

IPS Institute for Policy and Strategy

IPS

After the Vienna Agreement: Could Israel and a Nuclear Iran Coexist?

Louis René Beres

IPS Publications
IDC Herzliya

September 2015

Institute for Policy and Strategy (IPS)
Lauder School of Government, Diplomacy and Strategy
IDC Herzliya

AFTER THE VIENNA AGREEMENT COULD ISRAEL AND A NUCLEAR IRAN COEXIST?

Louis René Beres

15 September 2015

Louis René Beres

Emeritus Professor of International Law Purdue University Iberes@purdue.edu

Looking beyond the fury of current arguments for and against the recent Iran nuclear agreement, at least one core consequence is plain. *Iran will not be stopped from becoming a nuclear military power*. Although heavily ironic, because the principal rationale of the negotiations had always been the prevention of a nuclear Iran, this unintended conclusion is nonetheless irrefutable. This regrettable determination is clear, moreover, even if Tehran should somehow choose to abide by the pact's assorted and codified prohibitions.¹

What's done is done, however badly. Now, Washington and Jerusalem should turn their attention elsewhere. Now, what really needs to be better understood are the expected dynamics of nuclear deterrence between an already-nuclear Israel, and a soon to be nuclear Iran.² Correspondingly, Israel must inquire, could these two relentlessly adversarial states, at a moment when both are more-or-less nuclear, be able to replicate the impressive strategic stability of an earlier U.S.-Soviet Union Cold War?

In essence, Jerusalem must ask, can Iran be expectedly *rational*? This is necessarily *the* antecedent question that demands most serious attention. In Jerusalem, it must soon be asked, will this Shiite Islamic Republic likely value its continuing national survival more highly than any other preference, or combination of preferences? Or, rather, is it conceivable, perhaps even on just a single occasion, that this doctrinally-forged enemy is apt to prove itself *irrational*, thereby choosing to value certain theology-driven preferences more highly than the more "normal" first choice of staying alive as a nation?

In these sorts of calculations, Israeli analysts will also need to take note, authoritative Iranian decision-makers could prove to be neither rational nor irrational, but *mad*. In such unlikely but still expressly daunting circumstances, deterrence might no longer serve Israel any purposeful strategic purpose. At such an especially fearful point, Jerusalem's only remaining strategic policy choice could be to: (1) hope desperately for clerical regime change in Tehran (not just a change in secular authority), but otherwise passively await Israel's destruction, or (2) strike first itself, preemptively, whatever the global outcry, and irrespective of the anticipated military consequences.³

These are not frivolous or in any way contrived descriptions of presumed Iranian leadership orientations. Ultimately, the resultant wisdom of any considered Israeli preemption will depend upon choosing correctly, and also on reliably anticipating Iranian strategic judgments over an extended period of time. For genuine safety, therefore, Israel must always prepare to make strategic policy decisions that are subtle, nuanced, and of predictably protracted utility.

This is not the time to confuse conventional meanings with strategic precision. Even an irrational Iranian leadership could somehow maintain a distinct and determinable hierarchy of preferences. Unlike trying to influence a "mad" leadership, therefore, it could still be cost-effective for Israel to attempt deterrence of a "merely" irrational adversary.

More than likely, Iran is not a genuinely mad or "crazy" state.⁴ Although, it is true, at least doctrinally, that Iran's political and clerical leaders could sometime decide to welcome the Shiite apocalypse, and even its myriad associated destructions, these enemy decision-makers might still remain subject to different sorts of deterrent threats. Faced with such unprecedented circumstances, conditions wherein an already-nuclear Iran could not be prevented from striking first by threatening the "usual" harms of retaliatory destruction, Israel would need to identify, and in advance, certain less-orthodox, but still promising, forms of reprisal.

Inevitably, such eccentric but nonetheless conspicuous kinds of reprisal would need to center upon those preeminent religious preferences and institutions that would remain most indisputably sacred to Shiite Iran.

For Israel, of course, facing a rational Iranian adversary would be best. After all, a presumably rational leadership in Tehran would make it significantly easier for Jerusalem to reasonably forego any preemption option.⁵ In these more reassuringly predictable circumstances, Iran could still be more-or-less reliably deterred by some or all of the standard military threats available to states, credible warnings that are readily linked to what used to be called "assured destruction."

