of Project Daniel: Israel's Strategic Future*, ACPR Policy Paper No. 155, ACPR, Israel, May 2004, 64 pp. See also: Louis René Beres, "Facing Iran's Ongoing Nuclearization: A Retrospective on Project Daniel," *International Journal of Intelligence and Counterintelligence*, Vol. 22, Issue 3, June 2009, pp. 491-514. Professor Beres was Chair of *Project Daniel*; and Louis René Beres, "Israel's Uncertain Strategic Future," *Parameters: Journal of the U.S. Army War College*, Vol. XXXVII, No.1., Spring 2007, pp. 37-54.

that Israeli second-strike forces are sufficiently invulnerable, and simultaneously capable of getting through any determined enemy's missile defenses. Also needed, however, will be an effort to persuade any would-be aggressor state or pertinent "hybrid" (state-terror group) adversary that Israel's offensive nuclear capabilities are complemented by maximally efficient and mutually-reinforcing systems of ballistic missile defense.<sup>14</sup> Here, among other measures, the U.S. could enhance its own long-term security by helping Israel to deploy and maintain state-of-the-art BMD systems, as needed.<sup>15</sup> This is because any enemy weakening of Israel would, *ipso facto*, weaken American power and influence in the region.

Although not widely appreciated, Israel's *Arrow*, plus Rafael's *Iron Beam* laser-based defenses, are likely oriented, at least in large part, to the protection of Israel's nuclear deterrent, and not entirely toward safeguarding "soft" civilian populations.<sup>16</sup> By supporting Israel's expected nuclear retaliatory capabilities, the United States would at the same time be supporting its own core strategic interests in the Middle East.

Whatever concrete steps it should decide to take on implementing assorted doctrinal nuclear refinements, Jerusalem must always bear in mind the immutably primary purpose of its strategic posture. This goal is deterrence, not revenge.<sup>17</sup> Significantly, from the standpoint

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14 On pertinent issues of ballistic missile defense, see: Louis René Beres and (Major-General/IDF/res.) Isaac Ben-Israel, "The Limits of Deterrence," *Washington Times*, November 21, 2007; Professor Louis René Beres and MG Isaac Ben-Israel, "Deterring Iran," *Washington Times*, June 10, 2007; and Professor Louis René Beres and MG Isaac Ben-Israel, "Deterring Iranian Nuclear Attack," *Washington Times*, January 27, 2009.

15 At the same time, Israel must always think of its strategic defense as a residual or last-resort security protection. Recalling Sun-Tzu's *The Art of War*: "Those who excel at defense, bury themselves away below the lowest depths of Earth. Those who excel at offense move from above the greatest heights of Heaven. Thus they are able to preserve themselves, and attain complete victory."

16 The shorter-range interceptors of *Iron Dome*, however, are oriented to active civilian defense.

17 Nonetheless, there are circumstances in the Islamic Middle East where threats of revenge (or convincing promises of vengeance) could effectively enhance Israeli nuclear deterrence. Here, Jerusalem's objective would not be revenge after the failure of deterrence, but rather the purposeful utilization of revenge as a way to actually bolster deterrence.

of classic military strategy, such mindfulness would represent a thoughtful and very timely reaffirmation of Chinese strategist Sun-Tzu's ancient advice in Chapter 3 of *The Art of War*: "Subjugating the enemy's army without fighting," he writes in "On Planning Offensives," is always "the true pinnacle of excellence."

In principle, at least, this could mean that Israel ought to try to convince certain prospective aggressors that their contemplated attacks would assuredly elicit unacceptably damaging "revenge" retaliations.

Whether Washington understands this or not, the United States has a notably tangible interest in safeguarding and strengthening Israel's nuclear strategy. To the extent that this strategy could help to secure the Jewish state, Washington would have a more durable and consistently reliable ally in the Middle East. In these times, especially, there is no single other ally in the region which is even marginally comparable to Israel, either from the standpoint of capacity (military/technological/intellectual/scientific), or expected loyalty.

