

Strategic ASSESSMENT

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| Shmuel Even

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Strategic ASSESSMENT

The purpose of *Strategic Assessment* is to stimulate and enrich the public debate on issues that are, or should be, on Israel's national security agenda.

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Abstracts

The Israeli Strategy against the Iranian Nuclear Project

/ Shmuel Even

This article surveys the strategy employed by Israel against the Iranian nuclear program since 2009. The strategy rests on three pillars – clandestine countermeasures, an intensive diplomatic effort, and the presentation of a concrete military option – and reflects a conscious willingness to pay a heavy economic, diplomatic, and security price. This strategy has contributed greatly to the international effort to halt Iran’s nuclear project, as reflected in the intensification of sanctions to a point that brought Iran to the negotiating table. The desired results, however, have not yet been achieved. The article contends that Israel should adhere to its current strategy while adapting it to new challenges in order to influence the major powers and achieve and implement the best possible permanent agreement with Iran, or alternatively, to prepare for a crisis situation.

Keywords: Iran; nuclear; strategy; Israel; United States; security

Beyond Sectarianism: Geopolitics, Fragmentation, and the Syrian Civil War / Benedetta Berti and Jonathan Paris

The civil war raging in Syria is often portrayed in sectarian terms that underscore the antagonism between the Sunni majority and the Alawite minority. This Sunni-Shiite sectarian cleavage is especially important given the regional dimension of a conflict that has become a proxy war between the leading regional powers, Saudi Arabia and Iran. The article explores the main historical and political drivers behind the strengthening of sectarian dynamics within Syria, while also focusing on the regional impact of this trend. The article seeks to put sectarianism in context, noting the contribution of domestic and regional political factors to this revival of pre-ascribed identities. The Syrian war demonstrates that while sectarianism can be deliberately fueled in the region in the context of a larger geopolitical game, once the genie is out of the bottle,

sectarian dynamics and the accompanying instability and radicalism are difficult to control.

Keywords: Syria; civil war; sectarianism; Saudi Arabia; Iran

Dismantling Chemical Weapons in Syria: Lessons, Insights, and Implications for Israel / David Friedman

This article reviews the course of events that led the Assad regime to agree to dismantle its arsenal of chemical weapons. It assesses the initial stages of implementing the agreement, and estimates the likelihood that the agreement will actually be implemented. The article also analyzes the ramifications of the agreement, particularly for Israel, and concludes that if the agreement is indeed implemented, it will improve Israel's security situation. In addition, the agreement will enable Israel to reassess its policy on chemical weapons, specifically in matters pertaining to protection of the civilian population and ratification of the Chemical Weapons Convention (CWC).

Keywords: chemical weapons; Syria; Israel; CWC; OPCW

Can Disengagement Secure Legitimacy? The European Angle / Toby Greene

The idea of disengaging unilaterally from parts of the West Bank is regaining currency in Israeli policy circles. If a key motivation for any future unilateral disengagement would be heading off international delegitimization of Israel, then the likely response of major EU states – often the “swing states” in international opinion on the Israeli-Palestinian issue – ought to be considered. A valuable tool in this respect is a review of the experience of the unilateral withdrawal in 2005. This shows that European support for unilateral disengagement cannot be assumed, and suggests a number of lessons to be learned on how to communicate and implement any future disengagement plan.

Keywords: peace process; disengagement; unilateralism; Gaza; Palestinians; delegitimization; Europe

Were, Are, and Will Sanctions be Effective against Israel?

/ Oded Eran and Lauren G. Calin

On more than one occasion, the international community, led by the United States and Europe, has levied sanctions against Israel. Such sanctions were intended either to change Israel's policy or to condemn Israel's actions, at times in order to promote different domestic and/or foreign policy goals. Examining several cases of sanctions, this article finds that only in one case – the US coercion of Israel in 1956-57 to withdraw from the Sinai Desert – did the threat of sanctions clearly produce a change in Israeli behavior. This suggests that sanctions against Israel are more likely to be effective when they focus on a distinct issue rather than when they attempt to change a general policy, even one as politically charged as settlements.

Keywords: Israel; United States; European Union; sanctions; diplomacy

Dilemmas in the Use of Autonomous Weapons / Gabi Siboni and Yoni Eshpar

Weapon systems are expected to become increasingly autonomous in the coming decades and fundamentally change the face of future military conflicts. There are already serious concerns that this trend will lead to the use of autonomous attack robots on the battlefield, and these concerns have prompted calls to impose sweeping restrictions on technological development. As the use of weapons with autonomous capabilities expands, doubts as to their moral and legal legitimacy will likely multiply. This article reviews the operational aspects of military uses of autonomous capabilities and the main positions in the ethical and legal debate on this subject. It includes recommendations for Israel, a country at the forefront of autonomous weapons technology and operational use, on how to prepare for the public and legal challenges these technologies are expected to encounter.

Keywords: robots; autonomous weapons; unmanned systems; technology; laws of war; ethics; law

The Middle East as an Intelligence Challenge / Ephraim Kam

Intelligence failures on the strategic level are a common occurrence. The most widely known failures take place before a war breaks out, but failures also occur in assessments pertaining to the stability of regimes

and peace processes. These failures are rooted in the complexity of the intelligence process and the limitations of human thinking, but the complexity of the strategic environment is also a contributing factor. While failures in strategic assessment can and do occur in all regions of the globe, it appears that in recent decades the Middle East, more than other regions, has seen a high proportion of such failures. The reasons are related to the chief characteristics of the region: the significant changes occurring in the region and the speed at which they occur, the multiple problems with security and violence, the growing weakness of regimes, the new phenomenon of the “Arab Spring,” and the importance of the Iranian issue.

Keywords: intelligence failures; strategic surprise; Middle East security problems

The Significance of the Reputed Yom Kippur War Nuclear Affair / Adam Raz

The article refutes the thesis that Israel undertook “nuclear signaling” at the start of the Yom Kippur War. It argues that Israel did not engage in any manipulation by way its nuclear arsenal, and the claim that Israel armed its Jericho ground-to-ground missiles with nuclear warheads is mistaken. It further argues that nuclear signals have significance in times of crisis and that manipulations of nuclear forces are likely to lead to a change in the perception of a rival or friendly country. In addition, the possibility of manipulating the nuclear arsenal without the approval of the ultimate authority is minimal. The article contends that one of the reasons for Israel’s adoption of the policy of ambiguity was that some of the decision makers feared that explicit nuclear deterrence or nuclear signaling would be detrimental to Israel’s strategic and security situation.

Keywords: Yom Kippur War; nuclear weapons; nuclear deterrence; nuclear signaling

The Israeli Strategy against the Iranian Nuclear Project

Shmuel Even

Beginning in 2009, under the Netanyahu-Barak government, Israel devised a new strategy against the Iranian nuclear program that included: clandestine countermeasures to thwart the program (a strategy employed in the preceding years), an intensive diplomatic effort, and the presentation of a concrete military option. The previous strategy was based primarily on clandestine countermeasures (both operational and diplomatic) through use of intelligence forces, while the other two pillars – diplomatic and military – were less well developed. The new (“current”) strategy was necessary because the previous strategy did not halt Iran’s progress toward the nuclear threshold.

The selection of the new strategy reflected a willingness to pay a heavy economic, diplomatic, and security price, bespeaking the greater priority assigned by the Netanyahu-Barak government to the Iranian threat than was assigned by the preceding government. This is evident in the “revealed preference” approach, which reflects the decision maker’s order of priorities based on his willingness to invest resources in various issues.

The new strategy’s success was proven by the leverage it created to propel the international effort to stop the nuclear program, by intensifying sanctions to a level that brought Iran to the negotiating table. It is possible that Iranian fear of an Israeli attack was also a factor. At the same time, this strategy has not yet brought the desired results, as reflected in the international agreement signed by Iran and the major powers on November 24, 2013¹ and the US administration’s willingness to leave Iran with an enrichment infrastructure for civilian purposes in

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the framework of a permanent settlement. Israel's next challenge is to influence the major powers to aim for a permanent settlement that meets Israel's security needs, or alternatively, to prepare for a situation in which no agreement is reached.

The Iranian Nuclear Threat

Iran has posed a threat to Israel since the Islamic regime gained power in 1979. It denies Israel's right to exist, aspires to destroy it, works to delegitimize Israel throughout the world, and heads a political front opposed to peace agreements with Israel. Iran uses terrorism and subversion, and is responsible for arming Hizbollah and Hamas with thousands of missiles and rockets aimed at population centers in Israel.

It is widely believed that by the time the interim agreement was signed in Geneva, Iran had acquired the infrastructure enabling it to create a preliminary nuclear explosive device within a period of a few months to a year from the time it decides to do so,² and had amassed enough uranium at a low level of enrichment to build a number of nuclear bombs after suitable enrichment.³ Iran presumably seeks to attain nuclear weapons capability for several reasons:

- a. To obtain a nuclear deterrent against the major powers, headed by the United States. A nuclear weapon can forestall any possibility of the major powers intervening in Iran's internal affairs or in steps that it takes beyond its borders.
- b. To create a nuclear strategic balance with Israel, given the nuclear capability that Iran attributes to Israel. From its perspective, the balance is designed to deter Israel against an attack and constitute a lever for defeating it in the distant future.
- c. To achieve Iranian regional hegemony in the Middle East.
- d. To strengthen Iran's standing and influence in the Islamic world.
- e. For internal purposes – to enhance the Islamic regime's prestige among the Iranian people in general, and especially among its supporters.

To Iran's way of thinking, a large arsenal is not necessary in order to achieve a nuclear strategic balance with Israel. In April 2012 former Iranian President Hashemi Rafsanjani said that if a nuclear conflict ever breaks out, Israel, as a small country, could not withstand even one atomic bomb, and it would be "very easy to destroy all of its capabilities."⁴ Iran presumably believes that eliminating Israel's nuclear advantage would give it reason to hope that Israel could be defeated some day in

conventional warfare, especially given Israel's quantitative inferiority. Iran apparently hopes that the balance will limit Israel's ability to undertake conventional military operations deep in the territory of its neighbors and leave Israel more exposed to violence. Iran also seeks to undermine the foundations of the peace process, which is based on Arab recognition that Israel cannot be destroyed in part because of the nuclear force attributed to it, which restricts the scope of conventional warfare.

In addition, the Iranian nuclear project is liable to ignite a nuclear arms race that would aggravate the threat to Israel and the stability of the Middle East and the entire world. Such a race could also ultimately threaten the security of Iran itself. For all these reasons, Israel sees the Iranian nuclear project as a major risk that may become a severe national security threat.

Israeli Strategy until 2009

Until 2009, Israel focused on clandestine efforts (both operational and diplomatic), and was careful to maintain its role in the international diplomatic effort. As former Prime Minister Ehud Olmert said, "The US and the other powers should lead the international effort; Israel needs to be a partner in this process, but it cannot and should not lead this international struggle. This was the policy of the Sharon government, and of my government as well."⁵

According to reports in foreign media, the clandestine effort involved many operations by Israel and/or the US, particularly from the middle of the first decade of the twenty-first century, such as the assassination of Iranian scientists involved in the project and cyber attacks against the uranium enrichment centrifuges. The dominance of these efforts was reflected in then-Prime Minister Ariel Sharon's appointment of Mossad head Maj. Gen. (ret.) Meir Dagan as head of all aspects of the Israeli effort to thwart the Iranian nuclear program. In addition to his position as head of the Mossad, Dagan was made responsible for "coordinating between the Israeli agencies dealing with the issue – Military Intelligence, the Ministry of Foreign Affairs, the Ministry of Defense, the Air Force, and the Israel Atomic Energy Commission; presenting Israel's position to decision makers in Western intelligence

Israel's strategic goal is to prevent Iran from obtaining nuclear weapons and the capability of producing them. The interim agreement has not changed this goal.

communities; and coordinating the international effort to prevent Iran from obtaining nuclear weapons with them.”⁶

These clandestine efforts indeed achieved impressive successes that delayed the Iranian project, but Iran nevertheless continued to progress toward the nuclear threshold. According to a Military Intelligence assessment of late 2009, Iran then had already completed its acquisition of uranium enrichment technology, enriched enough uranium at a low level for an initial bomb (subject to enrichment to a high level), made progress in developing a nuclear explosive device, and developed ballistic missiles capable of carrying a nuclear warhead. At the same time, it was believed that Iran was not trying to build a bomb quickly; it was building a multi-faceted infrastructure that would enable it to break out to nuclear weapons production when it felt that conditions were ripe.⁷

Ultimately, it appears that the political leadership did not make sufficient use of the time provided by the clandestine campaign against the Iranian nuclear program until 2009 to promote additional aspects of the struggle against the Iranian nuclear project, which continued moving forward. Under the Olmert government Israel advanced preparations to deal with the threat of the nuclear project through military force, but it became entangled in the Lebanese and Palestinian theaters. The IDF devoted most of its efforts to rebuilding its land forces following the Second Lebanon War, and the political leadership was preoccupied with trying – unsuccessfully – to promote a permanent settlement with the Palestinians.

The Current Strategy

Starting in 2009, Israeli military attack capability and readiness against Iran were enhanced at an investment of over NIS 10 billion,⁸ and an intensive diplomatic effort was launched in the international community. Since then, the Israeli strategy has rested on three pillars:

- a. Clandestine measures – a continuation of the previous strategy.
- b. A determined independent diplomatic effort, which placed Israel in an extremist position, compared with the position of the major powers, led by the US.
- c. A concrete independent military option – for the sake of deterrence against progress in the nuclear project and as a lever for promoting diplomacy, or a decision to attack on short notice without US involvement, if there is no alternative.

As declared by Prime Minister Netanyahu, the strategic goal is to prevent Iran from obtaining nuclear weapons and the capability of producing them, i.e., from becoming a nuclear threshold state. The interim agreement has not changed this goal.⁹

The change in Israel's strategy apparently stemmed from the realization by the Netanyahu-Barak government that the Iranian nuclear threat had made great strides forward,¹⁰ and that obstructing it required strong and vigorous action, even at the cost of friction with Washington and at a high economic cost, and even at the expense of Israel's domestic priorities, which prompted the social protests of the summer of 2011.

The new strategy was designed to effect a substantial change in the campaign against the nuclear project, but it is not known whether such a change actually took place. As long as the clandestine effort was the focus (as in the previous strategy), the staff of the Mossad director general provided the necessary management mechanism. However, with the transition to the new strategy – clandestine, diplomatic, and military – the Prime Minister had to establish a different central management mechanism and employ the Ministry of Foreign Affairs much more actively in public diplomacy roles.

The Concrete Military Option

The most significant change in the new strategy is in the military sphere. To be sure, according to media reports, Israel has for many years been developing military capability for an attack on Iran, and senior Israeli officials hinted at, and also threatened to use, military force against the nuclear project.¹¹ However, it appears that only in recent years have the capability, readiness, and intention been combined in a concrete military option (a "pistol on the table"), which gave the international community an incentive to take decisive action against Iran. It appears that the fear of a greater conflict in the Middle East liable to result from an Israeli attack joined the latent fear of an Iranian bomb. Indeed, the drive by Iran and the P5+1 to sign the interim agreement may have been to reduce the legitimacy of an Israeli attack on Iran.

This was expressed by former US Secretary of State Hillary Clinton, who said that Prime Minister Netanyahu's threats of military action had been taken seriously in Iran, because Israel was perceived as a US ally. She added that Israeli criticism was also helpful to the US in dealing with Russia and China, which were perceived as being closer to

Iran, as occurred in previous initiatives leading to UN Security Council resolutions on sanctions against Iran. In those cases as well, fear that Israel would carry out its threat to attack Iran was effective.¹²

Remarks by Maj. Gen. (ret.) Ido Nehushtan, commander of the Israeli Air Force in 2008-12, indicate that the concrete military option has two elements: proven performance capability and “credibility of use” (“to show the capability and the readiness to use it if and when this is necessary”). In this case, military force will be used only when there is no other choice. Nehushtan made it clear that an attack was preferable to a situation in which Iran acquires nuclear weapons.¹³

The “cocking” episode highlighted the “credibility of use” element. According to the “Uvda” (“Fact”) television program, in 2010 Netanyahu ordered IDF Chief of Staff Gabi Ashkenazi and Mossad head Dagan to prepare the security establishment for an immediate attack against Iran (“cocking a gun”). This instruction also reflected recognition that the clandestine campaign led by the Mossad had outlived its usefulness. According to this report, Ashkenazi and Dagan disagreed with Netanyahu. The chief of staff asserted that “cocking” would bring war with Iran closer. In an interview with “Uvda,” then-Minister of Defense Barak made it clear that the order did not mean going to war. He said, “The chief of staff should build the operational capability. He should tell

President Obama has stated that insistence on Iran’s refraining from any enrichment on its soil is unrealistic. This is a major success for Iran in face of Israel’s unsuccessful public diplomacy efforts, particularly in the final months of 2013.

the political leadership whether or not it can be carried out from a professional standpoint, and he can, and should, attach his recommendation, but it can be carried out against his recommendation.”¹⁴ “Uvda” exposed the poor relations between the political leadership and senior figures in the security establishment, a sorry state of affairs in the face of as formidable a challenge as the Iranian issue.

In 2011, the dispute reached the media. Public discussion centered on the question whether Israel should attack Iran. Those opposed to an attack, headed by Dagan (after leaving his position in the Mossad), asserted that it would lead to a full

scale war with the participation of Iran’s allies and Israel would suffer great damage,¹⁵ and that in any case the military option would delay the nuclear project by at most a few years. Others claimed that a surgical

military strike against Iran's nuclear facilities would not lead to a general regional war, and that delaying the project until the next round would likely prove to be an important achievement in dealing with this grave threat, despite the anticipated counter-response.

The Intensive Diplomatic Effort

The immediate intensive effort is led personally by Prime Minister Netanyahu, who has undertaken the job to persuade the international community of the gravity of the Iranian threat and the need to eliminate the nuclear project. The military option was designed to enable him to do this, if the international community did not reach this conclusion on its own. The diplomatic effort succeeded in prompting intensification of sanctions to the point where they brought Iran to the negotiating table; however, in the course of the dialogue between the major powers and the new Iranian President, Hassan Rouhani, a material dispute between Israel and the US emerged.

The Dispute with the US

While Israel is demanding that the Iranian nuclear infrastructure be dismantled entirely, as was also demanded by the UN Security Council ("track A"), the US administration's position is that Iran can retain limited enrichment capability for civilian purposes ("track B"). This position was presented clearly by President Obama in December 2013 at the Saban Forum. He stated that insisting that Iran refrain from any enrichment on its territory was unrealistic, and that in order to achieve a permanent settlement, Iran should be allowed to conduct a very curtailed civilian nuclear program subject to tight supervision. Obama's remarks indicated that with acceptance of a limited civilian program, Iran should be required to concede the main facilities and equipment of its nuclear project, including advanced centrifuges and a heavy water facility.¹⁶

The United States approach, namely, the idea that "insisting that Iran refrain from any enrichment on its territory is unrealistic," is a major success for Iran in face of of Israel's unsuccessful public diplomacy efforts, particularly in the final months of 2013. A senior American official who spoke with members of an Israeli delegation in early October 2013 said that Western leaders were coming to realize that Iran will probably retain some nuclear capability, while Netanyahu was insisting on setting conditions that most experts say are unrealistic. The question is whether

it is better to keep a limited Iranian capability under tight supervision than to insist on the total dismantling of Iran's nuclear capability (and perhaps to achieve no agreement at all).¹⁷ This approach bespeaks Iran's successful advocacy of its position concerning continued enrichment in Iran and an assessment by Western experts that downplays the risk and denies the possibility of a change in Iran's position. According to this conception, only track B is possible. Even if the administration believes this about the results of the negotiations on a permanent settlement, this declaration, even before the negotiations begin, gives Iran a clear advantage. It appears that President Obama's statement at the Saban Forum was to set a goal for his administration that he regards as achievable, and to adjust the expectations of his target audience accordingly.

In contrast to the US administration, Israel regards the continued existence of a uranium enrichment infrastructure in Iran as a major risk. Several reasons can be cited for this. First, Iran has not changed its intentions. Despite the exposure of its military nuclear project, Iran continues to claim it is a project for "peaceful purposes" only. Any civilian project remaining in Iran is therefore liable to grow into a military project in the future, accompanied by concealment measures. Next time, however, given the fact that Iran has already neared the nuclear threshold and has the requisite know-how and experience, its breakout is liable to be quick. Israel fully distrusts the Iranian regime, while the US wants to put the regime's intentions to the test, in light of the change in the regime's approach since the election of Rouhani.

Second, Iran has no urgent need for an enrichment facility "for peaceful purposes." A project for civilian purposes can be carried out even without enrichment on Iranian territory. Moreover, Iran has no pressing need to develop nuclear energy for its civilian economy, because it has the world's largest natural gas reserves and possesses 10 percent of the world's proven oil reserves. Assuming the veracity of the Iranian position, why should it insist on retaining an enrichment capability of limited importance to its economy at the expense of continued sanctions, instead of accelerating the development of its gas production infrastructure and exporting the gas? If Iran insists on this point, it is reasonable to assume that the project involved is not a civilian one.

Third, supervision will be difficult and costly. As long as the infrastructure exists, there will always be concern that Iran will break out to nuclear weapons capability as soon as it identifies a weakness

in the international system. This course of events will give the US and Israel a relatively short alert, compared with what complete dismantling of the infrastructure affords, and will require many years of complex supervision and costly investment in intelligence. This investment will multiply, assuming that similar projects spring up in other countries. Furthermore, there is also a risk of overreaction, leading to a cycle of violence caused by a false alarm.

The Gravity of the Threat

The fundamental reasons for the dispute between the US and Israel are different assessments of the gravity of the Iranian nuclear threat and a gap in the assessment of the opportunity to achieve a better agreement, given the effect of the sanctions on Iran.

President Obama has underscored that preventing Iranian possession of nuclear weapons is an American and an international interest, not solely an Israeli one. An objective observer of the dispute between him and Netanyahu, however, is likely to receive the impression that the nuclear project and Iran's becoming a threshold country are an exclusively Israeli problem, while the threat to the US is much more distant and contingent only on Iran's actual possession of nuclear weapons – and that even then there is a long road before Iran can harm American interests. Obama explains the gap like this: "I think Prime Minister Netanyahu understandably is very skeptical about Iran, given the threats that they've made repeatedly against Israel, given the aid that they've given to organizations like Hezbollah and Hamas that have fired rockets into Israel. If I were the Prime Minister of Israel, I would be very wary as well of any kind of talk from the Iranians."¹⁸

To the same extent it can be asked from where the US derives its lower estimation of the threat. It is possible that the US administration is affected by the understandable anxiety about involvement in another theater of conflict, following its experience of Iraq and Afghanistan. Furthermore, it is likely that the administration is relying on a technical intelligence estimate of Iran's distance from a nuclear weapon in an orderly serial progression from uranium enrichment to obtaining a standard nuclear weapon. However,

It appears that the US did not fully take advantage of the means of pressure available to it; already at an early stage, it hastily released Iran from the Security Council demand for complete dismantling of its nuclear infrastructure.

the capability of delivering an Iranian bomb to remote targets around the world, including the US, does not necessarily require many years of developing intercontinental launching equipment and adaptation of nuclear warheads to missiles. It can be based on larger explosive devices delivered secretly to distant locations by various means.

In any case, when the possible uses Iran is liable to make of nuclear capability are examined, even at the threshold level, a number of serious threats to the US and other countries around the world stand out. First, Iran is liable to expose the US and other countries to violence. Nuclear capability will increase Iran's readiness to use terrorism and subversion, and restrict the ability of the US to act against it, even if Iran becomes involved in disasters like the 9/11 terrorist attacks, or if it wants to take control of assets in the Persian Gulf.¹⁹

Second, Iranian nuclear capability will reinforce its hegemonic aspiration in the global energy market, especially in the Persian Gulf, which contains more than half the world's oil reserves, and incur potential for a future crisis. Consider Saddam Hussein's attempt to

dictate oil prices: How would the situation have looked had the Iraqi dictator possessed nuclear weapons before the invasion of Kuwait in 1990? Iranian hegemony in the Persian Gulf would have a global effect. American dependence on imported oil has lessened, but the need for oil among East Asian and European countries is expected to grow.