But it is not for Israel to choose any preferred degree of enemy rationality. Moreover, there are other pertinent considerations here, strategic factors that could portend grave hazards even from an altogether *rational* Iranian nuclear adversary. These noteworthy factors would bear upon certain issues of Iranian nuclear command and control; issues of stability of Iranian strategic decision-making, during periods of crisis, or mounting tensions; and issues of Iranian leadership capacity to decipher a rapidly changing and presumably more threatening strategic environment. This last issue would involve Tehran's incremental assessments of expectedly ramped up U.S. and/or Israeli responses to any unhindered Iranian nuclearization.

Unless there is an eleventh-hour defensive first strike by Israel, a now-improbable attack that would most likely follow an authoritative determination of actual or prospective Iranian "madness," a new Islamic nuclear adversary in the region will eventually make its appearance. For Israel, this perilous development would then mandate a prudent and thoroughly well thought out plan for coexistence. Then, in other words, Israel would have to learn exactly how best to "live with" a nuclear Iran.

In essence, for Israel, there would be no reasonable alternative.

To be sure, it would also be a complex and problematic education. Forging such a requisite policy of nuclear deterrence would require, among other things,(1) reduced ambiguity about particular elements of Israel's strategic forces;⁶ (2) enhanced and partially disclosed nuclear targeting options; (3) substantial and partially revealed programs for improved active defenses; (4) certain recognizable steps to ensure the perceived survivability of its nuclear retaliatory forces, including more or less explicit references to Israeli sea-basing of such forces; (5) further expansion of preparations for both cyber-defense and cyber-war; and, in order to bring together all of these complex and intersecting enhancements in a coherent mission plan, (6) a fully comprehensive strategic doctrine.

Additionally, because of the residual but serious prospect of Iranian irrationality, not madness, Israel's military planners will have to identify suitable ways of ensuring that even a nuclear "suicide state" could be deterred. Such a uniquely fearful threat could actually be very small, but, if considered together with Iran's Shiite eschatology, it might still not be negligible. Further, while the expected *probability* of having to face such an irrational enemy state could be very low, the expected *disutility* or anticipated harms of any single deterrence failure could be unacceptable. In medicine, these kinds of calculations bring to mind certain diagnosed pathologies that are considered "low likelihood" but "high consequence." For the particular attending physicians in these circumstances, therapeutic responses to such presentations are never really simple or clear-cut.

Steadily, one must suppose, Israel is strengthening those relevant plans against an Iranian nuclear "pathology" that involve ballistic missile defense, most visibly, the *Arrow* system, and also various lower-altitude interceptors. Unavoidably, however, all of these defensive systems, including certain others which are still in a development phase, could have more-or-less consequential *leakage*.

Because system penetration by even a single enemy missile carrying a nuclear warhead could be intolerable for Israel, by definition, their principal interception benefit could not reasonably lie in added physical protection for Israeli populations. Instead, any still-considerable benefits would have to lie elsewhere, that is, in potentially critical enhancements of Israeli nuclear deterrence.

If still determinedly rational, a newly-nuclear Iran would require incrementally increasing numbers of offensive missiles. This expansion would be needed to achieve or at least to maintain a sufficiently destructive first-strike capability against Israel. There could come a time, moreover, when Iran would become able to deploy substantially more than a small number of nuclear-tipped missiles. Should that happen, all of Israel's active defenses, already inadequate as ultimate guarantors of physical civilian protection, could also cease functioning as critically supportive adjuncts to Israeli nuclear deterrence.

In the improbable case of anticipated Iranian decisional "madness," a last-resort preemption against Iran, even if at very great cost and risk to Israel, could still prove necessary. Yet, this destabilizing scenario is insufficiently plausible to warrant any eleventh-hour defensive first-strikes. Almost certainly, Israel would be better served by a bifurcated or two-pronged plan for successful deterrence. Here, one "prong" would be designed for an expectedly rational Iranian adversary; the other, for a presumptively irrational one.