Once the United States begins to modify its own regional strategies in response to certain discernible successes of Israel's nuclear doctrine – successes that would be measured in terms of reductions in both organized international warfare, and sub-state terrorism – Jerusalem will likely need to implement certain corresponding modifications to its original doctrine. In other words, the expected relationship between Israel's nuclear strategy and U.S. security is apt to be a palpably dynamic interaction, one where a policy action in Israel is followed by policy reaction in Washington, then by further responsive action in Jerusalem,<sup>18</sup>

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18 Of course, because such scenarios have no tangible or historical precedent (they are effectively *sui generis*), the arguments here must necessarily be based upon a carefully constructed strategic dialectic; that is, a process whereby each pertinent question raises a more-or-less plausible answer, which in turn then raises yet another pertinent question. As an example, once Washington can believe that Israeli nuclear deterrence would operate successfully without any augmentations from the United States, it could then choose to re-align its own nuclear deterrence requirements for the Middle East – a re-alignment that would then further "feed back" to Jerusalem, possibly occasioning certain additional modifications to nuclear deployments and/or nuclear targeting doctrine. See, for additional clarification, at Oxford University Press, an earlier article on strategic *avant garde* by Louis René Beres: <http://blog.oup.com/2011/07/beres-avant-garde/>

and so on.<sup>19</sup> At this time, no one can possibly predict the precise outcomes of this pattern of strategic interdependence, but at least one conclusion is certain. Israel must become far more attentive to refining all aspects of its strategic nuclear doctrine, and the U.S. must more carefully acknowledge that its own security in the Middle East is inextricably tied to certain specific outcomes of Israeli doctrine.

Examples abound. For one, if Israel's nuclear strategy could inhibit or even prevent an Iranian bomb, possibly by launching an eleventh-hour preemption against Iranian hard targets, the United States could also become more secure. With this in mind, Washington must play a continuing role in supplying the Jewish state with nuclear strategy-relevant weapon systems and technologies. Such action would strengthen Israel, and thereby its senior ally.

In the past, preemptive attacks drawn from Israel's overall strategic nuclear doctrine provided enormous but still generally unacknowledged benefit to United States national security. More precisely, owing to Israel's *anticipatory self-defense* operations in both Iraq and Syria, the U.S. and its other allies have been sheltered from potentially devastating Islamist nuclear weapons technologies. Now, as portions of the Arab Middle East could continue to crumble before ISIS, primarily in Syria and Iraq, these countries will at least not have to contend with nuclear-armed terrorist adversaries. The reason is plain: Israel's *Operation Orchard*, conducted on September 6, 2007. Very significantly, and as a related reflection on America's then already-failed anti-proliferation policies in Asia, the developing Syrian nuclear infrastructure successfully neutralized by Israel had been built with active assistance and support from North Korea.

Another neglected example of Israel's strategic policy serving U.S. security interests is *Operation Opera*.<sup>20</sup> Launched by the Israel Air

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19 It warrants noting, however, that both adversarial and friendly perceptions of such "mutual intimate links" could prove either beneficial or injurious to Israel's security. This outcome would depend, of course, upon each "player's" particular interpretation of any such perceptions.

20 See Louis René Beres and (COL/IDF/res.) Yoash Tsiddon-Chatto, "Reconsidering Israel's Destruction of Iraq's Osiraq Nuclear Reactor," Menachem Begin Heritage Center, *Israel's Strike Against the Iraqi Nuclear Reactor*, June 7, 1981, Jerusalem, Israel, September 2003, pp. 59-60. Colonel Tsiddon-Chatto was a former Chief of Planning in the Israel Air Force, and a member of *Project Daniel*.