Third, nuclear capability will magnify the Iranian threat to other countries, encourage the collapse of the nonproliferation regime, and be liable to lead Saudi Arabia, Egypt, and Turkey to develop nuclear capabilities.²⁰ This process may then spread all over the world. Finally, Iran is liable to intervene more in the affairs of other countries with large Muslim populations through subversion, terrorism, and support of extremist Islamic movements, as it does in Lebanon.

The lesson for Israel in the short term is to redouble its efforts in public diplomacy in all the target countries and audiences that can affect the permanent settlement, in order to limit the possibility that Iran will become a nuclear threshold country and thereby pose a threat to their interests.

As to the opportunity to generate a strategic turnaround regarding the nuclear threat, Iran came to the negotiating table because of the economic sanctions, which became effective starting in 2012 and severely damaged Iran. Iran could continue to withstand the sanctions at a high cost, but

probably believed that further escalation was in store (more tightening of the sanctions, an economic blockade, and military action), and that even a breakout to a bomb would not guarantee the end of its isolation. The effectiveness of the sanctions weapon against Iran stemmed from the dilemma it created between external security needs (the nuclear program) and the regime's internal challenges (its image and internal stability).

Following the sanctions, voices were heard in Iran calling for "Islamic realism" (in contrast to "extremist idealism") in dealing with the US. For example, in September 2013 Rafsanjani claimed that compromise was the order of the day, as the Prophet Muhammad had done in the Hudaibiyyah agreement, which prepared the foundations for a bloodless victory, and as Khomeini had done when he was forced to sign the ceasefire agreement with Iraq in July 1988, despite his promise to overthrow Saddam Hussein. This approach was adopted, at least tactically, by Iranian Supreme Leader Khamenei, who answered Rafsanjani by saying, "A wrestler may exercise flexibility for a tactical reason, but he won't forget who his rival is and what his goal is."²¹ President Rouhani noted with satisfaction in December 2013 that the interim agreement was already contributing to Iran's economy.²²

Conclusion

The road to a solution of the Iranian nuclear project is still in its initial phases. It appears that the US did not fully take advantage of the means of pressure available to it and the opportunity to shift to track A; already at an early stage, it hastily released Iran from the Security Council demand for complete dismantling of its nuclear infrastructure.

The heart of the problem is the gap between the assessments by Israel and the US and other countries of how grave the Iranian threat is, and especially the significance of allowing Iran to retain its enrichment infrastructure. This gap is not due merely to the threat against Israel; it also concerns the threat facing the US and other countries. Unless Iran itself makes a crude mistake, this gap can be narrowed only by public diplomacy. The lesson for Israel in the short term, based on its profound knowledge of the Iranian threat, is therefore to redouble its efforts in public diplomacy in all the target countries and audiences that can affect the permanent settlement, in order to limit the possibility that Iran will

become a nuclear threshold country and thereby pose a threat to their interests.

Iran should not be expected to abandon its ambition to obtain nuclear weapons; it will merely postpone it to a more distant future. The goal should therefore be to put Iran at a maximum distance from a bomb, so that the tactical change in the regime's position will gradually become strategically significant for Israel and the rest of the world. For this purpose, Israel should adhere to its current strategy, whose short term goal is to achieve and implement an optimal permanent settlement between the major powers and Iran as soon as possible. The first priority is a return to track A.

If this track is blocked, Israel will have to endorse track B for lack of an alternative, and be deeply involved in its particulars. It is important to verify that the restricted enrichment capability and tight supervision on this track will not allow Iran to break out to a military project without discovery and response, and that the "distance from the threshold" will be maintained, based on criteria agreed to by the US and Israel that will not be subject to different interpretations in the future, as is the case at present. It should be verified that the civilian project will be minimal, and it must be explicitly defined which activities Iran can conduct in this framework and which it cannot.

The negotiations with Iran have hitherto involved a technical discussion, without Iran being required to refrain from aggression against Israel, while in practice the interim agreement detracts from the legitimacy of Israel's right to defend itself by attacking the nuclear project in Iran. Therefore, in an agreement Iran should be required to recognize the right of Israel and all the countries in the region to exist in peace and security, and to abandon its involvement in terrorism. For its part, Israel should act with determination and moderation to lower the level of tension between it and Iran as much as possible.

In the systemic sphere, Israel requires an intensive effort that requires the definition of clear and realistic goals, an outlining as to how the campaign should be conducted, established mechanisms to conduct it, and a detailed plan of action for the narrow window of opportunity. In addition, there is a clear need to prepare for the possibility that the current negotiations will not achieve Israel's objectives.

Notes

- 1 Amos Yadlin, "The Geneva Agreement: Neither a 'Historic Agreement' nor a 'Historic Failure,'" *INSS Insight* No. 489, November 27, 2013.
- 2 In an AP interview on October 5, 2013, in answer to a question about Prime Minister Benjamin Netanyahu's assessment that Iran was six months away from a bomb, US President Obama said, "Our assessment continues to be a year or more away." See <http://bigstory.ap.org/article/text-obamas-exclusive-interview-ap>.
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Beyond Sectarianism: Geopolitics, Fragmentation, and the Syrian Civil War

Benedetta Berti and Jonathan Paris

A bloody civil war has been raging in Syria over the past three years, pitting the regime of Bashar al-Assad and his international supporters against the different factions that make up the domestic and diaspora-based anti-regime opposition. As the initially sporadic armed clashes turned into a protracted civil war, the international coverage of the conflict focused on the sectarian dimension of the struggle, highlighting the increasingly antagonistic relations between the Sunni majority and the Alawite minority within Syria. This Sunni-Shiite sectarian cleavage is especially important given the regional dimension of the Syrian conflict, which has quickly become entangled in a broader proxy war between the main regional powers, Saudi Arabia and Iran. Sectarianism within Syria also appears to have strengthened preexisting sectarian cleavages across the Middle East, especially in neighboring Lebanon. Yet the longer the conflict in Syria continues, the more it is important to understand cleavages not just between the main warring parties, but also within them and in the wider region.

This article explores the main historical and political drivers behind the strengthening of sectarian dynamics within Syria, focusing on the regional impact of this sectarian trend. The article seeks to put sectarianism in context, noting the contribution of both domestic and regional political factors to the revival of pre-ascribed identities. The article tries to integrate sectarianism into a broader explanatory framework beyond a simplistic Sunni vs. Shiite narrative. Finally, it

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examines the impact of emerging sectarian and in-group tensions on the “day after” in Syria.¹

It is Complicated: Sectarian Cleavages and the Syrian Civil War in Context

The roots of the Syrian civil war are complex and multi-layered, and cannot be understood by looking solely at preexisting sectarian identities and the Sunni-Shiite cleavage. There are at least three other explanations for the explosion in Syria. First, anti-regime protests, seen in the broader regional wave of social and political mobilizations spurred by the Arab Awakening, were a response to an authoritarian regime ruled through emergency laws, clientelism, and endemic corruption.

Second, the initial demonstrations in March 2011 were ignited by a sense of frustration over growing social inequalities and bad governance within Syria.² Since being “anointed” president in July 2000, Bashar al-Assad accelerated his father Hafez’s gradual economic liberalization to push broad and far reaching neo-liberal policies aimed at privatizing public assets, liberalizing the finance sector, and encouraging private investments and injection of foreign capital into Syria.³ These reforms, which gained additional traction following the 2005 withdrawal from Lebanon, led to economic growth – partly backed by the rise in global oil prices – and to a spike in foreign investments. Yet as with recent neo-liberal reforms in other Arab countries, “the move toward the market economy neglected equitable income distribution and social protection, thereby culminating in anti-developmental economic growth.”⁴ Economic liberalization did not lead to substantial funds channeled toward boosting local industrial or agricultural production, and failed to generate substantial employment. As a result, sharp increases in income inequality emerged between the main urban centers and the ever more impoverished peripheries.⁵

Third, living conditions of lower middle class and working class Syrians, and especially those living at the geographical periphery of the country, further deteriorated in the years preceding the 2011 revolutions as a result of rising inflation, a decline in oil prices, and shrinking subsidies from Damascus. This macro-level deterioration was compounded by pervasive faulty governance and corruption at the local level. There was a perceptible decline in the effectiveness (but not brutality) of the security sector while local government “became the embodiment of a predatory

culture in which resources were not redistributed but skimmed off for the benefit of the few.”⁶

This dynamic of unequal development, corruption, and center-periphery inequality explains the roots of the revolution in Syria and shows parallels between the political demonstration that sparked the Arab Awakening in Tunisia and the initial cycle of protest in Syria. At the same time, sectarian fault lines cannot be discounted as an additional factor that contributed to heighten the internal tensions spurred by this combination of structural, political, and economic factors. In the Syrian case sectarian and ethnic boundaries often overlapped with the geographic map of poverty and exclusion. Over recent decades, individual and community access to power and privileges has become correlated with sectarian identities.

Historically, the Assad regime relied on a combination of repression and co-optation to ensure its permanence in power, maintaining a strong grip on all institutions of government and on Syria’s coercive apparatus.⁷ A key strategy to maintain the Assad regime was to award minorities like the Druze, Ismailis, and most of all, the Alawites – who account for roughly 10 percent of the Syrian population – with disproportionate access to power and privileges.

At the same time, the exclusion/inclusion boundary was not solely determined by sectarian and identity politics. Both Assads, father and son, used economic reforms to consolidate power.⁸ Economic liberalization was a tool for expanding the supporting bases of Bashar’s government by ensuring the loyalty of the beneficiaries of those economic reforms, namely the expanding Sunni urban upper middle class. Sunni and Christian business elites in Damascus, and to a lesser extent Aleppo, gained from Assad’s policies by obtaining more access to political power, a process facilitated by the rise of an entirely new generation of officers loyal to Bashar and committed to his political and economic plan.⁹ The marriage between Bashar al-Assad and British-Syrian Asma al-Akhras, the daughter of a well-to-do Sunni family originally from Homs, symbolizes this alliance between the Alawite military and political elite and the Sunni business elite.¹⁰

The combustible mix of corruption, arrogance, entitlement, and inequality fueled the initial protests in March 2011. Their focus was not so much on sectarian demands but on calls for genuine social, economic, and political change. The protests began in Syria’s disenfranchised

periphery in the southwestern rural and impoverished town of Dara'a, and then spread like wildfire across Syria through the flames of social media and YouTube videos uploaded from cell phones. Along the way, the protests enlisted support of the main intellectuals, opposition leaders, and groups behind the 2000 "Damascus Spring" and the 2005 "Damascus Declaration."¹¹

Beginning as non-violent protests, the confrontation shifted from peaceful to violent, and even more swiftly, from political to sectarian. Understanding this metamorphosis into a violent sectarian conflict requires an analysis of the deliberate political strategy employed by the Syrian regime and, perhaps less deliberately, by foreign powers on both sides of the conflict. These political strategies mobilized preexisting cross-sectarian cleavages and pushed them into the foreground of the conflict.

The Assad regime's strategy for dealing with domestic opposition had a number of components: violent crackdown on the protests, mixed with vague cosmetic political changes, and a campaign accusing the opposition of *takfiri* extremism and terrorism in order to rally minorities and other fence-sitters behind the regime.¹²

Eyeing the protests through security lenses, the Assad regime relied on a deliberate and fairly comprehensive strategy to induce fear. This strategy included suppressing all types of mobilizations, retaliating against the communities and areas where anti-regime activism occurred, arresting, torturing and killing protest leaders, and intimidating supporters.¹³ This deliberate and increasingly violent campaign played a key role in pushing the opposition from non-violent to violent protest. The militarization of the conflict played into Assad's hand and gave him wider options in dealing with the opposition, since an authoritarian ruler is usually better equipped to confront violent opposition than to withstand a prolonged non-violent struggle.¹⁴

The violent escalation also allowed the regime to preserve its bases of support. The strategy of fear called for fanning the flames of sectarianism to rally the country's main minorities, with the notable exception of the Kurds. The regime shrewdly asserted that there would be an existential threat to these communities' survival in the event of an opposition victory. Assad emphasized the Sunni nature of the opposition, while also pointing out its Islamist character and referring to anti-Assad forces as "terrorists." In a September 2013 interview with the French newspaper

Le Figaro, Bashar provided a sample of regime discourse: “We are fighting terrorists...80-90% belong to al-Qaeda. They are not interested in reform or in politics. The only way to deal with them is to annihilate them.”¹⁵

The sectarian specter of Sunni extremism managed to ensure the loyalty of small but important minorities within Syria, including the Druze, Alawites, and growing portions of the Christian community. Assad also dangerously strengthened the sectarian dimension of the conflict by relying on paramilitary “self-defense” groups belonging mostly to his Alawite community (referred to as *shabiha* by the opposition).¹⁶ The more these *shabiha* militias perpetrated massacres and atrocities to “defend” the regime, the more Sunni resentment against the regime was also directed at the Alawite community, making the fate of the Alawites intertwined with Assad’s survival, and adding to a vicious circle of sectarianism.

However, it would be reductive to see the rise of sectarianism as entirely regime-driven. The anti-Assad opposition on the ground has done its fair share in contributing to this trend. To be sure, the National Coalition for Syrian Revolutionary and Opposition Forces, the political body recognized as the “representative of the Syrian people,” and public intellectuals affiliated with it like Radwan Ziadeh go out of their way to stress the inclusive and non-sectarian dimension of their project.¹⁷ On the ground, however, increasingly empowered Salafist and al-Qaeda-inspired or affiliated jihadist groups have become important sectors of the anti-Assad opposition. They tell a different story, especially as accounts surface of atrocities perpetrated by opposition forces against Syria’s Christian and Alawite minorities.¹⁸

The strengthening of the radical camp of the opposition is related to another main driver of sectarianism in Syria in addition to domestic politics – the role and influence of external actors. Financial backing and support for the Islamist camp, mostly from the Gulf, have improved the status and power of the Islamists relative to other sectors of the opposition. Outside support directly contributes to the sectarian dynamics of the civil war. Indeed, sectarianism in Syria and the wider region cannot be understood without looking at the role regional geopolitics has played in shaping the Syrian conflict and its internal dynamics, and in gradually transforming Syria into both a proxy regional battlefield and a sectarian war.

Broadening the Battlefield: External Actors and Geopolitics

At the most basic level, the conflict in Syria today is an extension of the regional cold war between Saudi Arabia and Iran. Saudi Arabia's foreign policy with respect to both the Arab Awakening and Iran became increasingly more assertive after its military intervention in support of a fellow Sunni monarchy, the Khalifa ruling family of Bahrain, against an increasingly restive Shiite-based political opposition in 2011. The growing interest and involvement of the Saudis in Syria is a reaction to a combination of trends they perceive as worrisome. These include the conservative Saudi aversion to the revolutionary wave shaking the Middle East and to political forces pushing for democratization; uneasiness over the collapse of status quo regimes such as the Mubarak regime in Egypt; the perceived retrenchment of the United States from the region; and the deep apprehension over the expanding regional role of the Islamic Republic of Iran – especially in light of the US withdrawal from Iraq and Iran's advances on the nuclear track.¹⁹ The successful negotiation of an interim agreement between Iran and the P5+1 on the Iran nuclear crisis, and the unmistakable rapprochement between Presidents Obama and Rouhani only add to Saudi Arabia's sense of insecurity.

In this context, Riyadh sees support for the anti-Assad opposition and regime change in Syria as crucial tools for weakening Iranian influence in the region by depriving Tehran of its main Arab ally and cutting off Iranian supply lines to Hizbollah in Lebanon. For Iran, a similar calculation of the need to preserve its regional influence has led it to invest heavily in the survival of Bashar al-Assad and his regime. Accordingly, a regional cold war plays out in Syria. If Iran's ally in Damascus is able to prevail, the Saudis fear an unstoppable shift in favor of Iran and its regional allies, particularly Syria and Hizbollah. The combination of growing instability in the region and Iran's nuclear ambition pushes Saudi Arabia toward a more assertive policy that uses sectarianism to galvanize Sunni Arabs against the Iran-led "Shiite crescent." As David Gardner wrote in the *Financial Times*, "The great game against Iran...is at the heart of the Sunni-Shia conflict."²⁰

Although preexisting Sunni-Shiite tensions between Iran and Saudi Arabia contribute to the animosity and vitriolic attacks by both countries against one another, their current level of involvement and commitment in Syria cannot be understood without recognizing its

strategic significance to both sides. In other words, sectarianism without geopolitics is insufficient to explain Saudi and Iranian policies on Syria.

Moreover, the longer the conflict continues, the less the Sunni-Shiite prism is able to capture the full reality on the ground. The growing fragmentation of conflicts inside Syria goes well beyond the sectarian dimension. Such fragmentation simultaneously reflects and enhances the shifting geostrategic dynamics in the Middle East and contributes to the re-drawing of alliances as well as the regional balance of power.

There are currently at least three main blocs within the region involved in the Syrian conflict. The fault lines between these blocs are determined more by geopolitical interests than by sectarianism. The first bloc, commonly called the “axis of resistance,” comprises Iran, Syria, and Hizbollah. After losing the support of Sunni Hamas over a year ago, this Shiite axis has increasing sectarian overtones. However, the Alawites of Syria are not Shiite in a religious sense, and only became politically recognized as Shiite in the context of the Lebanese civil war and the rise of the Iran of Ayatollah Khomeini in the 1980s. These skin-deep sectarian links between Tehran and Damascus have failed to produce broad popular support on the streets of Iran for their government’s policy on Syria. Most Iranians do not strongly support Assad’s war, and only 37 percent of Iranians back their government’s military assistance to the Syrian regime.²¹

The Syrian conflict has also galvanized a Sunni awakening that began in Tunis in late 2010. In fact, two different Sunni regional camps have emerged: a “pro-Muslim Brotherhood revolutionary” alliance and an “anti-Muslim Brotherhood status quo” camp.

Energized in the early months of the Arab Awakening, the revolutionary alliance initially included Morsi’s Egypt, Erdogan’s Turkey, Qatar under former Emir Hamad bin Khalifa, and Hamas in Gaza. At the moment, however, this camp is very much in flux following the downfall of Morsi and the Muslim Brotherhood in Egypt, and the negative impact of the Egyptian political transition on Hamas. Qatar’s foreign policy activism may also be reduced following the ailing 62-year-old Emir’s abdication in favor of his 33-year-old son, Crown Prince Tamim. Although it is too early to tell, the new Emir has shown indications of being more focused on domestic development than on promoting regional support of Islamists.²² Prime Minister Erdogan’s pro-Islamist foreign policies on Syria, along with his authoritarianism, eccentricity,

and alleged corruption, have become much more controversial at home. After months of turning a blind eye to movements of foreign fighters and jihadists entering northern Syria from Turkey, the growing presence of pro-al-Qaeda groups in Syria has begun to raise concerns regarding the long term safety of the Turkish border.²³

The “anti-Muslim Brotherhood status quo” camp could also be labeled the “no-Muslim Brotherhood-in-my-backyard” alliance, with the focus being on preserving the status quo within the monarchies while supporting regime change to remove the Muslim Brotherhood from power elsewhere, such as in Egypt.²⁴ Key players in this camp are the monarchies led by Saudi Arabia, along with the United Arab Emirates, Kuwait, and in a different capacity, Jordan, in addition to the current Egyptian government. The Palestinian Authority, though marginal in the conflict in Syria, is also part of this camp.

With respect to the Syrian conflict, both the revolutionary and the status quo Sunni camps are interested in removing Assad from power, yet they have given priority to funding and supporting different segments of the opposition, furthering divisions within the opposition ranks. The main foreign backer of the opposition, Saudi Arabia, supports both the National Coalition and the Free Syrian Army on the one hand, and their rival Salafist factions. Perhaps this is best explained by the overriding Saudi strategic interest in bringing down Assad by backing any and all fighters other than al-Qaeda-affiliated groups and the Muslim Brotherhood.²⁵ The fragmentation within the opposition is aggravated by the rise of a possible fourth camp representing transnational pro-al-Qaeda jihadist fighters inside Syria. These groups contribute to even stronger fault lines within the rebel ranks, further segmenting the opposition.

This brief excursus into some of the different Middle East players involved in the Syrian civil war underlines the limitations of an exclusively bi-polar Sunni-Shiite framework in describing the reality of the civil war in Syria. In early 2014, regional geopolitics best explain the evolving dynamics on the ground.²⁶ More than a sectarian conflict, Syria today is a complex and increasingly fragmented regional proxy war where the main blocs have decided that their victory on the proxy battlefield will improve their regional power and weaken their opponents. These regional kingmakers are willing to fight “until the last drop of Syrian

blood,” while also putting their own non-Syrian allies (like Hizbollah) on the line to achieve this result.

Beyond the War: Sectarian and Geopolitical Implications for the Future

The powerful mix of sectarianism, geopolitics, and fragmentation instills deep and potentially long term repercussions both in Syria and regionally. On the ground, the civil war is more intractable than ever, and the conflict has evolved into several parallel struggles: a vertical conflict between the regime and the opposition, a regional proxy war led by Iran and Saudi Arabia, a horizontal struggle between the rebel forces over who represents the opposition, and a Kurdish move toward autonomy.

Fragmentation affects prospects for both ending the war and a successful political transition in four ways. First, fragmentation within the anti-Assad groups is the biggest obstacle the opposition faces in both trying to change the military balance of power on the ground as well as in creating a unified and cohesive front with political status and legitimacy. Second, a divided opposition lacks the clout to both negotiate a political deal and guarantee its actual implementation.²⁷ Third, in a vicious circle, the rise of radical jihadist groups further alienates much-needed international backing for the opposition, while strengthening the regime’s support bases. Fourth, internal divisions and the proliferation of radical militias made up of growing numbers of foreign fighters complicate future post-war efforts at political transition and reconciliation.

Sectarianism, much like fragmentation, has a toxic effect on the termination and resolution of the conflict, especially as the convergence of geopolitical and domestic interests has heightened the stakes of the conflict for both Assad and his backers and for the opposition groups. As the main sectarian communities within Syria increasingly perceive the conflict in existential zero-sum terms, the rise in mass atrocities, ethnic cleansings, and crimes against humanity should not be unexpected. The war against the regime has become a war between communities. Looking ahead, the restoration of Syria’s destroyed social fabric will be a hugely difficult task.

The costs to the region have also been substantial, for example, in Iraq, where Sunni extremists affiliated with al-Qaeda have become re-energized, aggravating Iraq’s dangerous sectarian divisions.²⁸ As Lebanon becomes more destabilized because of the war in Syria, it now

faces a precarious and dysfunctional political paralysis, souring sectarian relations, growing restlessness within the respective Sunni and Shiite communities, rising Salafism, and mounting pressure from the massive influx of Syrian refugees.²⁹

At the geopolitical level, the fault lines between the pro- and anti-Assad camps have set the stage for an especially tense regional balance with deleterious implications for Shiite-Sunni relations. The more hostile and threatening Iran appears in the region, the more unified is the regional Sunni alliance to contain Iran. Arguably, an Assad victory may create a moment of Sunni unity in reaction. But the current stalemate in Syria is not an Assad victory and has not resulted in Sunni convergence on the ground or regionally.

