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The Pursuit of Nuclear Weapons in the Middle East: Obstacles to a Nuclear-  
Weapons-Free Zone

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## **Abstract**

Every country in the Middle East – with the exception of Israel – has signed and ratified The Treaty on the Non-proliferation of Nuclear Weapons (NPT) and renounced its sovereign right to build or acquire nuclear weapons. Nonetheless, there have been more violations of the NPT non-proliferation norm in the Middle East than in any other region of the world. These violations have eroded the credibility of the international non-proliferation regime and represent its inability to constrain state behavior and verify compliance in the Middle East. A regional nuclear-weapon-free zone (NWFZ) has been endorsed by every country in the region but there has been little progress made toward achieving this goal. Israel is the only nuclear power in the Middle East and would have to disarm in order to establish a NWFZ. The Arab states and Iran believe Israeli nuclear disarmament should be the first step toward the creation of a NWFZ and they continue to exert diplomatic pressure on Israel to join the NPT. Israeli leaders argue that regional peace and normalized relations should precede the establishment of a NWFZ in the Middle East. These discrepant views on sequencing have stalled every initiative to establish a regional arms control treaty prohibiting nuclear weapons in the Middle East.

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## Chapter One

### Nuclear Weapons in the Middle East

They shall beat their swords into plowshares, and their spears into pruning hooks; nations shall not lift a sword against nation, nor shall they learn war any more. But they shall sit every man under his vine and under his fig tree and none shall make them afraid.

– the Prophet Micah

As far as a nuclear weapons-free zone, you know, when the lion lies down with the lamb, and you don't need a new lamb every day to satisfy the lion, then we might have this kind of transformation in the Middle East.

-- Binyamin Netanyahu

The nuclear specter that haunts the Middle East is altering the strategic calculus of several countries and threatens to further destabilize a region already characterized by a high level of both domestic and interstate conflict. The decade-long nuclear standoff with Iran has heightened anxiety throughout the Gulf and wider Middle East. On April 29, 2014 Saudi Arabia conducted its largest ever military exercise, which included 130,000 troops and intermediate range missiles capable of reaching Iran. Operation “Abdullah’s Shield” took place near Saudi Arabia’s northern border and was intended to send a clear message of deterrence to the regime in Tehran.<sup>1</sup> Moreover, Saudi officials have publicly stated their intention of acquiring “off the shelf” nuclear warheads from Pakistan. Israel has responded to Iran’s nuclear capability, which now appears to be a *fait accompli*, by bolstering its second-strike capability with submarines capable of launching missiles with nuclear warheads. The perceived decline of American influence in the region has reduced

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<sup>1</sup> “Saudi Arabia Puts on Show with ‘Abdullah’s Shield’ Al-Monitor: The Pulse of the Middle East,” *Al-Monitor*, accessed May 4, 2014, <http://www.al-monitor.com/pulseen/originals/2014/04/saudi-arabia-military-show-signal-washington-tehran.html>.

the credibility of U.S security guarantees to its allies and increased the value of acquiring an indigenous deterrent.

Israeli leaders have repeatedly expressed the view that a nuclear-armed Iran would present an existential threat to the Jewish state and have planned to use military force to prevent Tehran from achieving nuclear capability. U.S and Israeli public statements that “all options are on the table” to prevent Iran from “going nuclear” exacerbate tensions in the region and the imponderable repercussions of a military strike cause fear throughout the Middle East. The 2007 Israeli strike on a Syrian nuclear reactor was the most recent instance of Tel Aviv’s doctrine of using military force to prevent adversaries from developing nuclear capability. As a consequence, Iran has hardened its nuclear facilities and spread them throughout the country. If Tehran decided to withdraw from international treaties or test a nuclear device it would provoke an arms race in the Middle East.

The international norm of nuclear prohibition established by the Treaty on the Nonproliferation of Nuclear Weapons (NPT) has not altered state behavior in the Middle East. In fact, Saddam Hussein strategically chose to remain in the NPT in order to conceal his nuclear weapons program and allay international suspicion. The monitoring and verification system carried out by the International Atomic Energy Agency (IAEA) has failed to detect past violations and, as a result of its diminished credibility, cannot mitigate the security dilemma that operates in the Middle East; countries will not renounce the pursuit of nuclear weapons – or, in the case of Israel, a nuclear arsenal – if they are not assured that other states in the region will be equally constrained. A regional security regime is the only way to address the unique security environment in the Middle

East and abolish nuclear weapons. The prohibition of nuclear weapons in the Middle East, verified by credible bilateral inspections, would serve the interest of every country in the region. And yet, despite a regional consensus on the goal of nuclear prohibition and disarmament, every initiative to establish a Middle East nuclear weapon free zone (MENWFZ) has failed to yield results. These initiatives have not gotten off the ground because they do not address the domestic political conditions, economic incentives and security dilemma that drive nuclear ambitions in the region and instead focus exclusively on pressuring Israel to sign the NPT and end its policy of “nuclear ambiguity.” In addition, the hostility and lack of normalized relations among many states in the Middle East precludes the establishment of a credible regional verification and compliance mechanism.

Every country in the Middle East -- with the exception of Israel – is a signatory to (NPT) and is, therefore, already obligated “not to manufacture or otherwise acquire nuclear weapons.” Nonetheless, more countries in the Middle East have pursued nuclear weapons in violation of their NPT commitments than in any other region of the world. In addition to Iran’s current quest for nuclear capability, Libya, Syria and Iraq have also attempted to either acquire nuclear weapons or develop an indigenous nuclear capability. Throughout the 1960s, prior to the entry into force of the NPT, Egypt’s popular nationalist president Gamal Abdel Nasser developed a nuclear program with the goal of deterring Israel; Saddam Hussein developed a robust clandestine nuclear program and was forcibly disarmed after the 1991 Gulf War; in 2003 Libyan dictator Muammar Qaddafi gave up his nuclear ambitions after three decades of nuclear pursuit. Syria is suspected of harboring nuclear aspirations and has violated its NPT obligations by

secretly receiving extensive foreign assistance in developing its nuclear industry. Faced with international pressure to curb its uranium enrichment program, Iran has threatened to exercise its legal right to withdraw from the NPT. Despite decades of nuclear pursuit in the Middle East, Israel remains the only nuclear power in the region.

Nuclear pursuit in the Middle East is fueled by conflict and competition. The Middle East is one of the most unstable and war-prone regions in the world, characterized by a high level of conflict and deep-seated national, ethnic and religious rivalries. Over the past century, the Middle East has been the site of major interstate wars and foreign interventions. The overthrow of Saddam Hussein in 2003 altered the balance of power in the region and sparked a quest for regional hegemony. Saudi Arabia and Iran are both highly militarized states that lend political, economic and military support to their proxies throughout the region. In addition, the decades-long Israeli-Palestinian conflict fuels tension in the region; most states do not recognize the Jewish state's right to exist, a fact that makes cooperation on security matters tenuous at best. Several states in the Middle East do not maintain diplomatic relations and national territorial disputes exist in the Gulf and Levant.

Countries in the Middle East also suffer crises of political legitimacy and civil conflict, which destabilize the entire region as "domestic political tensions are directed outward in a centrifugal fashion."<sup>2</sup> The high-conflict security environment causes leaders in the Middle East to value the utility of nuclear weapons and the lack of cooperation impedes efforts to establish a security regime to prohibit them.

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<sup>2</sup> Gerald M. Steinberg, "Realism, Politics and Culture in Middle East Arms Control Negotiations," *International Negotiation* 10, no. 3 (2005): 14.



Since the 1980s, there have been several preventive strikes on nuclear facilities in the Middle East. In addition to the 2007 Israeli strike on Syria's al-Kibar reactor, Israel also sabotaged a French-made reactor destined for Iraq and in 1981 conducted a 'bolt from the blue' strike on the same Osiraq reactor, eliciting international condemnation. In 1980, Iran attacked an Iraqi nuclear reactor and Iraq bombed Iran's Bushehr reactor five separate times throughout the 1980s. The U.S. bombed Iraq's nuclear installations in 1991, 1993 and 1998 and in 2003 the U.S launched a counter-proliferation war aimed ostensibly at ending Iraq's pursuit of nuclear weapons.<sup>3</sup> The United States and Israel have also relied on sabotage and assassination to curb Iran's nuclear pursuit.

Israel's strategy of using military force to prevent the emergence of a nuclear-armed rival is known as the "Begin Doctrine" and reflects Israeli pessimism concerning the possibility of achieving security through a stable "balance of terror" in the Middle East. Guy Ziv observes: "In the stark realities of the Middle East – a region embedded with dictatorships, deep animosities, religious fanaticism, and a widespread culture of violence – the prospect of nuclear proliferation does not bode well for stability and peace; it would more likely further destabilize the Middle East."<sup>4</sup>

Kenneth Waltz presents a brief counterargument in a *Foreign Affairs* article titled "Why Iran Should Get the Bomb." Waltz argues that Israel's status as the only nuclear power in the Middle East causes instability and that a nuclear-armed Iran would stabilize the region by restoring the balance of military power. Waltz contends: "It is Israel's

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<sup>3</sup> Matthew Fuhrmann and Sarah E. Kreps, "Targeting Nuclear Programs in War and Peace: A Quantitative Empirical Analysis, 1941-2000," *Journal of Conflict Resolution* 54, no. 6 (2010): 831-59.

<sup>4</sup> Guy Ziv, "To Disclose or Not to Disclose: The Impact of Nuclear Ambiguity on Israeli Security," *Israel Studies Forum*, vol. 22 (2007): 80.

nuclear arsenal, not Iran's desire for one, that has contributed most to the current crisis. Power, after all, begs to be balanced."<sup>5</sup> The response of states in the Middle East, however, suggests that they do not view a nuclear Iran as a regional answer to Israel's nuclear monopoly. King Abdullah of Saudi Arabia was quoted in a Wikileaks document requesting that the U.S. use military force against Iran in order to "cut off the head of the snake."<sup>6</sup> Arab silence after the Israeli strike on Syria's nuclear reactor also indicates that states in the region do not perceive a nuclear balance as a source of stability.

Mohammed ElBaredei, the former Director General of the International Atomic Energy Agency, argues that Israel's status as the only non-NPT signatory in the Middle East is undermining the non-proliferation regime. He states: "The nuclear non-proliferation regime has lost its legitimacy in the eyes of the Arab public opinion because of the perceived double standards concerning Israel, the only state in the region outside the NPT and known to possess nuclear weapons."<sup>7</sup> From the Israeli perspective, however, the NPT does not adequately address its security concerns and Israel must maintain its nuclear deterrent as a weapon of last resort to guarantee its survival. The Arab world, however, "does not perceive the Israeli nuclear weapons as a deterrent, but as a compulsion weapon to make the Arabs accept an unacceptable status quo."<sup>8</sup>

This paper will answer the following questions: Why has there been a disproportionate pursuit of nuclear weapons in the Middle East? What are the

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<sup>5</sup> Kenneth N. Waltz, "Why Iran Should Get the Bomb: Nuclear Balancing Would Mean Stability," *Foreign Aff.* 91 (2012): 3.

<sup>6</sup> Arshad Mohammed and Ross Colvin, "Saudi King Urged U.S. to Attack Iran: WikiLeaks," *Reuters*, November 29, 2010, <http://www.reuters.com/article/2010/11/29/us-wikileaks-usa-idUSTRE6AP06Z20101129>.

<sup>7</sup> "Israel Seen as Undermining Disarmament" *Reuters*, February 16, 2009, <http://in.reuters.com/article/2009/02/16/idINIndia-38051120090216>

<sup>8</sup> Abdel Monem Said Aly, "In the Shadow of Israeli Nuclear Bombs: Egyptian Threat Perceptions," *Brown J. World Aff.* 3 (1996): 158.

determinants of nuclear weapons programs in the Middle East? Why has the NPT failed to constrain state behavior in the Middle East? How have states managed to pursue clandestine nuclear programs while under IAEA safeguards? Is Israel's nuclear monopoly the cause of nuclear proliferation in the region, as Kenneth Waltz suggests? Do states in the Middle East have faith in the NPT to meet their security needs? What regional arms control initiatives have been proposed? Has the focus on disarming Israel caused the failure of these initiatives? What are the different national perspectives on what steps to take in order to establish a MENWFZ?

The numerous violations of the NPT in the Middle East demonstrate the failure of the NPT and international nonproliferation regime to verify compliance and punish violations. Proposals have been made to establish a regional MENWF but, to date, preventive war and nuclear deterrence have taken the place of arms control and disarmament. Progress toward establishing a MENWFZ has been hampered by the exclusive focus on disarming Israel to the exclusion of all other issues, including the establishment of a regional compliance and verification mechanism and addressing the security dilemma that causes leaders to value nuclear weapons. The goals of disarmament and nonproliferation are noble and can provide for security in the Middle East if countries begin to perceive security as a positive-sum game.

## **Chapter Two**

### **Research Design**

The establishment of a NWFZ in the Middle East is a noble goal and would benefit every country in the region if it established a credible regional verification and compliance mechanism. This paper will present a brief survey of the vast theoretical literature on the determinants of nuclear proliferation in order to explain and understand the instances of nuclear pursuit in the Middle East. In addition, I define the Treaty on the Nonproliferation of Nuclear Weapons (NPT), the global non-proliferation regime and nuclear-weapon-free zones.

The case studies in this paper present brief histories of the nuclear programs in Iran, Israel and Iraq and assess their motives for pursuing and maintaining nuclear weapons, as well as their perceptions of the NPT and a potential Middle East NWFZ. The last case study details the efforts of Egypt to promote a NWFZ and pressure Israel to join the NPT. The paper concludes with an analysis of the case studies and explains the failure to establish a NWFZ in the Middle East.

## Review of the Nuclear Proliferation Literature

Any effort to establish a MENWZ must address the incentives to pursue nuclear weapons. Given the destructive power of nuclear weapons it is not surprising that, despite the small number of case studies, so much scholarly writing has been devoted to understanding the causes and consequences of nuclear proliferation. The theoretical literature seeks to explain why states choose to pursue nuclear weapons, why some of those states later abandon the effort and why some states never pursue nuclear weapons. In addition, the literature explains the phenomenon of “latent nuclear states”-- those with the technical capability to build nuclear bombs on short notice if and when they choose. Nuclear weapons acquisition in different countries is convincingly explained by distinct variables; for example, South Africa pursued nuclear weapons despite the absence of a credible security threat and Egypt chose nuclear restraint even when faced with a nuclear-armed adversary. Most states have not sought to acquire nuclear weapons but a better understanding of nuclear dynamics can inform a potential regional nonproliferation regime in the Middle East.

The real proliferation puzzle is not why states choose to acquire nuclear weapons but why most states haven exercised nuclear restraint and chosen to forgo the nuclear option. In 2014, there are only nine nuclear weapon states: The U.S., Russia, the U.K., France, China, Israel, India, Pakistan and North Korea. In 1993, South Africa publicly admitted to having secretly built nuclear bombs but disarmed on the eve of transition to majority rule and joined the NPT as a non-nuclear weapon state (NNWS). Ukraine, Kazakhstan and Belarus were “born nuclear” and acquired nuclear weapons upon the dissolution of the Soviet Union. All three states eventually gave up their nuclear weapons

and joined the NPT as NNWS. Today, there are only four more nuclear weapon states than when the NPT entered into force in 1970 – an average of one new nuclear state per decade. Nuclear weapons scholar George Bunn argues: “The single most important factor in producing this success has been the nonproliferation norm established by the NPT and the incentives for remaining non-nuclear that the NPT helped initiate.”<sup>9</sup> According to Bunn, the NPT has slowed the spread of nuclear weapons by lowering the cost of cooperation, increasing transparency and mitigating the security dilemma among NNWS.

### Technical Determinism

In the years preceding the signing of the NPT, the slow pace of nuclear proliferation was not anticipated. In 1961, President Kennedy warned that by 1975 there would be up to “fifteen, twenty or twenty-five new nuclear weapons powers.”<sup>10</sup> Kennedy based his assessment on a secret intelligence report from Defense Secretary Robert McNamara that estimated the cost of acquiring nuclear weapons would “come down by a factor of two to five times.”<sup>11</sup> Kennedy’s pessimistic estimate stemmed from the belief that technology rather than political incentives are the principle driver of a state’s nuclear policy. According to this perspective, the diffusion of nuclear technology would lead to uncontrolled proliferation. In 1960, a British scholar summed up this logic: “So far no

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<sup>9</sup> George Bunn, “The Nuclear Nonproliferation Treaty: History and Current Problems,” *Arms Control Today* 33, no. 10 (2003): 4–10.

<sup>10</sup> Peter R. Lavoy, “Predicting Nuclear Proliferation: A Declassified Documentary Record,” *Strategic Insights*, vol. 3, issue 1, (January 2004), accessed March 31, 2014, <https://fas.org/man/eprint/lavoy.pdf>.