Force (IAF) on June 7, 1981, it destroyed Iraq's *Osiraq* nuclear reactor, outside of Baghdad. Had Israel not undertaken this complex operation – a preemptive attack that was in fact formally condemned at the time by the United Nations,<sup>21</sup> including the United States, under President Ronald Reagan – American and other allied forces might already have faced a nuclear conflict during the first Gulf War in 1991 (*Operation Desert Storm*). Indeed, in the absence of *Operation Opera*, when Israel effectively acted on behalf of the much wider "international community," it is plausible to assume that some form of nuclear conflict might currently be underway in Iraq.

Here, a notable irony should also be brought to mind. Had Israeli Prime Minister Menachem Begin first pleadingly sought defensive attack approvals from the international community – exactly the sort of multilateral strategic posture that would have been demanded by a U.S. President Barack Obama – *Operation Opera* could never have worked. It is possible, of course, that Prime Minister Begin discussed the broad contours of such a defensive strike both with U.S. Ambassador Sam Lewis (Carter's envoy to Israel) and later, with Secretary of State Alexander Haig, but assuredly not any of the actual attack operation specifics.

What about the future? If Israel's nuclear strategy should sometime be directed toward an already nuclear adversary in Iran (because nothing sufficiently serious had been done to stop Tehran from joining the nuclear club), it could still help to create appropriate conditions of stable nuclear deterrence in the region.<sup>22</sup> In his scenario, conceptually at least, the objective would be to somehow replicate the original "balance of terror" that had once obtained between the United States and the Soviet Union.

A "wild card" here would be the reliability and predictability of Iranian rationality. This means, among other responsibilities, that both the U.S. and Israel must begin to study the prospects for long-term rational decision-making by Iranian leadership elites, and, if necessary,

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21 The U.N. Security Council, in Resolution # 487 of June 19, 1981, indicated that it "strongly condemns" the attack, and that "Iraq is entitled to appropriate redress for the destruction it has suffered."

22 See Louis René Beres, "After the Vienna Agreement: Could Israel and a Nuclear Iran Coexist?" IPS Publications, Institute for Policy and Strategy, IDC Herzliya, Israel, September, 2015.

prepare to eventually deal with a non-rational nuclear adversary in Tehran.<sup>23</sup> Similar questions will need to be raised about certain Iranian sub-state proxies, such as Shiite militia Hezbollah, and also ISIS or ISIS-aligned Sunni fighters, surrogates which at some point could seek to take over not only Jordan, but also "Palestine."

By definition, irrational enemy decision-makers would value certain preferences, or combinations of preferences, above national or group survival.<sup>24</sup> At the same time, such decision-makers would not automatically be "mad" or "crazy." This means they would likely still choose among all alternative options according to a prescribed hierarchy of "wants," one that remains both consistent and "transitive."

It follows, very significantly, that there would almost certainly still be residual enemy preferences that remain subject to some plausible Israeli and/or American retaliatory threats. Most persuasive, against these irrational but still "deterable" enemy leaders, both state and sub-state, would be credible threats of "regime-targeting" (targeted killings of enemy leaders themselves), and threats to the safety of certain core religious (Islamic) institutions.

Even Jihadists who were willing to die themselves, as individual persons, for devoutly religious reasons, could still balk at allowing any substantial harms to befall core religious sites and structures. Still, alternative strategies of Israeli deterrence that would threaten certain Islamic religious institutions could prove to be extremely sensitive and perilous. These strategies could also fail because of conceivably considerable differences between Sunni and Shia elements, on exactly

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23 See Louis René Beres and John T. Chain (General/USAF/ret.), "Could Israel Safely Deter a Nuclear Iran?", *The Atlantic*, August 2012; and Professor Louis René Beres and General John T. Chain, "Israel; and Iran at the Eleventh Hour," *Oxford University Press* (OUP Blog), February 23, 2012. General Chain served as Commander-in-Chief, U.S. Strategic Air Command.