At the regional level, sectarianism in Syria is becoming a contributing factor to growing radicalization.³⁰ Sunni clerics and televangelists like Yusuf Qaradawi stoke sectarianism by encouraging Sunnis from all over the world to engage in jihad against Bashar al-Assad's regime. After Hassan Nasrallah's May 25, 2013 speech announcing that Hizbollah forces were fighting and would continue to fight in Syria, Qaradawi began to make calls for jihad against Hizbollah. The demonization of Hizbollah by Qaradawi is driven in part by religious animosity fueled by a sense of victimhood at the hands of the Shia *mushriqin* (non-believers). Within Lebanon, this type of rhetoric has contributed to strengthening radical Salafist groups and their animosity against Hizbollah, resulting in a growing number of attacks against the Shiite group, including a major November 2013 suicide bombing attack against the Iranian embassy in Beirut.³¹ At the same time, Shiite leaders like Nasrallah, along with Assad and Iranian authorities, stoke radicalization by using parallel language of existential threats from Sunni *takfiri* terrorists.³²

The overall lesson is that while sectarianism can be deliberately fueled in the region in the context of a larger geopolitical game, once the genie is out of the bottle, sectarian dynamics and the accompanying instability and radicalism are difficult to control. This "genie out of the bottle" explains the growing concern across the region and beyond over the rise of sectarian tensions and related extremism.³³

The increasing sectarian rift could be seen by some as a mixed blessing for Israel. Some feel that continued stalemate in Syria is the least bad option. As the civil war continues, both Sunni jihadists and Hizbollah fight and weaken each other, while the war risks becoming a black hole

for Iran. In addition to these negative outcomes for Israel's enemies, the regional cold war may also pave the way for better relations with Saudi Arabia and the Gulf monarchies, especially if progress is made in resolving the Israeli-Palestinian conflict.

Yet evolving dynamics on the ground seem to tell a different story. Regional instability and polarization spell trouble for the West, including Israel, by fostering radicalization. Sectarianism radicalizes Sunnis, providing "a breeding ground for al-Qaeda type organizations to thrive,"³⁴ and this is especially the case as thousands of aspiring jihadists flock to Syria the same way they were previously attracted by the anti-Soviet jihad in Afghanistan.³⁵ The longer the Syrian civil war persists, the more radicalized the Sunni rebel forces become. This will leave a nastier and more chaotic Syria with a strong jihadi element on Israel's northern border if Assad is eventually toppled, while risking another "Sinai scenario," where radicalized non-state armed groups rely on Syria as a launching pad for attacks against Israel. As rising sectarianism destabilizes the region overall, it also impacts on individual countries like Jordan, whose stability is indispensable for Israel's regional position.

In this context, an attempt to resolve the conflict through a negotiated settlement and the subsequent creation of a power-sharing government may be the most effective tool to stop the region from descending further into a spiral of instability, radicalization, and sectarianism. From this perspective, the argument of "let them fight each other"³⁶ may be strategically shortsighted, in addition to being morally problematic, for the international community.

Notes

- 1 The "Day after Project" was carried out between January and June 2012 by the United States Institute of Peace and by a coalition of representatives of the Syrian opposition seeking to plan the post-Assad transition. See <http://www.usip.org/the-day-after-project>.
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 - 9 "Popular Protest in North Africa and the Middle East (IV)," p. 19; Selvik Kjetil, "It's the Mentality, Stupid: Syria's Turn to the Private Sector," in *Changing Regime Discourse and Reform in Syria, Saint Andrews Papers on Modern Syrian Studies*, ed. Aurora Sottimano and Selvik Kjetil, No. 1 (Autumn 2008). ojs.st-andrews.ac.uk/index.php/syria/article/download/705/592; see also Eyal Zisser, "Alone at the Top: Bashar al-Assad and the Struggle for Syria," *Strategic Assessment* 16, no. 3 (2013): 57-65.
 - 10 Shmuel Bar, "Bashar's Syria: The Regime and its Strategic Worldview," *Comparative Strategy* 25 (2006): 357-58. Asma's father, Dr. Fawaz Akhras, is a well-regarded Harley Street medical consultant in cardiology and a founder of the British-Syrian Society in London. Her paternal grandfather was in the textile business in Homs.
 - 11 See Jonas Bergan Dræge, "Struggle for Attention in the Syrian Opposition, 2000-2013," Thesis, Oriental Institute University of Oxford, May 2013.
 - 12 See "Syria: Mass Grave Found in Dera'a," *The Telegraph*, May 16, 2011, <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/8516958/Syria-mass-grave-found-in-Deraa.html>.
 - 13 See "Syria's Phase of Radicalisation," *International Crisis Group*, Middle East Briefing N°33, April 10, 2012, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/egypt-syria-lebanon/syria/b033-syrias-phase-of-radicalisation.aspx>.
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Dismantling Chemical Weapons in Syria: Lessons, Insights, and Implications for Israel

David Friedman

Chemical Weapons in the Syrian Civil War

Long before the civil war broke out in 2011, Syria assembled an extensive array of chemical weapons, which it regarded as a strategic counterbalance to Israel's capabilities. The arsenal included advanced and extremely toxic nerve gas and diverse delivery systems suitable for a variety of war scenarios, including missiles and rockets capable of reaching anywhere in Israel.

Despite the many casualties of the Syrian civil war, among them elderly civilians, women, and children, the United States and European countries were not inclined to intervene in Syria. At a certain stage of the fighting, however, when the rebels achieved significant success and it appeared that Assad's position was weakening – many even predicted his imminent downfall – there was concern that in his desperate plight, Assad was liable to resort to use of the chemical weapons. Various parties posited possible scenarios regarding this arsenal, for example, use by Assad's forces against the rebels, transfer of elements of these weapons to sub-state organizations like Hezbollah, or shooting at Israel as an act of despair.¹ Several instances of Syria moving elements of its chemical weapons between bases were also observed in early 2013, and operational preparations on bases and alerts were reported.

These events caused various countries, foremost among them the US, and even Russia, to issue severe warnings to the Syrian President against the use of these weapons.² Furthermore, President Obama and senior

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US administration officials stated that operations involving the chemical arsenal, not to mention the use of such weapons, would constitute the breach of a “red line” that would require measures by the US in response. Despite these warnings, reports surfaced in 2013 of a number of cases in which chemical weapons or materials had actually been used, the most significant of which occurred on March 19 in Aleppo, with reports of some 25 civilians killed and many more injured. French, British, and Israeli sources claimed they had proof that Assad’s forces had used sarin gas. The official American position was that only preliminary evidence existed, and further proof was required in order to clearly determine and verify whether chemical weapons had been used. An unequivocal American admission that chemical weapons had indeed been used would have obligated the US administration to respond; otherwise, the President’s credibility would have been damaged.

The turning point came on August 21, 2013,³ when shocking reports, testimony, evidence, and photographs of long lines of bodies began to appear – among them women, old people, and children – with no signs of violence on them. The rebels reported that a massive chemical attack had

taken place, causing over 1,500 fatalities and many hundreds of injured. Photographs of casualties were published showing clinical symptoms characteristic of poisoning by nerve gas. The US began to issue official statements that positive proof existed of a sarin gas attack by Assad’s forces. A delegation of UN specialists that arrived in the attack area several days later conducted an investigation; its final report stated unequivocally that it had found traces of sarin gas and fragments of rockets used to disperse the material.

The attack prompted President Obama to announce that the US would attack Syria in order to punish Assad and as a warning not to use chemical weapons again. Before any attack took place, however, US Secretary of State John Kerry noted at a press conference on September 9, 2013 in

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London that the Syrian government could prevent the planned punitive attack by putting its chemical arsenal under international supervision.⁴ The comment set off a significant diplomatic process: the idea was

immediately endorsed by Russia, which went beyond this proposal by expanding it into a program for dismantling Syria's chemical weapons, culminating in Syria's joining the Chemical Weapons Convention (CWC). Moscow called on Syria to accept the plan, and soon thereafter, Syria announced it would do so. The agreement was probably due to the realization by Russia and Syria that without such an agreement, the chances were that the US would attack, and that such an attack would have far reaching consequences for Syria and the entire region. In response, President Obama announced that he was suspending the plans for attack.

In the narrow context of chemical weapons, this was a significant victory for President Obama. His threat of an attack was effective, and achieved even more than his announced goal. Obama sought to deter Syria from any further use of the chemical arsenal, and thereby reinforce the taboo on the use of such weapons. In fact, he achieved a mandate to dismantle Syria's chemical arsenal, which will also strengthen the taboo against the mere possession of chemical weapons. Beyond this of course is the main point that measures can begin to neutralize the risks of Syria's enormous stock of chemical weapons, which is especially dangerous against the background of the civil war and in certain circumstances could fall into even less responsible hands than those of the Assad regime.

The Process of Dismantling Syria's Chemical Weapons

The Terms of the Agreement

The CWC, signed in 1992, was actually the latest in a series of conventions involving nonconventional weapons; it was preceded by the nuclear Non-Proliferation Treaty (NPT) and the Biological and Toxic Weapons Convention (BTWC). Like the BTWC, the CWC is a comprehensive agreement banning the development, production, manufacture, storage, and transfer of weapons, which applies to all the member countries without exception. However, in complete contrast to the BTWC, which is nothing more than a declaratory document, the CWC contains an extremely invasive control and verification mechanism – the Organisation for the Prohibition of Chemical Weapons (OPCW) – and a detailed list of substances whose development, maintenance, and use is banned. The OPCW is responsible for implementing and verifying the implementation of the agreement with Syria. Over the years, the OPCW has destroyed approximately 58,000 tons of chemical substances,

constituting approximately 80 percent of the world's entire declared stock of these weapons, including in the US and Russia.⁵ The Syrian case, however, poses the most complex and difficult challenge to the organization to date.

The agreement between the US Secretary of State and the Russian Foreign Minister, which was endorsed by the UN, stipulated a very accelerated timetable. As part of the process of its accession to the Convention, already in September 2013 Syria had to submit formal declarations to the OPCW required under the organization's rules, including a list of all its chemical weapons programs, sites, quantities, types, and so on, and a general plan for dismantling them.⁶ It was determined that in the first stage, the OPCW delegation visiting Damascus in early October would by the end of October neutralize and eliminate the production, mixing, and filling capacity at 23 sites declared by Syria. According to the delegation's report, the Syrians cooperated, and the plan was completed on schedule.⁷ In addition, the Syrians were required by November 15, 2013 to submit a detailed plan for the dismantling of their entire arsenal of weapons, materials, and precursor materials. On December 18, the OPCW approved a dismantling plan with a timetable and benchmarks. Under this plan, destruction of the most hazardous materials was scheduled to begin by the end of December 2013 and be completed by the end of March 2014. Destruction of the less toxic chemicals was scheduled to take place by the end of June 2014, by which time Syria's chemical weapons arsenal and physical infrastructure for producing new materials would be totally eliminated.

Implementation of the Agreement

The Syrian terrain makes it difficult to implement such an ambitious agreement in such a contained timetable. The ongoing battles between the Assad forces and various rebel groups complicate the inspectors' work and jeopardize their security. Furthermore, before the war the Syrian chemical-biological apparatus included many sites and elements: research institutes, production facilities, and storage sites, as well as various weapon systems. A large portion of these sites were known to Western countries, but parts of the apparatus have been relocated during the continual fighting, and there is no guarantee that all the existing sites are known. Furthermore, there is considerable risk that chemical materials and/or weapon systems could find their way into the hands of

extremist terrorist organizations. The OPCW director general announced that despite the difficult and complex challenge, he was confident that the organization would be able to fulfill its task. However, this is the first time that the organization has had to perform such a technically complex task in a country that is actually in a state of war.

The technical, security, and logistical challenges explain the need for constant improvisation. At the beginning of the process, two possible technical-operational methods of action were considered. One was to transfer most of the chemical weapons to a third country, such as Russia, which has vast experience in handling and dismantling chemical weapons, where they would be dismantled. A large portion of Assad's chemical arsenal is stored in binary fashion, meaning that two different substances that become combat materials only when mixed are stored separately. The precursor materials themselves are not highly toxic, and transferring them is therefore relatively simple and does not require special security conditions; dismantling them is also less dangerous. It would still be necessary, however, to deal on Syrian territory with integrated weapon systems, because Assad apparently armed some of the delivery systems, and to destroy the development, production, and storage sites. The second alternative – similar in principle to the operating plan carried out by the UN delegations in Iraq following the 1991 Gulf War – was first to map, mark, and put in place human and/or camera supervision in all the relevant sites, and then to construct a plan for dismantling the apparatus on Syrian territory.

It quickly became clear that neither of these alternatives was practical – the first because no country volunteered its territory for the dismantling of the chemical weapons and materials, and the second due to the conditions in the field. The United States therefore proposed an innovative and creative third alternative, in which the hazardous chemical materials would be transported from various points in Syria to the port of Latakia; from there they would be transported on ships supplied by a number of countries (Denmark, Norway, Russia, and China) to an American ship specially outfitted to dismantle the hazardous materials at sea.⁸ Due to technical and security problems as

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well as the weather, the process of removing the “most critical” chemicals did not begin until October 31, 2013. In practice, the first delivery reached Latakia Port only on January 7, 2014, and the OPCW was unable to estimate the expected delay in completing the process.⁹

The road to full implementation of the agreement is strewn with pitfalls. First, the formal Syrian declaration was not examined, and it is unclear whether from the outset some of the sites were concealed. In the initial stages of implementing the agreement, the inspectors expressed satisfaction with the Syrian government’s cooperation, and the regime is not likely to completely reverse itself by retracting its commitments. However, despite efforts by the inspectors, and – presumably – operations by Western intelligence agencies, it is not certain that the Syrian government will cooperate fully and wholeheartedly and not try to conceal parts of its chemical weapons array in order to preserve a residual capability. Indeed, in late January there were several media reports that the Syrians were delaying implementation of the agreement, and the United States “strongly condemned” Syria for its failure to expedite what had been agreed on in the original agreement.¹⁰ Second, there are objective problems stemming from the fact that removal of the chemical weapons is taking place in a country in a state of war. Even if most of the sites are located in territories controlled by the regime, the transit routes for the materials are not always protected.

On the other hand, there is no lack of resources for the effort, and many countries are willing to contribute to its success. Even Germany, which usually prefers to keep a low profile in international disputes, has expressed willingness to take part in the destruction of toxic chemical waste at the industrial level.¹¹ Furthermore, it is not likely that the Syrian regime would be willing to cede the diplomatic advantages it gained by completely disavowing the agreement, thereby risking the loss of its immunity and a return to the option of an American attack that was avoided following the adoption of the Russian proposal.

In sum, and notwithstanding delays in the original timetable, the process is likely to proceed in the direction of the declared objective.

Implications for the Region and for Israel

Even before its full implementation, the agreement that settled the chemical weapons crisis in Syria generated a rather long list of winners and losers. The main loser is unquestionably the civilian population

in Syria, which remains exposed to slaughter by conventional means without any hope of significant external intervention on its behalf. In the political/diplomatic sense, the agreement constitutes a severe blow to the Syrian opposition, especially its more moderate/secular elements, which pinned great hopes on the direct and indirect effects of an American attack on the regime. The signing of the agreement leaves the opposition now without any major power advocating on its behalf in any significant fashion. Other losers include the regional players, particularly the Sunni kingdoms and principalities in the Persian Gulf, headed by Saudi Arabia, which supported, and still support, the forces opposed to the regime and to Iranian influence in the Middle East in general. From the Obama administration's behavior in the crisis and with respect to the interim agreement on the nuclear issue signed with Iran in November, they have concluded that they cannot rely on active American help in their struggle.

Clearly the main immediate winner is the Syrian regime. The regime not only escaped a direct American attack; it also won what amounts to an insurance policy for the continued slaughter of its own people by means other than chemical weapons. In order for the weapons inspection and dismantling program to proceed effectively, the regime's cooperation is necessary. The desire to carry out the agreement has created a common interest between the regime and the agreement's sponsors in consolidating the regime's control (at least in the areas in which the chemical sites are located) and securing the roads on which the chemical materials will be transported (including the Damascus-Homs artery, which is of critical importance in the civil war). Furthermore, the contacts with the Syrian regime, at least during the implementation of the agreement, confer effective legitimacy on the regime from the US and other countries that were calling for its overthrow only a short time ago. The agreement deprives the regime of a weapon that is unquestionably valuable against armed forces, not to mention against defenseless civilians, but the importance of that weapon is dwarfed by the threat posed to the regime, to the point of its survival, by external intervention in response to the use of that weapon.

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In addition to the Syrian regime, the winners include Russia, whose frenetic diplomatic activity and prominence put it (back) in the center of the international political stage, and Iran, which was saved from having to make a painful choice in the event of an American attack between abandoning its chief protégé and a frontal confrontation with the US in a matter that, however important it may be, is not an absolute necessity for the Iranian regime. Ironically, however, if the agreement is implemented, the country that stands to gain the most (at least in the narrow security aspect) will be Israel, the only actor that was not directly involved at all in either the chemical crisis or the civil war.

The elimination of the Syrian chemical arsenal and Syria's ability to produce new chemical weapons components and arm their various warheads will have a significant negative impact on the main element of Syria's military/strategic capability against Israel, especially where deterrence is concerned. The conventional wisdom – shared by Syria – was that the IDF had a decisive superiority over the Syrian army in all areas, with the only military/strategic asset posing a significant threat to Israel being the chemical weapons. The Syrians regarded this weapon as providing some degree of response or deterrence against the nuclear

weapons it believed that Israel possessed, and even as part of Syria's conventional tactical order of battle (for attacking airfields and emergency storage units), and certainly as a threat to the Israeli home front. Assuming that Syria is completely deprived of its chemical weapons (and that Assad does not conceal some of his capabilities or transfer them to Hizbollah), it will undoubtedly have a positive effect on Israel's military balance of power.

In this case, it will be possible to reduce some of the resources currently allocated to this threat. The nonconventional chemical and biological threat to Israel from Egypt has existed since the 1960s. Syria joined the threat starting in the late 1970s, while the main chemical threat in the 1990s was from Iraq under Saddam Hussein. Although the Iraqi chemical threat faded following the 1991 Gulf War, the Syrian threat became more acute – it included missiles with chemical warheads covering the

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entire territory of Israel. Israeli government policy has always been to provide protection to the civilian population, and Israel has thus invested extensive resources in passive protection, including the development, production, and stockpiling of means for the population (mostly for personal protection); construction of sealed rooms and shelters in public buildings for protection against nonconventional attacks; preparations in hospitals; amassing stocks of medications; and exercises on the national level. Assuming that Syria's chemical weapons stand to be eliminated completely, changes in this concept of passive protection for the civilian population should be considered, including a drastic cut in the gas masks apparatus. Israel will certainly want to protect a number of headquarters and other military facilities in order to maintain its response capability – and thereby its deterrence – against the use of a residual capability possibly remaining in the hands of Syria or another country. It may also be necessary to preserve some defensive elements, such as medications and hospital preparations, as a solution for chemical and biological terrorism scenarios. The dismantling of the chemical element in Syria's military order of battle, however, eliminates the need for the extensive and expensive solution to the chemical threat that currently exists and makes it possible to divert the resources allocated to it in the past to more urgent needs, whether security or civilian.

Implications for Arms Control

The nonconventional weapons situation in the Middle East is rather complicated. Israel's neighbors (and the entire world) believe that it has significant nuclear weapons capability, and perhaps also chemical and biological capabilities. Israel has not signed the NPT, nor has it acceded to the BWC; it has signed but not ratified the CWC. Until the signing of the recent agreement on its chemical weapons crisis, Syria had never admitted to possession of chemical-biological capabilities (at most, it hinted at "special means"), and demanded that Israel join the NPT as a prior condition for signing the BWC and CWC. Following Syria's unconditional accession to the CWC and its undertakings in this framework (weapons dismantling and OPCW inspection), various sources, including Assad himself, Russian Foreign Minister Lavrov, and others began saying that Israel should contribute its part by signing the nonconventional weapons conventions.

In October 2013, Israel's political-security cabinet decided (without a vote) that Israel's policy on the CWC should not be changed.¹² Nevertheless, it appears that following the dramatic events in Syria, an in-depth discussion and reassessment of issues pertaining to policy on chemical weapons is called for. Some say that ratifying the CWC would deprive Israel of a bargaining chip for which some unspecified benefit might be obtained. Some, however, assert that ratifying the convention will only invite pressure to approve and/or ratify other conventions, which will prove a slippery slope. Judging by the history of approval, but not ratification, of the CWC, experience does not necessarily bear out this expectation. It may be more reasonable to assume that refraining from accession to any nonconventional arms control conventions suggests that Israel opposes arms control in principle, thereby inviting pressure. In the new situation that will prevail if the Syrian agreement is implemented, ratification will not necessarily damage Israel's security interests, and could support the argument that Israel's position is due to real security needs, and that when the security situation allows it, Israel will not hesitate to join the mechanisms of international cooperation. In other words, ratifying the CWC could delay pressure on more essential matters, thereby improving Israel's political standing. In any case, it appears that following the settlement of the Syrian chemical weapons crisis, the burden of proof is on those in Israel who continue to endorse a refusal to ratify the CWC.

The Syrian civil war has developed in a completely unexpected direction, with Syria agreeing to surrender its main strategic asset. Beyond the dismantling of the chemical weapons, this concession involves opportunities for changes and new directions in Israel's security policy and strategy. These opportunities should be thoroughly explored and pursued.

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Can Disengagement Secure Legitimacy? The European Angle

Toby Greene

Introduction: Unilateralism Back in Fashion?

After a period of being out of fashion, the idea of disengaging unilaterally from parts of the West Bank is regaining currency in some Israeli circles, and is advocated by some respected think tanks, intellectuals, and former officials. At the INSS annual conference in April 2013, Gilead Sher presented the findings of an INSS working group on the peace process, in which this approach featured prominently.

The central finding of the group was that, “The long term national interest of the State of Israel – ensuring its future as the secure democratic nation state of the Jewish people – depends on the territorial division of the area between the Jordan River and the Mediterranean Sea into two states.” The preferred route is through a negotiated agreement with the Palestinian Authority. However, the group proposed that Israel pursue a complementary but independent track that would, “in coordination with the international community shape the borders of the country,” while making preparations within Israeli society and the national infrastructure for a gradual disengagement from the Palestinians.¹

In advocating this Israeli Plan B, the INSS group is in the company of a small but growing set of high profile groups and individuals. Former Prime Minister and Defense Minister Ehud Barak perhaps did most to put this option on the public agenda by advocating a similar approach in an interview with *Israel Hayom* in September 2012.² Underlying this interest in unilateral disengagement is the fact that a negotiated agreement looks a long way off, and that the status quo poses a growing threat to Israel’s

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international legitimacy. There is increased concern regarding what Asher Susser has called the “South Africanization” of the international discourse around the Israeli-Palestinian conflict.³

While unilateral withdrawal from parts of the West Bank is gaining some respected supporters, it must be stated clearly that at present it remains an entirely hypothetical possibility. The key decision maker, Prime Minister Benjamin Netanyahu, has yet to show any interest in it, and was himself a leading critic of the unilateral disengagement from the Gaza Strip in 2005. Furthermore, while most Israelis support peace talks, the INSS National Security and Public Opinion Project survey for 2012 showed that public support for unilateral withdrawals declined markedly after the rise to power of Hamas in Gaza in 2006, and has not recovered.⁴

However, Netanyahu, while seemingly far removed from such a decision, has in the last 12-18 months begun speaking about the emergence of a “bi-national state” as a threat to the Jewish state. This premise is the starting point for those advocating an independent Israeli or unilateral option, if negotiations prove fruitless.⁵ Similarly, surveys indicate consistent majority support for a two-state solution among the Israeli public, including territorial concessions, and a priority given by a majority of Israeli Jews to maintaining a Jewish majority in Israel, rather than maintaining the Greater Land of Israel.⁶ It is also worth recalling that there was little sign that Ariel Sharon was about to announce the Gaza disengagement plan before he did so in late 2003.

A unilateral disengagement from parts of the West Bank is one of Israel’s options to change the game in its dispute with the Palestinians. It therefore warrants evaluation and planning as to how it could most effectively be implemented, were a future Israeli government to pursue it. This planning should include consideration of how such a policy ought to be communicated internationally, so as to ensure the best possible diplomatic reception.

The Diplomatic Rationale for Disengagement

Those advocating some form of unilateral disengagement from parts of the West Bank make the persuasive case that that if non-agreement and the status quo threaten Israel’s legitimacy as a Jewish and a democratic state, then Israel must have a Plan B as an alternative to a negotiated agreement. As well as putting Israel back in control of its own destiny and ending its reliance on a Palestinian partner to bring about a two-state

reality, having an alternative to a negotiated agreement creates leverage vis-à-vis the Palestinians in negotiations.