In broadest policy contours, we already know what Israel would need to do in order to maintain a stable deterrence posture *vis-à-vis* a newly-nuclear Iran. But what if the leaders of such an Islamic adversary did not meet the characteristic expectations of rational behavior in world politics? In short, what if this leadership, from the very start, or perhaps more slowly, over time, chose not to consistently value Iran's national survival as a state more highly than any other preference, or combination of preferences?

In such acutely threatening circumstances, Israel's leaders would need to look closely at two eccentric and more-or-less untried nuclear deterrence strategies, possibly even in tandem with one another. *First,* these leaders would have to understand that even an irrational Iranian leadership could display distinct preferences, and associated hierarchies or rank-orderings of preferences. Their task, then, would be to determine precisely what these particular preferences might be (most likely, they would have to do with certain presumed *religious* goals), and, also, how these preferences are apt to be ranked in Tehran.

Second, among other things, Israel's leaders would have to determine the likely deterrence benefits of pretended irrationality. An irrational Iranian enemy, if it felt that Israel's decision-makers were more-or-less irrational themselves, could prove less likely to strike first. Years ago, General Moshe Dayan, then Israel's Minister of Defense, urged: "Israel must be seen as a mad dog; too dangerous to bother." With this possibly prophetic warning, Dayan had revealed an intuitive awareness of the possible long-term benefits, to Israel, of feigned irrationality.

Of course, pretending irrationality could become a double-edged sword, frightening the Iranian side to a point where it might actually feel more compelled to strike first itself. This risk of unwittingly encouraging enemy aggression could apply as well to an Iranian adversary that had been deemed rational. In this connection, it is worth noting, Israel could apply the tactic of pretended irrationality to a presumptively rational Iranian leadership, as well as to an expectedly irrational one.

On analytic balance, it may even be more purposeful for Israel to use this tactic in those cases where Iran had first been judged to be *rational*.

The dialectics of such multi-factorial calculations are enormously complex, and potentially bewildering. Still, they must be studied and worked through meticulously, and by all seriously concerned strategists and decision-makers. For Israel, there is no rational alternative to actively embracing strategic complexity.

There is, however, a relevant prior point. Before Israel's leaders could proceed gainfully with any plans for deterring an irrational Iranian nuclear adversary, they would first need to be convinced that this adversary was, in fact, genuinely irrational, and not simply *pretending irrationality*.

The importance of an early sequencing for this vital judgment cannot be overstated. Because all specific Israeli deterrence policies must be founded upon the presumed rationality or irrationality of prospective nuclear enemies, accurately determining precise enemy preferences and preference-orderings will have to become the very first core phase of Iran-centered strategic planning in Tel-Aviv.

Finally, as a newly-nuclear Iran could sometime decide to share some of its fissile materials and technologies with assorted terrorist groups, Israel's leaders will have to deal meaningfully with

the prospect of irrational nuclear enemies at the *sub-state level*. This perilous prospect is more likely than that of encountering irrationality at the national or state level. At the same time, the harms suffered from any such instances of nuclear terror would probably be on a tangibly lower order of magnitude. Again, relevant calculations, as in kindred medical judgments, would need to compare and contrast the plausibility and costs of all pertinent threats.

Soon, if it has already decided against any prompt preemption, Israel will need to select appropriately refined and workable options for dealing with two separate, but interpenetrating, levels of strategic danger. Should Iranian leaders be judged to meet the usual tests of rationality in world politics, Israel will then have to focus upon reducing its longstanding nuclear ambiguity, or, on taking its bomb out of the "basement." It will also need to operationalize an adequate retaliatory force that is *recognizably* hardened, multiplied, and dispersed.

Recognizability here is critical, because the only strategic reality that will be real in its deterrence consequences is *perceived* reality. In the language of philosophy, we would call this a "phenomenological," as opposed to a "behavioral" or "positivist," perspective.