<sup>11</sup> *Ibid.*

country has resisted the temptation to make its own atomic weapons once it has acquired the physical ability to do so.”<sup>12</sup>

The technological determinist hypothesis ignores political incentives for nuclear proliferation and argues that nuclear technology is the primary determinant of nuclear proliferation. States, therefore, will build bombs as soon as it is technically possible.<sup>13</sup> According to this theory, President Eisenhower’s Atoms for Peace program and the NPT have backfired by providing states with nuclear technology and know-how and reducing the cost of weapons proliferation. In the 1950s, the U.S provided Iran with a nuclear research reactor than ran on high enriched uranium. According to nuclear weapons scholar Leonard Weiss: “It is legitimate to ask whether Atoms for Peace accelerated proliferation by helping some nations achieve more advanced arsenals than would have otherwise been the case. The jury has been in for some time on this question, and the answer is yes.”<sup>14</sup>

Matthew Fuhrmann argues that the dual-use dilemma of nuclear technology makes peaceful nuclear cooperation a major determinant of weapons proliferation. He writes, “All forms of atomic assistance – whether it involves training scientists, supplying reactors, or building fuel fabrication facilities – raise the likelihood that nuclear weapons will spread.”<sup>15</sup> Fuhrmann argues that peaceful nuclear assistance combined with security threats further increase the likelihood of nuclear weapons proliferation. States receiving atomic assistance do not have to make a formal decision to develop nuclear weapons for

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<sup>12</sup> Moeed Yusuf, "Predicting Proliferation: The History of the Future of Nuclear Weapons," (Brookings Institution (2009): 14

<sup>13</sup> Tanya Ogilvie-White, “Is There a Theory of Nuclear Proliferation? An Analysis of the Contemporary Debate,” *The Nonproliferation Review* 4, no. 1 (1996): 43–60.

<sup>14</sup> Leonard Weiss, “Atoms for Peace,” *Bulletin of the Atomic Scientists* 59, no. 6 (2003): 34–44.

<sup>15</sup> Matthew Fuhrmann, “Spreading Temptation: Proliferation and Peaceful Nuclear Cooperation Agreements,” *International Security* 34, no. 1 (2009): 12.

nuclear energy cooperation and technical training to increase the probability of nuclear proliferation. States only choose to build nuclear bombs after it becomes a realistic goal. According to theories of technical determinism, preventing the diffusion of technology and know-how are as relevant to nonproliferation policy as addressing the political incentives to acquire nuclear weapons. The recent surge of interest in nuclear power throughout the Gulf are interpreted as a strategy of hedging to develop latent nuclear weapons technology through a civilian program built with foreign assistance. Regarding the “nuclear renaissance” in the Middle East, nuclear weapons scholar Joseph Cirincione argues: “This is not about energy; it is a nuclear hedge against Iran.”<sup>16</sup>

The existence of several latent nuclear states capable of building bombs that nonetheless choose not to -- the so-called nuclear “dogs that did not bark” --exposes a flaw in the technical hypothesis and determinants other than technical capability must determine nuclear decision-making. Richard Betts argues that employing supply-side controls to prevent nuclear proliferation is “limited in vision” because “it focuses on the necessary rather sufficient conditions for proliferation and hides the significant distinction between capability and the exercise of capability.”<sup>17</sup> Jonathan Schell, a scholar and prominent advocate for the abolition of nuclear weapons, also argues that political incentives, and not technical capacity, ultimately determine the decision to pursue nuclear weapons:

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<sup>16</sup> Joseph Cirincione and Uri Leventer, “The Middle East’s Nuclear Surge,” *The New York Times*, April 13, 2007, accessed May 1, 2014, [http://www.nytimes.com/2007/08/13/opinion/13iht-edcirin.1.7097430.html?\\_r=0](http://www.nytimes.com/2007/08/13/opinion/13iht-edcirin.1.7097430.html?_r=0).

<sup>17</sup> Richard K. Betts, “Paranoids, Pygmies, Pariahs & Nonproliferation,” *Foreign Policy*, no. 26 (April 1, 1977): 163, doi:10.2307/1147904.



If we think of the NPT as a dam holding back nuclear proliferation, then the spread of nuclear capacity is like water collecting behind the dam. That tide can only rise, increasing the pressure. The world's safety ultimately depends not on the number of nations that want to build nuclear weapons but cannot, but on the number that can but do not. If the spread of nuclear weapons is to be prevented over the long run, it cannot come through restrictions on nations' capacity. Instead, it must come by influencing their will, which entails the use of diplomatic and political means -- the very means whose breakdown we are now witnessing.<sup>18</sup>

### The Security Model

The realist theory of nuclear proliferation has dominated the field since the advent of the nuclear age. The realist framework of international relations argues that countries exist in an anarchic international system and must rely on the principle of self-help to maximize their security and ensure their own survival. Military power is the surest way to achieve security and nuclear weapons are therefore the ultimate security guarantee. States pursue nuclear weapons to maximize their security and to balance nuclear-armed rivals. The realist security model of proliferation explains the “nuclear domino effect” in which countries pursue nuclear weapons in reaction to the threat from a nuclear-armed adversary. George Schultz summarized the realist nuclear logic: “Proliferation begets proliferation.” Realist theory focuses on external security concerns to explain the spread of nuclear weapons; domestic politics, leader psychology and international cooperation are irrelevant to a state’s security calculus and nuclear policy.

The nuclear domino effect impelled the U.S. to develop a bomb before Nazi Germany; the Soviet Union then built a nuclear bomb in response to the United States; China built a bomb in response to the Soviet and U.S. bomb; India built a bomb in response to China; and Pakistan built a bomb in response to India. The decisions by both

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<sup>18</sup> Jonathan Schell, “The Folly of Arms Control,” *Foreign Affairs*, (2000): 22–46.

France and the U.K., both protected under the NATO nuclear umbrella, do not fit neatly into the realist security paradigm and are better explained by both nationalism and a desire for “a seat at the table.” And Israel, the first country in the Middle East to pursue nuclear weapons, was seeking to deter against Arab conventional military superiority. The NPT, according to the realist framework, is solves a collection action problem by assuring NNWS that other states will also forgo the pursuit of nuclear weapons. Scott Sagan sums up this logic: “Each state would prefer to become the only nuclear weapons power in the region, but since that is an unlikely outcome if it develops a nuclear arsenal, it is willing to refrain from proliferation if, and only if, its neighbors remain non-nuclear.”<sup>19</sup>

Neorealist scholar and proliferation optimist Kenneth Waltz argues that nuclear weapons increased global stability during the Cold War and have had the same impact on the one nuclear dyad to emerge after the Cold War -- India and Pakistan. The logic of *rational deterrence theory* asserts that the likelihood of war between nuclear-armed rivals is reduced due to the certainty that both sides would pay an intolerably high cost. With conventional weapons the outcomes of war are uncertain and leaders “entertain illusions of victory at supportable costs.”<sup>20</sup> Nuclear weapons eliminate the miscalculations and uncertainty that cause wars. Nuclear deterrence would create stability in the Middle East because,

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<sup>19</sup> Scott D. Sagan, “Why Do States Build Nuclear Weapons?: Three Models in Search of a Bomb,” *International Security* 21, no. 3 (1996): 54.

<sup>20</sup> Waltz, Kenneth N. “Nuclear myths and political realities.” *American Political Science Review* 84, no. 3 (1990): 734.

Catastrophic outcomes of nuclear exchanges are easy to imagine, leaders of states will shrink in horror from initiating them. With nuclear weapons, stability and peace rest on easy calculations of what one country can do to another. Anyone – political leader or a man in the street – can see that catastrophe lurks if events spiral out of control and nuclear warheads start to fly.<sup>21</sup>

According to Waltz, nuclear weapons do not serve any purpose other than to prevent war between countries that possess them. They have no offensive strategic value and their psychological effects alone make them credible deterrents. Because states are rational actors concerned above all else with their own survival they will not risk a devastating nuclear exchange. As a result, “The probability of major war among states having nuclear weapons approaches zero.”<sup>22</sup>

The counterintuitive logic of nuclear deterrence – that “safety depends on the absolute and unchallenged capacity of each side to annihilate the other's population”<sup>23</sup> -- is a persuasive theory. Carried to its logical conclusion, *rational deterrence theory* suggests that in a world where every country possessed nuclear weapons major wars would be abolished. Rather than fear the spread of nuclear weapons, it should be welcomed. Jonathan Schell refers to this faith in the ability of nuclear weapons to achieve what international institutions cannot “nuclear Wilsonianism.”<sup>24</sup>

The realist theory of nuclear weapons proliferation is mono-causal; countries build nuclear weapons in response to a security threat. The theory is parsimonious and explains reactive proliferation following World War II but has over-predicted the spread of nuclear weapons. Why would a technically capable state not build (or give up) nuclear weapons, the ultimate security guarantee? Realists cite the absence of a credible security

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<sup>21</sup> Ibid., 734

<sup>22</sup> Ibid., 740.

<sup>23</sup> Schell, " The Folly of Arms Control," 26.

<sup>24</sup> Schell, " The Folly of Arms Control."

threat or extended deterrence from a nuclear power to explain the slow spread of nuclear weapons. Countries, however, have acted contrary to realist predictions; Egypt for example abandoned its nuclear pursuit despite military defeats to Israel, a nuclear power, in 1967 and 1973

T.V Paul argues that nuclear restraint is explained by a state's awareness of the security dilemma and fear of provoking adversaries. Contrary to realist theory, which assumes states' pursuit of power to be a zero-sum game measured in relative gains, Paul's theory of *prudential realism* explains restraint as a security strategy: "The self-help system does not automatically direct a state to maximize its relative gains, because it knows that single handed pursuit of security maximization through nuclear acquisition could eventually result in a loss of security for itself and for other significant actors in the region."<sup>25</sup> Technically capable states choose forbearance when they assess that antagonizing regional allies or adversaries would undermine their security more than nuclear weapons would enhance it. According to Paul, "These states behave as prudential realists - i.e., they balance their interests, capabilities, and intentions to the extent of not threatening others while maximizing their own security in a benign environment."<sup>26</sup>

According to Paul, countries in low or moderate conflict zones make cost-benefit calculations based on an assessment of the most probable threat and avoid exacerbating the security dilemma with opaque nuclear postures or the overt pursuit of nuclear weapons, while countries in high-conflict regions such as the Middle East, base security strategies on worst-case assumptions. Prudential realist calculations do not influence nuclear decision-making in high-conflict regions because the cost of miscalculating is too

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<sup>25</sup> Thazha Varkey Paul, *Power versus Prudence: Why Nations Forgo Nuclear Weapons* McGill-Queen's Press-MQUP, (2000): 25.

<sup>26</sup> Ibid., 15.

high. Iran's pursuit of nuclear capability provides a case in point: the regime in Tehran values its nuclear program despite repeated threats from the U.S. and Israel to stop it. Iranian leaders value the utility of nuclear capability enough to risk antagonizing their adversaries and risking a preventive strike.

Seen through the lens of prudential realism, the nonproliferation regime and the NPT have a limited role in states' calculations of nuclear forbearance; in low- or medium-conflict regions the operation of the security dilemma motivates states to exercise restraint, and in high-conflict regions, such as East Asia and the Middle East, alliances and extended deterrence are more effective than security regimes. The nonproliferation regime, however, "becomes more important once a state chooses a non-nuclear policy, as it provides assurance of similar behavior by other states."<sup>27</sup>

### Domestic Politics and Leader Psychology

Scott Sagan proposes a framework for explaining the spread of nuclear weapons that focuses on domestic politics and state bureaucracies rather than the relative distribution of power and the security dilemma. In his *domestic politics model*, Sagan argues that threats to a state's security can have different outcomes depending on the parochial interests of influential decision-makers within the state. A country's military and nuclear bureaucracies can exaggerate threat perceptions to justify a nuclear weapons program if it meets their narrow interests. Sagan writes: "Security threats are therefore not the central cause of weapons decisions: they are merely windows of opportunity through which parochial interests can jump."<sup>28</sup> Sagan argues that India's decision to

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<sup>27</sup> Paul, *Power versus Prudence*, 67.

<sup>28</sup> Sagan, "Why Do States Build Nuclear Weapons?" 65.

develop a nuclear deterrent was not a reaction to China's 1964 detonation but the product of a protracted bureaucratic struggle between those who supported global nuclear disarmament and Homi Bhabba, the influential head of India's Atomic Energy Commission. In 1974, Prime Minister Indira Gandhi was responding to domestic political pressure and not security threats when she allowed for a peaceful nuclear test. In South Africa, domestic politics, and not the threat of Soviet aggression explain the decision to build nuclear bombs; Brazil and Argentina chose to pursue a bilateral policy of nuclear abstention after both countries transitioned from military to civilian democratic rule in the 1980s. Sagan's theory can be applied to Iran where the Iranian Revolutionary Guard Corps (IRGC) supports the nuclear program for its own parochial economic incentives. In the domestic politics models, the NPT plays a role in empowering state bureaucracies and political actors that are opposed to nuclear weapons.

Sagan also proposes a *norms model* of nuclear acquisition that views nuclear weapons as possessing powerful symbolic value and nuclear policy as a reflection of a state's identity in the international system. The prohibition against the acquisition of nuclear weapons was codified by the NPT, which shifted, "the norm concerning what acts grant prestige and legitimacy from the 1960s notion of 'joining the nuclear club' to the 1990s notion of joining 'the club of nations adhering to the NPT.'"<sup>29</sup> Sagan argues that as a result of the shift in the international norm, French nuclear acquisition and Ukrainian abstention both served the same purpose -- to enhance their "prestige and legitimacy."

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<sup>29</sup> Ibid., 76.

The French decision to acquire nuclear weapons was motivated by a desire to restore French *grandeur* and great power status after experiencing occupation during World War II and the turmoil of the 1958 Algerian crisis; deterring Soviet aggression was a justification and not the primary purpose of France's nuclear arsenal. In contrast, Ukraine relinquished 4,000 nuclear weapons it "inherited" after the break up of the Soviet Union, a decision that cannot be explained by either the security or domestic politics model. Sagan argues that the NPT norm against proliferation motivated Ukraine to eliminate its nuclear arsenal in order to establish itself as a legitimate sovereign state because, "The strength of the NPT regime created a history in which the most recent examples of new or potential nuclear states were called rogue states."<sup>30</sup> In the Middle East, Saddam Hussein, Muammar Qaddafi and the current Iranian regime – all of whom have been labeled with the appellation "rogue" -- perceived nuclear weapons as symbolic tools of prestige. Egypt, on the other hand, has based its legitimacy on the decision to abandon its nuclear pursuit and pursue nonproliferation and disarmament from inside the nonproliferation regime.

In contrast to the mono-causal realist framework, Sagan's models explain nuclear acquisition using a combination of security threats, domestic political dynamics and international norms: "Nuclear weapons, like other weapons, are more than tools of national security; they are political objects of considerable importance in domestic debates and internal bureaucratic struggles and can also serve as international normative symbols of modernity."<sup>31</sup>

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid., 55.

Etel Solingen proposes theory of nuclear decision-making that focuses on regime survival strategy rather than state security or international cooperation. She argues that state-level determinants of nuclear policy are often opaque because leaders frame policy decisions as a response to state security when in fact these policies are intended to preserve a regime's hold on power. Solingen identifies two types of regimes: "outward looking" regimes that pursue economic growth through integration in the global economy and "inward looking," nationalist regimes that pursue import substitution economies and economic autarky. Outward looking domestic coalitions adopt international norms against nuclear weapons acquisition and are unwilling to pay the political and economic costs of breaking their NPT commitments. On the contrary, inward looking regimes define themselves in opposition to the international community and are less likely to be constrained by global norms. The strong symbolic value of nuclear weapons appeals to nationalist regimes. In "Nuclear Logics: Alternative Paths in East Asia and the Middle East" Solingen argues that leaders in the Middle East have pursued nuclear weapons programs for reasons other than security: "Alternative norms stemming from nationalist, religious, and other identities invested nuclear weapons with redemptive value as tools of modernization and defiance of the international order."<sup>32</sup>

In her analysis of the motivations of all nuclear aspirants after the entry into force of the NPT Solingen determines that no democracy, "acquired nuclear technology for the purposes of deterring other democracies."<sup>33</sup> Solingen also questions the ability of security guarantees to curb the spread of nuclear weapons: "U.S. and Soviet commitments to

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<sup>32</sup> Etel Solingen, *Nuclear Logics: Contrasting Paths in East Asia and the Middle East*, Princeton University Press, (2009).