24 Regarding the specifically religion-based threat of a nuclear Iran – that is, the threat of a Jihadist nuclear adversary – see Andrew G. Bostom, *Iran's Final Solution for Israel: The Legacy of Jihad and Shiite Islamic Jew Hatred in Iran*, Amazon, March 24, 2014, 350 pp. Dr. Bostom is also the author of the highly-acclaimed *The Legacy of Jihad: The Legacy of Islamic Anti-Semitism*; and *Sharia Versus Freedom*. Earlier, see also, Bernard Lewis, *The Political Language of Islam* (Chicago and London: The University of Chicago Press, 1988).



which cities and sites would display the most significant religious or spiritual meanings.<sup>25</sup>

Over time, Washington ought to understand, Jerusalem's nuclear strategy could enhance American security, as well as Israeli security. It follows that any wrongheaded American efforts to prod Israel to enter into the *NPT*, and/or into a so-called "nuclear weapons free zone," would be deeply damaging to both countries. Already, in early October 2015, a senior Iranian military leader had warned that "all U.S. military bases in the Middle East are within the range of Iran's missiles," and stressed that Iran would continue to ignore all legal bans on ballistic missile production. With this warning, further missile threats on the United States directly were made, as Iran simultaneously unveiled "joint war room" preparations with Russia, Syria and Iraq.

There is one last but still important observation. Just as American security would be the beneficiary of an improved Israeli nuclear strategy, so would Israeli security be impacted and assisted by needed or even corresponding improvements in U.S. strategic doctrine. During the past several years, it is evident that the United States has been withdrawing from its more usual position of power and leadership in the world, especially in the Middle East. Among other things, this substantial retreat has magnified Israel's overall susceptibility to certain state and sub-state enemy aggressions, ranging from uninhibited Iranian nuclearization, to incessant terror violence unleashed by Palestinian Fatah, Hamas, and Islamic Jihad.<sup>26</sup> Looking ahead, a

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25 Shiite theology reserves a special hatred for Jews. Present day Iran, at least in principle, subscribes to certain avowedly genocidal eschatological beliefs. Mohammed Hassan Rahimian, a representative of Supreme Leader Ali Khamenei, underscores this annihilationist theology as follows: "The Jew is the most obstinate enemy (*Koran* 5:82) of the devout. And the main war will determine the destiny of mankind....The reappearance of the Twelfth Imam will lead to a war between Israel and the Shia." See: Andrew Bostom, "Iran's Final Solution for Israel: Persian Shiite anti-Semitism is Deep Rooted and Points to Genocide," *National Review Online*, February 10, 2012. Important to note here, is the explicit eschatological connection between the individual Jew as microcosm, and Israel, or the individual Jew in macrocosm.

26 There exists a little-known intersection between unceasing Palestinian terrorism against Israel, and certain expressly nuclear matters. This linkage has to do with plausible and still-expanding risks to Israel's *Dimona* nuclear reactor from terrorism as well as war. Already, in 1991 and in 2014, this critical facility came under missile or rocket fire from Iraqi and Hamas aggressions, respectively. See,

thoughtful revitalization of America's strategic doctrine and policies – fashioned with apt recognition of greater complexities generated by Cold War II – could produce very tangible security benefits for Israel.

It goes without saying that any such U.S. advances would also impact the protean shape of Jerusalem's nuclear strategy, which, in turn, would then further transform America's still-ongoing strategic revitalization.