Israel's visibly second-strike nuclear force should be made ready to inflict "assured destruction" against certain precisely-identifiable enemy *cities*. In military parlance, therefore, Israel will need to convince Iran that its strategic targeting doctrine is plainly "counter value," not "counterforce." It may also have to communicate to Iran certain partial and very general information about the sea-basing of selected Israeli second-strike forces.⁷

Ironically, an Iranian perception of Israeli nuclear weapons as being *uniformly* too large, or too powerful, could actually weaken Israel's nuclear deterrence posture. For example, Iranian perceptions of exclusively mega-destructive Israeli nuclear weapons could effectively undermine the credibility of Israel's nuclear deterrent. Although counter-intuitive, Israel's credibility in certain confrontational circumstances could vary inversely with the perceived destructiveness of its nuclear arms.

Sometimes, in complex military calculations, truth is counter-intuitive.

In essence, the persuasiveness of Israel's nuclear deterrent vis-à-vis Iran will require prospective enemy perceptions of retaliatory destructiveness at both the low and high ends of the nuclear yield spectrum. Ending nuclear ambiguity at the optimal time could best allow Israel to foster such needed perceptions. This subtle point is very important, and possibly even overriding.

Credible nuclear deterrence can never be an automatic consequence of merely "being nuclear." In the particularly arcane world of Israeli nuclear deterrence, it could never be adequate that Iran would simply acknowledge the Jewish State's general nuclear status. Rather, it would be critical, among other things, that Tehran also believe that Israel holds distinctly *usable* nuclear weapons, and that Israel would be willing to launch these weapons in certain clear and more-or-less identifiable circumstances.

Whether Israel's leaders conclude that they will have to deter a rational or an irrational enemy leadership in Tehran, a leadership soon in control of at least some nuclear weapons, they will have to consider Moshe Dayan's injunction. What would be the expected strategic benefits to Israel of appearing to their Iranian foes as a "mad dog?" And what would be the expected costs?

Together with any such consideration, Jerusalem and Tel-Aviv, both civilian leadership and military, will need to determine: (1) what, exactly, is valued most highly by Israel's Iranian enemies; (2) how, exactly, should Israel then leverage fully credible threats against these presumptively core enemy preferences.

Under international law, war and genocide need not be mutually exclusive. In the best of all possible worlds, Israel might still be able to stop a nuclear Iran with cost-effective and lawful preemptions; that is, with defensive first strikes that are directed against an openly-belligerent and verifiably lawless Iran. Fully permissible, as long as they were judged to conform to the *Law of Armed Conflict* (humanitarian international law), such discriminating and proportionate strikes, observably limited by peremptory rules of "military necessity," could still represent authentically lifesaving expressions of anticipatory self-defense.

But this is not yet the best of all possible worlds, and, even after the 2015 Obama nuclear agreement, Israel's Prime Minister will almost certainly have to deal with a nuclear Iran as a *fait accompli*. With this in mind, all early critical estimations of Iranian rationality will need to be correlated with appropriate Israeli strategies of defense and deterrence. Even in a "worst case" scenario, one in which Israeli military intelligence (*Aman*) would determine a compelling risk of enemy irrationality, a thoughtful dissuasion plan to protect against Iranian nuclear weapons could still be fashioned.⁸

This binary plan would seek to deter any Iranian resort to nuclear weapons, and, simultaneously, to intercept any incoming weapons that might still be fired if deterrence should fail. While the warning is now often repeated again and again that Shiite eschatology in Iran could welcome a cleansing or apocalyptic war with "infidel" foes, such a purely abstract doctrine of *End Times* is ultimately apt to yield to far more pragmatic calculations. In the end, high-sounding religious doctrines of "Final Battle" that were initially trumpeted in Tehran, could be trumped by much more narrowly mundane judgments of both personal and geo-strategic advantage.

No one can know this for certain, of course, but expected Iranian decision-makers are unlikely to disregard altogether an increasingly secular and even entrepreneurial younger class.

The primary goal of Israel's nuclear forces, whether still in the "basement," or partially disclosed, must always be deterrence *ex ante*, not preemption or reprisal *ex post*. If, however, nuclear weapons should ever be introduced into a conflict between Israel and Iran, some form of nuclear war fighting could ensue. This would be the case as long as: (a) Iranian first-strikes against Israel would not destroy that country's second-strike nuclear capability; (b) Iranian retaliations for an Israeli conventional preemption would not destroy Israel's nuclear counter-retaliatory capability; (c) Israeli preemptive strikes involving nuclear weapons would not destroy Iranian second-strike nuclear capabilities; and (d) Israeli retaliations for Iranian conventional and/or chemical/biological first strikes would not destroy Iran's nuclear counter-retaliatory capabilities.