<sup>33</sup> *Ibid.*, 38



client states (North Korea, Iraq, Israel, and Pakistan) did not lead these states to renounce nuclear weapons. Nor did the absence of security guarantees play any role in decisions by Egypt (1971), Libya (2003), South Africa, Argentina, or Brazil to reverse nuclear ambitions.”<sup>34</sup>

Jacques Hymans’s theory of nuclear proliferation focuses on the psychology and belief systems of state leaders. According to Hymans building the bomb is a form of national expression and leader’s who pursue nuclear weapons share a particular “national identity conception” (NIC). Hymans identifies four NICs: sportsmanlike nationalists, sportsmanlike subalterns, oppositional nationalists and oppositional subalterns. Oppositional nationalist leaders are unique in their willingness to pursue nuclear weapons because they “possess intense fear of an external enemy combined with an equally intense pride in their nation’s natural capacity to face down the enemy.”<sup>35</sup>

India’s decision to pursue nuclear weapons can be seen through the lens of Hymans’s belief systems theory and national identity conception. The decision to conduct nuclear tests in 1998 was determined by Prime Minister Vajpayee’s Hindu nationalist party’s opposition to Muslim Pakistan. North Korea, according to Hymans, is ruled by “dyed-in-the-wool oppositional nationalists” who are unlikely to be persuaded to abandon their nuclear strategy because they perceive nuclear weapons, “not as a means to an end but as an end in itself – as a matter of national self-expression.” Hymans argues that American nonproliferation policy has suffered from the mistaken belief that countries are all rational and unitary actors susceptible to economic inducements and military threats. Hymans argues that the slow spread of nuclear weapons is due to the fact that only

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<sup>34</sup> Ibid., 25

<sup>35</sup> Jacques E. C. Hymans, “North Korea’s Nuclear Neurosis,” *Bulletin of the Atomic Scientists* 63, no. 3 (May 1, 2007): 44–74.

oppositional nationalist leaders choose to pursue nuclear weapons and there are few leaders of that type. According to Hymans, the NPT is successful because only a “few state leaders have desired the thing that it prohibits.”<sup>36</sup>

### Consequences of Nuclear Proliferation

Scott Sagan questions Kenneth Waltz’s “heroic assumptions” about the rationality of state behavior and argues that nuclear weapons destabilize regional and global security. Sagan explains how the biases and “bounded rationality” of professional militaries can fail to establish the three conditions necessary for stable nuclear deterrence: 1) there must not be a preventive strike while a state is developing its nuclear arsenal; 2) a country must develop second-strike capability; and 3) nuclear weapons must be controlled to prevent accidental use. Sagan contends that military bureaucracies often have interests that can prevent them from fulfilling these requirements. Even the strictly controlled nuclear arsenal of the U.S. has been prone to near catastrophic accidents. There is a greater risk, Sagan argues, of nuclear accidents and deterrence failures in countries where the military is not under civilian control. Sagan believes that, “The actual behavior of new proliferators will be strongly influenced by the powerful military organizations within those states and the common biases, rigid routines, and the parochial interests of these military organizations will lead to deterrence failures and uses of nuclear weapons despite national interests to the contrary.”<sup>37</sup> Richard Betts, writing in 1977, also cautioned against, “undue confidence that the *pax atomica* of stable U.S. –

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<sup>36</sup> Jacques Hymans, *The Psychology of Nuclear Proliferation: Identity, Emotions and Foreign Policy* (Cambridge University Press, 2006): 7.

<sup>37</sup> Scott D. Sagan, "The perils of proliferation: Organization theory, deterrence theory, and the spread of nuclear weapons." *International Security* 18, no. 4 (1994): 77.

Soviet deterrence can be replicated in other regions.”<sup>38</sup> Jonathan Schell questions the assumption of security and stability created by nuclear deterrence during the Cold War. “The hope for stability,” Schell writes, “coexisted uneasily at best with the readiness for prompt mutual annihilation, and the very terror that was the mothers' milk of deterrence spawned nightmares that tended constantly to upset the whole arrangement.”<sup>39</sup>

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<sup>38</sup> Betts, Richard K. "Paranoids, Pygmies, Pariahs & Nonproliferation." *Foreign Policy* (1977): 169.

<sup>39</sup> Schell, "The Folly of Arms Control."

## The Nuclear Nonproliferation Regime

The NPT is the cornerstone of the global nuclear nonproliferation regime, a system of international treaties and export regulations administered by domestic agencies and international organizations, such as the International Atomic Energy Agency (IAEA). The aim of the NPT is to stop the spread of nuclear weapons in order to prevent “the devastation that would be visited upon all mankind by a nuclear war.”<sup>40</sup> The NPT is the most widely adhered to multilateral arms control treaty and it is nearly universal; only India, Pakistan, Israel and North Korea are not members. The NPT opened for signature in 1967 and legalized the possession of nuclear weapons by countries that had tested a nuclear bomb prior to January 1, 1967. The five nuclear weapon states (NWS) sanctioned by the treaty are the United States, The Soviet Union/Russia, Britain, France and China. All other state parties to the treaty are designated non-nuclear weapon states (NNWS) and are legally obligated not to “acquire or otherwise manufacture nuclear weapons.” In 1995, NPT member states voted to extend the treaty indefinitely.

Egypt, Iran and other members of the 118 member Non-Aligned Movement (NAM) have criticized the monopoly of nuclear weapons by a small number of states and the division of the world into nuclear haves and have-nots. One critic calls the NPT a “discriminatory treaty” and a “con game.”<sup>41</sup> Joseph Nye, however, argues that there was a logic to the inequality of the NPT and that during the Cold War any effort to either abolish nuclear weapons or allow for their uncontrolled spread would have “significantly

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<sup>40</sup> The Treaty on the Nonproliferation of Nuclear Weapons, <http://www.un.org/en/conf/npt/2005/npttreaty.html>

<sup>41</sup> N. D. Jayaprakash, “Nuclear Non-Proliferation Treaty: The ‘Greatest Con Game’,” *Economic and Political Weekly*, (2008): 43–45.

increased the risk of nuclear war.”<sup>42</sup> The end of the Cold War however eliminated Nye’s rationale for the NPT’s discriminatory design. “The double standard provisionally built into the NPT,” argues Jonathan Schell, “although obviously inequitable, could be understood. Once the Soviet Union disappeared, however, the foundations of the argument shifted.”<sup>43</sup>

Despite its indefinite extension in 1995, the NPT is now challenged by an erosion in credibility due to both its inability to prevent proliferation and its perceived double standard. U.S. nonproliferation policy after September 11, 2001 increasingly relied on unilateral policies and eschewed the multilateral framework of the NPT and nonproliferation regime. There is an inherent conflict between NWS, who are more concerned with promoting nuclear nonproliferation and NNWS, who focus more on nuclear disarmament. This division is a hurdle to arms control cooperation in the Middle East where Israel seeks to curb the spread of nuclear weapons while all other states in the region want Israel to disarm.

The grand bargain of the NPT guarantees NNWS the “inalienable right” to assistance with civilian nuclear programs and access to “equipment, materials and scientific and technological information for the peaceful uses of nuclear energy” in exchange for renouncing their right to nuclear weapons (Article IV). The NPT mandates the IAEA to both assist in the diffusion of nuclear technology and prevent diversion of nuclear material from peaceful uses to nuclear weapons programs. To that end, each NNWS is obligated to sign a Safeguards Agreement with the IAEA in order to verify

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<sup>42</sup> Joseph S. Nye, “NPT: The Logic of Inequality,” *Foreign Policy*, (1985): 123–31.

<sup>43</sup> Schell, “The Folly of Arms Control.”

fulfillment of a state's treaty obligations and confirm the "correctness and completeness" of its declared nuclear material (Article III).

Civilian nuclear energy programs, however, can serve as both a cloak and a justification for states to receive atomic assistance that moves them closer to achieving nuclear weapons capability. Lewis A. Dunn, a nuclear weapons scholar and policymaker, argues that, "The use of the Article IV right as a cover behind which a country can pursue nuclear weapons is the most glaring weakness of the NPT."<sup>44</sup> Most atomic assistance regulated by the nonproliferation regime has not contributed to nuclear weapons proliferation but the IAEA has a mixed record of detecting and reporting clandestine nuclear activity. While under IAEA Safeguards, several NNWS have either diverted nuclear material from nuclear power reactors or established clandestine facilities dedicated to the production of nuclear material for a weapons program.

Both Iran and Libya developed clandestine uranium enrichment plants while under IAEA safeguards. In the 1990s, the IAEA discovered that Iraq had developed an advanced covert nuclear program and that Romania and North Korea had secretly separated plutonium "right under the noses of IAEA inspectors who were busy tracking declared activities."<sup>45</sup> In 1997, in response to these violations, the IAEA member states agreed to an Additional Protocol to the IAEA Safeguards Agreements. The Additional Protocol gives IAEA inspectors access to both declared *and* undeclared nuclear facilities. The Additional Protocol, however, is voluntarily adopted by NNWS and many states, including Iran, have opted not to sign it. A former Iraqi nuclear scientist believes the

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<sup>44</sup> Lewis A. Dunn, "The NPT: Assessing the Past, Building the Future," *Nonproliferation Review* 16, no. 2 (2009): 143–72.

<sup>45</sup> Mark Hibbs, "The Unspectacular Future of the IAEA Additional Protocol," *Carnegie Endowment for International Peace*, April 26, 2012, accessed April 16, 2014, <http://carnegieendowment.org/2012/04/26/unspectacular-future-of-iaea-additional-protocol>.

Additional Protocol, “is capable of detecting future Iraqs but if the old IAEA safeguards culture prevails, the new system will not be a match for a determined and untiring Saddam or other proliferators.”<sup>46</sup>

Article I of the NPT obligates NWS “not to transfer to any recipient whatsoever nuclear weapons ... or control over such weapons.” In addition, NWS must not “assist encourage or induce any non-nuclear weapon state to manufacture or otherwise acquire nuclear weapons.” The 2005 U.S – India nuclear deal violates Article I and “overtured decades of U.S and global non-proliferation policy” by providing assistance to a country that has detonated nuclear weapons but never signed the NPT. During the 2010 NPT review conference, the 118 members of NAM argued that the U.S. – India nuclear deal gave more rights to a non-NPT signatory than to members. One analyst concludes, “Other states have begun to look at India’s example and ask, ‘If India, why not us?’ India’s brand of exceptionalism matters less to these states than the possibility of exceptionalism and a few are prepared to make their own case.”<sup>47</sup> In his analysis of nuclear assistance, Matthew Fuhrmann finds that NPT membership does not increase the likelihood that a state will receive atomic assistance and that, on the contrary, states instead provide assistance to promote their strategic interests, as the U.S – India deal demonstrates.<sup>48</sup>

NWS are also obligated to work in “good faith” toward the goal of “complete disarmament” (Article VI). The slow progress made toward achieving the goal of nuclear

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<sup>46</sup> Khidhir Hamza and David Albright, “Inside Saddam’s Secret Nuclear Program,” *Bulletin of the Atomic Scientists* 54, no. 5 (1998): 10.

<sup>47</sup> Sharon Squassoni, “The U.S. – Indian and Its Impact” *Arms Control Today*, June/August 2010, [http://www.armscontrol.org/act/2010\\_07-08/squassoni](http://www.armscontrol.org/act/2010_07-08/squassoni)

<sup>48</sup> Matthew Fuhrmann, “Taking a Walk on the Supply Side The Determinants of Civilian Nuclear Cooperation,” *Journal of Conflict Resolution* 53, no. 2 (2009): 181–208.

abolition expressed in Article VI weakens the nonproliferation norm. Part of the bargain that led to the 1995 indefinite extension of the NPT required NWS to declare their commitment to disarmament. The Comprehensive Nuclear Test Ban Treaty (CTBT) is one initiative that works toward this goal. The treaty opened for signatures in 1996 and has been signed by France, Russia and the U.K; in 1999, however, the U.S. senate voted against the treaty. In his speech in Prague in 2009, however, President Obama vowed to “aggressively pursue U.S. ratification of the Comprehensive Test Ban Treaty.” One observer contends, “The best strategy to address post-9/11 challenges to nuclear proliferation is to reconnect nuclear non-proliferation with nuclear disarmament.”<sup>49</sup> The New Strategic Arms Reduction Treaty (START) signed in 2011 by the U.S. and Russia works toward the goal of disarmament and greatly reduces both countries’ nuclear arsenals. China, France and the U.K. however have not reduced their arsenals and a perception that NWS are not decreasing their reliance on nuclear weapons could impact global proliferation dynamics, especially in the Middle East.

In 2003, North Korea exercised its Article X right to withdraw from the treaty with three months notice. The withdrawal right was included in the drafting of the treaty as a way to achieve universality by convincing skeptical industrialized countries to sign but it has become a major loophole of the NPT. In 2013, former Iranian nuclear negotiator Hossein Moussavian wrote, “Withdrawing from the treaty has become an increasingly attractive option within the decision-making circles of the country.” He

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<sup>49</sup> Mario E. Carranza, “Can the NPT Survive? The Theory and Practice of US Nuclear Non-Proliferation Policy after September 11,” *Contemporary Security Policy* 27, no. 3 (2006): 492.



argues, “Iran can substitute the treaty with the supreme leader’s religious fatwa banning all WMD.”<sup>50</sup>

### Nuclear-Weapons-Free Zones

Article VII of the NPT endorses the creation of NWFZ and declares: “Nothing in this treaty affects the right of any group of states to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.” There are currently five regions covered by NWFZ: Latin America and the Caribbean (the 1967 Treaty of Tlatelolco), the South Pacific (the 1985 Treaty of Rarotonga), Southeast Asia (the 1995 Treaty of Bangkok), Africa (the 1996 Treaty of Pelindaba) and Central Asia (the 2006 Treaty of Semipalatinsk). In addition to regional NWFZ there are treaties that ban the deployment of nuclear weapons in outer space, Antarctica, Mongolia and on the seabed.

The treaties that establish NWFZ ban the acquisition and detonation of nuclear weapons by states in the region and also include protocols ratified by NWS agreeing not to threaten or use nuclear weapons against the state-parties to the treaty. Because countries in a NWFZ must be confident that no state in the region possesses nuclear weapons and that they can provide for their own security without nuclear weapons, these negative security guarantees are an essential part of establishing a NWFZ. The treaties establishing all five NWFZ, however, include withdrawal clauses, an element that would weaken credibility in the Middle East where states have violated nonproliferation obligations and threatened to withdraw from the NPT. Nevertheless, “It is now widely

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<sup>50</sup> Sayyed Hossein Moussavian, “Five Options for Iran’s New President,” *Cairo Review* (2013): 74.

recognized that the universality of this regime, which would require attracting to it the remaining nuclear threshold states (India, Pakistan and Israel), can be achieved only by establishing denuclearized zones in the regions of South Asia and the Middle East.”<sup>51</sup>

The Latin America NWFZ established by the Treaty of Tlatelolco can offer lessons for a future Middle East NWFZ.<sup>52</sup> The entry into force of the Treaty of Tlatelolco was delayed for 30 years due to the nuclear programs pursued by the military regimes of Brazil and Argentina and their refusal to join the NPT. When the two countries transitioned to democratic rule they put their respective nuclear programs under civilian control and began a series of nuclear confidence building measure. In the early 1990s, Brazil and Argentina set up a bilateral inspection agency – the Brazil-Argentine Agency for Accounting and Control of Nuclear Material (ABACC) – to verify compliance with their non-nuclear pledges. Brazil and Argentina signed the NPT as NNWS in 1998 and 1995, respectively. Every NWFZ relies on a country’s IAEA Safeguards Agreement as a compliance and verification mechanism; due to the former nuclear ambitions of Brazil and Argentina ABACC is the only bilateral inspection agency and could serve as a model for the Middle East.

### The Nuclear Supplier Group

The Nuclear Supplier Group (NSG) is another feature of the nuclear nonproliferation regime. Countries that export nuclear technology play an important role in preventing the proliferation of nuclear weapons. In 1974, the NSG was established in

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<sup>51</sup> Jozef Goldblat, “Nuclear-Weapon-Free Zones: A History and Assessment,” *The Nonproliferation Review* 4, no. 3 (1997): 18–32.

<sup>52</sup> Etel Solingen, “Middle East Denuclearization? Lessons from Latin America’s Southern Cone,” *Review of International Studies* 27, no. 3 (2001): 375–94.

response to India's detonation of a "peaceful bomb" developed with foreign assistance intended for peaceful uses. The NSG coordinates members' export controls to prevent peaceful nuclear assistance from being diverted to a weapons program. The NSG guidelines prohibit assistance with uranium enrichment and plutonium reprocessing. The discovery of Iraq's clandestine nuclear program inspired the NSG's dual-use guidelines. The NSG is a voluntary association and members are not obligated to follow its recommendations. Almost all rejections by NSG members of applications for export license have concerned states with unsafeguarded nuclear programs. The NSG has exempted India from its safeguard requirements, which has dealt a blow to the regimes credibility. Sub-state nuclear proliferation rings, such as Pakistan's AQ Khan network that provided enrichment technology to North Korea, Iran and Libya present a serious challenge to the efforts of the NSG and nonproliferation regime.

