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THE EIGHTH HERZLIYA CONFERENCE ON THE BALANCE OF ISRAEL'S NATIONAL SECURITY "ISRAEL AT SIXTY: TESTS OF ENDURANCE"

JANUARY 20-23, 2008

WORKING PAPER

STILL FACING EXISTENTIAL THREATS: NUCLEAR WAR AND GENOCIDE IN THE MIDDLE EAST

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12 January 2008

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"In a dark time," says the poet Theodore Roethke, "the eye begins to see." Today, with improving vision, the Iranian nuclear threat should still come to mind. Despite a recent U.S. National Intelligence Estimate (NIE) that effectively supports Tehran's multiple lies and deceptions, this threat remains *existential*. It follows that an Israeli and/or American preemptive strike against certain Iranian nuclear assets and infrastructures should not be ruled out.

To be sure, it is unlikely the Bush Administration would now have the political will to undertake such an obviously unpopular (albeit entirely legal) act of *anticipatory selfdefense*. It is also clear that attendant diplomatic costs and operational difficulties for Israel would be substantial. Yet, to do nothing meaningful to defend oneself – to simply allow an expressly genocidal regime to "go nuclear"– would be sorely irresponsible.

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The moral imperative is plain. Every state's first obligation is the assurance of protection. Innocent life must ultimately be preserved. When Iran openly proclaims its belief in the Shiite apocalypse, a series of final battles presumed indispensable for transforming the profane "world of war" into the sacred "world of Islam," essential self-defense becomes a legitimate concern.

Does "justice" have another face in this matter? Some would argue forcefully against any American and/or Israeli preemption on the curious grounds of a presumed need for "equity." Israel already has nuclear weapons, goes this argument. Why, then, should Iran be treated differently? International law speaks repeatedly of "sovereign equality." Isn't there an evident lack of "fairness" in denying to Iran what has tacitly been allowed to Israel?

Hardly. Israel's nuclear forces remain deliberately ambiguous and undeclared. They have never been brandished in a threatening fashion by Israel's civilian or military leaders. Never. Nor does Israel ever call for wiping any other state "off the map." Israel's nuclear weapons exist **only** to protect the Jewish state from explicit and extraordinary forms of aggression. Understandably, this includes the prevention of another Jewish genocide and related crimes against humanity.

Israel's nuclear deterrent force would never be used except in defensive reprisal for massive enemy first strikes. In practice, this means primarily Iranian attacks involving nuclear and/or certain biological weapons. For the time being, none of Israel's enemies are nuclear, but this could change. If it should actually have to face nuclear enemies one day, Israel could choose to rely upon its own nuclear weapons to reduce the risks of unconventional war, but only insofar as the newly-nuclear enemy state(s) would (1) remain rational; and (2) remain convinced that Israel would retaliate nuclearly if attacked with nuclear and/or devastating biological weapons.

For Israel and its U.S. ally, there would be very complex problems to identify and solve if an enemy state such as Iran were allowed to "go nuclear." These problems would undermine the neat but unrealistic notion of any balanced nuclear deterrence in the region. The Middle East could simply not sustain the comforting equilibrium that had once characterized U.S.-Soviet relations. Whether for reasons of miscalculation, accident, unauthorized capacity to fire, outright irrationality or the presumed imperatives of "*Jihad*," an enemy state in this fevered neighborhood could opt to launch a nuclear first-strike against Israel in spite of that country's own obvious and secure nuclear capability. Let us not be deceived: *A Cold War type of "Mutual Assured Destruction" (a so-called "balance of terror") could not obtain in the Middle East.*

After any enemy nuclear aggression, Israel would certainly respond with a nuclear retaliatory strike. Although nothing is publicly known about Israel's precise targeting doctrine, such a reprisal would likely be launched against the aggressor's capital city and/or against similarly high-value urban targets. *There would be absolutely no assurances, in response to this sort of genocidal aggression, that Israel would limit itself to striking back against exclusively military targets.* For further clarification, it would be useful to read the final report of *Project Daniel*, "Israel's Strategic Future."