From the critical standpoint of protecting its security and survival, this means that Israel should now take proper steps to ensure the likelihood of (a) and (b) above, and the corresponding unlikelihood of (c) and (d). It will always be in Israel's interests to avoid nuclear war fighting wherever possible.

For Israel, both nuclear and non-nuclear preemptions of Iranian unconventional aggression could lead to nuclear exchanges. This would depend, in part, upon the effectiveness and breadth of Israeli targeting; the surviving number of Iranian nuclear weapons; and the willingness of Iranian leaders to risk eliciting Israeli nuclear counter-retaliations.

An Israeli nuclear preemption against Iran is highly improbable, and effectively inconceivable. In principle, however, there are still certain residual circumstances in which such a strike could still be perfectly rational. These are circumstances wherein (1) Iran had already acquired and deployed nuclear weapons presumed capable of destroying Israel; (2) Iran had been open and forthright about its genocidal intentions toward Israel; (3) Iran was reliably believed ready to begin an actual countdown-to-launch; and (4) Israel believed that non-nuclear preemptions could not possibly achieve levels of damage-limitation consistent with its own physical survival.

Before such an argument on the logical possibility of preemption could be rejected, one would necessarily have to assume that ensuring national self-preservation was somehow not Israel's highest priority. Such an assumption, of course, would be incorrect on its face.

What's next for Israel in the recognizably existential matter of a steadily nuclearizing Iran? The answer will necessarily be contingent upon Jerusalem's antecedent judgments concerning Iranian decision-making on core strategic matters. Whether Israel should choose a last-minute preemption, or opt instead for a policy of long-term nuclear deterrence and corollary active defense, will depend upon what Prime Minister Netanyahu and his senior advisors may expect from enemy leaders in Tehran - rationality; irrationality; or madness.

The Israeli side will also need to look very closely at Tehran's expected reliability of nuclear command and control (judgments of such unreliability could heighten any Israeli incentives to preempt), but it is unlikely that such a look would prove equally determinative.

In July 1945, after witnessing the first atomic explosion in the New Mexico desert, Professor J. Robert Oppenheimer quoted from the *Bhagavad-Gita*, the sacred book of the Hindus: "I am become death," recalled the American physicist, "the destroyer of worlds." Today, more than seventy years after the *Manhattan Project*, Israeli decision-makers should be reminded of Oppenheimer's other perspicacious metaphor, the vexingly grotesque image of nuclear adversaries as "two scorpions in a bottle." Going forward, even after the recent nuclear pact with Iran, these leaders will have to determine precisely how to coexist with a steadily nuclearizing enemy "scorpion" in the Middle East.

Louis René Beres (Ph.D., Princeton, 1971) is Emeritus Professor of Political Science and International Law at Purdue University. Chair of Project Daniel (Israel, 2003), he is the author of many major books and articles on nuclear strategy and nuclear war, including publications in International Security (Harvard); World Politics (Princeton); The Harvard National Security Journal (Harvard Law School); The Bulletin of the Atomic Scientists; Nativ (Israel); The Israel Journal of Foreign Affairs (Israel); Parameters: The Professional Journal of the US Army War College; Special Warfare (DoD); Studies in Conflict and Terrorism; Strategic Review; International Journal; International Relations; Jerusalem Journal of International Relations; Contemporary Security Policy; Armed Forces and Society; Virginia Journal of International Law; Israel Affairs; Comparative Strategy; The American Journal of Jurisprudence; The Hudson Review; The Brown Journal of World Affairs; Policy Sciences; The Policy Studies Journal; Cambridge Review of International Affairs(UK); The Stanford Journal of International Studies; Case Western Reserve Journal of International Law; The American Political Science Review; Vanderbilt Journal of Transnational Law; and The International Journal of Intelligence and Counterintelligence. Professor Beres' monographs on nuclear strategy and nuclear war have been published by The Ariel Center for Policy Research (Israel); The Kroc Institute for International Peace Studies (University of Notre Dame); The Graduate Institute of International Studies (Geneva); The Monograph Series on World Affairs (University of Denver); the Herzliya Conference Working Paper Series (Israel); and the Institute for National Security Studies (Tel-Aviv). His columns have appeared in many newspapers and magazines, including The New York Times; The Washington Times; The Washington Post; The Hill; The Christian Science Monitor; Neue Zurcher Zeitung (Switzerland); Boston Globe; Chicago Tribune; Los Angeles Times; Ha'aretz(Israel); The Jerusalem Post (Israel); Israel National News (Israel); The Atlantic; and U.S. News and World Report. He has lectured, in Israel, at the National Defense College (IDF); the Jaffee Center for Strategic Studies (Tel-Aviv); the BESA Center for Strategic Studies (Bar-Ilan); and the Dayan Forum (Tel-Aviv). Dr. Beres' tenth book, Israel's Nuclear Strategy: Surviving amid Chaos, will be published later this year (Rowman and Littlefield).