The experience with nonproliferation since the NPT entered into force 1970 suggests that if a state's leadership chooses to pursue nuclear weapons, its treaty obligations and safeguards agreement are not sufficient to deter it. Libya pursued nuclear weapons from the AQ Khan network while remaining a NNWS party to the NPT, Syria built a clandestine nuclear reactor, Iran pursued uranium enrichment outside of its IAEA Safeguards Agreement and North Korea withdrew from the treaty and has conducted three nuclear weapons tests. Kenneth Waltz argues, "The historical record indicates that a country bent on acquiring nuclear weapons can rarely be dissuaded from doing so. Punishing a state through economic sanctions does not inexorably derail its nuclear program."<sup>53</sup>

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<sup>53</sup> Waltz, "Why Iran Should Get the Bomb."

## Chapter Three

### The Iranian Nuclear Challenge

The current Iranian nuclear dilemma represents a regional security threat and one of the most serious challenges to the global non-proliferation regime. The United States and the international community have suspected Iran of harboring nuclear weapons ambitions for over a decade. Tehran however has repeatedly denied these accusations and insists on its inalienable right to develop nuclear technology for peaceful uses. As early as 1995, however, U.S. Secretary of State Warren Christopher warned:

In terms of its organization, programs, procurement, and covert activities, Iran is pursuing the classic route to nuclear weapons, which has been followed by almost all states that have sought a nuclear weapon. Every responsible member of the world community has an interest in seeing those efforts fail. There is no room for complacency. Remember Iraq...<sup>54</sup>

In 2003, the French government submitted a report to the Nuclear Supplier Group that argued Iran's civilian nuclear program was concealing a military program. The report concluded, "Iran appears to be ready to develop nuclear weapons within a few years."<sup>55</sup> Iran's nuclear facilities are spread across various sites throughout the country making them invulnerable to military strikes and aptly suited to concealing any possible military dimensions. The agreement reached in the 2013 Geneva Accords has temporarily curbed Iran's nuclear program and subjected it to greater international oversight but a permanent resolution that satisfies all international and regional actors may ultimately prove unattainable.

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<sup>54</sup> Quoted in Anthony H. Cordesman, "Iran and Nuclear Weapons," *Background Paper for the Senate Foreign Relations Committee*, (Washington, DC: Center for Strategic and International Studies, 2000).

<sup>55</sup> Quoted in Chaim Braun and Christopher F. Chyba, "Proliferation Rings: New Challenges to the Nuclear Nonproliferation Regime," *International Security* 29, no. 2 (2004): 17.

The Iranian regime has repeatedly responded to accusation that it is seeking to acquire nuclear weapons by asserting that all WMD, including nuclear weapons, are prohibited by Islamic moral tenets. In October 2003, Supreme Leader Ayatollah Ali Khamenei issued a fatwa forbidding the production and use of nuclear weapons. Since then, Khamenei and other Iranian officials have repeated the statement that Iran is not interested in acquiring a nuclear bomb because it is religiously prohibited. Iran supports the establishment of a NWFZ in the Middle East and argues that Israel's nuclear arsenal is the only obstacle to achieving this goal.

Iran's history of acquiring nuclear weapons-related technology strongly indicates that Tehran's intention is to develop weapons capability despite its claims to the contrary. A 2013 report published by the Institute for Science and International Security states that Iran's stockpile of low enriched uranium cannot be intended for power production because it "exceeds any realistic assessment of Iran's need for reactor fuel in the short and near-term."<sup>56</sup> Iran continues to pursue a strategy of nuclear hedging, maintaining the option of developing nuclear weapons while remaining outwardly committed to the NPT and the global norm of nonproliferation. Iran's legitimate nuclear activity is evidence that a state can develop nuclear weapons capability and come within grasp of building a bomb "without breaking the rules." The international community, led by the United States, has used political and economic coercion in an attempt to deny Iran this capability or, at the very least, to provide sufficient notice of Iran's nuclear decision-making to use force to stop it from building a bomb. Current assessments indicate that if Iran stopped

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<sup>56</sup> Iranian Breakout Estimates, *Institute for Science and International Security*, Updated September 2013, [http://isis-online.org/uploads/isis-reports/documents/Breakout\\_Study\\_24October2013.pdf](http://isis-online.org/uploads/isis-reports/documents/Breakout_Study_24October2013.pdf)

cooperating with IAEA inspectors and pursued a “crash program” to build a nuclear bomb it could do so within weeks or months. This is referred to as “break out” capability. In addition, Iran could “sneak out” and take a path to building a bomb that does not alert the international community. This method could utilize a still undisclosed covert uranium enrichment facility to provide fissile material for a nuclear bomb.

Iran’s nuclear program has become a symbol of national autonomy and technological achievement. Public opinion polls suggest that a peaceful nuclear program enjoys broad public support and as a symbol of its achievement Tehran has printed the symbol of the atom on 50,000 rial bills. Of the many countries that maintain nuclear power reactors, most rely on foreign suppliers for their nuclear fuel and only a handful possess the technology to enrich uranium. Iran believes its ability to produce its own reactor fuel is essential to its energy security and despite international pressure the Iranian regime is not willing to negotiate an end to its enrichment program. The dual-use nature of atomic technology and expertise is at the heart of the Iranian dilemma: uranium enrichment and plutonium separation can be used to fuel reactors or to produce fissile material for a nuclear bomb.

Israel, the Gulf state and the West view Tehran’s implacable pursuit of its nuclear program and break out capability as a security threat and have pressured Iran to end its nuclear program. Since 2006, the Iranian regime has been subject to six United Nations Security Council sanctions resolutions and additional sanctions have been imposed on Iran’s banking and oil assets by the United States and European Union. Israeli and U.S. leaders have maintained that they are keeping “all options on the table” to prevent Iran from acquiring nuclear weapons, implying the potential use of military force. Israeli

officials view a nuclear-armed Iran as an existential threat and Saudi Arabia and the Gulf states perceive Iran's nuclear program as a greater security threat than Israel's nuclear weapons arsenal. There is no "smoking gun" to indicate that Iran has ever made the political decision to build nuclear weapons but the extent and secrecy of Tehran's program have caused alarm in the international community and among states in the region.

After years of failed attempts to reach a negotiated settlement to resolve the crisis surrounding Iran's nuclear program, a temporary deal was struck in late 2013. On September 14, a phone call between President Barak Obama and his Iranian counterpart Hassan Rouhani marked the highest level contact between the two countries since the 1979 Iranian revolution and began a series of negotiations intended to curb Iran's nuclear program and offer the regime relief from the sanctions that have crippled its economy. In October 2013, Iran and the P5+1 (the five permanent members of the UN Security Council plus Germany) met in Geneva to renew stalled negotiations and in November they signed the Joint Plan of Action (JPA). The JPA obligates Iran to blend down its stockpile of 20 percent enriched uranium to 3.5 to 5 percent and subjects its nuclear facilities to comprehensive inspections. In addition, Iran has agreed to halt construction of its Arak heavy water reactor that could be used to produce plutonium for a bomb. In return, sanctions on the Iranian regime have been eased. The JPA is a temporary, six-month agreement that is intended to pave the way for a more comprehensive, long term deal. In January 2014 a report from the IAEA indicated that Iran is in compliance with its obligations under the agreement. A former Iranian diplomat contends, "The outcome of the nuclear negotiations will have a profound impact on vital issues such as global

nuclear non-proliferation, and the Nuclear Weapons Free Zone (NWFZ).”<sup>57</sup> Iranian officials have portrayed the easing of sanctions and acknowledgement of Iran’s right to a civilian nuclear program as a coup for the regime. Israeli officials have been critical of the deal and do not believe it addresses their security concerns. In addition, the U.S. congress has threatened to derail the deal with Iran by imposing harsher sanctions on Iran and linking its nuclear program to Tehran’s continued support for terror groups in the Middle East.

### History of Iran’s Nuclear Program

Shah Mohammed Reza Pahlavi initiated Iran’s nuclear program in 1957 under the auspices of President Eisenhower’s Atoms for Peace program. The Shah acquired a research reactor from the United States and gave the U.S. assurances of his peaceful intentions by signing the NPT in 1970. The Shah financed a robust nuclear infrastructure and planned to build 23 nuclear power reactors throughout Iran. Shah Pahlavi however also pursued a clandestine low-level nuclear weapons program that included studies of weapons designs and plutonium separation from spent reactor fuel.<sup>58</sup> When asked by a French journalist in 1974 if Iran would have nuclear weapons, Shah Pahlavi replied, “Without a doubt and sooner than one would think.”<sup>59</sup> The current Iranian regime resents the nuclear assistance the U.S offered the Shah despite evidence that he was seeking nuclear weapons. “The West fully supported the Iranian nuclear program and without a doubt, if the Shah were alive today, Iran would have multiple nuclear power plants,

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<sup>57</sup> Sayed Hossein Mousavian, “Five Options for Iran’s New President,” 68.

<sup>58</sup> Cordesman, “Iran and Nuclear Weapons.”

<sup>59</sup> “Iran’s Nuclear Ambitions Under the Shah and Ayatollahs,” *Small Wars Journal*, March 30, 2012, <http://smallwarsjournal.com/jrnl/art/iran%E2%80%99s-nuclear-ambitions-under-the-shah-and-ayatollahs>



industrial scale uranium enrichment facilities, and a nuclear arsenal on a par with those of Pakistan, India, and Israel.”<sup>60</sup>

After the 1979 Islamic revolution, the U.S., France and Germany cancelled their nuclear deals with Iran and the Bushehr power reactor was left unfinished. The new Islamic regime abandoned the Shah’s nuclear efforts. The ayatollah Khomeini associated Iran’s nuclear program with the Shah’s pro-Western policies and held religious objections to nuclear weapons. Many Iranian nuclear scientist went into foreign exile. Most estimates however indicate that Iran’s nuclear program was revived in 1984 or 1985. In a letter written in 1988 in which he consented to a cease-fire with Iraq, the Supreme Leader of Iran recommended that the Iranian Revolutionary Guard Corps (IRGC) develop the “ability to make a substantial number of laser and atomic weapons.”<sup>61</sup> Iran sought foreign support from a range of sources and in 1987 signed a nuclear cooperation agreement with Pakistan. Iran also received atomic assistance from China, North Korea and Russia. A Russian company completed the construction of the Bushehr nuclear reactor, which had been badly damaged by Iraqi strikes during the Iran-Iraq war. In 1994 and 1995, Tehran bought centrifuge parts from the Pakistani scientist Abdul Qadeer Khan’s black market nuclear network.<sup>62</sup>

International alarm regarding Iran’s nuclear program intensified in 2002 when an exiled Iranian opposition group, the National Council of Resistance in Iran, revealed the existence of two undisclosed nuclear facilities, one in Natanz for uranium enrichment and another in Arak for the production of heavy water, a component in plutonium production.

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<sup>60</sup> Mousavian, “Five Options for Iran’s New President,” 70.

<sup>61</sup> “Letter from Ayatollah Khomeini Regarding Weapons during the Iran-Iraq War,” *Council on Foreign Relations*, accessed April 22, 2014, <http://www.cfr.org/iran/letter-ayatollah-khomeini-regarding-weapons-during-iran-iraq-war/p11745>.

<sup>62</sup> Braun and Chyba, “Proliferation Rings.”

Both facilities are permitted under Article IV of the NPT but the secrecy of the program and the fact that they represent separate paths to nuclear weapons production (uranium and plutonium) aroused suspicion and renewed accusations that Tehran was pursuing a nuclear weapons program. Iran has resolutely defended its inalienable right to all fuel-cycle activity and maintains that its nuclear program is strictly for peaceful purposes. According to Iranian officials, the facilities in Natanz and Arak were built secretly, “because if they had notified the IAEA that they were building a uranium enrichment facility, the U.S. would have definitely prevented them from finalizing the project.”<sup>63</sup> The assertion that the U.S. and international community apply a double standard to Iran has been a recurring theme in Tehran’s rhetoric. Although Iran has the right under Article IV to all fuel cycle technology, former IAEA director Hans Blix has stated, “A right to do something does not necessarily mean that this right must be exercised.”<sup>64</sup>

The EU3 (France, the U.K. and Germany) reached a deal with Tehran in 2003 and Iran agreed to temporarily halt its uranium enrichment activity. Iran also agreed to sign the Additional Protocol to its Safeguards Agreement with the IAEA but never ratified it. Iran’s nuclear negotiator told a domestic audience that the deal with the EU3 had bought Iran another year to complete its nuclear facility in Isfahan. This deal however fell through when the hard-line conservative Mahmoud Ahmadinejad was elected president of Iran. In 2006, Iran removed IAEA seals from its gas centrifuges and began enriching uranium. In 2009, Iran disclosed the existence of an underground enrichment facility near the city of Qom, further heightening regional anxiety and suspicion that Iran was

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<sup>63</sup> Mustafa Kibaroglu, “Good for the Shah, Banned for the Mullahs: The West and Iran’s Quest for Nuclear Power,” *The Middle East Journal*, (2006): 207–32.

<sup>64</sup> Quoted in Gawdat Bahgat, *Proliferation of Nuclear Weapons in the Middle East* (University Press of Florida, 2007).

pursuing nuclear weapons capability. The 2007 U.S. National Intelligence Estimate, however, concluded that Iran ended its nuclear weapons program in 2003. After several visits to Iranian nuclear facilities, IAEA inspectors also concluded that any weapons dimensions of Iran's nuclear program had been halted. "Iranian practices up to November 2003 resulted in many breaches of Iran's obligations to comply with its Safeguards Agreement, but good progress has been made since that time in Iran's correction of those breaches and the Agency's ability to confirm certain aspects of Iran's declarations."<sup>65</sup>

### Iran's Nuclear Incentives

Iran has paid a high political and economic cost for its pursuit of nuclear capability. In addition, Iran's nuclear program has exposed the regime to the threat of force by the United States and Israel. A former Iranian delegate to the IAEA, Ali Akbar Salehi, acknowledges the inherent contradiction in pursuing security by developing nuclear capability: "Iran cannot buy security by having nuclear weapons which only invites more threats against us."<sup>66</sup> A study of nuclear threats made between 1970 and 2010 concluded: "If a country's security is measured by the frequency with which it is subject to nuclear threats, then the way to maximize security is to remain in compliance with international norms and refrain from developing nuclear weapons."<sup>67</sup> Why has the regime in Tehran resisted pressure to curb its nuclear program despite the high economic and security costs?

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<sup>65</sup> Kibaroglu, "Good for the Shah, Banned for the Mullahs," 211.

<sup>66</sup> Solingen, *Nuclear Logics*, 169.

<sup>67</sup> Samuel Black, *The Changing Political Utility of Nuclear Weapons: Nuclear Threats from 1970 to 2010*, (The Henry L. Stimson Center, August 2010).

Tehran's revisionist foreign policy, quest for regional hegemony and animus toward Israel often appear irrational or inspired by its revolutionary political ideology but over the decades Iran's policies have been motivated less by religious fervor than rational cost-benefit calculations. One of the principle incentives for Iran to pursue nuclear weapons capability has been its hostile security environment and perceived threats to both the state and the regime. Iran is surrounded by nuclear powers to the east, west and north. To Tehran, Israel's undeclared nuclear arsenal and Pakistan and India's 1998 nuclear tests are perceived as security threats and represent the inability of the global non-proliferation regime to prevent the spread of nuclear weapons in the region. One Middle East analyst argues, "Given its history and its turbulent neighborhood, Iran's nuclear ambitions do not reflect a wholly irrational set of strategic calculations."<sup>68</sup>

In September 1980, shortly after the Iranian revolution, Iraq invaded Iran. The eight-year war of attrition that followed formed the Iranian regime's thinking regarding how to maximize its security. Saddam Hussein's use of chemical weapons against Iranian troops, and the lack of condemnation from the international community, convinced Iran of the utility of WMD, including nuclear weapons. Iran revived its nuclear program in 1984, in the middle of its war with Iraq, indicating that the decision was motivated by security concerns. Iranian scholar Shahram Chubin contends:

Iran has learned from its war with Iraq that, for deterrence to operate, the threatening state must be confronted with the certainty of an equivalent response. The threat of in-kind retaliation (or worse) deterred Iraq's use of chemical weapons in Desert Storm; it appears that the absence of such a retaliatory capability facilitated its decision to use chemical weapons against Iran.<sup>69</sup>

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<sup>68</sup> Bahgat, *Proliferation of Nuclear Weapons in the Middle East*, 33.