Currently the Palestinians have a diplomatic alternative to a negotiated agreement, which is an international diplomatic campaign to secure recognition of a Palestinian state in all parts of the Gaza Strip and West Bank. The upgrade of Palestine in November 2012 to a non-member state at the UN has paved the way for a host of potential initiatives to secure international recognition for the State of Palestine, including in the International Criminal Court. This campaign would serve to isolate Israel diplomatically, while gaining recognition for Palestinian statehood on Palestinian terms, without any renunciation of claims from Israel, including the right of return, which would be required in a negotiated solution.

Beyond this pressing threat lies the even greater concern of international opinion despairing of the two-state solution altogether, a situation that would open the door for Palestinians and their international supporters to advance the case for a single Arab-majority state between the river and the sea. The growth of settlements reinforces the international perception – right or wrong – that “the window is closing on the two-state solution.”

Palestinian negotiators clearly recognize the threat of a bi-national state to Jewish national aspirations and have at times sounded this threat with their Israeli counterparts. “We will leave it for our future generations to demand our rights,” said Ahmed Qurei to Tzipi Livni, when he did not like her border proposal during talks in April 2008; “the solution is a bi-national state from the sea to the river.”⁷

This strategy was spelled out explicitly in August 2008 in an unofficial document by the Palestine Strategy Group, a group of leading Palestinian intellectuals and advisors.⁸ They proposed that the threat of demanding equal rights for West Bank Palestinians in the State of Israel, backed by international support, was an existential threat to which Israel had no response – a trump card that would force Israel to end the occupation on Palestinian terms.

If a key motivation for any future Israeli unilateral disengagement is to head off international isolation of Israel, then its effectiveness depends on the extent to which it improves and stabilizes Israel’s diplomatic position.

The proposal for an Israeli unilateral option to delineate borders and create a separation between Israel and a Palestinian state answers this threat. Israeli steps to withdraw independently from most of the West Bank would reverse the current trend that makes a separation increasingly hard to implement. It would focus international energy and attention on the bottom-up effort to build a separate Palestinian state, and reduce international motivation to support Palestinian efforts to isolate Israel. Having a viable alternative to a negotiated agreement that addresses Israel's core concerns regarding international legitimacy and security thereby strengthens Israel's hand at the negotiating table. The strong aversion of Palestinian President Mahmoud Abbas to an interim arrangement reflects Palestinian concerns that a temporary solution would alleviate pressure on Israel without satisfying Palestinian core demands.

It might be objected that if the Palestinians have the prospect of getting "something for nothing" there will be no motivation for them to make any further concessions. However, the diplomatic logic of the Plan B approach frames the current conflict as first and foremost a battle for Israel's international legitimacy as a Jewish and democratic state. Seen in that light, the possibility that Israel might initiate a unilateral separation process that largely removes international concerns about its legitimacy will effectively disarm the Palestinians of what is – in the long run – their most dangerous weapon against Israel, namely their capacity to undermine Israel's legitimacy.

Who Cares what Europe Thinks?

However, if a key motivation for any future Israeli unilateral disengagement is to head off international isolation of Israel, then its effectiveness depends on the extent to which it improves and stabilizes Israel's diplomatic position.

In any Israeli move on the Palestinian front, the diplomatic support of the United States is of primary significance. At the same time, the position of major EU states ought to be given considerable weight. European states matter not only due to their strategic and economic relationships with Israel, the Palestinians, and other states in the region, but also because of their weight in international public opinion and their influence in international organizations, not least, the UN.

If the United States can typically be expected to support Israel, and much of the Arab and wider developing world to support the Palestinians, European states can be seen as the “swing states” of international opinion. This was demonstrated in the diplomatic struggle over the Palestinian demand to be recognized as a state at the UN General Assembly. In the run up to the November 2012 vote, both Israel and the Palestinians focused on winning the support of European states. Israel hoped that even if they lost the vote, the support of liberal and democratic European states would reduce its isolation – and that of the US – thereby reducing the impact of a Palestinian victory and conveying diplomatic legitimacy for Israel’s position.

While preferring to reach a common position, the major EU states ultimately decide their policy independently, and indeed, were divided over the Palestinian bids at the UN. However, EU states have shown themselves willing in recent years to unite against the US on this issue. Britain, France, and Germany rallied behind a UN Security Council resolution in February 2011 that condemned settlements as illegal. This forced the US into an isolated and uncomfortable veto in Israel’s defense. Keen to avert a threatened Palestinian unilateral declaration of independence, the European powers then pressured the US to declare that the 1967 borders should be the basis for a territorial agreement, which President Obama did in May 2011, to the dismay of Prime Minister Netanyahu.⁹

Precisely because the EU and many of its members are seen as diplomatic friends of the Palestinians, their reaction to a future Israeli unilateral move bears weight. If they create a bloc of support alongside the United States in favor of an Israel separation initiative, this inhibits the ability of the Palestinians to rally international opposition. Conversely, if major EU states back the Palestinians, the diplomatic case for unilateralism is weaker, and the post-implementation diplomatic situation uncertain.

While it might seem self-evident that world powers will support Israel in unconditionally evacuating any part of the West Bank, the Gaza experience shows this is not necessarily so.

Not only is European support critical for creating a Western diplomatic bloc in favor of an Israeli move, but Israel’s bilateral relations with the EU as a whole stand to improve if Israeli unilateral measures are seen by the EU as promoting the two-state

solution. EU-Israel bilateral relations took a considerable step forward ahead of the disengagement from the Gaza Strip in 2005. Further steps to enhance the relationship were negotiated against the backdrop of the Annapolis process in 2008. However, implementation has been held back since Operation Cast Lead and the election of Prime Minister Netanyahu in 2009.¹⁰

In fact, Israel faces increasing costs in Europe for its continued presence in the West Bank, and in particular continued settlement construction without any negotiated border between Israel and a future Palestinian state. This issue very nearly cost Israel its participation in the EU's €70 billion "Horizon 2020" research program, almost denying Israeli researchers access to a huge source of funding and collaboration. A further diplomatic scuffle is in the offing, with the EU expected at some point to issue guidance for members to label imported goods produced in Israeli settlements.

In the realm of civil society, some European capitals are key engines of the movement to promote boycotts, divestment, and sanctions of Israel.¹¹ Those promoting these initiatives are few, but their ability to advance their narrative in the political mainstream is growing due to inertia in the peace process and a perception of Israeli bad faith fueled by settlement construction. An Israeli move to unilaterally end the occupation of the West Bank, at least for the most part, would draw much of the sting of this movement.

Aside from the benefits to Israel's international standing of having European support for any independent initiative, having broad based international support will in turn help make the case with the Israeli public for advancing the initiative.

Lessons from the Gaza Experience

If European support is important to the diplomatic success of any future disengagement, what conditions are most likely to garner such support, and how can Israel build such conditions? One available tool in planning a diplomatic and communications strategy is to review the experience of the unilateral withdrawal from the Gaza Strip and four small settlements in the northern West Bank in 2005.

It is important to recognize the limits of the analogy, due both to the differences between the 2005 disengagement and what is advocated with regard to a current withdrawal from the West Bank, and due to the

transformed regional and international political context. Nonetheless, the international debate around any such Israeli move is likely to bear similarities.

The EU struggled to overcome internal differences with regard to Ariel Sharon's disengagement plan. Nonetheless, in looking broadly at the European response, three broad stages can be identified: initial skepticism; positive response and constructive engagement with implementation; and disillusionment and frustration with the aftermath.

Initial Skepticism

Sharon launched the disengagement plan in his address at the Herzliya Conference in December 2003, and outlined further details in the following few months. By its very design the disengagement was not coordinated with the Palestinians, who campaigned against it and argued that it was a ploy to freeze the Roadmap and strengthen Israel's hold on the West Bank.

Given that Israel was in effect proposing to unconditionally end the occupation of the Gaza Strip, one might have thought this would be an easy sell internationally, but this was not the case. In his memoirs, then-British Prime Minister Tony Blair recalled of Sharon that "he made it as hard as possible to support his disengagement policy in Gaza. He did it in as alienating a way as could be imagined for international opinion."¹² In March 2004, the EU Council issued a tepid position statement, declaring: "Such a withdrawal could represent a significant step towards the implementation of the Roadmap, provided that ... it took place in the context of the Roadmap; it was a step towards a two-State solution; it did not involve a transfer of settlement activity to the West Bank; there was an organized and negotiated handover of responsibility to the Palestinian Authority; and Israel facilitated the rehabilitation and reconstruction of Gaza."¹³

Facing intense opposition to the plan within the Likud, Sharon sought a concrete diplomatic dividend to help justify his policy. Following discussions with the US, Sharon included four small West Bank settlements in the plan. In return, President Bush issued his letter of April 14, 2004, endorsing Israeli positions on refugees (i.e., that they should be settled in a Palestinian state) and on borders (i.e., that Israel would retain major settlement blocs).¹⁴

This arrangement, carefully coordinated with the US, earned a very negative reaction in the Arab world and in Europe. In the days following the Bush letter, French President Jacques Chirac said, "I have reservations about the unilateral, bilateral questioning of international law," adding that such moves would set an "unfortunate and dangerous precedent." German Chancellor Gerhard Schroeder said, "Palestinians have a right to expect that decisions are not made over their heads."¹⁵ Brian Cowen, Foreign Minister of Ireland, which at the time held the rotating EU presidency, said at the opening of an EU summit immediately after the announcement, "Everyone knows that any attempt to solve the conflict unilaterally will not bring lasting peace. Any viable, long-term settlement needs to be both agreed and inclusive."¹⁶

The clearest exception was British Prime Minister Tony Blair, who endorsed the plan publicly at the time of the Bush letter. His basic view was that ending part of the occupation was better than nothing, would create the potential for Palestinian development, and therefore should be supported. This approach also fit with his geopolitical agenda of reducing gaps and tensions between the US and Europe. His position, however, met with vocal opposition from a broad swathe of opinion among retired diplomats in the UK, 52 of whom signed an open letter describing the Sharon plan as "one-sided and illegal."¹⁷

European skepticism was reinforced by the negative view of Sharon personally,¹⁸ who was seen in the light of his political record, including his past championing of the settlement project, the First Lebanon War, his purported role in sparking the second intifada, and his forceful response to it as Prime Minister. The endorsement of Bush, also unpopular in Europe, did not help.

The situation was likewise aggravated by the extremely ambiguous way in which Sharon and his aides justified the disengagement. Particularly damaging was Dov Weissglas's much quoted remark that the plan "supplies the amount of formaldehyde that is necessary so there will not be a political process with the Palestinians."¹⁹ Though Weissglas claimed subsequently that he was misconstrued, this remark fueled the worst fears of international skeptics, and was a gift for those who wanted to paint the Israeli move as intended to kill the peace process, rather than break the deadlock.

Diplomatic Dividends of Implementation

In the period immediately prior to and following implementation, European doubts gave way to praise for Sharon's personal courage, and the implementation of the disengagement reaped a diplomatic and public relations dividend. The epic political struggles Sharon underwent to pass the disengagement legislation through the cabinet and Knesset likely increased international appreciation for his efforts. It was against this backdrop that the EU-Israel Action Plan was signed in April 2005, setting out the basis for a considerable upgrade in cooperation on security, economic, political, and cultural fields.²⁰ With Britain holding the rotating presidency of the G8, Blair rallied the leading world powers in July 2005 to commit funds to support the Palestinian Authority in taking on the governance of the Gaza Strip. The EU as a whole and its member states increased their donor aid.²¹

The scenes of August 2005, which received extensive media coverage, also had a public relations impact. The sight of Israel evacuating settlements overturned the image of Israel as a relentless colonial occupier. Footage of unarmed soldiers confronting passive resistance, balancing the need to carry out the mission with their compassion for the settlers, cut across the perception – augmented during the second intifada – of the IDF as aggressive and trigger happy.

However, the touted benefits to the Palestinians, i.e., being able to control their own territory without Israeli interference, did not materialize immediately. The unilateral character of the move meant there was no significant coordination on border regimes for people or goods. It took the signing of the Agreement on Movement and Access (AMA) between Israel and the PA in November 2005 to resolve this, including through the direct involvement of the EU as a third party observer at the Gaza-Egypt border crossing at Rafah. The European assistance made it possible for the Palestinians to control their own border with no Israeli presence for the first time, and gave the EU an active role in the security domain.

Disillusion with Disengagement

The moment of optimism surrounding the AMA did not last. The election of Hamas and the subsequent coup against Palestinian Authority President Mahmoud Abbas changed the complexion of the disengagement in Israel, appearing to fulfill the darkest prophecies of the plans opponents.

Israel's reaction to Hamas's rise to power wiped out the diplomatic dividends reaped from disengagement. Two aspects of Israeli policy proved particularly problematic internationally: restrictions on movement and access, and Israel's use of force against armed groups inside the Gaza Strip. The formation of a Hamas government in 2006 turned the AMA into a dead letter. Israel's response to the Hamas coup in 2007 was to declare the Gaza Strip an enemy entity, adopting a policy intended to make it as hard as possible for Hamas to run the Gaza Strip. It determined what could enter and leave Gaza from Israel based on its calculations of humanitarian needs.

While there may have been logic to treating the Gaza Strip like an enemy state, the policy failed to weaken Hamas, and created a major diplomatic and public relations liability. Israeli authorities were put in the invidious position of creating lists of goods that were permitted, and making assessments of how many truckloads of food and other goods were required. This access policy ultimately proved indefensible internationally, and Israel relaxed it under international pressure following the *Mavi Marmara* incident.

International concerns about the situation in Gaza were perhaps kept in check during 2008, with the EU effectively lining up behind the Israeli and US policy of bolstering Mahmoud Abbas and isolating Hamas, and supportive of Olmert's attempts to negotiate a final status agreement. Indeed, an agreement on a further upgrade in EU-Israel relations was reached in 2008.²²

This changed in 2009 following Operation Cast Lead, the election of a right wing government under Benjamin Netanyahu, and the ensuing evaporation of peace negotiations. Operation Cast Lead in particular had a very damaging effect on Israel's public image. The high level of Palestinian casualties and the subsequent UN Goldstone Report, which accused Israel of deliberately targeting civilians (a charge later withdrawn by Goldstone), put the IDF under heavy scrutiny. In this case as well Israel was forced to announce revisions to its policies due to international pressure, for example over the use of white phosphorous.

Just a few years since the implementation of the disengagement plan, Gaza was far from the model for Palestinian self-government. The heavy restrictions on the movement of people and goods applied by both Israel and Egypt led to the territory being likened to a prison camp, an analogy

used most famously by British Prime Minister David Cameron during a 2010 visit to Turkey.

Conclusions and Policy Implications

If current negotiations end without agreement, the diplomatic focus of the conflict will return to international forums and world opinion, with Israelis and Palestinians negotiating their position not with each other, but with the rest of the world. An Israeli option for unilateral disengagement gives Israel the ability to put itself back in the driver's seat, head off the threat of the bi-national state, and improve its international standing. The very fact of having a viable Plan B as an alternative to an agreement potentially strengthens Israel in the negotiations.

Managing domestic political opposition, security concerns, and social policy challenges will be priorities for any Israeli leaders considering such a move. But they should also give ample consideration to management of the diplomatic front, not only with the United States but with Europe. The diplomatic benefits of disengagement are bound up with the international reaction to any independent Israeli initiative.

While it might seem self-evident that world powers will support Israel in unconditionally evacuating any part of the West Bank, the Gaza experience shows this is not necessarily so. Even in the case of Gaza, where Israel withdrew to an internationally recognized boundary, there was considerable international wariness at first. This was encouraged by a campaign by Palestinians and their supporters to discredit the Israeli move. This may well be augmented in the case of the West Bank, where Israel will not withdraw to a recognized boundary.

In the face of opposition from Palestinians and their supporters, Israel will first of all have to make a convincing case that it has tried in good faith to reach a negotiated agreement and offered fair concessions, and remains open to negotiations on final status issues, even while committed to advance the two-state reality through independent action. In addition, it will have to communicate persistently, and demonstrate through implementation, that Israeli independent moves are consistent with advancing a viable Palestinian state, and heighten rather than narrow prospects for a future agreement.

Chances of a positive international reception will likely be further enhanced by Israel offering to cooperate with the Palestinian Authority as much as possible on implementation. Israel might, for example,

propose joint teams to coordinate handing over control of territory and future arrangements for movement and access during the planning stage, rather than as an afterthought. If Israel feels unable to immediately relinquish control of West Bank-Jordan border crossings, it should make clear its intent to do so when practicable, and define clear and realistic conditions for this to occur. While the Palestinians may refuse to cooperate in any way with a unilateral move they do not accept, Israel's position will be enhanced by making clear its preference for coordination and its intention to promote Palestinian independence and sovereignty to the greatest possible extent.

Israel should also make clear that it is prepared to recognize the sovereignty (with some limitations) of the Palestinian Authority in the evacuated territory, and to offer assistance in the development of the Palestinian state in the West Bank, and the absorption and naturalization of stateless Palestinians within a future State of Palestine. This could involve supporting the large scale development of infrastructure, housing, industry, and transportation, including links between the West Bank and Gaza Strip to be activated when Palestinian political circumstances allow.

Unlike in the case of Gaza, Israel will not withdraw to the pre-1967 lines, and will retain major settlement blocs. This will create considerable added difficulty in making the case for the move internationally, and Israel will face the argument that it is relinquishing small settlements only to strengthen its hold on larger settlements and East Jerusalem. Israel must be able to make a case that the self-declared border is a reasonable basis for a future agreed border including territorial swaps. New planning and construction in the most sensitive and disputed areas, such as E1, should remain on hold. Similarly, while Israel would likely seek to maintain a security presence on the Jordanian border and other strategic locations, it should attempt to make any residual security presence as unobtrusive as possible, and avoid deployments that will inhibit Palestinian development.

At the same time, maintaining security, in particular preventing the rise of Hamas, is itself critical for diplomatic success. Had Hamas not taken power in the Gaza Strip, Israel would not have imposed the same restrictions on movement and access, and the situation would look very different today. That said, should it be necessary to take military action to establish deterrence, actions should be as localized as possible, drawing

the appropriate conclusions from the contrasting international reactions to Operation Cast Lead and Operation Pillar of Defense.

In sum, an independent initiative to disengage from parts of the West Bank does offer the potential to head off the threatened “South Africanization” of international discourse around the conflict, the international despair over the two-state solution, and the emergence of a bi-national state. However, in order to secure these diplomatic benefits, Israel would have to be able to demonstrate that for the most part the occupation of the West Bank is over. This would mean making clear that what Israel leaves behind after any future West Bank disengagement would be a functioning Palestinian entity, with control over most of the territory, and eventually, control over border crossings for goods and people.

Notes

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- 2 Shlomo Cesana, Yoav Limor, and Associated Press, “Barak Floats Unilateral Withdrawal from Judea and Samaria,” *Israel Hayom*, September 24, 2012; See also “Reassessment of Israeli-Palestinian Political Process: Build a Palestinian State in the West Bank,” Reut Institute, May 5, 2009; Asher Susser interviewed by Toby Greene, “BICOM Expert View: Israel Should Withdraw Unilaterally,” BICOM, July 17, 2012; Ehud Yaari, “Armistice Now,” *Foreign Affairs*, March/April 2010; “The Mofaz Plan,” Israel Policy Forum, November 16, 2009; Shlomo Avineri, “No Realistic Chance of Permanent Middle East Peace,” *Haaretz*, October 5, 2011.
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- 7 “Minutes of Meeting of 8 April 2008 on Borders including Ahmed Qurei, Saeb Erekat and Tzipi Livni,” in Clayton Swisher, *The Palestine Papers* (London: Hesperus Press, 2011).
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- 11 "Building a Political Firewall against the Assault on Israel's Legitimacy: London as a Case Study, Version A," Reut Institute, November 2010.
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- 13 EU Presidency, "Presidency Conclusions of the Brussels European Council (25 and 26 March 2004)," Council of the European Union, May 19, 2004.
- 14 Elliott Abrams, *Tested by Zion* (Cambridge: Cambridge University Press, 2013), p. 102.
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- 16 "Irish EU Presidency Says Unilateral Attempt will not Bring Last Peace in Middle East," *Xinhuanet*, April 16, 2004.
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- 20 Pardo and Peters, *Uneasy Neighbors*, p. 61.
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Were, Are, and Will Sanctions be Effective against Israel?

Oded Eran and Lauren G. Calin

When the EU Commission published its “Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since 1967 for grants, prizes and financial instruments funding by the EU from 2014 onwards” (July 2013), it was seen as the latest in a history of sanctions against Israel dating back to the 1945 Arab League Boycott. Were these sanctions ever effective, and what factors contributed to their success or failure?

Military and economic sanctions have been leveled against Israel in many cases, among them: the US threat to withhold aid during the Suez Crisis, 1956; the French arms embargoes, 1967-69; the British arms embargo, 1973; the US reassessment, 1975; the US ban on the sale of cluster bombs, 1982; and the US postponement of loan guarantees, 1991-92. In each of these cases, the sanctions were applied by governments. These are clearly different from the new trend of boycotts by economic or academic entities, which require different tools for them to be resisted with any degree of success. Historically, sanctions have been most effective in achieving their goal when targeted at a specific situation or problem. Sanctions aimed at altering Israel’s policies toward the territories occupied since 1967 have hitherto failed to effect significant changes.

The US Role in the Suez Crisis

Sanctions were decisive in resolving the 1956 Suez crisis. US President Dwight D. Eisenhower responded rapidly to the October 29, 1956 Israeli

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assault on Egypt, ordering Secretary of State Dulles to cable Israeli Prime Minister David Ben-Gurion: “Foster, you tell them goddamn it, we are going to apply sanctions, we are going to the United Nations, we are going to do everything that there is to stop this thing.”¹ As for the British, Eisenhower said, “We should let the British know our position...that nothing justifies double-crossing us. If the British back the Israelis they may find us in opposition.”²

The next morning, the US sponsored a UN Security Council resolution calling for Israel’s immediate withdrawal from Egyptian territory. As a precaution, the US added a paragraph prohibiting military intervention by UN member states. Britain and France vetoed the resolution and landed troops in the Canal Zone on October 31. The US turned to the General Assembly, which passed resolutions calling for an immediate ceasefire and withdrawal behind 1949 armistice lines.³

Financial sanctions were decisive in forcing Britain and France to withdraw. Indeed, the Suez crisis nearly bankrupted Britain. The Bank of England lost \$45 million between October 30 and November 2, 1956, as speculative pressures forced the government to deplete its dollar reserves to maintain the fixed exchange rate.⁴ The Arab states imposed an oil embargo on Britain and France. US Treasury Secretary George M. Humphrey prepared to sell the country’s Sterling Bond holdings,

purchased as part of the Marshall Plan. The British government surprised its allies on November 6, 1956 by declaring a ceasefire, leading France to withdraw as well.

Eisenhower attempted the same with Israel. On November 1, 1956 he told the National Security Council, “It would be a complete mistake for this country to continue with any kind of aid to Israel, which was an aggressor.”⁵ This included \$50 million in government aid to Israel and \$100 million annually in private donations from US citizens. The US also took intermediate measures, such as postponing a mission to Israel by the Export-Import Bank.

On November 8, Prime Minister Ben-Gurion sent the following message to President Eisenhower: “Your statement that a United Nations force is being dispatched to Egypt in accordance with pertinent

Many observers of the US-Israel relationship believe that the US pressure and the sense among Israeli voters that the relations were in a state of crisis caused Shamir’s loss to Rabin in the general elections of June 23, 1992.