As Israel's nuclear strategy continues to develop, together with its evident implications for America's national security, attention will need to be paid also to certain matters of law. In this connection, both countries will need to recall, international law is not a suicide pact.<sup>27</sup> In the past, Israel did not act illegally at *Osiraq* in Iraq, or later, in Syria, with its *Operation Orchard*.<sup>28</sup> Under longstanding rules of *anticipatory self-defense*, every state is entitled to strike first, whenever the danger posed is "instant, overwhelming, leaving no choice of means, and no moment for deliberation."<sup>29</sup> For such manifestly compelling threats,

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on these oddly under-examined events, Bennett Ramberg, "Should Israel Close Dimona? The Radiological Consequences of a Military Strike on Israel's Plutonium-Production Reactor?" *Arms Control Today*, May 2008, pp. 6-13. Of course, as one of these incidents involved an enemy state attack (Iraq), the threat of further aggression against Israel's *Dimona* is plainly not limited to risks of terrorism. It is even reasonable to assume that Palestinian statehood could exacerbate threats of destruction to *Dimona*, an assumption that could then also impact (however indirectly) U.S. security, and, per the earlier discussed "continuous feedback loop," some of Israel's own subsequent nuclear policy decisions.

- 27 The right of self-defense is a "peremptory" or *jus cogens* norm under international law. See *Vienna Convention on the Law of Treaties*, May 23, 1969, entered into force, January 27, 1980.
- 28 Little is generally known about *Orchard*. In brief, then Israeli Prime Minister, Ehud Olmert, reasserted the 1981 "Begin Doctrine," this time with regard to the Deir ez-Zor region of Syria. Several years later, in April 2011, the U.N.'s International Atomic Energy Agency (IAEA) authoritatively confirmed that the bombed Syrian site had been a developing nuclear reactor. Olmert's decision, like Begin's earlier one, turned out to be entirely gainful to the United States, as well as to Israel.
- 29 The customary law right of *anticipatory self-defense* has its modern origins in the *Caroline* incident, an event which concerned the unsuccessful rebellion of 1837 in Upper Canada against British rule. Following this landmark case, the serious "threat" of armed attack has generally been taken as sufficient cause for appropriate defensive action. Today, in the nuclear age, it is reasonable to extrapolate that this right should be even greater than before.

no individual state requires antecedent approvals from the United Nations, or from any other single state.<sup>30</sup>

Ironically, it was the United States,<sup>31</sup> a country that first condemned *Operation Opera* back in 1981, not Israel, which actually conducted *Opera*, that issued a unilateral policy statement in 2002, declaring that the traditional right of anticipatory self-defense should be "expanded." Now, both countries, one very large and powerful, the other small enough to fit within a single county in California, are, at least for the "big picture" (but not including Iran) on the same jurisprudential and strategic "page."<sup>32</sup> At the same time, looking ahead, rapidly changing

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30 Long before the nuclear age, Emmerich de Vattel took a strong position in favor of anticipatory self-defense. The Swiss scholar concludes in *The Law of Nations* (1758): "The safest plan is to prevent evil, where that is possible. A nation has the right to resist the injury another seeks to inflict upon it, and to use force and every other just means of resistance against the aggressor." See: Emmerich de Vattel, "The Right of Self-Protection and the Effects of the Sovereignty and Independence of Nations," *reprinted in 3 Classics of International Law*, 130 [Carnegie Endowment Trust, 1916](1758). Vattel, in the fashion of Hugo Grotius (*The Law of War and Peace*, 1625) drew upon ancient Hebrew Scripture and Jewish law, although these references generally concern inter-personal relations, rather than international relations. The *Torah* contains a provision exonerating from guilt a potential victim of robbery with possible violence, if, in self-defense, he struck down and, if necessary, even killed the attacker *before he committed any crime*. See: *Exodus*, 22:1. Additionally, Maimonides states: "If a man comes to slay you, forestall by slaying him." See: *Rashi, Sanhedrin 72a*. Perhaps most closely analogous to anticipatory self-defense under international law is a judgment in the *Talmud* that categorizes a war "to diminish the heathens so that they shall not march against them" as "*milhemet reshut*," or discretionary. See: *Sotah*, 44b.

31 Here it is worth noting that international law is part of the law of the United States. See, on this incorporation, the "Supremacy Clause" of the *U.S. Constitution* (Article VI). See also: *The Pacquette Habana*, 175 U.S. 677, 700 (1900); and *Tel-Oren v. Libyan Arab Republic*, 726, F. 2d, 774, 781, 788 (D.C. Cir. 1984)[*per curiam*].