<sup>69</sup> Shahram Chubin and Robert S. Litwak, "Debating Iran's Nuclear Aspirations," *Washington Quarterly* 26, no. 4 (2003): 99–114.

Iranian officials frequently cite the injustice of allowing Israel to maintain nuclear weapons outside of the NPT and allege that Israel's nuclear arsenal drives nuclear pursuit in the region. Israel and Iran however have never fought a war, do not share a border and therefore have no unresolved territorial disputes or clear motive to be adversaries. In fact, Israel and Iran, both non-Arab states in the Middle East, were strategic allies during the reign of the Shah, and the two countries current rivalry is the product of ideology and not structural, balance of power determinants. Iran expert Ray Takeyh argues, "Israel may be an ideological affront and a civilizational challenge but it is not an existential threat mandating provision of nuclear weapons."<sup>70</sup> Takeyh surveyed speeches by Iranian officials and observed that Israel rarely features into these deliberations and that Iran is not "inordinately concerned with Israel's nuclear monopoly."<sup>71</sup> The ability to threaten Israel "is a side benefit, not the major impetus" of Iran's nuclear program.<sup>72</sup>

The threat to the Iranian regime from the United States is a more likely incentive for Tehran to pursue a nuclear deterrent. The U.S. maintains a policy of support for regime change in Iran and provides aid to opposition groups. Iran and the United States have had hostile relations since the overthrow of the U.S allied Shah in 1979 and the subsequent U.S. embassy hostage crisis. One analyst asserts that Tehran's efforts to

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<sup>70</sup> Ray Takeyh, "It's Not Israel That's Driving Tehran to Nukes," *The New York Times*, August 27, 2010, accessed May 8, 2014, [http://www.nytimes.com/2005/08/26/opinion/26iht-edtakeyh.html?\\_r=0](http://www.nytimes.com/2005/08/26/opinion/26iht-edtakeyh.html?_r=0).

<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

develop nuclear weapons capability “should be viewed through the prism of its rivalry with the United States.”<sup>73</sup>

The 2003 U.S. invasion of Iraq signaled to Iran America’s willingness to use military force to topple a regime that harbors nuclear aspirations. The U.S. maintains military bases in Qatar and Bahrain and U.S. warships patrol the Persian Gulf. After the U.S. invasion of Afghanistan and Iraq, Iran found itself bordered on the east and west by U.S. troops. Scott Sagan argues that a negative security guarantee from the United States is the best policy to restrain Iran’s nuclear ambition.<sup>74</sup> The fact that the military dimensions of Iran’s nuclear program appear to have ended in 2003, around the time of the U.S. invasion of Iraq, indicates that deterring regime change is not the primary incentive of Iran’s nuclear program. One nuclear weapons analyst argues, “An invasion to overthrow the Iranian government is viewed in Tehran as extremely unlikely and is apt to remain so for years to come, which reduces the need for a nuclear deterrent.”<sup>75</sup> The toppling of Saddam Hussein removed Iran’s biggest rival and threat. Iran does not face an existential threat from any of its nuclear-armed neighbors requiring it to balance with nuclear weapons.

Threats to regime survival and territorial integrity do not sufficiently explain Iran’s nuclear pursuit. Economic and domestic political factors also motivate Tehran’s decision-making. Iran’s political system is more complicated than most states in the

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<sup>73</sup> Alireza Nader, “Iran and a Nuclear-Weapon-Free Middle East,” *Arms Control Today*, September 2011, accessed May 8, 2014

[http://www.armscontrol.org/2011\\_09/Iran\\_and\\_a\\_Nuclear-Weapon-Free\\_Middle\\_East](http://www.armscontrol.org/2011_09/Iran_and_a_Nuclear-Weapon-Free_Middle_East).

<sup>74</sup> Scott D. Sagan, “How to Keep the Bomb from Iran,” *Foreign Affairs*, (September/October 2006): 45–59.

<sup>75</sup> Gaukhar Mukhatzhanova, “Pride and Prejudice: Understanding Iran’s Nuclear Program” in William C. Potter and Gaukhar Mukhatzhanova, *Forecasting Nuclear Proliferation in the 21st Century: A Comparative Perspective*, vol. 2 (Stanford Security Studies, 2010), 55.

region and it is not an autocracy like most Arab states. Iran is not a full democracy but it has a system of checks and balances and there are coalitions and factions that compete for power. The Supreme Leader, the ayatollah Khamenei, presides over the Iran's unique political system of velayat-e faqih (guardianship of the jurist) and has the final say over foreign policy decisions. But hard-line conservatives, pragmatist and reformists politicians compete for influence in the Iran. Etel Solingen believes that the competing domestic interests of radicals and reformers "explain the duality in Iran's nuclear behavior – a schizoid foreign policy – in the 1990s and early 2000s." The current nuclear negotiators, president Hassan Rohani and foreign minister represent conservative pragmatists whose interests include improving the Iranian economy by integrating into the global economy.

Iran's nuclear program has isolated the regime and wrecked the economy. Conservative political coalitions in Iran, however, benefit from the current situation and value Iran's nuclear program because it perpetuates the country's isolation. "The hardliners today are one of the few segments of Iranian society that is actually benefitting from the current economic order."<sup>76</sup> The Iranian Revolutionary Guard Corps controls the black market in Iran and imports banned commodities into ports under its control. International ostracism serves the economic interests of groups within Iran, whereas engagement threatens their interests.

Iran's pursuit of nuclear weapons capability is also motivated by the symbolic value and prestige associated with nuclear weapons. All five countries on the United Nations Security Council are nuclear weapons states, which reinforces the perception that a nuclear bomb is a ticket to the great power status Iran seeks. Dr. Saeed Khatipzadeh,

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<sup>76</sup> Ray Takeyh, *Hidden Iran: Paradox and Power in the Islamic Republic* (Macmillan, 2006), 38.

the editor of the *Iranian Journal of International Affairs* says, “We want to be admitted to the nuclear club, we want the prestige, and we want to be respected in the world.”<sup>77</sup>

Former conservative president Mahmoud Ahmadinejad argued, “The Iranian people – because of its past culture, its past civilization, its intelligent youth, its human and material potential -- has the capacity to quickly become an invincible global power. This will happen as soon as it achieves advanced technologies.”<sup>78</sup>

### Iranian Perceptions of the NPT and MENWFZ

A NWFZ in the Middle East was first proposed by the Shah in 1974 and Iranian officials argue that Israel has been the only obstacle to achieving this goal. In an address to the Iran disarmament conference in 2012, former Iranian Foreign Minister Ali Akbar Salehi stated, “The Zionist regime is the only obstacle to the creation of a Middle East free of nuclear weapons.” Salehi also suggested, “the world community should put pressure on the Zionist regime to join the NPT and allow inspections by the International Atomic Energy Agency.”<sup>79</sup> Despite Iranian rhetoric, support for a Middle East NWFZ could have more cynical and deceptive motives and, “serve Iran’s geopolitical interests by providing an opportunity to exploit Arab divisions and shift the focus away from Iran toward Israel’s nuclear arsenal, thereby undermining U.S. efforts to stop the Iranian nuclear program.”<sup>80</sup> Support for a MENWFZ and opposition to Israel is part of the

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<sup>77</sup> Quoted in Kibaroglu, “Good for the Shah, Banned for the Mullahs,” 219.

<sup>78</sup> Quoted in Solingen, *Nuclear Logics*, 169.

<sup>79</sup> Shabestan News Agency website, June 12, 2011

<http://www.shabestan.net/en/pages/?cid=11036>

<sup>80</sup> Alireza Nader, “Iran and a Nuclear-Weapon-Free Middle East.”



Iranian regimes policy of speaking over the heads of Arab leaders directly to the “Arab street.”

Iranian leaders accuse the international community of applying a double standard to Iran’s nuclear program. Iranian diplomat Hossein Moussavian argues that the NPT,

has been used by the West as an instrument of pressure against Iran and to falsely accuse Tehran of seeking nuclear weapons. Such tactics serve as a means to justify punitive measures and eventual military action. The NPT is effectively serving as a platform to deny the legitimate rights of Iran and to rally the international community in endorsing and implementing the most draconian multilateral and unilateral sanctions ever levied on Iran.<sup>81</sup>

According to Moussavian, the NPT is “a national security threat” and a tool used by “warmongers in the United States” to achieve their real goal of regime change in Iran.

Moussavian contends that if Iran built a nuclear bomb it could pressure Israel to accept a NWFZ in the Middle East.

The failure of NWS to work in good faith toward disarmament and the inclusion of nuclear weapons in their military doctrines is also perceived by Iranian official as legitimizing nuclear weapons and driving proliferation:

Despite the end of the Cold War, nuclear weapons continue to be legitimized by treaties like NPT. The American, European, and Russian doctrines stress the value of nuclear weapons in national and collective defense strategies. Today’s international system is characterized by American preeminence and unilateralism; and by the increased role of nuclear weapon as a means of political blackmail. These policies foment the nuclear arms race, lower the threshold for resorting to nuclear weapons and dramatically increase the insecurity and vulnerability of non-nuclear weapons states.<sup>82</sup>

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<sup>81</sup> Mousavian, “Five Options for Iran’s New President,” 72.

<sup>82</sup> Kibaroglu, “Good for the Shah, Banned for the Mullahs,” 219.

Iranian officials have also made statements about the ability of a nuclear deterrent to preserve the Islamic regime and their willingness to use nuclear weapons. In a 2001 speech Hashemi Rafsanjani stated:

If one day the Islamic world is also equipped with weapons like those that Israel possesses now, then the imperialists' strategy will reach a standstill because the use of even one nuclear bomb inside Israel will destroy everything. However, it will only harm the Islamic world. It is not irrational to contemplate such an eventuality.<sup>83</sup>

### Regional Consequences of Iran's Nuclear Pursuit

States in the Middle East fear a nuclear-armed Iran will be emboldened to pursue its anti-status quo regional policy with impunity and provide cover for Iranian proxy groups in the Levant like Hezbollah and Hamas. Gulf states fear that nuclear weapons will enhance Iran's status and incite their Shiite populations to rebel. Qatar and Bahrain both have territorial disputes with Iran. Nuclear weapons scholar Joseph Cirincione argues that Iran's nuclear program could lead to, "A Middle East with not one nuclear-weapon state, Israel, but four or five."<sup>84</sup> When asked how Saudi Arabia would respond to a nuclear Iran, a senior Saudi diplomat stated, "With another nuclear weapon"<sup>85</sup> The goal of creating a MENWFZ will become unfeasible if Iran crosses the point of no return in its development of nuclear weapons. Scott Sagan cautions that reactive nuclear proliferation in response to Iran's nuclear capability should not be the international community's primary concern. "Saying that Iran's acquisition of nuclear weapons is

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<sup>83</sup> Quoted in Michael Eisenstadt and Mehdi Khalaji, *Nuclear Fatwa: Religion and Politics in Iran's Proliferation* (Washington Institute for Near East Policy, 2011).

<sup>84</sup> Cirincione and Leventer, "The Middle East's Nuclear Surge."

<sup>85</sup> Quoted in Dalia Dassa Kaye and Frederic M. Wehrey, "A Nuclear Iran: The Reactions of Neighbours," *Survival* 49, no. 2 (2007): 111–28.

worrisome because it encourages nuclear proliferation elsewhere is like telling your kid  
'Don't take heroin because it could lead to stronger drugs.'"<sup>86</sup>

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<sup>86</sup> Kenneth Waltz and Scott D. Sagan, *The Spread of Nuclear Weapons: A Debate Renewed* (New York: WW Norton, 2003): 213.

## Israel's Nuclear Monopoly in the Middle East

Israel is the only nuclear power in the Middle East and consequently has the most to lose from a regional NWFZ. Not an NPT signatory, Israeli leaders have never confirmed the existence of nuclear weapons and maintain a posture of “nuclear ambiguity.” Understanding and addressing Israel’s threat perception, security doctrine and strategic culture are essential to establishing the basic conditions necessary for regional arms control and disarmament treaties. Israel exists in a hostile security environment and the realist framework of nuclear proliferation explains Israel’s decision to develop and maintain a nuclear deterrent. The history of war and conflict and the ideological commitment of Arab states and non-state terror groups to the destruction of the Jewish state is the greatest incentive for Israel’s nuclear weapons. There is near universal consensus among Israeli leaders and scholars that the unique threat to the country’s survival justifies an indigenous nuclear deterrent.

Israelis have little faith in the ability of global arms control treaties to address the particular realities of the Middle East. The vast majority of Israelis believe nuclear weapons have created stability by persuading Israel’s foes that any effort to annihilate the Jewish state will result in their own destruction. One Israeli analyst contends: “As long as Jewish sovereignty and Israel's right to equality as a state among the nations is denied, the need for a credible deterrent will not end.”<sup>87</sup>

Israel’s Arab neighbors possess quantitative military superiority in terms of geographic territory and population size. Israel’s military capability is qualitatively superior but it is vulnerable due to its lack of territorial depth and the concentration of its

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<sup>87</sup> Gerald M. Steinberg, “The International Atomic Energy Agency and Israel: A Realistic Agenda,” Jerusalem Center for Public Affairs, *Jerusalem Issue Brief*, vol. 3. (2004).

small population in a few major cities. As recently as 1995, a retired Egyptian General acknowledged this inherent military asymmetry when he stated: “The combined weaponry possessed by the Arab states today exceeds that of Israel; if all of these weapons were directed against Israel the Arab states would defeat Israel.”<sup>88</sup> From the Israeli perspective, nuclear weapons compensate for the regional asymmetry and provide a last line of defense in case of a unified Arab attack. “Israeli military planners have always considered a scenario in which a united Arab military coalition launched a war against Israel with the aim of liberating Palestine and destroying the Jewish state . . . This kind of planning was unique to Israel, as few nations have military contingency plans aimed at preventing apocalypse.”<sup>89</sup> The option of using nuclear weapons if the country faces annihilation is known as the “Samson Option,” named for the biblical character who pulled down the roof of a Philistine temple, killing himself along with his captors.

Israel’s perceived need for an indigenous nuclear deterrent is also driven by suspicion of foreign powers’ commitment to defending the Jewish state. Positive security guarantees from the United States have persuaded technically capable countries such as Japan, South Korea and Taiwan to exercise nuclear restraint and forgo the nuclear option. In the Middle East, Syrian nuclear ambitions were restrained in the 1980s by an assurance that, “the Soviet Union would assist Syria militarily, including using tactical nuclear weapons if the latter were to be attacked by Israel.”<sup>90</sup> Israel’s first Prime Minister David Ben-Gurion was convinced of the need for security self-reliance when he failed to

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<sup>88</sup> General Farik Sa’ad Eldin Shazl quoted in Gerald M. Steinberg, “Middle East Peace and the NPT Extension Decision,” *The Nonproliferation Review* 4, no. 1 (1996): 17–29.

<sup>89</sup> Avner Cohen, *Israel and the Bomb* (New York: Columbia University Press, 1998).

<sup>90</sup> Benjamin Frankel, “The Brooding Shadow: Systemic Incentives and Nuclear Weapons Proliferation,” *Security Studies* 2, no. 3–4 (1993): 51.

gain protection under the U.S. nuclear umbrella that offers protection to NATO and Japan. With the benefit of hindsight, one analyst observed: “If the U.S. had conducted a forward-looking policy to restrain Israel’s proliferation, along with a sure defense agreement, we could have prevented the development of Israel’s nuclear arsenal.”<sup>91</sup>

The U.S. delivered arms to Israel during the 1973 war when Israel was overwhelmed by the Egyptian and Syrian militaries and the U.S. continues to supply Israel with arms and advanced military equipment. In 2009, President Shimon Peres called the U.S. “Israel’s most important moral and strategic asset.”<sup>92</sup> Promises of American support however are not considered a credible alternative to an indigenous nuclear deterrent. Former Prime Minister Ariel Sharon contended: “Israel has to have all the elements of power necessary to protect itself independently of outside aid.”<sup>93</sup> Iran’s nuclear ambitions have heightened anxiety in the Middle East and impacted Israel’s strategic calculus concerning its nuclear capability. Any initiative to establish a NWFZ in the Middle East will require the U.S. to extend a formal security guarantee to Tel Aviv that states that an attack on Israel would be considered an attack on America.

In addition to security incentives, Israelis have an intangible motive for valuing nuclear weapons as a security guarantee. Israeli leaders’ experience of the Holocaust, in which European Jewry was decimated while the international community did little or nothing to help, shapes Israel’s threat perception and defines its strategic culture. In Israel, Iran is often portrayed not as a revisionist regime seeking regional hegemony, but

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<sup>91</sup> Warner D. Farr, *The Third Temple’s Holy of Holies: Israel’s Nuclear Weapons*, The Counterproliferation Papers, Future Warfare Series, no. 2 (USAF Counterproliferation Center, September 1999): 6.