Resolutions of the General Assembly is welcomed by us. We have never planned to annex the Sinai Desert. In view of the United Nations Resolutions regarding the withdrawal of foreign troops from Egypt and the creation of an international force, we will, upon conclusion of satisfactory arrangements with the United Nations in connection with this international force entering the Suez Canal area, willingly withdraw our forces.”⁶

In this case, the US fully achieved its goal of forcing the three partners to withdraw from Egypt. Israel withdrew later and more gradually than Britain and France, but it is still remarkable that Ben-Gurion’s message to Eisenhower came only one day after he had told the Knesset that Israel did not recognize the armistice lines, nor would it permit foreign forces of any sort in territory it occupied. At the same time, Israel might not have changed course so quickly had it not achieved its invasion goals. The Suez Canal reopened to Israeli maritime traffic, and Israeli troops were replaced in March 1957 by the United Nations Emergency Force (UNEF), bringing a decade of quiet to the border with Egypt and Gaza. Israel could thus claim that it had prevailed in the Suez campaign.

In 1956-57, Israel lacked the political tools or the economic prowess to stand up to US pressure. Even two decades later, in the mid-1970s, when Israel’s influence in Washington was more significant, Israeli leaders were cautious in choosing when to confront the US administration.

The French and British Embargoes

The arms embargoes by France and Britain of 1967-73 resulted from a combination of a punitive policy, a desire to improve relations with the Arab oil-producing countries, and a growing suspicion that Israel was not in a hurry to end the occupation of Arab territories held since 1967.

In addition to participation in the Suez affair, France’s record includes the sale of airplanes and tanks to Israel beginning in 1953, and provision of the technology for the Dimona nuclear reactor. The election of Charles de Gaulle as France’s president in 1958 signaled a shift in French policy. As the clouds gathered before the Six Day War, de Gaulle warned Israel, “The state that is first to resort to arms would not have [France’s] approval, still less her support.”⁷ A day later, on June 3, 1967, he declared an embargo on the sale and delivery of arms and spare parts to all frontline states. This had an impact on only one party to the developing conflict – Israel.

Israel nonetheless attacked on June 5, 1967 and broke the Egyptian siege. Its victory and control over new territories gave de Gaulle an opportunity to abandon France's "very special and close ties with Israel."⁸ In his press conference on November 27, 1967, the President described a "warrior State of Israel, determined to increase its land area and boundaries." He explained this development as a natural outcome of the need for increased territory due to "actions it had taken to double its population by encouraging the immigration of new elements," i.e., refugees from the Arab world and Europe. On January 3, 1969, de Gaulle imposed a full arms embargo in response to an Israeli raid on the Beirut Airport in retaliation for a fatal attack on an Israeli airliner by members of the Popular Front for the Liberation of Palestine.

The embargo of 1967 failed, as Israel felt it had to break the Egyptian siege. Although the US did not uphold its 1957 promise to keep the Red Sea straits open for navigation, it gave Israel the green light to act militarily against Egypt. Furthermore, Israel's impressive military victory over the Soviet arsenal used by Egypt and Syria helped Israel to replace France with the US as its sole arms supplier. France's exclusive role ended on December 27, 1968, when Israel signed a \$200 million deal to buy US Phantom jets, and the 1969 French embargo had little real impact.

The British government issued a similar embargo at the start of the Yom Kippur War. Although Egypt and Syria were the clear aggressors, the government of Prime Minister Edward Heath issued an arms embargo on all frontline parties. Though rhetorically evenhanded, Israel was the only party to make significant use of British equipment. Secretary of Foreign Affairs Sir Alec Douglas-Home defended the policy in the House of Commons, saying, "We can't [call for a ceasefire] with one hand and supply arms with the other."⁹

Members of Parliament were surprised to discover that Britain was continuing to train Egyptian military helicopter pilots.¹⁰ The Foreign Office, when asked if the embargo applied to Jordan, responded, "We have not named the countries in the original announcement in order to give ourselves room for maneuver."¹¹ A shipment of tanks to Abu Dhabi and Kuwait was not affected.¹² The Heath government also hurt US efforts to assist Israel by denying permission to use British bases to gather intelligence¹³ or to supply Israel during the war.¹⁴ With the exception of Portugal, other European nations also refused to provide airspace for US resupply aircraft. This complicated the implementation of Operation

Nickel Grass, in which the US airlifted materiel to the Israeli side, by forcing a detour of nearly 2,000 miles.¹⁵

The French and British embargoes failed to have any lasting impact on Israel's attitudes and policies, and in fact eliminated the last vestige of their influence in the Middle East and indirectly contributed to Israel's reliance on the US. However, the embargoes certainly left a scar on the Israeli collective consciousness and the readiness to trust these two members of the Security Council.

US Pressure on Israel

The US threatened to halt arms supplies to Israel in order to pressure Jerusalem during the post-1973 war negotiations with Egypt. In March 1975, Henry Kissinger launched a round of shuttle diplomacy to conclude a second interim agreement. Kissinger asked Israel to accede to Egyptian demands to withdraw from the Gidi and Mitla passes in the Sinai and the Um Hashiba early warning station. Prime Minister Yitzhak Rabin wanted to compromise, but his cabinet members demanded an Egyptian declaration of non-belligerency. Egyptian President Anwar Sadat offered only a "non-use of force" agreement. Negotiations broke down, and Kissinger returned to Washington on March 23, 1975.

President Gerald Ford was "mad as hell,"¹⁶ though he publicly avoided blaming Israel. He sent Rabin a letter informing, "I have given instructions for a reassessment of United States policy in the region, including our relations with Israel, with the aim of ensuring that our overall American interests are protected."¹⁷ The letter was quickly leaked to the press, forcing the White House Press Secretary to stress, "It is a total reassessment of all aspects of the Middle East," not just US ties with Israel.¹⁸ Nonetheless, Ford froze handling Israel's request for F-15 fighter jets and delayed the delivery of Lance surface-to-surface missiles. Secretary of Defense James Schlesinger said at the March 28 National Security Council meeting, "We cannot let [Israel] conclude that they can upset the U.S. applecart but the administration can do nothing about it."¹⁹ No new arms agreements were concluded between March and September 1975, in what Rabin termed "one of the worst periods in American-Israeli relations."²⁰

Throughout the "reassessment process," the Ford administration maintained an outward appearance of neutrality. On August 5, 1975, US diplomat Robert Anderson denied that Ford was delaying arms deliveries

to Israel, saying, “We do not consider that pressure is the answer.” However, he clarified that, “Requests for some items representing new or advanced technology remain pending until completion of the reassessment.”²¹ In June 1975, Ford sent Rabin a letter threatening to publicly blame Israel for the stalemate.²² In the assessment of Kissinger, “The letter gave Rabin the ammunition he needed to convince his colleagues that Ford meant what he had been saying to Rabin and [Yigal] Allon for the past nine months.”²³

US threats were effective because they provided Rabin with the necessary political cover to negotiate with Egypt. Defense Minister Shimon Peres introduced a compromise withdrawal proposal, which became the basis for the Sinai II agreement, laying the foundation for the 1979 peace treaty between Israel and Egypt. Israel, however, also benefited from the dynamic. The US rewarded Israel with a memorandum of agreement, described by Abba Eban as “a security alliance in everything but name.”²⁴ The US obligated itself to ensure that Israel would never lack arms or oil, guarantee Egyptian compliance with signed agreements, provide advanced military equipment including F-16s, and refuse to recognize the Palestinian Liberation Organization until it recognized Israel’s right to exist and accepted UN Security Council Resolutions 242 and 338. The US also promised not to push Israel into negotiations on the Golan Heights.²⁵

The goal of “reassessment” was to change Israel’s attitude toward reaching an agreement with a neighboring state, Egypt. This coercion was successful, though the pressure may have been “invited.”

The Reagan administration exercised similar discretion on the three occasions it suspended arms deliveries to Israel as a punitive measure. The US suspended the delivery of F-16 Flying Falcon fighter jets twice in 1981 – in response to Israel’s annexation of the Golan Heights and to the attack on Iraq’s Osirak nuclear reactor. It suspended the delivery of cluster munitions in 1982 after Israel used American-made cluster bombs in Lebanon in contravention of arms agreements with the US.

In the case of the F-16s, the suspension was temporary. As Reagan wrote regarding Osirak, “Technically, Israel had violated an agreement with us not to use U.S.-made weapons for offensive purposes...I sympathized with [Prime Minister Menachem] Begin’s motivations and privately believed we should give him the benefit of the doubt.”²⁶ The use of cluster munitions in Lebanon led Reagan to request a review to determine

“whether we believe there was a question of this thing being an offensive attack or whether it was self-defense.”²⁷ The review was conducted in secrecy. On July 19, 1982, White House Deputy Press Secretary Larry Speakes announced only, “Until that review is completed, there will be no shipments of artillery projectiles or other cluster bomb unit-related materials.”²⁸ Reagan made the suspension indefinite on July 26 after sending a classified letter to Congress. The State Department spokesman emphasized that this was a political decision, not a legal determination as to Israel’s culpability.²⁹ A secret memo dated July 31, 1982 to Secretary of State George P. Schultz confirms the letter “did not draw any specific conclusions as to whether Israel’s use of CBU’s violated the terms of the 1978 agreement [on the use of cluster bomb units].”³⁰

Sanctions against Israel during the Reagan administration were punitive and perfunctory. They were not intended to produce a real change in Israeli policy, but served as a tool to criticize it. When Reagan suspended shipments of cluster munitions to Israel, no other items were affected. He confirmed neither publicly nor in Congress that Israel had violated arms agreements, which could have led to demands for a serious response.

The US Loan Guarantees

In 1991, Israel requested US guarantees for \$10 billion to finance the absorption of immigrants from the Soviet Union and Ethiopia. The country anticipated that it would spend \$45-50 billion over five years to provide housing, infrastructure, and employment assistance.³¹ Israel submitted its request in early September 1991. President Bush asked Congress to postpone discussing the request for 120 days, lest it disrupt the Madrid Conference to resolve the Arab-Israeli conflict, which began in late October 1991. Both houses agreed to delay the issue until 1992. However, the President’s tone changed on September 11, 1991 when he told reporters, “I’m committed to seeing that they get considered...But I’m not committed to any numbers and never have been.”³² During his September 16, 1991 visit to Israel, Secretary of State James Baker told Israeli Prime Minister Yitzhak Shamir, “If you want US guarantees, you will have to accept our position on settlements.”³³

In January 1992, Baker told the House of Representatives, “This administration is ready to support loan guarantees for absorption assistance to Israel of up to \$2 billion a year for five years, provided though

there is a halt or end to settlements activity,” including construction of housing units, land clearing, and building of infrastructure.³⁴ Alternatively, Israel could complete projects underway, but the loan guarantees would be reduced by the amount spent on settlements.³⁵ In light of the President’s inflexibility, the Congressional leadership decided to postpone debate on the issue indefinitely, though the Senate issued a non-binding resolution on April 1, 1992 expressing the “sense of the Senate that the United States Government should support appropriate loan guarantees to Israel for refugee absorption.”³⁶

The deadlock was broken not by political compromise but by the June 1992 Israeli elections. Newly elected Prime Minister Yitzhak Rabin announced his intention to curtail settlement activity.³⁷ On July 19, 1992 the government declared it would stop approving contracts for housing units,³⁸ reiterating an earlier announcement by the Housing Minister.³⁹ Baker arrived in Israel the following day and implied that the US government would be amenable to providing loan guarantees, leading Rabin to cancel housing projects not yet begun, plus some infrastructure projects.⁴⁰

On August 11, 1992, following a meeting with Rabin, Bush said, “I am extremely pleased to announce that we were able to reach agreement on the basic principles to govern the granting of up to billion in loan guarantees. I’ve long been committed to supporting Israel in the historic task of absorbing immigrants, and I’m delighted that the Prime Minister and I have agreed to an approach which will assist these new Israelis without frustrating the search for peace.”⁴¹

The blocking of the loan guarantees was intended to fundamentally alter Israel’s settlement policy. This attempt clearly failed as Israel, even under Prime Minister Rabin, continued housing projects in the territories, though with greater scrutiny, building within the existing parameters of settlement. Nonetheless, many observers of the US-Israel relationship believe that the US pressure and the sense among Israeli voters that the relations were in a state of crisis caused Shamir’s loss to Rabin in the general elections of June 23, 1992.

Europe Re-emerges

The European Union has adopted a more aggressive attitude against Israel’s settlement policy. The EU’s first measure was to re-apply import duties on Israeli-made products from the West Bank, including East

Jerusalem, as well as Gaza and the Golan Heights, claiming that the 1995 Association Agreement only applies within Israel's pre-1967 borders. Israel reluctantly agreed in February 2005 to include the production site on certificates of origin for the benefit of EU customs officials. This agreement has harmed exports from the territories,⁴² though the Israeli government compensates exporters affected by the higher duties.⁴³ The EU continues to import annually €230 million worth of goods from the settlements.⁴⁴

In 2013 the EU increased economic pressure on Israel, and on July 19, 2013 published "Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards." The guidelines effectively bar financial transactions between the European Union and any Israeli entity that is located or conducts operations in territories captured in June 1967.⁴⁵ The EU insists the guidelines are not sanctions, but a clarification of policy.

In late November 2013, Israel and the EU reached an agreement on Israel's participation in the EU's "Horizon 2020," the European R&D program for the years 2014-20. Each side included a statement, incorporated into the agreement, in which the EU affirms its position against the use of EU funds by Israeli entities beyond the 1967 lines, and Israel declares the unacceptability of the EU's policies on this issue. A serious loss to the research community was thus averted. The loss would not only have included some €75 million over the lifetime of "Horizon 2020," but the incalculable damage to working relations between Israeli and European research entities.

Conclusion

Reviewing the various threats of sanctions and the actual sanctions employed, it appears that only the US has succeeded in changing Israel's behavior. France and Britain failed with their arms embargoes in 1967-69 and 1972, respectively, mostly because they had already lost their exclusivity in supplying arms to Israel and because their decisions were not pressing for a specific goal, and were perceived by Israel as purely punitive.

Most of the US threats and measures to be taken against Israel resulted from specific incidents related to relatively minor issues. Only once since 1967 has the US clearly used pressure to change a major Israeli policy –

that regarding settlements. The blocking in 1991-92 of US loan guarantees may have caused deep concern in Israeli public opinion, but not enough to create a long term, profound change of policy. In all other – minor – cases, threats to halt assistance and short interruptions and suspensions of arms supplies achieved their goal. The 1975 “reassessment,” the 1982 case of the cluster munitions, or the intended sale of an AWACS system to China are cases in point.

While economic measures clearly produced a change in Israeli policy in 1956-57, forcing it to withdraw from Sinai, to date they have failed to influence Israel’s settlement policy. They have, however, rattled the Israeli government, as in the case of the EU. Thus, the Israeli government agreed to issue certificates of origin that allow European customs authorities to discriminate against goods produced in the settlements and agreed that no EU financial transactions will be conducted with Israeli entities beyond the 1967 lines.

New sanctions are most likely to come from Europe. At the same time, European governments may overestimate the real impact of their sanction policies. The added duties to imported goods from beyond the 1967 lines are negligible, and the Israeli economy can easily absorb the damage. The direct financial loss that would have been incurred had Israel and the EU failed to reach an agreement on “Horizon 2020” could have amounted to about €75 million over seven years: it is doubtful that this would be sufficient to change Israel’s policies concerning the future of the territories. On the other hand, Israel may be underestimating the direct and collateral economic damage. Whereas governments are constrained by agreements and wider economic interests, civil society, NGOs, and private sector entities may adopt measures with a profound, cumulative impact on the Israeli economy. It is too early to judge the quantitative impact of the non-governmental rush to boycott settlement or general Israeli goods and services, but one should not dismiss these efforts lightly.

Ever since 1967, the United States administration has come out with several initiatives concerning the relations between Israel and its neighbors. Best known are the Rogers Plan of 1969, the Reagan Plan of 1982, and the Clinton Parameters of 2000. The US urged Israel to accept these plans but has never applied sanctions in order to coerce it to do so. The US has also vetoed UN Security Council draft resolutions regarded

by Israel as one-sided. A change in the US pattern of voting could be seen by Israel as much more damaging than economic or military moves of limited duration and impact. Abstention on a resolution admitting the Palestinian state as a full member or a more detailed, interpretive resolution overtaking UNSCR 242 would certainly be seen by Israel as a profound change in its geostrategic balance.

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Dilemmas in the Use of Autonomous Weapons

Gabi Siboni and Yoni Eshpar

This past year saw a heated debate in the international arena on the ethical implications of the use of autonomous weapons. The debate illustrates that at issue is a category of weapons that as it develops is expected to confront not only complex technological difficulties, but also challenges of moral and legal legitimacy.¹ Therefore, it is very important for decision makers today to prepare for these challenges on all levels, and a broad public discussion that encompasses the relevant technological, strategic, legal, and philosophical issues is a key component of this preparation. The current article is intended to contribute to such a discussion.

In the background of any discussion of autonomous weapon systems is a rich foundation of cultural anxiety about the moment when science and technology make it possible to produce humanoid machines. From the Golem to Frankenstein in the early nineteenth century to movies like *Metropolis*, *Blade Runner*, *The Terminator*, and *The Matrix*, the story remains the tale of unanticipated dangers inherent in the impulse to replace human beings with machines. Science fiction writer Isaac Asimov has called the fear of these dangers “the Frankenstein complex.” He has also proposed a solution in the form of an ethical system with three laws, the first being that robots may not harm human beings. This is the rule that today, seventy years after its first mention in science fiction literature, is the focus of the debate on the possible future entry of real killer robots into the battlefield.

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This cultural background also perhaps explains why in the debate on the autonomy of weapon systems, there is an excessive focus on its most extreme implementation: fully autonomous offensive weapon systems, or “killer robots.” This tendency and the horror scenarios it invites force a rigid dichotomy on the discussion – “autonomy in weapons: yes or no” – at the expense of shared thinking on autonomy as a capability that can be integrated into weapons to differing degrees, for specific applications and usually very partially.

This article will attempt to present a wider range of possible positions. It first defines a framework for discussion of autonomous weapons capabilities, and then presents several of the main operational and ethical-legal issues involved. In conclusion, it proposes a number of steps that decision makers in Israel should take today so that it will be possible, in the medium and long terms, to integrate autonomous capabilities in a manner that will effectively serve Israel’s security needs without compromising its commitment to values and obedience to the law.

Autonomy in Weapons

The Red Cross defines autonomous weapons as having the ability to “search for, identify and attack targets, including human beings, using lethal force without any human operator intervening.”² Such a system has still not been developed, and it is difficult to say with certainty if it will be possible in the future. Thus far, any assessment of the capabilities and limitations of such systems is merely speculative. However, autonomous capabilities can be partial and exist at lower levels. One of the basic divisions is a ten-rung hierarchy between automation and autonomy,³ but for the purposes of the practical discussion of autonomous capabilities of unmanned systems, the autonomous hierarchy can be limited to three main levels.⁴ The first level comprises systems that are fully operated by human beings. In general, these are standard platforms in which the steering system and operation of the weapons have been adapted for remote operation, such as engineering equipment and remotely operated armored combat vehicles.⁵ The second level comprises semi-autonomous systems, some of whose tasks are operated autonomously with a “man in the loop” – a central term in the discussion – such as the ability to move from point to point on a predetermined axis while relying on a range of sensors. The scope of autonomous execution is expanded with the integration of human operation that relies on a situation snapshot

transmitted to the operator by means of sensors. This family of systems includes unmanned airborne vehicles, unmanned ground vehicles operated for defined tasks, and remotely operated marine vehicles. The third level comprises fully autonomous systems with fully autonomous ability to operate throughout the mission. In the military environment, there are no such weapons because of operational and technological limitations. The graduated manner in which autonomy is implemented leads to a situation in which the principle of "human in the loop" can be interpreted in a number of ways.⁶

An additional way to illustrate the hierarchy between automation and autonomy is to use the example of a mine⁷ that is located at the edge of the spectrum, on the side of automation. It explodes when pressure is placed on its operating mechanism, and it cannot tell what sets it off. More sophisticated mines use more sensitive sensors and have a greater ability to analyze the information they receive and are therefore better at distinguishing between targets. They explode only when the vehicle or naval vessel that they sense meets predefined criteria such as weight, magnetism, or conductivity. We can say that these mines are on a higher level of autonomy. Continuing on the scale could lead, for example, to a future system that using a variety of sensors would be capable of identifying military targets entering a defined area and intercepting them with little or no supervision by a human operator. Such a system would meet the operational need to channel enemy movement in a defensive battle and free soldiers for other tasks, but unlike mines, could be deployed and removed from the territory relatively quickly.⁸ At the same time, the more autonomous the imaginary system is, the more it raises sensitive ethical and legal questions that are explored below. Suffice it here, however, to illustrate two points: The first is that the transition from automation to autonomy is largely driven by the operational and ethical need for systems with greater powers of distinction. The second is that this transition can be expected to encounter more operational and ethical problems the more it gains higher levels of autonomy. These points reinforce the assessment that implementation

Israel has a clear interest in promoting local and international mechanisms that will give legitimacy to the use of autonomous capabilities in weapon systems within the framework of the ethical restrictions to which it is committed.

of autonomous capabilities in weapons will ultimately remain at a midpoint between automation and full autonomy.

Operational Aspects

Much has already been said about the military advantages of increased use of unmanned systems: they reduce the danger to soldiers and carry out tasks not limited by fatigue, hunger, heat, cold, pressure (physical or psychological), the need for oxygen, anger, anxiety, and the like. Technological developments bolster the autonomous capabilities of these systems in a manner that frees the operators from carrying out some of the tasks. For some time, the IDF has been using systems with such capabilities for performing routine security operations along the border with the Gaza Strip.⁹ The combination of autonomous capabilities and miniaturization technologies will allow the use of a variety of sizes and types of unmanned systems, including miniature tools that can move quickly in conditions in which remote operation by a human being is more difficult, such as dense urban areas and complex underground spaces.

The development of autonomous capabilities for weapons makes it possible to combine unmanned capabilities and platforms with conventional forces.¹⁰ This would result in a hybrid force that uses unmanned systems and systems with autonomous capabilities of different kinds on a variety of platforms. An example is a combination of engineering systems tailored for remote operation that integrate autonomous movement capabilities into the fighting force. These systems are regularly operated by a human being. However, during an especially dangerous mission, such as clearing a route in a minefield, operation of the tool would exploit its autonomous capabilities but would include a remote human operator. Armored vehicles adapted for remote operation could also be integrated into the force and used in advance guard duties, for example, operating in a way that combines autonomous capabilities with human operators. An example would be securing off an area, with movement and information collection carried out autonomously, while the human operator monitors the operation and opens fire if necessary.

One of the ways to analyze operational benefit is to examine it through the principles of war. Such an analysis shows that the operational benefit of autonomous capabilities on the battlefield is built on strong foundations, given the principles of war of the IDF and other armies.¹¹

Several principles that are relevant in the context under discussion are mentioned here.

Economy of force: The use of autonomous capabilities provides an additional layer for the fighting force and allows a significant expansion of its capabilities. It can improve its operational effectiveness and make execution of the mission more efficient, for example, while reducing the amount of collateral damage. In addition, it allows manpower to be utilized more effectively, with a limited number of operators using a large number of tools.

Initiative and offense: Systems with autonomous capabilities can provide a layer of operation in the context of patrols, intelligence gathering, logistical support, and deception operations while the fighting force organizes to carry out the next missions. The use of similar systems can produce offensive moves even when the force suffers from serious burnout and fatigue.

Subterfuge: The use of systems with autonomous capabilities for purposes of identifying the enemy's weak point and for missions that support subterfuge makes it possible to significantly expand the tools in the commander's possession. These tools will also help to enhance surprise by operating in areas – or from directions – that the adversary did not expect.

Concentration of effort: As in the principle of economy of force, here too the use of autonomous capabilities in the battlefield makes it possible to free up troops for the main operation.

Continuity of action: The use of unmanned tools that with the aid of autonomous systems can operate for long periods of time (for example, hovering in the air in the target area until conditions are ripe for an attack) will enhance the force's ability to produce ongoing and prolonged pressure on the enemy. In this context, see initiative and offense (above).