What if enemy first strikes were to involve "only" chemical and/or "minor" biological weapons? In this case, Israel might still launch a presumptively proportionate nuclear

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reprisal, but this would depend largely upon Israel's calculated expectations of follow-on aggression and on its associated determinations of comparative damage-limitation. Should Israel absorb a massive conventional first-strike, a nuclear retaliation could not be ruled out. This is plausible if: (1) the aggressor were perceived to hold nuclear or other weapons of mass destruction in reserve; and/or (2) Israel's leaders were to believe that non-nuclear retaliations could not prevent national annihilation. *Recognizing Israel's small size, the calculated threshold of existential harms would be determinably lower than Israel's total physical devastation.*

Facing imminent existential attacks, Israel could decide to preempt enemy aggression with conventional forces. The targeted state's response would then determine Israel's subsequent moves. If this response were in any way nuclear, Israel would assuredly undertake nuclear counter-retaliation. If this enemy retaliation were to involve chemical and/or biological weapons, Israel might also plan to take a quantum escalatory initiative. This sort of initiative is known in military parlance as "*escalation dominance*." It could be necessary to Israel's preservation of *intra-war deterrence*.

If an enemy state's response to an Israeli preemption were limited to hard-target conventional strikes, it is improbable that Israel would resort to nuclear counter-retaliation. But if the enemy state's conventional retaliation were an all-out strike directed toward Israel's civilian populations as well as to Israeli military targets, an Israeli nuclear counterretaliation could not be excluded. Such a counter-retaliation could be ruled out only if the enemy state's conventional retaliations were entirely proportionate to Israel's preemption; confined entirely to Israeli military targets; circumscribed by the legal limits of "*military necessity*"; and accompanied by explicit and verifiable assurances of no further escalation.

It is *almost* inconceivable that Israel would ever decide to preempt any enemy state aggression with a nuclear defensive strike. While particular circumstances could arise where such a defensive strike would be completely rational, and also be entirely lawful according to the authoritative 1996 Advisory Opinion of the International Court of Justice, it is improbable that Israel would permit itself to reach such all-or-nothing circumstances. It should also be noted that Israel has always been pledged to the "purity of arms," and to strict compliance with humanitarian international law.

An Israeli nuclear preemption could be expected *only* if: (1) Israel's enemy or enemies had unexpectedly acquired nuclear or other unconventional weapons presumed capable of destroying the Jewish State; (2) this enemy state had been explicit that its genocidal intentions paralleled its capabilities; (3) this state was reliably believed ready to begin a final countdown-to-launch; and (4) Israel believed that non-nuclear preemptions could not possibly achieve levels of damage-limitation consistent with its own national survival.

The primary point of Israel's nuclear forces 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 one or more of the several states that still wish to destroy it, some form of nuclear war fighting could ensue. This would be the case so long as: (a) enemy state first-strikes against Israel would not destroy the Jewish State's second-strike nuclear capability; (b) enemy state retaliations for Israeli conventional

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preemption would not destroy Israel's nuclear counter-retaliatory capability; (c) Israeli preemptive strikes involving nuclear weapons would not destroy enemy state secondstrike nuclear capabilities; and (d) Israeli retaliation for enemy state conventional firststrikes would not destroy enemy state nuclear counter-retaliatory capability. From the 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 unlikelihood of (c) and (d). As was clarified by Project Daniel's final report, "**Israel's Strategic Future**," *it is always in Israel's interest to avoid nuclear war fighting wherever possible.*

But, for Israel, both nuclear and non-nuclear preemptions of enemy unconventional aggressions could lead to nuclear exchanges. This would depend, in part, upon the effectiveness and breadth of Israeli targeting, the surviving number of enemy nuclear weapons, and the willingness of enemy leaders to risk Israeli nuclear counterretaliations. The likelihood of nuclear exchanges would be greatest where potential Arab and/or Iranian aggressors were allowed to deploy ever-larger numbers of certain unconventional weapons without eliciting appropriate and effective Israeli preemptions.

Should such an ill-considered deployment be allowed, Israel could forfeit the nonnuclear preemption option. Its only alternatives to nuclear preemption would then be: (1) a no-longer viable conventional preemption; or (2) a decision to do nothing, thereby relying for security on the problematic logic of nuclear deterrence. Whether one likes it or not, this means that the risks of an Israeli nuclear preemption, of nuclear exchanges with an enemy state, and of enemy nuclear first strikes could all be reduced by effective Israeli non-nuclear preemptions.

LOUIS RENÉ BERES was educated at Princeton (Ph.D., 1971) and is the author of many books and articles dealing with nuclear strategy and nuclear war. Professor Beres was Chair of "Project Daniel," which submitted its informed report on *ISRAEL'S STRATEGIC FUTURE* to former Israeli Prime Minister Sharon on January 16, 2003.