<sup>92</sup> Jeffrey Goldberg, “Shimon Peres on Iran: Overreaction Is Better Than Underreaction,” *The Atlantic*, May 6, 2009.

<sup>93</sup> Quoted in Gawdat Bahgat, *Proliferation of Nuclear Weapons in the Middle East*, 87.

simply as an irrational and ideological regime committed to the destruction of the Jewish state. Iranian military parades in which Shahab-3 missiles capable of reaching Israel are draped with banners declaring “Israel must be wiped off the map”<sup>94</sup> are interpreted literally and not as idle threats intended to mobilize domestic support in Iran. Israeli journalist Ronen Bergman argues that Israelis have always feared a second Holocaust in Israel and as a consequence are inclined to hear “echoes of the Wannsee Conference in Tehran’s inflammatory rhetoric.”<sup>95</sup> Defense minister Ehud Barak told an Israeli journalist, “This is not about some abstract concept. The Iranians are, after all, a nation whose leaders have set themselves the strategic goal of wiping Israel off the map.”<sup>96</sup> Public opinion polls indicate that Israelis perceive a potential nuclear Iran as an existential threat incapable of being deterred from initiating a nuclear first-strike.<sup>97</sup> In the face of threats to wipe it off the map, Israelis value a nuclear deterrent as the ultimate security guarantee.

This “holocaust-imbued sense of threat”<sup>98</sup> explains Israel’s strategy of using military force to deny regional adversaries nuclear weapons capability. After the 1981 strike against Iraq’s nuclear reactor, Menachem Begin declared, “I will not be the man in whose time there will be a second Holocaust.”<sup>99</sup> The policy of preventing regional foes

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<sup>94</sup> Joshua Teitelbaum and Michael Segall, “The Iranian Leadership’s Continuing Declarations of Intent to Destroy Israel,” The Jerusalem Center for Public Affairs, 2012.

<sup>95</sup> Ronen Bergman, “Netanyahu’s Iranian Dilemma” in Gideon Rose and Jonathan Tepperman, *Iran and the Bomb: Solving the Persian Puzzle* (New York: Foreign Affairs, 2012).

<sup>96</sup> Ronen Bergman, “Will Israel Attack Iran?,” *The New York Times*, January 25, 2012, sec. Magazine, <http://www.nytimes.com/2012/01/29/magazine/will-israel-attack-iran.html>.

<sup>97</sup> Lourdes Garcia-Navarro, “For Israel, A Nuclear Iran Poses Existential Threat,” *NPR.org*, accessed April 25, 2014, <http://www.npr.org/templates/story/story.php?storyId=112251701>.

<sup>98</sup> Shmuel Nili, “The Nuclear (and The) Holocaust: Israel, Iran, and the Shadows of Auschwitz,” *Journal of Strategic Security* 3, no. 4 (2010): 12.

<sup>99</sup> *Ibid.*

from achieving their nuclear ambitions is called the “Begin Doctrine.” Several other Israeli leaders have used analogies to the Holocaust to explain the rationale for Israel’s security strategy. Ernst David Bergman, the first chairman of the Israeli Atomic Energy Commission, believed Israel’s nuclear deterrent would, “assure that we shall never again be led like lambs to the slaughter.”<sup>100</sup> Prime Minister Golda Meir believed she was responsible, “to act in such a way that Jews who died in the gas chambers would be the last Jews to die without defending themselves.”<sup>101</sup> Israeli leaders’ perception of the utility of a nuclear deterrent can be understood through the prism of the Jewish experience of the Holocaust and the existential threats coming from its current adversaries.

### Israel’s Nuclear Ambiguity

Prime Minister David Ben-Gurion and Defense Minister Shimon Peres were strong advocates of an Israeli nuclear option and both helped initiate Israel’s nuclear weapons program shortly after the 1948 Arab-Israeli War. Ben-Gurion and Peres were convinced that the end of the war was only a respite for Israel and that Arab countries would continue to attempt to destroy the Jewish state. In the 1950s, military and strategic developments in the Middle East continued to move Israel’s defense strategy closer to a nuclear weapons option. The Arab regimes enjoyed Soviet military and political support, while Israel was under an arms embargo by all great powers, including the U.S and the U.K. Israel’s isolation in the international community manifested itself in hostility and ostracism in the U.N. In 1955, Egypt announced a large arms deal with Czechoslovakia that greatly increased its military capability, further increasing Israel’s insecurity and

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<sup>100</sup> Quoted in Bahgat, *Proliferation of Nuclear Weapons in the Middle East*, 88.

<sup>101</sup> Quoted in Farr, *The Third Temple’s Holy of Holies*.



anxiety. The 1956 Suez Crisis ended with a Soviet threat of nuclear attack if Israel did not withdraw from Sinai. The Suez Crisis not only brought about a Soviet nuclear threat, “it had a larger unanticipated consequence, nuclear proliferation in two countries, France and Israel.”<sup>102</sup>

France and Israel shared a strategic opposition to Egyptian leader Gamal Abdel Nasser who supported the Algerian armed resistance to French colonial rule. France supplied Israel with arms and advanced military technology beginning in 1955 and the two countries also cooperated closely on their respective nuclear programs. At the time Israel initiated its nuclear program, Arab states had basic chemical weapons but had not yet pursued nuclear weapons. Israel’s nuclear program was motivated by the threat of Arab conventional arms and the superpower threats to use nuclear weapons in the Middle East. In the 1950s and 1960s, Israel was an ideal candidate for a nuclear weapons option and the decision to build a bomb is estimated to have been made around 1962 or 1963.<sup>103</sup>

On December 20, 1960, David Ben-Gurion publicly announced the existence of Israel’s French-supplied nuclear reactor at the insistence of President Charles de Gaulle. Three days later Nasser gave an impassioned speech at Port Said in which he vowed that Egypt would pursue its own nuclear weapons program.

They say that Israel is making an atom bomb. Our reply to this is that such talk increases Arab determination to adhere to Arab nationalism and Arab unity. If Israel can make an atom bomb, we can also make an atom bomb. We will under no circumstances permit Israel to be our superior. We will always be superior to Israel, no matter what the cost and the sacrifices involved.<sup>104</sup>

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<sup>102</sup> Paul Bracken, *The Second Nuclear Age: Strategy, Danger, and the New Power Politics* (Macmillan, 2012) (62).

<sup>103</sup> Cohen, *Israel and the Bomb*.

<sup>104</sup> Ariel Levite and Emily B. Landau, “Arab Perceptions of Israel’s Nuclear Posture, 1960-1967,” *Israel Studies* 1, no. 1 (1996): 34–59.

Egypt initiated a nuclear weapons program, which it pursued throughout the 1960s and up until Nasser's death in 1970.

The Kennedy administration urged Israel to curb its nuclear ambitions and allow regular American inspections of the nuclear facilities at Dimona in the south of Israel. Kennedy worried that Israel's nuclear program would either provoke other states in the region to pursue nuclear weapons or lead to intervention by the Soviet Union. In a meeting with President Kennedy, Israeli Prime Minister Ben Gurion stated that, although he appreciated Kennedy's concern about Israel's nuclear program, the real danger was from the "destructive conventional weapons in the hands of neighboring governments which openly proclaim their intention to attempt the annihilation of Israel."<sup>105</sup> In 1963, when President Kennedy asked Shimon Peres about Israel's nuclear program, Peres answered, "We will not be the first ones to introduce nuclear weapons into the Middle East."<sup>106</sup> Peres' improvised and ambiguous answer is still Israel's official posture on its nuclear weapons.

In 1979, Israel's strategy of nuclear ambiguity was solidified during a meeting between Richard Nixon and Israeli Prime Minister Golda Meir. According to the Meir-Nixon pact, as long as Israel did not test a nuclear weapon or publicly declare itself a nuclear power, the U.S. would tolerate Israel's nuclear program.<sup>107</sup> This agreement between U.S. and Israeli leaders continues to the present day and is intended to prevent the erosion of the nonproliferation regime and provide the U.S. diplomatic cover from accusations of a nuclear double standard. Israel's undisclosed nuclear weapons have given it political leverage vis-à-vis the United States as a result of the latter's interest in

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<sup>105</sup> Cohen, *Israel and the Bomb*.

<sup>106</sup> Ziv, "To Disclose or Not to Disclose The Impact of Nuclear Ambiguity on Israeli Security," 7.

<sup>107</sup> Farr, *The Third Temple's Holy of Holies*.

preventing nuclear proliferation in the Middle East. In the 1960s, while its nuclear capability was still ambiguous, “Israel was in a good position to win important concessions by playing on the possibility of ‘going publicly nuclear’ if its situation became desperate. This consideration clearly played an important role, spoken or unspoken, in negotiations over conventional arms supplies.”<sup>108</sup> Richard Betts has argued that conventional military aid is a legitimate and effective tool to restrain states’ nuclear ambitions.<sup>109</sup>

As a result of its bargain with the United States, Israel’s nuclear posture is distinctive from all other nuclear weapon states. Israel has never tested a nuclear bomb (not that can be confirmed with certainty)<sup>110</sup> and does not have an explicit nuclear deterrence doctrine. Israel has never deployed nuclear weapons in military exercises and Israeli leaders still refuse to confirm or deny the existence of a nuclear deterrent. Nonetheless, Israel is believed to have built nuclear weapons by the late sixties, becoming the sixth country to join the nuclear club.

Israel’s unique nuclear posture is referred to as nuclear “ambiguity” or “opacity.” The term used in Hebrew, *hamimut*, “denotes a state of being vague, dim, indistinct or obtuse.”<sup>111</sup> During the sixties and seventies Israel’s nuclear program could be described as ambiguous; Arab states believed Israel was developing a nuclear capability but had not yet built a bomb and Israeli officials continued to deny their interest in nuclear weapons. After the 1967 Six Day War, Israel changed to a “bomb in the basement” posture, which

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<sup>108</sup> Alan Dowty, “The Enigma of Opacity Israel’s Nuclear Weapons Program as a Field of Study,” in *Israel Studies Forum*, vol. 20 (Berghahn Journals, 2005): 7.

<sup>109</sup> Betts, “Paranoids, Pygmies, Pariahs & Nonproliferation.”

<sup>110</sup> In September 1979, a U.S. VELA satellite detected an explosion in the South Atlantic that was suspected to be a joint Israeli – South African nuclear test.

<sup>111</sup> Dowty, “The Enigma of Opacity Israel’s Nuclear Weapons Program as a Field of Study,” 12.

implies that nuclear weapons had been built, but not disclosed. This term is still used to describe Israel's nuclear capability.

By the 1970s, reports began to surface confirming the existence of nuclear weapons in Israel and the term "ambiguity" became an increasingly inaccurate description of Israel's nuclear policy. In 1974, a leaked CIA memo stated the belief that Israel had already built nuclear weapons. Following the 1973 Yom Kippur War, these reports provoked a renewed discussion among Arabs of Israel's nuclear capability. After the Israeli strike on Iraq's nuclear reactor in 1981, Minister of Defense Moshe Dayan issued the clearest statement on Israel's nuclear posture: "We don't have any atomic bombs now but we have the capacity; we can do that in a short time."<sup>112</sup> Ariel Levite describes the period between 1977 and 1986 as, "characterized by the emergence of a high degree of certainty within the Arab world regarding the existence of nuclear weapons in Israel and a widespread belief that Israel might use such weapons in a case of last resort."<sup>113</sup> At this point, Israel's nuclear policy changed to one of opacity: Avner Cohen writes, "Nuclear opacity is a situation in which a state's nuclear capability has not been acknowledged but is recognized in a way that influences other nations perceptions and actions."<sup>114</sup>

In 1986, testimony and photographs obtained from Mordechai Vanunu, a former technician at the Dimona nuclear reactor, were published in the London *Sunday Times* and confirmed for the first time that Israel was able to chemically separate plutonium at the Dimona facility. Arabs responded to Vanunu's revelation with accusations that this was an instance of Israel attempting to release information about its military capability to

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<sup>112</sup> Ibid.

<sup>113</sup> Levite and Landau, "Arab Perceptions of Israel's Nuclear Posture, 1960-1967."

<sup>114</sup> Cohen, *Israel and the Bomb*.

bolster the psychological impact of its nuclear deterrent. There is no longer anything truly opaque or ambiguous about Israel's possession of nuclear weapons but Israeli leaders continue to deny the existence of nuclear weapons.

### Has Israel's Nuclear Deterrent Been Effective?

Has Israel's undeclared nuclear weapons served as a deterrent in conflicts with its Arab adversaries? In the 1960s, Shimon Peres argued that Arab uncertainty regarding Israel's capability can serve as a deterrent: "I know this suspicion is a deterrent force. Why, then, should we allay these suspicions? Why should we enlighten them?"<sup>115</sup> The conventional wisdom holds that Israel's nuclear weapons have achieved three important objectives: 1) deterring a unified Arab attack since the 1967 Six Day War; 2) changing the goal of Arab states away from the destruction of Israel and; 3) creating the conditions necessary to establish peace treaties with Egypt and Jordan. Israel armed its nuclear weapons on three occasions: in June 1967, in October 1973 and during the Gulf War in 1991.

Shimon Peres credits Israel's nuclear posture with bringing Anwar Sadat to Jerusalem to sign a peace accord in 1979 and Sadat himself allegedly confirmed this notion in a conversation with Israeli defense minister Ezer Weizman.<sup>116</sup> After paying the huge costs of the 1973 War, Egypt decided that Israel was not going to be destroyed, and that peace and normalized relations were the only alternative. Peres has said that Israel's nuclear option does not exist to create another Hiroshima, but in order to promote another

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<sup>115</sup> Quoted in Alan Dowty, "Nuclear Proliferation: The Israeli Case," *International Studies Quarterly*, vol. 22, no. 1 (March 1978): 83.

<sup>116</sup> Farr, *The Third Temple's Holy of Holies*.

Oslo (peace accord).<sup>117</sup> More recently alternative perspectives argue that Israel's opaque nuclear posture has not served as a deterrent and has provoked a conventional and unconventional arms race in the Middle East.

As stated above, Israel armed its nuclear weapons on three occasions: in June 1967, in October 1973 and during the Gulf War in 1991. Guy Ziv argues that Israel's nuclear deterrent limited the objectives of Egypt and Syria in the 1973 October War to retaking the Sinai Peninsula and the Golan Heights, territory lost in 1967. Ziv writes:

An Egyptian former general told me ... that the Egyptian army's plans for the opening stages of the 1973 October War were confined to the Suez Canal zone for fear that if they penetrated Israel further, the Israeli leaders may have felt sufficiently threatened to use nuclear weapons.<sup>118</sup>

Shlomo Aronson also argues that Israel's nuclear deterrent has impacted the course of the conflict between Israel and its neighbors. Yair Evron, however, believes that Israel's conventional deterrence has been more effective in deterring Arab aggression.

Questions about the efficacy of Israel's nuclear deterrent were raised in 1991 after Saddam Hussein targeted Israeli cities with Scud missile. At the beginning of the Gulf War, Israeli politicians and military leaders publicly stated they would respond to an Iraqi attack with overwhelming force. Months before the invasion of Kuwait, Saddam Hussein had made a speech in which he threatened to use chemical weapons against Israel. One observer argues, "Saddam stopped short of using nonconventional weapons, and thus, while Israel's conventional deterrence suffered a certain setback, its nonconventional (nuclear) deterrence remained intact."<sup>119</sup> Zeev Maoz, a nuclear skeptic, argues that

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<sup>117</sup> Cohen, *Israel and the Bomb*.

<sup>118</sup> Ziv, "To Disclose or Not to Disclose The Impact of Nuclear Ambiguity on Israeli Security," 86.

<sup>119</sup> Amatzia Baram, "Israeli Deterrence, Iraqi Responses," *Orbis* 36, no. 3 (1992): 399.

Saddam's use of Scud missiles to target Israel marked an overwhelming deterrence failure.

A 2010 *Foreign Affairs* article argues that Israel's nuclear ambiguity has been ineffective and has not had any impact on the strategic calculus of Israel's enemies. "It did not deter the Egyptians and Syrians from invading Israel in 1973, Iraq from launching missiles on Israel in 1991. None of these attacks were kept at bay by a balance of military force that overwhelmingly favored Israel"<sup>120</sup> In addition, since the peace treaties with Egypt (1979) and Jordan (1994) and the disarming of Iraq in the 1990s, Israel's major security threat comes from terrorism and low-scale conflict against which nuclear weapons are all but useless. Nuclear deterrents can only prevent full-scale, conventional war.