Depth and reserves: The contribution of autonomous capabilities to improved defensive systems and more effective use of manpower has direct implications for the depth and reserves of the military effort.

Security: The use of autonomous capabilities to protect the force, and in particular, for preliminary construction of an intelligence picture regarding the development of threats to the rearguard and the home front, makes possible better implementation of the principle of security.

Against this background, it is easy to understand the great interest among militaries in integrating autonomous capabilities into weaponry.

The technology provides the promise of dramatically reducing the risks to the fighting force while increasing its effectiveness and its advantage over the enemy in a wide range of scenarios. Yet along with these clear benefits, concerns arise about the implications of increasing dependence on technology at the expense of the human element. At the same time, however, those who today are most critical of the current trend speak less about the operational implications and more about the moral challenges that autonomous weapons could pose to humanity in the distant future, or more specifically, about key questions, including: Will this technology necessarily lead to the day when autonomous war machines make decisions about life and death without human intervention? Are we prepared for this to happen? The discussion below presents the main positions in this ethical and legal debate.

Ethics and Law

Discussion of the ethical and legal implications of autonomous weapon systems gained significant momentum following the publication of two documents in late 2012. The first was a position paper written by Human Rights Watch (HRW) in cooperation with the Harvard Law School Human Rights Clinic,¹² which called for an international treaty that would place a blanket ban on the development, sale, and use of autonomous weapons. Shortly thereafter, the US Department of Defense issued a directive for all offices under it, including those responsible for developing, testing, and approving weapons.¹³ According to the directive, the Defense Department's policy is "that autonomous and semi-autonomous weapon systems shall be designed to allow commanders and operators to exercise appropriate levels of human judgment over the use of force."

Publication of these two documents gave rise to a heated public debate in international legal and media circles. While broad differences of opinion emerged, there was also widespread agreement about clear cases that are at the extremes of possible scenarios. For example, the authors of the HRW position paper would presumably agree that a naval defense system installed on a ship on the high seas that intercepts missiles aimed at it, even without waiting for approval from a human being, is not problematic from a legal or ethical point of view. On the other hand, even enthusiastic supporters of incorporating autonomous capabilities in weapons would express skepticism about the morality of a scenario whereby robots alone undertake a mission that involves fighting

in a built-up area in which combatants hide among a civilian population. It is agreed, then, that the increase in autonomy in weapons could also lead to dangerous situations, and that therefore, technical, ethical, and legal restrictions are in order.

First Approach: The Emergency Brake

For the purpose of this overview, we grouped the most prominent positions in the debate into three main approaches. The first, called the “emergency brake,” is most clearly represented by the HRW report, which demanded that the speeding train of autonomy be stopped, immediately and definitively, through an international treaty that would ban the development, sale, and use of autonomous weapon systems. Christof Heyns, the UN special rapporteur on extrajudicial, summary, or arbitrary executions, examined the issue and reached a similar but somewhat more moderate conclusion. In his report, published in April 2013, he recommended a freeze on efforts to develop autonomous weapons all over the world until an agreed international framework on their future is formulated.¹⁴

From the philosophical point of view, the members of this camp echo Asimov’s laws, arguing that there is an inherent moral flaw in granting a machine legitimacy to decide whether a human should live or die. Politically speaking, it is argued that technology would provide leaders with the possibility of fighting wars without risking the lives of their soldiers, and this would be an incentive to choose military options over a policy of dialogue and avoidance of conflict. This criticism is similar to that directed at the expanding use of remote controlled unmanned weapons, but with the added concern that adding autonomous capabilities to these systems would prompt increased use.

From the technological perspective, the main argument is that autonomous weapon systems will never be able to select and strike targets on the basis of an ability to analyze a complex situation, identify human nuances, and use basic instincts of mercy, identification, and morality, as human beings are able to do. In addition, some experts have warned that there is a large, difficult-to-predict area between the intentions of the developers and operators of autonomous weapon systems and their ultimate behavior in practice.¹⁵ For these reasons, it is argued, these are offensive weapons that will never meet the standards of distinction and proportionality required by international law, and

therefore, by definition, they are not legal. Another legal argument is that with autonomous weapon systems, it is not clear who should be held responsible in the event of a glitch or a violation of the law. Consequently, a vacuum of responsibility or room for immunity could be created around autonomous offensive weapons.

The choice of the emergency brake is explained by saying that any other monitoring regime will not succeed in preventing illegal uses of this technology or its leakage to state and non-state actors that do not consider themselves bound by any restrictive norms of use. The main source of inspiration for this recommendation is the Ottawa Convention, signed in 1997, which bans the production, storage, transfer, and use of anti-personnel mines.¹⁶

The Second Approach: Wait and See

The second approach argues that at this stage the debate itself is pointless, since despite the rapid development of technology, fully autonomous offensive weapon systems are still far off. Any attempt to formulate ethical norms or binding legal tools on this issue today would be a speculative exercise in science fiction that could cause more harm than benefit. Therefore, the responsible and cautious position is to wait and see. In other words, first let the technology train arrive at the station called “fully autonomous weapon systems,” and then see how to restrict its implementation and use in combat situations in order to effectively protect moral and legal principles.¹⁷

To proponents of the wait and see approach, it is the emergency brake approach that suffers from an inherent moral flaw. The demand to ban increasing autonomy in weapon systems may well prevent the development of tools that could carry out combat missions with less harm to civilians than human combatants would cause. Machines, according to this argument, are not afraid to die, and they are not likely to have a destructive desire for revenge when a friend next to them is killed in battle. They can be programmed so that in cases of doubt, they will respond only when fire is opened on them. It is possible that in the future, they will even be able to identify targets better than human beings and respond more rapidly and accurately and cause less collateral damage. In addition, increasing autonomy through an army’s unmanned weapon systems will reduce the risk to its soldiers, which will serve the moral principle that aspires to minimize killing and human suffering in wars.

Another criticism of the opposing camp focuses on the idea of a treaty. It argues that there is no chance that countries will sign a sweeping treaty on such a wide range of weapons that do not yet exist. Past successful experiences prove that it is possible to formulate broad agreement on removing a type of weapon from use only when it is clearly defined and the results of its use are already known. Even if all the technology superpowers signed such an agreement, this would not stop the race to develop tools with autonomous capabilities for a wide range of civilian applications. Thus, the technology is likely to be available, and there will be those who will not hesitate to convert it for military uses as well. In such a case, a situation could develop in which terrorist organizations and rogue armies use autonomous tools in an unrestrained manner, while law-abiding armies are left without the ability to defend themselves using similar means.

The Third Approach: Controlled Containment

The third position in the debate is located between the two positions described above. It recognizes the destructive potential of autonomy in weapons, but also its positive military and moral potential. Its supporters agree that a sweeping and immediate ban on development of such a technology is excessive and has no chance. However, they also share the concern that if the ethical and legal discussion is postponed to an unknown time in the future when the technology "matures," it will already be too late to impose effective restrictions on it. Recently, the Red Cross has expressed such an opinion.¹⁸

The starting point of the third approach is the assessment that autonomous capabilities will affect every area of our lives, and that this will happen gradually and in a modular fashion that will make it difficult to draw a clear line between automation and autonomy.¹⁹ All of us, apparently, will need to adjust our ethical conceptions to a world in which there are self-driving cars and other autonomous machines that travel in our blood vessels, look for survivors in ruins, and the like.²⁰ Therefore, if to continue with the metaphor of a technology train, while the train cannot be stopped completely, it needs a constant and controlled use of brakes that will prevent accidents. Thus, the focus must be on developing a tool for regulating military applications of autonomous systems in parallel with their development.

These control tools can take shape only as a result of a process in which, in combination with hardware, software, and combat doctrine development, the ethical boundaries are clarified and agreements are formulated nationally and internationally on norms of use of autonomous systems and legal frameworks that will enforce them. Supporters of the third approach recommend to countries developing autonomous weapon systems that they take the initiative even in arenas where they are generally hesitant to discuss technological developments with strategic sensitivity – the international arena and the public arena. If the only two positions shaping public opinion on the issue are the “emergency brake” and the “wait and see,” the result is likely to be either unrealistic international norms or no such norms at all. In the first case, democracies will encounter, both at home and abroad, serious difficulties of legitimacy for the use or sale of autonomous weapons they have developed. In the second case, it will be easier for less democratic technology superpowers and private companies to develop autonomous weapons that are not subject to agreed ethical standards and sell them without restriction.

Conclusion

A review of the main positions in the discussion on autonomous capabilities in weapons shows that the question of killer robots is not the sum total. While there are those calling for a coordinated international move to stop the development of autonomous weapons and ban their use in the future, it appears that the more common opinion does not support such sweeping moves. According to this position, any excessively decisive ruling, positive or negative, concerning the ethics and legality of the use of autonomous capabilities would be rash and possibly even harmful at this stage.

The integration of autonomous capabilities into weapon systems can potentially bring tremendous military benefit while maintaining the accepted legal standards and sometimes even meeting higher moral standards. The harnessing of these operational and ethical benefits will be dependent on developing legal and political tools that will effectively curb dangerous technological developments and prevent immoral use of weapons with autonomous capabilities. This is a long process, and it must take place at the same time as, and with a deep connection to, the development of the technology, the design of its applications, and the formulation of the relevant combat doctrines.

Israel is one of the leading countries in the development and integration of autonomous capabilities in weapon systems. Therefore, it already has a clear interest today in promoting local and international mechanisms that will give legitimacy to the use of such systems within the framework of the ethical restrictions to which Israel is committed, and at the same time, will make it difficult for other actors to develop, sell, and use similar technologies in a manner that is not bound by those restrictions. This will meet Israel's determination, like that of any democracy, to maintain a technological, military, and moral advantage over its adversaries. In the spirit of the third approach described here, the public and legal discussion on autonomous weapons should be directed to the position between the emergency brake and wait and see. In order to do so, it is not necessary to reveal technology secrets or operational plans. The following are a number of points with recommended action items.

First, domestically, the security establishment should set guidelines for all officials under its supervision who deal with operational specifications for the development of weapons with autonomous capabilities. This is similar to the directive from the US Department of Defense. In addition, it would be desirable to include in this process experts in law and ethics so that considerations from those perspectives will be inherent to the process of specification, development, and operational integration of these systems. Second, we suggest initiating cooperation with international security and legal officials who deal with the subject in other democratic countries, which share the same values and have a similar interest in formulating consensual approaches to the development of autonomous capabilities in weapons and to their operational use. Israel could even take the lead on some of these processes internationally. Finally, the value of the public debate must be emphasized. Therefore, it is proposed that the security establishment make public some of the security debates by taking the initiative and launching open discussions on the various meanings of increased autonomy in weapons and the ways of confronting the ensuing challenges and dangers. This would make it possible to strive for a constructive debate with critical positions in order to seriously address the deep and longstanding fears aroused by the idea of autonomous robots.

Notes

- 1 Liran Antebi, "Who Will Stop the Robots?" *Military and Strategic Affairs* 5, no. 2 (2013): 61-77.
- 2 ICRC, "Autonomous Weapons: States Must Address Major Humanitarian, Ethical Challenges," September 2013, <http://www.icrc.org/eng/resources/documents/faq/q-and-a-autonomous-weapons.htm>.
- 3 Raja Parasuraman and Thomas B. Sheridan, "A Model for Types and Levels of Human Interaction with Automation," *IEEE Transactions on System, Man and Cybernetics* – Part A: Systems and Humans, Vol. 30, May 2000.
- 4 There are also other divisions. See US Department of Defense, "Unmanned Systems Integrated Roadmap FY2011-2036," p. 46.
- 5 Another example of this family of systems is aircraft controlled from the ground. The inaugural flight of an F-16 removed from operational service and converted by Boeing so that it could be flown without a pilot from a control room on the ground was recently reported. In this case, the purpose was to train pilots in live fire at a target plane in an aerial battle.
- 6 For a detailed explanation of the term "loop" in the context of the hierarchy between automation and autonomy in weapons, see William C. Marra and Sonia K. McNeil, "Understanding 'the Loop': Regulating the Next Generation of War Machines," *Harvard Journal of Law and Public Policy* 36, no. 3 (2013). Available at SSRN, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2043131.
- 7 Alan Backstrom and Ian Henderson, "New Capabilities in Warfare: An Overview of Contemporary Technological Developments and the Associated Legal and Engineering Issues in Article 36 Weapons Reviews," *International Review of the Red Cross*, October 22, 2012. Available at SSRN, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2198826.
- 8 The complexity of the use of mines and the difficulties in clearing them years later is described in John Walker, "Minerats: Moore's Law in the Minefield," *IEEE Asilomar Microprocessor Workshop*, April 19, 1995, <https://www.fourmilab.ch/minerats/asilomar95.html>.
- 9 Matthew Humphries, "Israel Patrols Its Borders with 10 Autonomous Off-road Vehicles," *Geek*, March 20, 2013, <http://www.geek.com/news/israel-patrols-its-borders-with-10-autonomous-off-road-vehicles-1543460>.
- 10 Steve Jameson and Jerry Franke, Lockheed Martin Advanced Technology Laboratories, and Robert Szczerba and Sandy Stockdale, Lockheed Martin Systems Integration – Owego, "Collaborative Autonomy for Manned/Unmanned Teams," *American Helicopter Society 61th Annual Forum*, Grapevine, TX, June 1-3, 2005.
- 11 There is a great deal of similarity between the IDF's principles of war and those of other armies. The main similarity concerns the universality of these principles. See Yaakov Amidror, "The Principles of War in Asymmetric Combat," *Maarachot*, No. 16 (December 2007): 4-11, <http://maarachot.idf.il/PDF/FILES/1/112271.pdf>.

- 12 Human Rights Watch and International Human Rights Clinic of the Human Rights Program at Harvard Law School, *Losing Humanity: The Case against Killer Robots*, November 2012. Available at <http://www.hrw.org/reports/2012/11/19/losing-humanity-0>.
- 13 US Department of Defense, "Department of Defense Directive: Autonomy in Weapons Systems," November 21, 2012. Available at <http://www.dtic.mil/whs/directives/corres/pdf/300009p.pdf>.
- 14 United Nations, "Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Christof Heyns," April 9, 2013, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A-HRC-23-47_en.pdf.
- 15 Noel Sharkey, "Americas Mindless Killer Robots Must Be Stopped," *The Guardian*, December 3, 2012, <http://www.theguardian.com/commentisfree/2012/dec/03/mindless-killer-robots>.
- 16 The treaty is considered a success story, partly because within a relatively short time, a large number of states – to date, 161 – have signed it. There are other historical examples of the effective use of international treaties and agreements to prevent the use of weapons that cause unnecessary suffering, such as exploding bullets and blinding lasers.
- 17 Michael N. Schmitt and Jeffrey S. Thurnher, "'Out of the Loop': Autonomous Weapon Systems and the Law of Armed Conflict," *Harvard Law School National Security Journal* 4, no. 2 (2013): 231-81, <http://harvardnsj.org/wp-content/uploads/2013/05/Vol.4-Schmitt-Final.pdf>.
- 18 ICRC, "Autonomous Weapons: States Must Address Major Humanitarian, Ethical Challenges."
- 19 Marra and McNeil, "Understanding 'the Loop.'"
- 20 Research firm Gartner believes that "smart machines" with autonomous capabilities will have a deep impact on society and the economy by the end of the current decade. See Gartner Inc., "Gartner Says Smart Machines Will Have Widespread and Deep Business Impact Through 2020," Press Release of October 10, 2013, <http://www.gartner.com/newsroom/id/2605015>.

The Middle East as an Intelligence Challenge

Ephraim Kam

Failures in intelligence assessment and surprises in strategic forecasts are liable to occur in any region of the world, as evidenced by the list of strategic surprises in recent decades. The US was taken by surprise at Pearl Harbor in 1941, in Korea in 1950, and in the al-Qaeda terrorist attack on US soil in 2001. The Soviet Union was surprised by Operation Barbarossa in 1941, and its collapse in the late 1980s surprised the world. The French were taken by surprise by the German invasion in 1940, and the British did not foresee the possibility that the Japanese would conquer Malaysia and Singapore in 1941.

Although strategic surprises occur in numerous regions, it appears that in recent decades the Middle East has been more vulnerable to faulty assessment at the strategic level than other regions. The Egyptians were surprised by Israel in the Sinai Campaign in 1956 and in the Six Day War in 1967; they in turn surprised Israel both in the Yom Kippur War in 1973 and with Sadat's peace initiative in Jerusalem in 1977. Defying all expectations the Shah's regime collapsed in 1979, but Iran itself was surprised 18 months later by Saddam Hussein, when the invasion of Iran started the longest war in the history of the modern Middle East. The outbreak of the first intifada in 1987, the invasion of Kuwait in 1990, and the conquest of Iraq by the US in 2003 also belong to the list of failed assessments, and in 2011 the so-called "Arab Spring" likewise stunned the region.

This article attempts to explain why in recent decades assessments in the Middle East, compared with other regions, are particularly difficult. Certain features make it difficult to forecast strategic developments

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correctly, which in turn frequently leads to surprises. The article's main conclusion is that although the principal reasons for strategic assessment failures lie in the intelligence process and human nature, features of the Middle East also create difficulties in evaluating its developments.

The Intelligence Process and the Thinking Process

No one disputes that assessment of military risks, led by the outbreak of war or a strategic terrorist attack, is the exclusive responsibility of intelligence. However, the extent of intelligence's responsibility for evaluation of political processes, particularly long term processes such as the question of regime stability, is less clear. Some have claimed that intelligence researchers have no advantage in this matter over historians and social science researchers. At the same time, it is accepted in the intelligence community that political and social questions fall well within their realm of responsibility, and indeed, many resources are allocated for information collection, research, and assessment concerning such questions. For this reason, when a significant political and/or social development is not predicted in advance, such as the fall of the Shah or the "Arab Spring," intelligence is accused of failure.

The quantity and quality of intelligence information has increased significantly in recent decades. Intelligence information collection

While the basic reasons for failed assessments lie in the intelligence process and human nature, the fundamental processes taking place in the Middle East are important in understanding the specific failures.

systems in various areas are upgraded continually, and breakthroughs are common occurrences in electronic surveillance, visual intelligence, and intelligence from open sources. Yet while a good intelligence community can obtain a wealth of hard evidence on specific tactical questions, i.e., unequivocal information that indisputably conveys what is expected in the future, such information is rare concerning strategic questions. The breakthroughs that have been achieved in several areas of intelligence collection are of little help in obtaining hard evidence about strategic developments. A large quantity of information is frequently obtainable, but it is usually not hard:

either it does not definitely indicate what will happen, or the source of information is not sufficiently reliable. On some questions no source can reliably say what will occur, as was the case with developments

pertaining to the collapse of the Soviet Union or the process that led to the “Arab Spring.”

On strategic issues, therefore, instead of amassing hard evidence, intelligence communities collect early warning indicators, i.e., reports portraying parts of the other side’s activity. These indicators can involve the enemy’s military or political activity, or the behavior of domestic groups opposed to the regime. These indicators, however, are a problematic basis for predicting future behavior, and because they do not clearly indicate what will happen, they can point to several different scenarios, and it is difficult to judge which one is correct. For example, the indicators collected before the Yom Kippur War were explained as part of an Egyptian military strategic exercise or as part of the Syrian army’s defensive preparations. The third scenario – that they were part of the preparations for a war against Israel – was regarded as unlikely.

When intelligence must decide between several scenarios that explain the noteworthy signals, it can be influenced by entrenched preconceptions – the “conception,” in the words of the Agranat Commission that assessed Israel’s failure to foresee the Yom Kippur War. This involves a conceptual framework that is essential for understanding or interpreting intelligence information. However, psychological studies show that due to the human mind’s tendency to cling to a framework that arranges its surroundings in an orderly pattern and makes them comprehensible, conceptions tend to exhibit an extraordinary persistence. When the information obtained does not match the conception, intelligence researchers and decision makers often tend to distort the information to make it fit the conception, and are not inclined to make the changes in the conception to fit information that challenges it.

The intelligence assessment on strategic matters involves an additional problem. Tactical issues, such as preparations for a terrorist attack, have a limited number of components, and it is therefore relatively easy to weigh the elements, analyze their meaning, and assess how they might develop. Strategic issues, on the other hand, have a large number and variety of elements: security concepts, threat perceptions, political and economic considerations, military capabilities and balance of power calculations, the behavior of other parties including the major powers, personal considerations, and sometimes religious or ethnic motives. Intelligence must analyze each of these elements in its own right, evaluate the matrix and balance the elements against each other,

and reach a conclusion whether the combination of elements indicates that a war will break out.

Three key issues head the list of strategic questions in the Middle East: a scenario of war or full scale armed conflict, development of a significant peace process, and regime stability. It may be necessary to add the issue of nuclear policy, if and when Iran, and perhaps other countries in the region, acquires a nuclear weapon. These issues are not unique to the Middle East, but their concentration in the region is particularly high. Indeed, wars and limited military conflicts have occurred frequently in the Middle East in recent decades, and many of them involved intelligence failure and surprise. At the same time, several peace processes and dialogue have developed in the Middle East – mostly in the context of the Arab-Israeli conflict. It is sometimes difficult to understand the parties' considerations in these processes, the forces driving them, and the conditions for a political settlement – and similarly, the prospects for achieving a political settlement, or alternatively the chances that the process will break down. In addition, over the past three years, the question of regime stability in the region has repeatedly occupied center stage. The upheaval in the Arab world has already given rise to several surprises, and more may occur.

The Difficulty in Assessing Processes in the Middle East

There are good reasons why the key processes in the Middle East are particularly difficult to understand. The countries in the region developed relatively recently: most of them achieved independence during the twentieth century, following the dissolution of the Ottoman, British, or French empires. This late process resulted in unresolved disputes, regimes, political, and social institutions that were not fully ripe, and widespread intervention in the region by the major powers. Thus while the basic reasons for failed assessments lie in the intelligence process and human nature, the fundamental processes taking place in the Middle East are important in understanding the specific failures.

Principal Elements in the Middle East Undergoing Change

The Middle East has undergone dramatic changes in recent decades, and it is often difficult to understand their significance in real time. First, the focus of the major wars in the region has shifted from the Arab-Israeli conflict to the Persian Gulf. Since 1973, there have been no full scale wars

in the Arab-Israeli conflict; they have been replaced by limited conflicts mainly against terrorist and guerilla organizations. At the same time, the last three major wars in the region – the Iraq-Iran War, the 1991 Gulf War, and the 2003 Iraq War – have taken place in the Persian Gulf. This change is linked to another and no less important development: all the leaders of Arab countries have endorsed the idea that the Arab-Israeli conflict should be solved politically, on Arab terms, rather than militarily.

Second, the Arab world is subject to ongoing weakness. It has proved incapable of dealing collectively on its own with leading problems facing it – such as the Arab-Israeli conflict, Saddam Hussein's aggression, and the Iranian threat. Since the death of Nasser in 1970, the Arab world has had no leader. The most important Arab countries – Egypt, Syria, and Iraq – all suffer from severe internal problems, and other countries are preoccupied with domestic concerns. The fourth most important Arab country, Saudi Arabia, has never aspired to lead the Arab world. In this situation, the Middle East agenda is determined by non-Arab countries: Iran, Turkey, and to some extent, Israel.

Third, the Palestinian issue continues to command much attention from Israel, the Palestinians, and international and Arab parties. In the late 1990s, it appeared that the problem was on the way to a solution, but the subsequent deadlock led to the al-Aqsa intifada. Given the confusion and the dynamic situation, it is difficult for the intelligence communities to assess whether this deadlock could lead to a settlement, a new violent outbreak, or a continuation of the status quo.