Dr. Louis René Beres was born in Zürich, Switzerland, on August 31, 1945.

NOTES

¹ This is because the new Vienna pact, contrary to pre-existing Non Proliferation Treaty (NPT) expectations, does not prohibit Iranian nuclearization for the indefinite future. Among other things, the stark contradiction between the new Obama agreement and the NPT reveals (1) a blatant U.S. violation of authoritative international law; and (2) an equally conspicuous violation of U.S. domestic law (because, *inter alia*, per Article 6 of the U.S. Constitution, the so-called "Supremacy Clause," all treaties entered into by the United States "shall be the supreme law of the land.)

² See: Louis René Beres and (General/USAF/ret.) John T. Chain, "Could Israel Safely Deter a Nuclear Iran?", *The Atlantic*, August 2012; Louis René Beres and (Admiral (USN/ret.) Leon "Bud" Edney, "Reconsidering Israel's Nuclear Posture," *The Jerusalem Post*, October 15, 2013; and Louis René Beres and John T. Chain, "Living With Iran: Israel's Strategic Imperative," BESA Center for Strategic Studies, *BESA Center Perspectives Paper*, No. 249, May 28, 2014, Israel. General Chain is a former Commander-in-Chief, U.S. Strategic Air Command. Admiral Edney is a former NATO Supreme Allied Commander, Atlantic.

³ See, on these issues: Louis René Beres and (Major-General IDF/res), Isaac Ben-Israel, "Think Anticipatory Self-Defense," *The Jerusalem Post,* October 22, 2007; Professor Beres and MG Ben-Israel, "The Limits of Deterrence," *Washington Times,* November 21, 2007; Professor Beres and MG Ben-Israel, "Deterring Iran," *Washington Times,* June 10, 2007; Professor Beres and MG Ben-Israel, "Deterring Iranian Nuclear Attack," *Washington Times,* January 27, 2009; and Professor Beres and MG Ben-Israel, "Defending Israel from Iranian Nuclear Attack," *The Jewish Press,* March 13, 2013.

⁴ "Do you know what it means to find yourselves face to face with a madman," inquires playwright Luigi Pirandello, "with one who shakes the foundations of all you have built up in yourselves, your logic, and the logic of all your constructions? Madmen, lucky folk, construct without logic, or rather, with a logic that flies like a feather."

⁵ See, on this point, Louis René Beres, "Religious Extremism and International Legal Norms: Perfidy, Preemption, and Irrationality," *Case Western Reserve Journal of International Law*, Vol. 39, No. 3., 2007-2008, pp. 709-730.

⁶ On identifying alternative nuclear disclosure options, see: Louis René Beres, "Israel's Strategic Doctrine: Updating Intelligence Community Responsibilities," *International Journal of Intelligence and Counterintelligence*, Vol. 28, No. 1., Spring 2015, pp. 89-104.

⁷ On issues of nuclear sea-basing (submarines) see Professor 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 Beres and Admiral Edney, "A Sea-Based Nuclear Deterrent for Israel," *Washington Times*, September 5, 2014.

⁸ On this point, see Louis René Beres, "Staying Strong: Enhancing Israel's Essential Strategic Options," *Harvard National Security Journal*, Harvard Law School, June 13, 2014.