#### Should Israel End its Policy of Nuclear Opacity?

Arab states have pressured Israel to end its policy of ambiguity and adopt a more transparent nuclear policy. Israelis have also increasingly begun to argue that Israel's denial of its nuclear weapons has outlived its usefulness and has a detrimental effect on security and Israeli democracy. Israel's nuclear opacity, however, has decreased pressure on Arab states to develop or acquire nuclear weapons and mitigated the incentives to proliferate. An explicit Israeli nuclear policy would put Arab leaders under increased domestic pressure to end Israel's regional nuclear monopoly and could cause nuclear proliferation in the Middle East before a verifiable NWFZ could be established. An overt Israeli nuclear deterrent would also erode the credibility of the nonproliferation regime

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<sup>120</sup> Avner Cohen and Marvin Miller, "Bringing Israel's Bomb Out of the Basement: Has Nuclear Ambiguity Outlived Its Shelf Life?" *Foreign Affairs*, (September/October 2010): 30–44.

and strain relations with the United States. In order to establish a NWFZ in the Middle East, however, Israel has to ultimately acknowledge its possession of nuclear weapons.

One benefit of disclosing nuclear weapons is to give “no first use” assurances to states in the region, guaranteeing that Israel will not use nuclear weapons unprovoked. This could reduce tension regarding Israel’s nuclear posture and would bring Israel’s military doctrine in line with its repeated assurance not to be the first country to introduce nuclear weapons into the region. In addition, an opaque nuclear posture is better at deterring a conventional military attack, rather than a chemical or biological attack, which could be launched without warning and, “a nuclear posture focused on deterring other WMDs would provide a much better platform for arms control.”<sup>121</sup>

In 2003, the Israeli government commissioned Project Daniel to assess the strategic threats to Israel. One of the contributors, professor Louis Rene Beres, proposes that an end to Israel’s nuclear ambiguity is necessary to deter Iran and convince Tehran that Israel’s nuclear weapons are invulnerable. He argues:

Any Iranian judgments about Israel’s capability and willingness to retaliate with nuclear weapons would therefore depend largely upon some prior Iranian knowledge of these weapons, including their degree of protection from surprise attack, and also their capacity to “punch-through” Iranian active and passive defenses.<sup>122</sup>

Beres argues that an explicit Israeli nuclear doctrine can accomplish these goals and allow Israel to create a formal nuclear doctrine that establishes credible *casus belli* that can be communicated to adversaries, such as Iran. None of this can be done while Israel’s leaders maintain silence regarding their nuclear deterrent.

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<sup>121</sup> Dowty, “The Enigma of Opacity Israel’s Nuclear Weapons Program as a Field of Study,” 17.

<sup>122</sup> Project Daniel <http://www.acpr.org.il/ENGLISH-NATIV/03-issue/daniel-3.htm>.



Avner Cohen and Zeev Maoz both argue that Israel's policy of nuclear opacity has negatively impacted Israeli democracy. After Cohen published his seminal history of Israel's nuclear program, *Israel and the Bomb*, he did not return to Israel for five years. When he finally did he was threatened with arrest and interrogated for over 50 hours by military officials. In Israel, any writings about security policy, and especially the country's nuclear weapons, are subject to state censorship. Freedom House scores Israel's media as "partly free" for this reason. Most Israelis, however, accept the secrecy surrounding Israel's nuclear weapons and perceive the actions of Mordechai Vanunu as espionage.

#### Israeli Perceptions of the NPT and Middle East NWFZ

Israelis who support an end to the policy of nuclear ambiguity do not believe Israel should renounce its nuclear weapons and disarm. Arab states, on the other hand, have been calling for Israel to join the NPT since it entered into force in 1970. Israel would have to adopt a policy of nuclear transparency in order to sign the NPT and, since the NPT cannot allow a sixth nuclear state, transparency would strengthen the case for disarmament. One Israeli scholar observes:

The conflation of the two conceptually distinct messages underscores that the parties voicing them have little interest in transparency as such, nor are they seeking a confidence-building measure and/or a means to enhance the extent of Israel's cooperation with the international community. Rather, they consider the removal of ambiguity a move that will significantly boost their case that Israel must join the NPT—and of course disarm.<sup>123</sup>

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<sup>123</sup> Emily B. Landau, "The NPT's Challenge to Israel," *The Journal of International Security Affairs* 19, no. Fall/Winter (2010): 43–48.

In response to the Egyptian campaign to press Israel to sign the NPT and to give up its deterrent, Israeli leaders argue that Israel is the only country threatened with annihilation and that it must, therefore, maintain its nuclear deterrent.

The international focus on Iran's nuclear pursuit has provoked claims of a double standard. Why should Israel be allowed to maintain its nuclear weapons while Iran is refused the same right? This logic is used by those that believe Israel should be pressured to join the NPT and disarm. Iran, however, is a member of the NPT that took the decision to remain non-nuclear, whereas Israel chose to remain outside the treaty, which it believes cannot address its unique security concerns. In addition, Israel has been a responsible nuclear state and has not threatened its neighbors with a nuclear strike, or exported nuclear technology to other states, as the Pakistani AQ Khan network did. Israel cooperates with the Nuclear Supplier Group guidelines. Israel has also signed (but not ratified) the Comprehensive Test Ban Treaty (CTBT) and has established a station near the Dead Sea as part of the international network to monitor compliance. Proposals for linking Iran's progress on nonproliferation and Israel relinquishing its nuclear deterrent have been received with cynicism in Israel.

The dismal compliance record of Israel's neighbors with their NPT nonproliferation obligations makes Israelis pessimistic about the regimes ability to address Israeli security and wary that the NPT is losing its relevance and "perhaps even becoming counterproductive in today's world." The norm of nonproliferation serves Israel's interest but failures to enforce compliance with states' nonproliferation obligations make the treaty increasingly irrelevant in the Middle East. A universal treaty is incompatible with the realities of the Middle East and if Israel gave up its nuclear

weapons it would destabilize the region and threaten Israeli security. Israelis support regional arms control and disarmament solutions and believe the NPT “is detached from the realities of security in the Middle East.”<sup>124</sup>

Nonetheless, Israel’s existence outside the nonproliferation regime is problematic; Israel benefits from the NPT and its norm of nonproliferation and yet it is not constrained by the regime. Avner Cohen argues that the issue of NPT universality and compliance are linked and that “only a universal, action-oriented nonproliferation regime will command the respect of the world community and best address the noncompliance question.”<sup>125</sup>

Cohen argues that the NPT can address the problem of universality by creating an “NPT for non-members.”<sup>126</sup> A separate protocol for Israel, India and Pakistan – all de facto nuclear weapon states – would have the benefit of increasing cooperation with international nuclear export controls and prohibiting the testing of nuclear weapons. Avner believes this is the only solution because it is politically impossible to admit three more nuclear weapon states to the NPT and none of the three de facto nuclear states can be expected to give up their nuclear weapons.

The incorporation of states existing outside the NPT should not be applied to NNWS that violate their obligations or withdraw from the treaty: India, Pakistan and Israel never signed the NPT and therefore recognizing them as nuclear powers does not legitimize nuclear proliferation. Cohen believes that the three de facto nuclear states should also commit themselves to the goal of disarmament. In addition to disarmament, integrating Israel into the NPT and acknowledging its nuclear arsenal would allow it to

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<sup>124</sup> Ariel E. Levite, “Global Zero: An Israeli Vision of Realistic Idealism,” *The Washington Quarterly* 33, no. 2 (2010): 157–68.

<sup>125</sup> Avner Cohen and Thomas Graham, “An NPT for Non-Members,” *Bulletin of the Atomic Scientists* 60, no. 3 (2004): 40–44.

<sup>126</sup> *Ibid.*

cooperate on global test ban treaties and a proposed fissile material cut-off treaty. Israel, according to Avner, would benefit by cooperating with the nonproliferation regime and “could gain an important element of legitimacy for its program and for its security posture.”<sup>127</sup> Not all Israeli scholars agree with this position. Emily Landau, an Israeli nuclear weapons scholar, argues, “ending ambiguity will not result in Israel being accepted as an openly declared nuclear state, but will, rather, only contribute to mounting pressure for it to join the NPT - namely, to accept total disarmament.”<sup>128</sup>

From the Israeli perspective, arms control and disarmament can only occur once relations in the Middle East have been improved. Israel relies on its nuclear weapons for its security and discussions of nuclear disarmament are not a priority. Nonproliferation and security are its priorities. Nuclear disarmament will “not reduce the security anxiety that has led to their acquisition (or to seeking their umbrella by ones’ allies) in the first place, and in fact might even heighten it.”<sup>129</sup> The Arab states and Iran take the opposite view and believe the process to regional peace and security begins with Israel disarming and signing the NPT.

Israeli officials have formally endorsed the goal of nuclear disarmament and the vision of a Middle East free of nuclear weapons. The decision to support eventual disarmament was first expressed during the 1992 Arms Control and Regional Security (ACRS) working group and has since been reiterated. In 1995, Israeli Prime Minister Shimon Peres declared, “Give me peace, and we will give up the atom. That’s the whole story. If we achieve regional peace, I think we can make the whole Middle East free of

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<sup>127</sup> Ibid.

<sup>128</sup> “Being Clear about Ambiguity,” *Haaretz.com*, March 12, 2010, accessed April 30, 2014, <http://www.haaretz.com/print-edition/opinion/being-clear-about-ambiguity-1.290271>.

<sup>129</sup> Levite, “Global Zero.”

any nuclear threat.”<sup>130</sup> In 1980, Israel submitted a proposal to the UN for a Middle East NWFZ that would not require membership in the NPT. A statement by Foreign Minister Yitzhak Shamir was read during a meeting of the UN General Assembly and expressed the fundamental Israeli assumptions on regional arms control:

Israel has consistently supported resolutions of the General Assembly aimed at preventing the spread of nuclear weapons. This global problem, we believe, can best be solved by way of negotiated regional arrangements. Hence, since 1975, Israel has consistently advocated the establishment of a nuclear-weapons-free-zone in the Middle East on the Tlatelolco model. Israel believes that an international conference of all the states in the region should be held, leading to the conclusion of formal, contractual, multilateral convention between all states of the region.<sup>131</sup>

Arab states hesitated to negotiate with Israel for fear that it would tacitly imply recognition of the Jewish state, a political liability for Arab leaders. Egypt, after all, had been expelled from the Arab League as a result of its 1979 peace treaty with the Jewish state. The dovish Israeli diplomat Abba Eban expressed skepticism regarding the logic of a MENWFZ in general and questioned its relevance to the Middle East:

A region declaring itself ‘nuclear free’ is very similar to a nation declaring itself ‘neutral.’ If some neutral countries have not been invaded, such as Switzerland in the two world wars, it would be hard to prove that this was because of their declared neutrality. It was either because there was no strategic necessity for a belligerent to violate their frontiers, or because the neutrality was useful to the belligerents or because they had prudently modeled themselves on the example of the porcupine; bristly animals are not a tempting target for a wrestling match. Nuclear-free zones, like neutrality, are a unilateral hope, not a prescription for safety.<sup>132</sup>

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<sup>130</sup> Solingen, *Nuclear Logics*, 196.

<sup>131</sup> Mahmoud Karem, *A Nuclear-Weapon-Free Zone in the Middle East: Problems and Prospects* (Greenwood Press New York, 1988): 106.

<sup>132</sup> Quoted in Mahmoud Karem, *A Nuclear-Weapon-Free Zone in the Middle East: Problems and Prospects*, 8.

Professor Louis Rene Beres is a harsh critic of Arab proposals for a MENWFZ. He cites military theorist Carl von Clausewitz opinion that in security doctrines “mass matters” and Arab states possess mass in terms of geography and population. Israel must therefore internally balance by maintaining nuclear weapons. These “equalizing elements of national power” are essential to Israel’s self defense and survival. Beres says that efforts to establish a NWFZ in the Middle East are disingenuous and that Barak Obama’s support for nuclear disarmament is naïve. Beres concedes that a Middle East free of both nuclear weapons and all WMD would benefit all countries in the region but he believes that verification of compliance with nuclear prohibition would be impossible. Louis Rene Beres argues that Israel’s undeclared nuclear arsenal is not destabilizing the region: “In the Middle East, the core problem has absolutely nothing to do with Israel’s nuclear weapons and posture, assets which have never been used to threaten or even intimidate recalcitrant enemies. Rather, the peril remains a persisting and unreconstructed Jihadist commitment to ‘excising the Jewish cancer.’”<sup>133</sup>

South Africa is the only country that has ever built and then renounced nuclear weapons. The security environment of the Middle East does not provide Israeli leaders with any incentive to relinquish their nuclear deterrent. Israel would seek recognition of its right to exist as a Jewish state and full diplomatic recognition before it would begin steps to establish a NWFZ. Even in the event that states in the Middle East agree to a credible MENWFZ with an ironclad compliance and verification mechanism, there is always the possibility of Israel rearming. In the words of Thomas Schelling: “Short of

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<sup>133</sup> Louis Rene Beres, “Killing Israel: A Nuclear Weapons Free Zone in the Middle East,” *Artuz Sheva News*, April 8, 2014, accessed May 8, 2014  
<http://www.israelnationalnews.com/Articles/Article.aspx/14806#.U2eFAa1dXrc>

universal brain surgery, nothing can erase the memory of weapons and how to build them.”<sup>134</sup>

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<sup>134</sup> Quoted in Waltz and Sagan, *The Spread of Nuclear Weapons*.

## Nuclear Proliferation: The Case of Iraq

Iraq's nuclear weapons program has the unfortunate distinction of having been the target of preventive strikes by two countries (Iran and Israel) as well as the ostensible justification for history's first counter-proliferation war and occupation. In addition, the unforeseen discovery of Iraq's highly developed nuclear capability in the aftermath of the 1991 Gulf War resulted in years of crippling economic sanctions and the most comprehensive and intrusive weapons inspections ever conducted. Saddam Hussein's deception and ability to pursue a nuclear weapons program while under IAEA safeguards dealt a blow to the non-proliferation regime and inspired the drafting of the IAEA Model Additional Protocol to prevent future clandestine proliferation. If not for Saddam Hussein's strategic miscalculation, Iraq might well be a nuclear weapon state today.

In August 1990, the Iraqi military invaded and annexed Kuwait in a bold bid to seize the country's oil resources and financial assets. Saddam Hussein, however, misjudged the international response to his aggression and Iraq was condemned by the international community, including every Arab states with the exception of Jordan and Yemen. After six months of sanctions failed to coerce the Iraqi dictator to withdraw his troops from Kuwait, the United Nations Security Council (UNSC) authorized "all necessary measures" to expel the Iraqi forces. On January 17, 1991, a coalition of countries led by the United States mobilized to restore the status quo in the Gulf.

On April 3, 1991, after Iraq's defeat, UNSC resolution 687 ordered that Iraq be disarmed of all WMD and missiles with a range over 150 kilometers. The resolution mandated the IAEA with the task of finding and destroying Iraq's nuclear weapons facilities. The United Nations Special Commission on Iraq (UNSCOM) was established



to disarm Iraq of its chemical and biological weapons and to assist the IAEA Action Team with the Iraqi nuclear file. Deputy Prime Minister of Iraq Tariq Aziz claimed UNSC resolution 687 contained “iniquitous and vengeful measures”<sup>135</sup> but Saddam Hussein had no choice but to agree to the terms of the cease-fire. Iraq was the first country ever to be prohibited from possessing highly enriched uranium and plutonium. This severe restriction on Iraq’s sovereignty was only enforceable by the backing of the UNSC and the tacit and credible threat of both harsher economic sanctions or military force if Saddam did not comply.

The work of the IAEA Action Group ultimately revealed that Saddam Hussein had been pursuing a dedicated clandestine nuclear weapons program that used elaborate schemes and stratagems to avoid detection by IAEA inspectors and national intelligence services. The IAEA Action Team estimated that Iraq was only 18 to 24 months away from having a crude nuclear device and three to four years away from a deliverable weapon.<sup>136</sup> After the arduous and often dangerous job of disarming Iraq, a comprehensive ongoing monitoring and verification system was set up to ensure Iraq’s continued compliance with its NPT non-proliferation obligations.

### Saddam’s Deception

Iraq signed and ratified the NPT in 1969 and began its determined pursuit of nuclear weapons capability shortly thereafter. In 1974, then-Vice President Saddam Hussein travelled to France to negotiate a deal with France and promised cheap oil in

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<sup>135</sup> Quoted in Jean E. Krasno and James S. Sutterlin, *The United Nations and Iraq: Defanging the Viper* (Greenwood Publishing Group, 2003).