Fourth, the position of the leading powers in the Middle East has changed. Since the mid-1950s the influence of the UK and France in the region has faded, with the Soviet Union and the US taking their places. The Soviet Union's influence weakened in the 1970s when Egypt aligned itself with the US, and the collapse of the Soviet Union left the US, which is engrossed in its own problems, as the world's sole superpower. In tandem, the nature of the involvement in the region by the major powers has also changed. Once a restraining factor in the region, in part due to concern that escalation would lead to a conflict between them, it is now the major powers – the US in particular – that wage war and conduct military operations. The Soviet Union has

In a region like the Middle East, relying on history is of less help to intelligence because the region has changed so dramatically, and such reliance is even liable to mislead and result in erroneous assessments.

confined itself to military intervention in the periphery of the region, in Afghanistan, while the US intervened in Afghanistan, fought two wars in Iraq, intervened in Libya, and threatened to use force in Syria and Iran. It is an open question whether the US will reduce its activity in the Middle East, given the price it paid for its intervention in Iraq and Afghanistan; whether Russia will attempt to recover the high profile it had in the region in the 1950s and 1960s; and whether China will change its behavioral pattern in the region.

Fifth, new communications tools – cellular telephones, the internet, e-mail, new round-the-clock channels, and the social networks – have become an element with substantial influence in the Middle East. These media help empower the masses and transform them from a sector whose voice was rarely heard into an important political factor of growing influence. The local populations are increasingly aware of trends in the world around them, and have frequently opted to become part of these developments and change their regime. Despite their efforts, regimes that oppress their citizens are unable to prevent the access to information about the rest of the world.

From an intelligence perspective, these changes are monumental. The intelligence researcher usually tends to learn from history and rely on past experience, because this experience gives him an important point

In general, the West lacks sufficient comprehension of the political and social function of religious, ethnic, and tribal affiliations, which affect the political order and sometimes undermine it.

of departure and a basis for evaluating current and future developments. In a region like the Middle East, however, relying on history is of less help, because the region has changed so dramatically, and such reliance is even liable to mislead and result in erroneous assessments. For example, the intelligence communities are hard pressed to decide whether the absence of major wars in the region signifies the end of an era or is merely a short respite.

The Multiple Security Problems of the Middle East

The Middle East is characterized by many security problems in and among the states in the region. Such problems result mostly from the major regional conflicts – the Arab-Israeli conflict as well as the instability in the Gulf. Demography is another important element: large minorities – for example, the Kurds – affect internal security in various

countries and create security problems between states. The fact that all of the region's countries are Muslim except for Israel, and that most of them are Arab, detracts from neither the intensity of the conflicts between them nor their frequency, and does not prevent religious-based conflicts, including the conflict between Sunnis and Shiites. Over the past 30 years, at least 800,000 Arabs/Muslims were killed by other Arabs/Muslims, not counting those who were killed in countries bordering on the region, such as Afghanistan, Pakistan, and Sudan. The region is divided into wealthy and poor countries, and between militarily powerful countries and weak countries unable to defend themselves. Some countries in the region have a stock of weapons of mass destruction; one of those types of weapons – chemical weapons – has already been used.

As a result, the Middle East has featured a high level of violence. Since the end of WWII, no other region in the world has had such a high concentration of violence – full scale wars and limited conflicts, terrorist and guerilla activity, and counter-terrorist operations. The use of military force in the region has become so frequent that it is taken for granted, and even regarded as legitimate in certain cases.

Consequently, intelligence communities must presume that violence will occur on their watch as well, or at least be prepared for it. From this standpoint, the missions of the intelligence communities dealing in the Middle East differ substantially from those of the intelligence communities dealing with Europe, where the level of violence is low and war very unlikely. Ostensibly, the constant awareness of a possible outbreak of violence in the Middle East should make intelligence work easier, because warnings of war and large scale terrorist attacks head its list of priorities. In practice, however, this awareness is not very useful, because intelligence has a hard time assessing whether, when, where, and how such an outbreak will occur; alternatively, intelligence sometimes anticipates a violent conflict, but its warnings prove to be unfounded when no conflict materializes.

Developments Occur Rapidly in the Middle East

The Middle East is prone to rapid changes, led by the outbreak of violence or loss of stability by regimes. In such situations, intelligence is liable to fail to distinguish in time the beginning of such a decline, and when it does discern it, it does not always understand immediately its direction, force, and significance. Examples of this are well known: the course of

events leading to the Six Day War, the fall of the Shah, the outbreak of the Second Lebanon War, and the onset of the “Arab Spring.” Such failure is not confined to the Middle East, but for several reasons it appears that in this region, it occurs more frequently, and the mistakes are bigger. In the Middle East, communication between some of the actors is lacking, and some do not understand the other side well enough. This phenomenon occurs mainly between Israel and the US on the one hand, and the Arab countries and Iran on the other. In 1967, Nasser did not realize that assembling an Arab military coalition against Israel would force Israel to go to war quickly in order to break the blockade, and Jordan’s King Hussein decided to join the war at the outset without being aware of developments on the ground. Hizbollah Secretary General Hassan Nasrallah admitted that he did not realize that kidnapping Israeli soldiers on the Lebanese border in July 2006 would prompt Israel to go to war.

Second, there are inadequate mechanisms in the Middle East to stop escalation when it begins, such as those established between the Western and Communist blocs during the Cold War. Nor has the Arab collective created mechanisms that might have prevented Iraq’s occupation of Kuwait in 1990, or that could have dealt with the intense violence in Syria and Iraq over the past decade.

Third, when regimes in the region begin to totter, the significant signs are rooted in underground currents that do not give adequate indication of a development different from what was previously known. In the Middle East, the forces operating in underground channels are not well represented in the political system; most of their power often lies in religious, ethnic, and tribal frameworks, and it is therefore more difficult to identify and comprehend their significance in time, before the process reaches a peak. When events occur so rapidly, intelligence does not have the wherewithal to consider them, glean their significance, and assess their probable consequences.

The Rise of Weak Regimes and Sub-State Organizations

Recent decades have seen an alarming increase in the number of weak regimes and failed states. Included here are regimes that do not control the entirety of their territory, and are incapable of providing their population with adequate basic security, law and order, economic, and welfare services, and of preventing penetration of their territory by external parties. In parts of the country where the government is

not functioning, terrorist organizations, armed militias, and criminal organizations abound. Such countries are usually afflicted with violence and terrorism, and their populations suffer severely. The threat that these countries pose to their neighbors consists mainly of terrorism. Most of the dysfunctional states are located in or near the Middle East, including Iraq, Afghanistan, Somalia, Sudan, Syria, and Lebanon, as well as large parts of Libya and Yemen. Weak regimes are liable to cause countries to disintegrate, as occurred in Sudan as well as the Palestinian Authority, which is not a country but which has already split in two. Leading candidates for future dissolution are Iraq and Syria.

From an intelligence standpoint, the weak regimes create a serious problem. Instead of assessing the capabilities and intentions of a single leadership, focus must be on several internal actors and the dynamics between them. Some of these actors are new on the scene: for example, three years after the beginning of the unrest in Syria, the key players in the opposition are not well known, and even when their names become familiar, it is not always clear how strong they are and how long they will survive. In any case, their capabilities and intentions must be assessed according to different criteria from those used to assess stable leaders, and with the understanding that their behavior is less predictable.

Sub-state organizations, a common phenomenon in the Middle East, appear mostly in weak countries. An assessment of their strength, weakness, and intentions depends on different elements than the criteria used to assess countries. Their capabilities are not measured in numbers of aircraft and tanks, which they do not have, but according to criteria of determination, innovation, flexibility, and courage, and their ability to blend in with the territory and the population. Their system of goals and considerations differs from that of states, and they often do not seek a military victory over their opponent in the conflict, but aim rather to survive and continue the struggle in a battle of attrition. They are not responsible for their host country or its population, and they operate in ways inimical to normative state behavior.

Different Characteristics of the Regime and Society

Other than Israel and Turkey, there are no democracies in the Middle East. This does not mean that it is easy to assess the policy of democratic countries. Israel has managed to surprise its enemies, despite its democratic regime. However, there is a better chance of a

correct assessment of decisions taken in a democratic regime, because discussion on political and security issues takes place in public, much more is known about the decision making process, and sometimes important secrets are disclosed. On the other hand, a large proportion of leaders in Arab countries and Iran, in the absence of any democratic process that could spur their replacement, have been in power for many years, and this facilitates familiarity with their strategic styles.

Religion and ethnic groups play a much more important role in Arab society and Iran than in the West. The Arab world has not undergone the same secularization process experienced by the West, and in recent years the Islamic organizations have even gained influence in the region. It is impossible to assess the policy of Islamic groups – including the Iranian leadership and organizations like Hizbollah and Hamas – in terms of Western realpolitik and rationalism alone. Rather, the weight of religious edicts, the motivation that they generate, and the tension between religious dictates and constraints of reality must be assessed, despite the immense difficulty in doing so. In general, the West lacks sufficient comprehension of the political and social function of religious, ethnic, and tribal affiliations, which affect the political order and sometimes undermine it. For example, the US became embroiled in Iraq in part because it did not correctly grasp the role of ethnic affiliation and the state's unstable basis since it was founded.

The “Arab Spring” as an Intelligence Challenge

That the upheaval in the Arab world since 2011 came as a complete surprise to the Arab governments and intelligence communities is explained by the difficulties involved in an assessment of the imminent shockwave. Since 1970, no Arab regimes had fallen, except for the Sudanese regime, which was overthrown in 1989. The only other regime to collapse since 1970 was non-Arab – the Shah's regime in Iran – and it too was overthrown many years ago. The intelligence communities and the regimes themselves had become accustomed to stability, and did not expect any widespread change.

The “Arab Spring” is a new development that is uncharacteristic of the Middle East of the last generation. Nonetheless, it clearly joins the list of basic challenges facing the intelligence communities, since the causes of the outbreak had developed previously over a long period, and such a development will have significant consequences for the region's future.

This development is also intimately related to the stability of the regimes in the region.

The question of the regimes' stability is one of the most difficult for an intelligence assessment. In recent years it has been clear that undercurrents of social unrest percolated in some countries in the region, prompted especially by the repression by the regime and economic distress. In the Middle East, while expressions of dissatisfaction with the economic situation were not rare, the regimes learned how to cope with them and suppress outbreaks of unrest within a short time. Furthermore, following the military coups and attempted revolutions of the 1950s and 1960s, Arab regimes learned how to stop rebellious expressions, in part by fostering loyalty in the army and setting up sophisticated internal security agencies and large guard units designed to protect the regime. It was assumed that even if signs of unrest surfaced, the Arab regimes would succeed in repressing them.

Even after the upheaval in the Arab world erupted in full force, significant difficulties remained in understanding the unfolding process. Would the upheaval affect other countries? Which countries would be affected? What forces would rise to power in place of the regimes that had fallen, or would fall? What policy would they follow? What would be the weight of political Islam in the new form of government in the Arab world? What would the Arab world look like after its regimes are stabilized? These are questions beyond the scope of intelligence, as no hard evidence that can answer them is available. Intelligence communities are usually incapable of obtaining prior information about developments like the overthrow of the Muslim Brotherhood from power in Egypt in June 2013, unless they come across hard evidence in advance which is an unlikely scenario. Given these difficulties, intelligence can only assess that a coup is possible, without supporting this scenario with concrete information, or present multiple possible scenarios, without deciding between them.

Iran as an Intelligence Challenge

Iran poses a special difficulty for intelligence research. As a key country in the Middle East, Iran's policy is influential in many areas, and it is therefore impossible to assess the development of crucial questions pertaining to the region without taking into account the Iranian factor. The main difficulty in understanding Iran is the nature of the regime.

Iran's Supreme Leader, who is also its chief decision maker, is a cleric, and his way of thinking is not adequately understood. The Iranian leadership's decision making process is insufficiently understood, it is unclear what weight the various parties participating in the process have, and the process is hard for intelligence to penetrate. It is especially unclear what weight the religious-ideological commandments have in the decision making process, and to what degree the Iranian leadership uses considerations regarded as rational according to Western criteria. It is true that decision making processes in other countries in the region are also insufficiently understood, but the case of Iran is much more significant, due to the leading role played by its religious leaders and the fundamentalist motivation in the process, and also due to Iran's importance in the region.

The intelligence communities face particular difficulty in assessing the question of the Iranian nuclear program. For years, intelligence communities debated whether Iran was capable of, or wanted to, acquire nuclear weapons. This debate was over when it became clear that Iran was aiming at nuclear weapons, and was in fact close to obtaining them. There is now a rough consensus on the length of time required by Iran to technically achieve nuclear capability, even though serious errors were made during and after the 1990s by intelligence communities in both the US and Israel in estimating the timetable. The more difficult questions concern the ability to prevent Iran from obtaining nuclear capability. The US and Israel disagree on the question of whether Iran can be stopped through diplomacy, and under what conditions. Disagreement is even broader concerning the results and consequences of a military operation in Iran. The most important question is what Iran's nuclear policy will be if it obtains nuclear weapons. There is probably no information about this question at present, and the only answer to it is an estimate with no grounding in direct data.

Conclusion

Even if the roots of failures in intelligence assessments lie in the intelligence process and its limitations, the special nature of a complex region like the Middle East plays an important role in magnifying the problems in formulating a relevant strategic assessment. These difficulties are liable to intensify in the future, if and when key characteristics change: the outbreak of a full scale war, the fall of a leading regime, the increased

prevalence of weak and disintegrating countries, the appearance of nuclear weapons in a radical country, or the use of strategic terrorism. All of these factors are liable to change the face of the region, and could complicate the formulation of solid intelligence assessments on the strategic level even further.

To date no satisfactory answer for the failures of strategic assessment has been found, especially those concerning the Middle East. Failures in strategic assessment are due to an array of interdependent causes; they do not originate in a single cause that can be dealt with and neutralized. Various recommendations have been made over the years to reduce the incidence of failure, including caution in research, flexibility in thinking, open mindedness, deeper study and knowledge of the enemy, improved intelligence collection capabilities, and alternative and more advanced research methods. It would be hard to claim that these recommendations have contributed to reducing failures in strategic research; some of them also cause damage. In the end, it may be that the most practical way of coping with mistaken assessments is to take the possibility of strategic surprise into account, and prepare for it in advance.

The Significance of the Reputed Yom Kippur War Nuclear Affair

Adam Raz

The fortieth anniversary of the Yom Kippur War brought new focus on a reputed “nuclear” affair connected to a discussion by senior Israeli officials, headed by Prime Minister Golda Meir, on one of the first days of the war. In this discussion, Defense Minister Moshe Dayan suggested a demonstration of the “nuclear option.”¹ For nearly forty years there have been rumors of Israeli “nuclear signals” at the start of the war, including deployment of Jericho ground-to-ground missiles and their armament with nuclear warheads.² Various descriptions have appeared in the literature and the media on numerous occasions, and as a result, the incident is recorded in the literature as if it were an established fact, usually on the basis of rumors and with no citation of sources.³

The episode has been discussed many times, and in 2013 it was the focus of a resource-intensive study published in the United States, which drew conclusions about the significance of nuclear signals and nuclear deterrence in times of crisis.⁴ The tremendous attention the nuclear incident has attracted, along with its current significance, requires a focused discussion and refutation of unsubstantiated claims.

The Story

My intention is not to review the various literary sources on Dayan’s suggestion after the *Time* Magazine report in 1976.⁵ Prior to the fortieth anniversary of the war, nuclear analyst Avner Cohen made public a videotaped interview with Arnan (“Sini”) Azaryahu as part of a documentary project on Israeli nuclear history at the Woodrow Wilson International Center for Scholars in Washington, which led to a heated

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debate in Israel and abroad.⁶ The interview was conducted in 2008, a short time before Azaryahu, aide and right-hand man to Golda Meir's confidant Yisrael Galili, died at the age of 91. In the interview, he speaks of a discussion that took place on the afternoon of Sunday, October 7, 1973 in the presence of Meir, Dayan, Galili, and Deputy Prime Minister Yigal Allon. In the course of the discussion, Dayan suggested that because of the difficult situation on the fronts and "since we will not have a lot of time and a lot of options, it would be a good idea to prepare a demonstration of the nuclear option too." Those in attendance objected to the recommendation, and Dayan's proposal was dropped. Azaryahu told Cohen that the issue was raised immediately after Chief of Staff David (Dado) Elazar had left the room. Azaryahu was not present at the discussion, and he was updated by Galili after the meeting.⁷

In Cohen's book *The Last Taboo*, he writes of the main details of the incident and of another, earlier conversation with Azaryahu, but this time, the meeting is placed later, on October 9, 1973.⁸ The difference between the dates is important: if the incident occurred on October 7, then Dayan's suggestion preceded the failure of the counterattack on the Suez Canal, which began a day later. If Dayan's proposal was made on the October 9, then it came after it was clear that the attack had failed.⁹

Relevant here are additional comments made by Azaryahu in the interview conducted in May 1995 that was not made public and is quoted here for the first time. They place Dayan's proposal within a broad strategic disagreement:

Then there was the question whether they [nuclear weapons] are a deterrent. Shimon [Peres] and [Moshe] Dayan took the approach that they are a deterrent. It turned out that they are not. Already in 1967 the Arabs thought that we had nuclear weapons, and they launched the Six Day War. In 1973, they were sure that we had nuclear weapons, and they went to war. It did not deter them and did not prevent war. Fortunately, in [the wars of] '67 and '73, there was proof that we had the ability to face the Arabs with conventional weapons under the worst conditions . . . In 1973, there was a moment when Moshe Dayan feared that we would lose the war. And he tried to hint in a small forum, which included, in addition to Golda, Galili and Yigal [Allon], that perhaps we should *in the form of threats or a test explosion or the like* tell the Arabs to be careful. Although Dado was optimistic, Moshe [Dayan] was completely pessimistic. Both Galili and

Yigal told Golda that this was madness, we must not do this, and we would win with what we had. And she accepted this opinion and saw to it that no such test was carried out . . . This matter was leaked in one way or another to the press too . . . The decisive role played by Galili and Yigal in influencing Golda to withstand the pressure from Moshe Dayan was not leaked there [emphasis added].¹⁰

Because Azaryahu did not go into detail in the interview beyond speaking about “demonstration” of the “nuclear option,” Cohen wonders, in a text accompanying the interview, what the “demonstration” would actually have involved. He correctly notes that this was not about using nuclear weapons against military or civilian targets, and he speculates about the type of “demonstration.” The new evidence indicates that Dayan proposed considering not only a “test explosion,” but also an explicit threat to use nuclear weapons.

The credibility of the story on the one hand and the validation of the October 7, 1973 date on the other are reinforced by the testimony of Haim Bar Lev, southern front commander in the war, which was published in September 2013. Bar Lev wrote of the conversation he had with Meir:

On Sunday . . . the Prime Minister told me that the Defense Minister had visited the fronts, and returned and informed her that he in fact erred about the IDF’s strength, he was mistaken in his assessment of the enemy, and the situation is desperate. In his opinion, we had to withdraw from the Golan Heights to the plain overlooking the Jordan and hold on to it until the last bullet. In the Sinai, we had to withdraw to the passes, and if this did not help, we had to use non-conventional means, as in “let me die with the Philistines”. . . The Prime Minister gave me a shocked impression less because of the situation and more because of the Defense Minister’s changed opinions.¹¹

As far as can be gleaned from open testimony, this is the entire incident: Dayan made a suggestion, and it was rejected out of hand. However, in the literature there are a number of accounts of that meeting that do not conform to the description above.

Other Accounts of the Incident

Because we are not dealing with the historiographic aspects of the episode, it is sufficient to note that Seymour Hersh, in his book *The Samson Option*,

devoted an entire chapter to the nuclear issue in the war and claimed that in the meeting under discussion (which he says took place on October 8), three main decisions were made: (a) to launch a counterattack on the Egyptian front; (b) to deploy and arm the nuclear weapons in case of total collapse; and (c) to inform the United States of the latter decision and to ask it to supply weapons, ammunition, and equipment.¹²

At a conference in 1996, Yuval Ne'eman addressed these claims, which had multiplied in the literature, and in an article based on his conference lecture emphasized that no decision had been made to deploy the nuclear arsenal and that there was no connection between US aid and the nuclear issue. Ne'eman wrote that

It would be normal . . . for whoever might be responsible for the nuclear infrastructure and the processing of further nuclear steps—whether it be development, production or the enhancement of the level of preparedness—to come to the Prime Minister at the beginning of a war and enquire whether such circumstances might indeed be expected, etc. Such a consultation should have taken place between 6 and 8 October. . . the Prime Minister's answer *could not have implied* deployment. It might and should have indicated a need for some degree of preparedness for the strategic missiles, whatever their actual warheads, and some protective steps in the nuclear domain, such as shutting down the reactors throughout the war, to minimize risks from bombardments [emphasis added].¹³

Ne'eman's testimony complements that of Azaryahu and Bar Lev, and there is no obvious reason to doubt their reliability. Before addressing Dayan's position, two main theses on this issue that appear in the literature should be examined.

Blackmail and Threats: William Quandt's Testimony

In the literature on Israel's raising its nuclear alert status at the start of the war, two main theses have been proposed:

- a. Israel manipulated its nuclear forces (mainly in deployment and in arming Jericho ground-to-ground missiles with nuclear warheads) so that a Soviet satellite would pick up the Israeli ballistic missile deployment and the revelation would lead to a reexamination of the Arab war plans (Egypt did not have similar technology).¹⁴

- b. Deploying the missiles and arming them with nuclear warheads was intended to play a political role, to serve as a means of pressure in Israel-US relations, and persuade the Americans of the necessity of aid in the form of weapons and equipment for Israel (which led to the airlift).

In the recently published study by five researchers (including Cohen), the authors attempt to clarify the nuclear dimension of the war and whether the existing theses are supported by any facts, or by rumors and gossip. While they note that there is no definitive proof that Israel made any changes to its nuclear arsenal during the war and they tend not to accept the accounts that have appeared in the literature until now, they discuss at length the only source – which they believe to be reliable – who claims that in fact the Americans picked up changes in Israel’s nuclear deployment. The source is William Quandt, who during the war served as a member of the National Security Council and as an aide to Secretary of State Henry Kissinger.

Quandt is the only person in the US government who has written and spoken publicly over the years about the Israeli nuclear dimension of the war. After publication of Hersh’s book in 1991, he wrote:

I was close enough to those events as a member of the National Security Council staff that I doubt that an explicit threat was made by [Israeli Ambassador Simcha] Dinitz [as alleged by Hersh]. We did know *around this time*, however, that Israel had placed its Jericho missiles on alert. I did not know what kind of warheads they had, but it did not make much sense to me that they would be equipped with conventional ordnance. I assume others agreed.