32 Not yet clear, however, is the degree of agreement or congruence on emerging nuclear dangers from Iran, especially as the Obama Administration stands by the *Joint Comprehensive Plan of Action* (JCPOA) with Iran, Vienna. July 14, 2015. In this connection, both Jerusalem and Washington, as they fashion their respective nuclear doctrines and strategies, should recall Carl von Clausewitz, *On War*: "Defensive warfare....does not consist of waiting idly for things to happen. We must wait only if it brings us visible and decisive advantages. That calm before the storm, when the aggressor is gathering new forces for a great blow, is most dangerous for the defender." See *Principles of War*; Hans W. Gatzke., tr., New York: Dover Publications, 2003, p. 54, from III, "Strategy." Regarding pertinent insights of an ever earlier classical strategist, by this author, see: Louis René Beres, "Lessons for Israel from Ancient Chinese Military Thought: Facing Iranian Nuclearization

elements of "Cold War II" could expand meaningful intersections of Israel's nuclear strategy with always conspicuous Russian military expansions in the Middle East. These intersections could include indirect effects of such expansions on U.S. regional military policies, and/or the direct impact of Russian activities upon Israeli nuclear calculations.

Also possible, however anti-historical or counter-intuitive, are developing circumstances wherein Jerusalem could find itself more closely aligned with Russian goals and assessments in the region, than with those of its traditional American ally. In such normally unanticipated circumstances, Israel's nuclear strategy could be forced to accept a variety of corresponding modifications, or even wholesale transformations. On its face, at least, any such acceptance could still allow the Jewish state to maximize its starkly overriding security objectives. But this conclusion would hold only if it were first guided by suitably comprehensive intellectual standards. In all matters of Israel's nuclear strategy, refined theory must become a ubiquitous "net." Only those Israeli analysts and policy makers who would consciously choose to "cast," will be able to "catch."

## POST SCRIPT BY GENERAL BARRY R. McCAFFREY (USA/RET.)

This brilliant essay by Professor Lou Beres examining Israel's nuclear strategy is timely and unsettling. The core strategic problem remains preserving the existence of Israel and the Jewish people – and recognizing their fundamental dependence on a suitable nuclear security strategy for their very survival.

I have spent most of my professional career dealing with the realities of nuclear weapons from early years of involvement in the storage, security, and tactical employment of air and land delivered nukes – to senior responsibilities as a General Officer on the Pentagon JCS staff, charged with planning the strategic employment of nuclear weapons to deter the Warsaw Pact. Fortunately, I was also able to help craft the dramatic reductions of both US and Russian warheads and delivery systems as the senior US JCS negotiator during the President George H.W. Bush Administration, while working for the JCS Chairman, General Colin Powell.

The situation facing Israel is fundamentally different from our nuclear confrontation with the Russians. NATO never really faced a believable threat of being overwhelmed by the Warsaw Pact at the tactical or even the operational level of war. Our hugely powerful NATO military ground forces with dramatic air and sea superiority, and our gigantic western economic power, made it extremely unlikely that we would be forced to use nukes in the absence of an actual threat or use of nuclear weapons by the Russians. The Russians were also rational actors. They were chess players. They were pragmatic. They were realists. Thankfully, deterrence held until the Russian empire fell apart from internal contradictions.

The Israelis have no such safeguards. They are surrounded by a mass of potentially hostile states and populations who have clearly stated a commitment to the destruction of the Jewish state. These state and non-state actors are motivated by rage and religion, not by geostrategic and pragmatic calculations. If these potential enemy states were able in the coming decades to tactically mass their conventional forces, they could without question overwhelm the IDF, and force a nuclear response to an existential threat.