Quandt writes that he has no evidence of Israeli “blackmail,” but “we knew that a desperate Israel might activate its nuclear option. This situation, by itself, created a kind of *blackmail potential*” [emphasis added].¹⁵

The authors note that aside from Quandt’s testimony, they found no evidence of changes in Israel’s nuclear arsenal. They interviewed him a number of times, and they accept as reliable his statements that at some point between October 7 and 9, 1973 – in different conversations with them, Quandt gave a number of different versions, which he has also done in writing over the years – intelligence was received indicating that Israel had raised the readiness level of its Jericho missiles.¹⁶ Quandt emphasized that Israel’s increased nuclear preparedness was not

discussed by more senior US officials. The authors claim that Quandt is a reliable source, that he has no agenda or personal interest in this matter, that he has not changed his version of events over more than twenty years, and that therefore, his testimony is reliable. They note that while they do not think blackmail was involved, it is likely that Israel made changes to its nuclear delivery systems as part of its deployment for war (checking, preparing, or raising the level of preparedness).¹⁷

Is it true that Quandt has not changed his version of events? Opinions are divided on this. At the aforementioned conference of 1996, Quandt's comments were a bit different from what he wrote in 1991, or from what he claims today. This is evident from what Ne'eman wrote, noting that Quandt accused the government of Israel

of using Israel's nuclear capability as a means of blackmail to obtain American arms. According to Quandt, in the first two days of the war, US electronic intelligence picked up a *sharp rise* in preparedness and in deployment of the "nuclear units" in Israel, and this was perceived as a tacit "message" which meant, "if you do not help us with tanks and planes, Israel will be forced to move to a nuclear deterrence alignment that is open and implemented" [emphasis added].¹⁸

For the documentary series "The Land Had No Rest," which was shown on Israeli television in October 2013, a number of US government officials were asked about the raising of the alert status of the Jericho missiles and the nuclear implications mentioned by Quandt. Kissinger noted that if this happened, it was never brought to his attention, and that neither he nor Nixon – or in his opinion, any other government official – received any hint that this had been considered or that the weapons were shown. General Brent Scowcroft, his deputy in the National Security Council, made a similar statement.¹⁹

As the authors attempted to find further support for Quandt's claim, and did not find it from Kissinger or Scowcroft, they spoke to James Schlesinger, US Secretary of Defense at the time of the war, who stated that he did not recall such a situation. In their opinion, the fact that Schlesinger did not remember such an incident does not prove much, since he may not have read the report that Quandt saw because of the amount of material he was receiving or because he did not think it was important. Furthermore, the authors also claim that Schlesinger may not remember reading the report.²⁰ They thus explore why there is no

information whatsoever that supports Quandt's testimony: perhaps the report was not catalogued correctly, perhaps it was lost, and perhaps it was intentionally kept classified because of the secrecy surrounding the Israeli nuclear project.²¹

Evidence supporting Quandt's version of events can be found in the film *1973: A War Diary*, in which Sameh Seif el-Yazal, an Egyptian military intelligence officer during the war, notes that his intelligence service knew that the level of nuclear alert had been raised, starting from the moment when all Egyptian forces were already on the eastern bank of the Suez Canal. This testimony, however, is questionable, if only because Egypt did not have – and still does not have – the necessary technology to obtain this information.²² However, on the face of it, it would appear that this supports the testimony of Quandt, who is also interviewed in the film, and who repeats his assertion that US intelligence knew that the Jericho missiles had been prepared for use and placed on their launchers in a high state of readiness.²³

Nonetheless, since there is not a single US government official who remembers an incident in which Jericho missiles were deployed and armed as part of Israel's raising of its nuclear alert level during the first days of the war, and there is not a single document that indicates this (the authors write that they have reviewed many documents, both classified and unclassified), Quandt's testimony is subject to doubt, and/or he has confused it with another incident.

It has long been known that on October 17, 1973, an American satellite discovered that two brigades of Soviet Scud missile were deployed in the area of the Nile Delta. It was feared that the missiles were armed with uncamouflaged nuclear warheads, and when Israel received this information, Dado ordered that a Jericho missile battery be deployed. Ne'eman later recounted that "the chief of staff gave an order *not* to camouflage the battery, on the assumption that the Soviet satellites would pick up the message of counter-deployment and that the information would be conveyed to Sadat. The Egyptians had to guess which warheads these missiles were armed with" [emphasis added].²⁴ In a 1998 interview, Ne'eman noted that this was the *first* time that Jericho missiles had been deployed, and he emphasized that the order to deploy them was given by Dado – not Meir or Dayan – which indicates that the Israeli missiles were not armed with nuclear warheads.²⁵

Is it possible that at a distance of years, Quandt is simply confused?²⁶ Is it possible that the change picked up by the Americans in the alert level of the Jericho missile battery did not take place during the first days of the war, but rather about eleven days after it began? That is likely. Could it be that Israel's raising of the nuclear alert level was not discussed by the Americans and that all the decision makers simply forgot about it? That is less likely. This also explains why there is no evidence or proof supporting Quandt's version of events. Quandt did not know that the missiles were armed with nuclear warheads, but claimed that this was the only logical explanation for their being stationed. In other words, this is interpretation and not a fact.

On the other hand, if Quandt's version of events is correct, then one of the following options must be explained. In other words, either Azaryahu's testimony is not correct, and in fact a decision was made at that meeting to raise the nuclear alert level; or, even though Dayan's suggestion to have some demonstration of Israel's nuclear capabilities was rejected out of hand, the Defense Minister took some steps behind Meir's back in order to advance the nuclear arsenal. The researchers adopt the second theory, and conclude:

Our assessment, then, is that, in the very earliest days of the Yom Kippur War . . . Israeli officials – possibly at a level below the Prime Minister – ordered key elements of the Israeli nuclear weapons enterprise, probably including the Jericho ballistic missiles, to take steps to increase their readiness and alert status as a defensive or precautionary step in light of the dramatic, and possibly grave situation that Israel appeared to face. This step was not intended by the responsible authorities of the Israeli government as an attempt to “blackmail” or otherwise induce action by the United States. We further assess that at least some of these steps, particularly the order to alter the status of Israel's nuclear delivery systems or the alteration itself (possibly including the assembly of certain weapons systems, including nuclear weapons), was detected by U.S. intelligence, and that a report detailing this development was disseminated within the U.S. government, probably to a very small number of concerned officials at senior levels. We assess that this report had no significant impact on the decision-making within the U.S. government. We also judge that it is unlikely that the Israelis intended to send a nuclear signal to other

parties, namely the Arabs and/or Soviets, by changing the status of their nuclear delivery systems.²⁷

Assessment

Based on the historical accounts described here, the study mentioned presents three insights about the nuclear era:

- a. “The perceptual significance of nuclear operations”: In contrast to the commonly accepted view, manipulating “nuclear weapons and their associated forces” does not necessarily lead to a change in perception by an enemy or a friend concerning the intentions of a nuclear state, and is not necessarily perceived as increasing instability or further escalation of a crisis.²⁸
- b. “Bureaucratic and organizational factors in nuclear signaling”: Since the study concludes that Dayan bypassed the Prime Minister, the authors believe that “action that might appear to be the product of deliberate, coordinated state action can in some cases be more accurately interpreted as the result of segments of a government rather than of the whole state itself.”²⁹
- c. “How necessary or significant are [nuclear] signals?” The researchers believe that Israel’s manipulation of its nuclear arsenal did not affect the assessments of the other actors because they already knew that Israel had nuclear capability and would use it if the Arabs “pushed too far.”³⁰ Therefore, little (if any) attention was paid to the manipulation. Accordingly, they contend, nuclear signaling does not have a substantial effect as long as the other actors are aware of the capabilities and the red lines of the state that is signaling.³¹

A pure strategic discussion without an historical-political dimension has little meaning, because any strategic discussion is necessarily based on historical experience. So too, the greater the differences between policymakers, the greater will be the contradictory strategic conclusions documented in the rich literature on nuclear weapons. If my assessment that Quandt confused the dates is correct, then there is no need to seek proof that Israel raised its nuclear alert level, as the authors of the article did, or to speculate about how this move affected the battle, because it did not happen. Thus, it also becomes clear that the authors’ insights, even if they have a degree of truth, are not supported by historical facts. However, from this episode it is certainly possible to learn about Israel’s

position on the nuclear issue and about the debate on the issue among high ranking government officials.³²

From the start of the nuclear project, and even before the nuclear reactor in Dimona became a fact, there was a two-level argument among Israel's leaders: Is it correct for Israel to equip itself with nuclear weapons, and what will its nuclear policy be when the project is completed?³³ Two main positions stood out in this debate, both at the time the nuclear project reached critical stages, and later on as well. One supported explicit nuclear deterrence, while the other believed that Israel must not reveal its nuclear capability, since this could, among other consequences, lead to a nuclear arms race in the Middle East. This disagreement divided decision makers into those who supported explicit nuclear deterrence and those who rejected it. Supporting explicit deterrence, Shimon Peres, in the period immediately before the Six Day War, even suggested that a nuclear test be conducted so as to prevent war by revealing Israel's nuclear capabilities.³⁴

The debate about Israel's nuclear policy and the disagreement between supporters and opponents of ambiguity continued for many years.³⁵ Dayan was the most public proponent of explicit deterrence. In the 1960s and 1970s, he repeatedly gave public support for nuclear weapons. When asked about this shortly before the 1965 elections, he stated that "if it were possible to go to a store and buy atomic weapons, I would support that."³⁶ In the 1970s, he declared many times that nuclear weapons would reach the Middle East, and that therefore Israel must acquire a nuclear arsenal.³⁷ In 1976, in the context of a discussion on the Yom Kippur War, he stated that Israel must produce nuclear weapons because it cannot compete with the Arab buildup. He emphasized that if the State of Israel was in danger of being destroyed, it should respond not by adding tanks, but with a powerful concentration of nuclear weapons.³⁸ This was a clear hint as to his position during the war.

While it is customary to view Dayan's suggestion as resulting from the panic that gripped him when the war broke out, his proposal actually matches his security outlook.³⁹ Had Israel revealed its nuclear capabilities either through a threat or a test, this would undermine the policy of nuclear ambiguity. Dayan believed that Israeli nuclear weapons had to play a deterrent role in the conflict, and having Israel's security rest on explicit nuclear deterrence would make more favorable borders possible in negotiations with the Arabs and would also make return to the 1967 borders easier (because of his assessment that explicit deterrence makes

defensible borders unnecessary). Indeed, in one of my conversations with him, Azaryahu too emphasized that Dayan's proposal was part of his general outlook concerning the role of nuclear weapons in Israeli foreign policy.

An important conclusion from the episode, therefore, is that Israel was steadfast in its position that it not reveal its nuclear capabilities, and they do not play an operational role in Israel's security doctrine. In fact, there were (and are) disputes among Israel's leaders as to the role that Israel's nuclear capabilities should play in conflict, but in spite of these disagreements, the output of Israel's foreign and defense policy on this issue was generally uniform: Israel will not be the first country to introduce nuclear weapons into the region.

Because Israel has adopted a policy of ambiguity and its nuclear capabilities do not play an open role in its operational military arsenal, the discussion remains speculative as to what role an Israeli nuclear alert would play in a crisis situation. The authors of the article cited above argue that in the case of Israel, nuclear signaling does not qualitatively affect the other actors, but this claim is not backed up by facts.⁴⁰ On the other hand, Peres's proposal in the days prior to the Six Day War to send a nuclear signal by conducting a nuclear test in the attempt to prevent war is highly significant. This is not meant to claim as some argue that Israel's nuclear capability has played a central role in the Arab-Israeli conflict (and in my opinion this is because Israel did not signal), but only to emphasize the fact that there is no evidence in the case under discussion of manipulations in the nuclear arsenal, and therefore, it is not possible to hold an historical discussion on the impact of nuclear signaling on other actors.

However, in a broader sense, following numerous reports in 1976 that revealed the proposal Dayan had made three years earlier, and because Dayan did not deny the reports but only claimed that they were "absurd," neighboring countries, and Egypt in particular, had stronger motivation to go nuclear.⁴¹ It has been reported that these accounts increased the anxiety in Cairo and strengthened proponents of nuclear development in Egypt, who argued that this was a response to Dayan's comments seeking to base Israeli strategy on nuclear deterrent power.⁴²

Concerning the study's second insight, which, couched in scientific language, states that sometimes manipulation of a nuclear arsenal is not a deliberate action of the state rather the action of a bureaucratic or organizational entity, the authors provide no historical example that

supports this far reaching insight. In fact, sources do not indicate that Dayan gave any order to manipulate the nuclear arsenal and circumvent Meir, even though he supported explicit nuclear deterrence. In spite of the lack of clarity and the deliberate obfuscation in everything connected to the decision making processes on the Israeli nuclear issue, it is evident that the project is under close supervision with clear procedures and that such opportunistic moves are not possible.⁴³ An action in the realm of securing nuclear facilities or launchers should not be misconstrued as a signal, since these are simply actions taken during an emergency. In the incident under discussion, it is claimed that Israel deployed Jericho missiles and armed them with nuclear warheads, an action that decision makers in Israel knew the United States would pick up (as would the Soviet Union, if the battery were exposed for long enough).

Decision makers in the United States, the Soviet Union, and Arab countries in October 1973 knew that Israel had nuclear capability. Nevertheless, this knowledge did not prevent Egypt and Syria from going to war against Israel then, or for that matter, in 1967. In other words, Israel's nuclear capability did not deter its enemies from launching a large conventional war. A major reason for this is the policy of nuclear ambiguity, whose logic removed the Israeli nuclear component from the regional conflict. In other words, because of its policy of nuclear ambiguity, Israel does not tend to carry out nuclear signaling, and therefore the impact of its nuclear capability on the conflict is minor. On the other hand, if Israel had armed its Jericho missiles with nuclear warheads during the first days of the war, this would have led to a fundamental change in perception in the United States and other countries (after all, why did the Defense Minister make the suggestion?). Since this likely did not happen, there was no need to reevaluate Israel's intentions.

One of the reasons why there was no need for a change in perception concerning the incident in question is that decision makers, both in Israel and the United States, knew that the Egyptian war plan – codenamed “High Minarets” – was intended to conquer territory up to a depth of ten kilometers east of the Suez Canal and that Egypt had no intention of advancing any further at that point.⁴⁴ Thus, from the American point of view, if the Jericho missiles were in fact armed on the second day of the war, this was not intended to protect Israel from conquest by the Egyptians and the Syrians (which most authors who address the nuclear episode claim), but to serve other, political purposes.

In historical terms, then, Israel did not conduct nuclear signaling in the first days of the Yom Kippur War, and Dayan's proposal was blocked and taken off the table as soon as it was raised. In addition, Israel did not blackmail the United States, and there is no connection between the airlift and changes in Israel's nuclear arsenal. There is no evidence that Dayan contravened Meir's order, and Quandt is likely confusing two different incidents. On the theoretical level, the authors' insight that changes in the nuclear arsenal do not necessarily lead to escalation and a change in perception by a friendly or enemy state is not supported by any evidence in the case under discussion. Furthermore, there is no evidence that Meir's decision was contravened, and therefore, the authors' determination that manipulation of the nuclear arsenal took place behind the back of the authorized authority (and perhaps implicit criticism of the manner in which the nuclear arsenal is supervised) is mistaken. In addition, the authors' claim that there is no significance to nuclear signaling during a crisis is not supported by any evidence. Rather, had Israel chosen to signal during the war, this would have had implications for the battle and beyond. In fact, the reason that decision makers in this incident objected to Dayan's proposal to make a threat or to conduct a nuclear test was the correct assessment that nuclear signaling would make Israel's situation worse – in other words, nuclear signaling has significance.

Notes

- 1 It is sufficient to point to the article by Ronen Bergman, "Atomic [Tremendous] Pressure," *Yediot Ahronot*, October 4, 2013; Avner Cohen, "When Israel Stepped Back from the Brink," *New York Times*, October 3, 2013; Amir Oren, "In the Yom Kippur War, Dayan Suggested Preparing a Nuclear Option and Golda Refused," *Haaretz*, October 3, 2013.
- 2 A short history of the Jericho missile can be found in Ronen Bergman's article "The Walls of Jericho," *Yediot Ahronot*, February 17, 2012.
- 3 Of the many instances in the literature that recycle these claims, it is sufficient to cite Seymour M. Hersh, *The Samson Option* (Tel Aviv: Yediot Ahronot, 1992), pp. 166-76 (Hebrew edition); Andrew and Leslie Cockburn, *Dangerous Liaison: The Inside Story of the U.S.-Israeli Covert Relationship* (Tel Aviv: Maariv, 1992), pp. 165-66; Howard Blum, *The Eve of Destruction: The Untold Story of the Yom Kippur War* (Harper Collins, 2003), pp. 227-29. This episode even served fictional literature. See, for example, Tom Clancy, *The Sum of All Fears* (New York: Penguin, 1992).
- 4 Elbridge Colby, Avner Cohen, William McCants, Bradley Morris, and William Rosenau, "The Israeli 'Nuclear Alert' of 1973: Deterrence and

- Signaling in Crisis," *CNA Strategic Studies*, April 2013, <http://www.cna.org/sites/default/files/research/DRM-2013-U-004480-Final.pdf>.
- 5 "The Politics of Death," *Time*, April 14, 1976.
 - 6 The videotaped interview (with subtitles) appears on the Wilson Center's website: <http://www.wilsoncenter.org/arnan-sini-azaryahu>.
 - 7 Azaryahu recounted the episode briefly in his book, where he noted that the chief of staff, Dado, had opposed the suggestion. See Ora Armoni, *Friend and Confidant* (Tel Aviv: Hakibbutz Hameuhad, 2008), p. 206. The incident was mentioned for the first time by Yair Evron, based on conversations with Azaryahu. According to Evron, according to Azaryahu, Dayan's suggestion came up at a meeting on the night between October 8 and 9, 1973. See Yair Evron, *Israel's Nuclear Dilemma* (London: Routledge, 1994), pp. 71-72.
 - 8 Avner Cohen, *The Last Taboo* (Or Yehuda: Kinneret, Zemora Bitan, 2005), p. 53 (Hebrew edition).
 - 9 Azaryahu did not remember the exact date of the meeting (this also came up in my conversations with him), and it is Cohen who correctly determined after the later interview with Azaryahu that the meeting took place on October 7, 1973.
 - 10 A transcript of the current conversation, which was conducted with Azaryahu on May 16, 1995, is in my possession.
 - 11 Bar Lev's comments were widely published in the media and appeared on the front pages of newspapers. See Nehama Dwek, "The Bar Lev Diaries," *Yediot Ahronot*, September 12, 2013. However, as opposed to what was reported, this was not a diary that Bar Lev wrote, but a limited number of notes that the commander of the southern front wrote to himself, typed up in an orderly fashion after the war, and kept in his safe. This is what his son, MK Omer Bar Lev, who gave the notes to the media, told me.
 - 12 Hersh, *Samson Option*, p. 166. Hersh does not reveal his sources, but he claims that some information was brought to his attention by a senior official who heard it from Meir's military secretary, Yisrael Lior.
 - 13 Yuval Ne'eman, "The Operational Link between Israel and the United States in the Yom Kippur War," pp. 124-40 in *Jews, Israel, and the Nuclear Issue: An Anthology of Articles Written by Professor Yuval Ne'eman*, ed. Shmuel Sabag (Ariel University Center of Judea and Samaria, 2007). The quote is from pp. 128-29.
 - 14 During the war, the Soviets launched a Cosmos observation satellite once every three days, which scanned the area of the fighting.
 - 15 See William B. Quandt, "How Far Will Israel Go?" *Washington Post*, October 24, 1991. Quandt was convinced the airlift took place as a result of fears that Israel would be forced to rely on its nuclear forces.
 - 16 See note 58 in Colby et al., "The Israeli 'Nuclear Alert' of 1973," pp. 34-35.
 - 17 Colby et al., "The Israeli 'Nuclear Alert' of 1973," pp. 33-34.
 - 18 Ne'eman, "Operational Link," p. 125. Compare Cohen's comments on Quandt's testimony at the meeting, which reinforce Ne'eman's testimony.

- See Cohen, *The Last Taboo*, p. 50. On the face of it, this is more or less what Quandt claims in the 1991 article cited.
- 19 Amir Oren from *Haaretz* served as a consultant for the series and edited the interviews. The quotes appear in his article cited in n. 1.
 - 20 Colby et al., "The Israeli 'Nuclear Alert' of 1973," pp. 36-37. It could be argued that the US officials who were interviewed were reluctant to tell the truth about this incident because of their commitment to maintain the policy of Israeli nuclear ambiguity. However, in contrast to Kissinger, for example, whose positions on the nuclear issue are moderate, Schlesinger held more hawkish views.
 - 21 *Ibid.*, p. 37.
 - 22 Presumably if the Egyptians had picked up Israel's raising of its nuclear alert level, this would have served as fuel in the Egyptian controversy about development of nuclear weapons at earlier stages. At the very least, the publication of reports in 1976 about the incident discussed here, which led to a lively debate in Egypt about the Israeli nuclear project, would likely have led high ranking Egyptian officials to reveal that they had picked up the raised nuclear alert level. On the Egyptian attitude to Israel's nuclear image, including mention of the incident, see Ariel Levite and Emily Landau, *In the Eyes of the Arabs: Israel's Nuclear Image* (Tel Aviv: Papyrus, Tel Aviv University, 1994), pp. 43-44, 77-79.
 - 23 See interviews in the film *1973: A War Diary*, which was broadcast on channel 22.
 - 24 Ne'eman, "Operational Link," p. 139.
 - 25 The interview on channel 11 is available at <http://www.youtube.com/watch?v=E8T5jyIy7eU&feature=endscreen&NR=1>.
 - 26 In Israel, too, there is confusion about various incidents and different ground-to-ground missiles. In their book *Real Time* (Tel Aviv: Yediot Ahronot, 2003), p. 49, Ronen Bergman and Gil Melzer address the discussion that took place a few hours before the fighting began, in which Dayan, Dado, Benny Peled, and others talked about "the most extreme response measures." In the discussion, Dayan ordered that the Ivry missile be prepared, which, the authors write, "according to the foreign press, is a different name for the Jericho ground-to-ground missile and is also capable of carrying nuclear weapons." Seemingly, this story could have conformed with Quandt's testimony in one way or another. However, the Ivry (the MAR-290 medium-range artillery rocket) is not a great secret, and if foreign media reports identify the Ivry with the Jericho, then this is evidence of the foreign correspondents' knowledge. See also pp. 136-37.
 - 27 Colby et al., "The Israeli 'Nuclear Alert' of 1973," p. 50.
 - 28 *Ibid.*, pp. 53-54.
 - 29 *Ibid.*, p. 54.
 - 30 *Ibid.*
 - 31 *Ibid.*, pp. 55-57.

- 32 More about the Yom Kippur War can be learned from Dayan's proposal. See Adam Raz, "The Voice is Dayan's voice, but the Hands are the Hands of Zeira – Why the 'Special Means' were not Activated on the Eve of the Yom Kippur War," *Yisraelim* 5 (2013): 162-213, especially p. 209.
- 33 See Adam Raz, "On the Way to Dimona: The Beginning of the Dispute over Israeli Nuclear Policy," *Politica* No. 22 (winter 2013): 107-34.
- 34 On June 1, 1967, several days before the fighting began, Peres suggested conducting a nuclear test in the south of Israel, which, he said, would deter the Arabs and prevent the war. His suggestion was made a few hours after Dayan was appointed defense minister. Peres's suggestion, which has varied and diverse sources, was tabled. The suggestion to conduct nuclear signaling shows that Peres (like Dayan) thought that it definitely could and should play a role in military conflicts. See Adam Raz, "The Nuclear Dimension on the Eve of the Six Day War," *Kivunim Hadashim* 28 (June 2013): 147-60.
- 35 On aspects of this debate see Adam Raz, "The Value of Nuclear Ambiguity in the Face of a Nuclear Iran," *Strategic Assessment* 14, no. 3 (2011): 19-32.
- 36 *Maariv*, July 2, 1965.
- 37 "Dayan: We Should Not Expect that Nuclear Weapons Will Not Come to the Region," *Davar*, November 29, 1974; "Dayan: We Must Acquire a Nuclear Option so that the Arabs Know We Can Destroy Them," *Yediot Ahronot*, March 11, 1976.
- 38 "Dayan: Nuclear Weapons: The Answer to the Danger of Destruction of the State of Israel," *Yediot Ahronot*, March 28, 1976.
- 39 I agree with Shlomo Aharonson on this. See Shlomo Aharonson, *Nuclear Weapons in the Middle East*, Volume 2 (Jerusalem: Akademon, 1995), p. 180. On Dayan's nuclear doctrine, see an article by his close associate Avraham Schweitzer, "The Importance of the Nuclear Option," *Haaretz*, March 5, 1975.
- 40 The various references in different episodes over the years to Israel's nuclear capability most certainly led to a heated debate in neighboring countries about nonconventional weapons. The Vanunu affair, which, while it does not fall under the category of nuclear signaling, definitely led to increased tension in the region on the issue of nonconventional weapons.
- 41 "Dayan: I Cannot Imagine Joining the Likud," *Davar*, May 6, 1976.
- 42 "Egyptian Military Leaders Support View that Cairo Must Develop Nuclear Weapons," *Yediot Ahronot*, October 31, 1976.
- 43 In the days prior to the Six Day War, Dayan gave an order related to the nuclear project of his own accord, and only afterwards went to ask the opinion of Prime Minister Levi Eshkol. However, this is not like the episode under discussion.
- 44 See Adam Raz, "State Without the Means," *Maarachot* No. 452 (December 2013): 60-65.



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