There are clearly also real linkages of Israeli nuclear doctrine to US national security that remain unacceptably ambiguous and unexamined. In the coming decade, the disastrous nuclear deal with Iran will prompt a reluctant Israel and its US defense colleagues to make more explicit these complex linkages. Israel simply cannot live with the possibility of an Iranian first strike. It would represent the end of national life.

The core strategic challenge for both Israel and the US in the coming decade is to make the possibility of the actual employment of nuclear weapons credible but remote. Within a decade, the Iranians will be a declared nuclear power with the delivery capability for a first strike on Israel and US military regional forces. This recognized capability will have terrible consequences. There will be huge security pressures for nuclear proliferation, and incentives to develop a Sunni Muslim nuclear deterrent to the Shia "Persian" threat.

A new Administration will soon take office in Washington. Hopefully, the incoming US President will remain committed as a core US national security principle to maintaining the freedom of a democratic, law based, and capitalistic Israeli state in the heart of the Middle East. This should be a US national security purpose based on both moral and international legal grounds, as well as on sheer US self-interest in preserving regional peace.

Israel has very little strategic, operational, or tactical room to negotiate. It can never absorb a coordinated conventional first-strike attack. It also simply cannot ever depend on international security guarantees or peace negotiations with its Arab neighbors for national survival. The hatred and public commitment to destroy Israel will not fade until several generations have passed – if ever.

Israel must maintain, as a first priority, a survivable sea-based nuclear deterrent. It must have a very credible air defense system based on missiles and lasers and energy weapons. It must continue to harden nuclear storage sites and land based delivery systems, to ensure the country can credibly survive a surprise attack by cyber, chemical, terrorist, or nuclear threats. Finally and most carefully, Israel must re-examine its currently ambiguous nuclear strategy, to make more explicit certain new principles most likely to achieve deterrence and maintain the peace, especially given the still-looming reality of Iran as a nuclear state.

The US and NATO can help in this process even while maintaining strong political and economic ties to Saudi Arabia, Turkey, Egypt, Jordan, Lebanon, and the Gulf States. We must continue to skillfully engage diplomatically, and at a people-to-people level, throughout the region. The US should without question engage in a direct and continuing dialog with Iran. We may also require a more explicit US nuclear guarantee to our regional allies, until Iran legitimately joins the international security calculus as a genuinely peaceful partner.

None of this will be easy. However, we stand on the precipice of a possible nuclear disaster in the Middle East if global security actors cannot recognize the requirement to contain nuclear proliferation and deter nuclear blackmail, or even an actual nuclear Armageddon.

This new article by Professor Louis René Beres can help show the way.

General Barry R McCaffrey (USA/ret.)

**Louis René Beres** (Ph.D., Princeton, 1971) is Emeritus Professor of International Law at Purdue University. He is the author of many books, monographs, and scholarly articles dealing with Israeli nuclear strategy. His twelfth book, *Surviving Amid Chaos: Israel's Nuclear Strategy*, was published by Rowman & Littlefield in April 2016. <https://rowman.com/ISBN/9781442253254/Surviving-Amid-Chaos-Israel's-Nuclear-Strategy>

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**Barry R. McCaffrey**, General (USA/ret), was this country's most highly decorated serving general. For five years after leaving the military as a four-star, General McCaffrey served as the nation's Cabinet Officer in charge of U.S. drug policy. After leaving government service, he served as the Bradley Distinguished Professor of International Security Studies, and then as Adjunct Professor of International Security Studies at the United States Military Academy, West Point. General McCaffrey is a graduate of West Point; he also earned an MA from American University, and attended Harvard's National Security Program. Significantly, from the standpoint of the subject of this article by Professor Beres, General McCaffrey was awarded the State Department's Superior Honor Award in 1992, for the principal negotiation team for the Start II Nuclear Arms Control Treaty. General McCaffrey was twice awarded the Distinguished Service Cross, and twice the Silver Star, for valor.