<sup>136</sup> David A. Kay, “Denial and Deception Practices of WMD Proliferators: Iraq and beyond,” *Washington Quarterly* 18, no. 1 (1995): 83–105.

return for a nuclear reactor. Prior to his trip to Paris, Saddam told a Lebanese journalist that French assistance to Iraq would be "the first concrete step toward the production of the Arabic atomic weapon" and that Iraq needed to obtain nuclear weapons in order to counter Israel's nuclear arsenal.<sup>137</sup>

In 1976, Iraq purchased an Osiris reactor (called Osiraq in Iraq) from France that ran on weapons-grade uranium fuel and by 1979 Iraq had also begun a plutonium reprocessing facility with Italian assistance.<sup>138</sup> Iraq had initially attempted to purchase a graphite-moderated reactor that would have produced enough plutonium to build five to eight nuclear warheads per year.<sup>139</sup> The French, however, would not consent to the sale. Iraqi defector and nuclear scientist Khidir Khamza later revealed, "Our hidden agenda was to clandestinely develop the expertise and infrastructure needed to develop weapons-grade plutonium."<sup>140</sup> Iraqi scientists believed that they would be able to produce five to seven kilograms of weapons-grade plutonium per year from the Osiraq reactor.<sup>141</sup> (11 kilograms of plutonium constitutes the critical mass necessary to create a chain reaction and nuclear explosion). Iraq's nuclear program was perceived to be a threat by some states in the region and Iraqi facilities were targeted by preventive strikes.

In September 1980, the Iranian air force crossed into Iraq and bombed the Osiraq reactor, located in the city of al-Tuwaitha, 10 miles south of Baghdad. The Iranian operation was the first ever preventive strike on a nuclear reactor but it was unsuccessful and caused only minor damage. Eight months later, in June 1981, Israeli jets bombed and

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<sup>137</sup> NTI Iraq country profile <http://www.nti.org/country-profiles/iraq/nuclear/>

<sup>138</sup> David Albright and Khidir Hamza, "Iraq's Reconstitution of Its Nuclear Weapons Program," *Arms Control Today* 28 (1998): 9–15.

<sup>139</sup> Dan Reiter, "Preventive Attacks against Nuclear Programs and the 'success' at Osiraq," *Nonproliferation Review* 12, no. 2 (2005): 355–71.

<sup>140</sup> Hamza and Albright, "Inside Saddam's Secret Nuclear Program."

<sup>141</sup> Albright and Hamza, "Iraq's Reconstitution of Its Nuclear Weapons Program."

destroyed the Osiraq reactor just before it was scheduled to go critical. The Israeli operation was condemned by the UNSC and General Assembly.

Analysts do not agree on the consequences of the Israeli preventive strike. Some believe the attack delayed Iraq's nuclear program and was the deciding factor in Iraq's failure to produce a nuclear bomb before the 1991 Gulf War. This is due to the fact that after 1981 Iraq switched from a plutonium production to a more technically difficult and expensive uranium production program.<sup>142</sup> Former U.S. National Security Council member Kenneth Pollack argued that the Osiraq raid,

merely set back Saddam's nuclear program, but in doing so, it ensured that Saddam did not have a nuclear weapon in time for either the Iran-Iraq War or the Gulf War, and that was just enough of a delay to prevent him from ever acquiring one.<sup>143</sup>

Some scholars, however, argue that Israel's strike had the unintended consequence of increasing Saddam's commitment to his nuclear program and "raised Saddam's estimation of the importance of acquiring nuclear weapons."<sup>144</sup> Others contend the Iraqi nuclear program was for peaceful purposes or that the Osiraq reactor could not have produced enough plutonium for a nuclear bomb, especially while under both IAEA and bilateral safeguards. Former Iraqi nuclear scientist Imad Khadduri called the idea that the Osiraq reactor could have served a weapons program "delusional."<sup>145</sup> Khadduri argues that Iraq's nuclear program only began *after* the Israeli raid. After the Israeli strike Saddam Hussein was advised by his top nuclear scientist not to withdraw from the NPT in order to better conceal his aim of pursuing nuclear weapons capability. "If we walk out

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<sup>142</sup> Jeremy Tamsett, "The Israeli Bombing of Osiraq Reconsidered: Successful Counterproliferation?," *The Nonproliferation Review* 11, no. 3 (2004): 70–85.

<sup>143</sup> Quoted in Reiter, "Preventive Attacks against Nuclear Programs and the 'success' at Osiraq."

<sup>144</sup> Ibid.

<sup>145</sup> Ibid.

now” Saddam adviser reasoned, “our enemies will say this is proof of our real intentions. I say we keep them guessing. Better we stay inside and learn how to deceive them.”

Iraq invested considerable energy into deceiving the IAEA and national intelligence services. In order to access the IAEA, Saddam Hussein created the position of “scientific attaché” at the Iraqi embassy in Vienna. A brother of Saddam's senior bodyguard was appointed to this position and was able to garner information about “the role of inspectors in uncovering clandestine programs, how information given to inspectors was controlled, and how limited their leverage was.”<sup>146</sup> An Iraqi physicist became an IAEA inspector in order to learn how Iraq could avoid the detection of its clandestine nuclear program. Khidir Hamza suggests, “the understanding that gradually emerged from a closer relationship to the IAEA was how weak and easily manipulated the agency was.”<sup>147</sup>

Saddam employed less devious methods to conceal his illicit nuclear program and hid some illicit facilities in plain site. Al-Tuwaitha, the site of Iraq’s safeguarded nuclear reactor, also housed Iraq’s uranium enrichment program. One hundred foot-high berms were built and trees were planted to prevent inspectors from spotting these undeclared buildings and inspectors were led along paths that did not reveal the buildings. Parts and equipment for the nuclear program were imported using a series of shell companies that managed to avoid eliciting suspicion. Iraq took advantage of the culture at the IAEA of accepting a state’s word regarding the completeness and correctness of its declaration of nuclear materials and facilities. Rolf Ekeus, the head of UNSCOM, later explained why IAEA inspectors missed signs of Iraq’s elaborate deception:

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<sup>146</sup> Albright and Hamza, “Iraq’s Reconstitution of Its Nuclear Weapons Program.”

<sup>147</sup> Hamza and Albright, “Inside Saddam’s Secret Nuclear Program.”

The IAEA inspected Iraq in the context of the nuclear non-proliferation treaty and the Safeguard arrangements, which are linked to that treaty. So, their inspectors went regularly, and regularly means a couple of times per year, to visit the declared reactor and declared facilities, nuclear facilities, taking samples and counting the amount of fissionable material there and the amount of nuclear material as good bookkeepers, but they were not tasked to investigate something outside of the declared sites. They had no chance to detect anything ... I'm afraid to say that the IAEA reporting gave high marks to Iraq.<sup>148</sup>

The former director of the IAEA's Iraq Nuclear Verification Office (INVO) agrees that Iraq's deception of the IAEA was the result of the organization's institutional myopia.

Back then, it seemed that the international community was convinced that NPT non-nuclear-weapon States would remain committed to their pledges, and thus, the Agency's role would simply be the verification of the State's declared nuclear materials and installations. The mistake of the whole community was not to acknowledge that a meaningful verification system must implement measures aimed at detecting if a State was trying to deceive the system via the conduct of undeclared activities.<sup>149</sup> During the course of the post-war inspections, the extent of Iraq's deception would prove shocking.

### Disarming Saddam

Under the terms of UNSC resolution 687, Iraq was required to provide declarations outlining the types, numbers, and locations of all its WMD and related facilities, which would then be verified by UN inspections teams. During the first two years after the Gulf War, however, Iraqi officials did not cooperate with UNSCOM and the declarations made by Iraqi officials were incomplete and did not reveal the extent of the chemical and nuclear program. Moreover, they denied outright the weaponization of biological agents, a fact that was later disproven.

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<sup>148</sup> Krasno and Sutterlin, *The United Nations and Iraq*, 51.

<sup>149</sup> Jacques Baute, "Timeline Iraq. Challenges and Lessons Learned from Nuclear Inspections," *IAEA Bulletin* 46, no. 1 (2004): 64–68.

In addition to false declarations, Iraqi officials also used confrontation and intimidation and counterintelligence to prevent the intrusive inspections that were the terms of the ceasefire. UN inspector David Kay recalled:

Inspectors were awakened with telephoned threats; obscene and threatening notes were slipped under hotel doors; hotel rooms were ransacked; verbal abuse on the street and at inspection sites became common; on several occasions inspectors were physically attacked by outraged Iraqi "civilians"; UN vehicles were bombed and tires slashed; and shots were fired over the heads of inspectors as a team photographed Iraq's secret uranium enrichment equipment.<sup>150</sup>

In October 1991, UNSCOM reported to the UNSC that: ‘The elements of misinformation, concealment, lack of co-operation and violation of the privileges and immunities of the Special Commission and IAEA have not created any trust in Iraq’s intentions.’<sup>151</sup> In August, the UNSC passed resolution 707, which declared Iraq to be in “material breach” of the ceasefire and demanded full disclosure of all WMD activities and cooperation with weapons inspectors. Only when the UN Security Council threatened Baghdad with military action did the Iraqis finally back down and allow full inspections to take place.

In 1995, Hussein Kamel, Saddam Hussein’s brother-in-law and the head of the Ministry of Industry and Military Industrialization, defected to Jordan. Anticipating that Kamel would reveal the truth about the extent of Iraq’s nuclear and WMD program during the 1980s, Iraq made boxes of documents available, albeit in an unusual manner, to UN inspectors. Iraqi officials led Rolf Ekeus and members of his monitoring team to a “chicken farm” where they were told Kamel

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<sup>150</sup> Kay, “Denial and Deception Practices of WMD Proliferators.”

<sup>151</sup> Trevor Findlay, “The Lessons of UNSCOM and UNMOVIC,” *The Verification Yearbook 2003*, (2003)

[http://www.vertic.org/media/Archived\\_Publications/Yearbooks/2004/VY04\\_Findlay.pdf](http://www.vertic.org/media/Archived_Publications/Yearbooks/2004/VY04_Findlay.pdf).

had stowed the documents. The Iraqi's made the implausible argument that Kamel alone was responsible for the pursuit of WMD. The documents recovered at the chicken farm revealed that prior to the Gulf War Saddam, in fear for his regime's survival, pursued a "crash program" to extract enough high enriched uranium to build a bomb that could be used against Israel or the U.S. led coalition forces.<sup>152</sup> Ekeus told reporters that the documents confirmed that Iraq had pursued a crash program and provided important information on the Iraqi uranium enrichment program, as well as a secret missile program, biological weapons testing and chemical weapons production.<sup>153</sup> Khadir Hamza later stated that he thought the nuclear crash program was intended to produce a bargaining tool but that Saddam stated, "he was going to drop it on someone."<sup>154</sup>

In 1997, all of the American inspectors were kicked out of Iraq and in November 1998 Iraq refused to let any UN inspectors into Iraq, claiming that UNSCOM had served as a front for U.S. espionage. In December, the U.S. and U.K conducted bombing missions in Iraq in an attempt to force Saddam to comply with the terms of the 1991 ceasefire agreement. UNSCOM was disbanded in December 1999. In December, the United Nations Monitoring, Verification and Inspections Commission (UNMOVIC) was tasked with carrying out any future inspections in Iraq. Unlike the resolution establishing UNSCOM, UNMOVIC was now specifically authorized under Chapter VII of the UN Charter, leaving no doubt that compliance was mandatory and was backed by the threat of military force.

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<sup>152</sup> NTI Iraq country profile <http://www.nti.org/country-profiles/iraq/nuclear/>

<sup>153</sup> Ann Scott Tyson, "How Arms Sleuths Battle Iraqi Deceit," *Christian Science Monitor*, November 20, 1997, <http://www.csmonitor.com/1997/1120/112097.us.us.3.html>.

<sup>154</sup> "Interview with Saddam's Bomb Maker," CNN *Crossfire* transcript, <http://transcripts.cnn.com/TRANSCRIPTS/0303/10/cf.00.html>

On 8 November 2002, the UNSC unanimously adopted resolution 1441, declaring that Iraq was in “material breach” of its obligations and called on Baghdad to co-operate immediately. Iraq agreed to allow inspectors back into the country and on November 27 the first UNMOVIC inspectors arrived in Iraq. UNMOVIC conducted inspections in Iraq for 111 days, until the 2003 U.S. led invasion. UNMOVIC conducted 731 inspections at 411 sites—88 of which had not been inspected by UNSCOM. The Iraq Nuclear Verification Office carried out 237 nuclear inspections at 148 sites, including 27 new ones, with over 1600 buildings. One IAEA inspector recalled:

The last period of inspections, between November 2002 and March 2003, was of a quite different nature, with regard to global attention and what seemed to be at stake. Some perceived that war or peace were now firmly resting on the shoulders of the IAEA and UNMOVIC inspectorates.<sup>155</sup>

On March 7, 2003, IAEA Director General Mohamed ElBaradei reported to the UNSC that, "After three months of intrusive inspections, we have to date found no evidence or plausible indications of the revival of a nuclear weapon program in Iraq."<sup>156</sup> Nonetheless, the UNMOVIC and IAEA inspectors left Iraq on March 18, 2003 and on March 20 a coalition led by the United States invaded Iraq, claiming that Saddam Hussein was again in “material breach” of UNSC resolution 687.

After the fall of Saddam Hussein’s regime in April 2003, the CIA’s Iraq Survey Group (ISG) took up the job of completing the disarmament of Iraq. In September 2004, the ISG reported that they had not found any evidence that Saddam Hussein had reconstituted his nuclear program. The post-war failure of U.S. and coalition forces to discover undeclared nuclear weapons facilities “gilded the reputation of both UNSCOM

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<sup>155</sup> Baute, “Timeline Iraq. Challenges and Lessons Learned from Nuclear Inspections,” 67.

<sup>156</sup> NTI Iraq country profile <http://www.nti.org/country-profiles/iraq/nuclear/>.



and UNMOVIC.”<sup>157</sup> Former UNSCOM adviser Tim Trevan argues that economic coercion was effective in curbing Iraq’s pursuit of nuclear weapons. Trevan writes that Iraqi Foreign Minister Tariq Aziz told UN inspectors that “the only reason Iraq was cooperating with UNSCOM was that it wanted to be reintegrated into the international community. Chief among the benefits was the lifting of the economic sanctions.”<sup>158</sup>

Egyptian diplomat Nabil Fahmy is skeptical that there is anything to be learned from the case of Iraq that can be applied to the broader puzzle of nuclear proliferation in the Middle East. Fahmy writes:

UNSCOM’s experience was one of disarmament by coercion. Iraq represented a truly exceptional case in terms of proliferation and therefore required exceptional mechanisms. It is merely stating the obvious that the Iraqi case cannot be the model for addressing the proliferation problem in the Middle East, although some lessons can be drawn, particularly with regard to future verification mechanisms.<sup>159</sup>

One scholar draws a pessimistic conclusion from the shocking discovery of Iraq’s extensive clandestine nuclear program: “If the Iraqi case has taught us anything, it is that technology and know how are so easily accessible that any country that wants nuclear weapons badly enough can probably obtain them if persistent.”<sup>160</sup>

### Saddam’s Nuclear Incentives

Why did the Saddam Hussein’s regime pursue nuclear weapons so relentlessly? It is estimated that after the Israeli strike on the Osiraq reactor, the Iraqi nuclear program

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<sup>157</sup> Findlay, “The Lessons of UNSCOM and UNMOVIC.”

<sup>158</sup> George A. Lopez and David Cortright, “Containing Iraq: Sanctions Worked,” *Foreign Affairs*, (July/August 2004): 90–103.

<sup>159</sup> Nabil Fahmy, “Prospects for Arms Control and Proliferation in the Middle East,” *The Nonproliferation Review* 8, no. 2 (2001): 111–17.

<sup>160</sup> Michel Fortmann, “Other Side of Midnight: Opaque Proliferation Revisited, The,” *Int’l J.* 48 (1992):152.

increased from a program of 400 scientists and \$400 million to 7,000 scientists and \$10 billion dollars.<sup>161</sup> Saddam may have been motivated by a fear of Israel's nuclear capability; or he may have believed that acquiring the means to credibly threaten Israel's security would provide him with a position of leadership in the Arab world. Arab and Iranian leaders often burnish their revisionist credentials by threatening the Jewish state. The experience of the war with Iran may have also driven Hussein's quest for nuclear capability. The ISG report stated: "All senior level Iraqi officials considered Iran to be Iraq's principal enemy in the region and generally ranked Tehran first and Tel Aviv as a more distant second as their primary adversary."<sup>162</sup> In addition to security motives, however, there were significant domestic sources driving Saddam's demand for nuclear weapons. Etel Solingen argues that regime survival – and not state survival – was the ultimate motivation for Iraq's nuclear program.<sup>163</sup> Saddam Hussein consolidated his power through an extensive patronage system and pursued foreign military adventures as a way to increase state revenue more than for geo-strategic reasons. Saddam Hussein also fits the leader psychology framework that Jacques Hymans proposes to explain nuclear proliferation. Saddam was an "oppositional nationalist" leader who possessed an, "intense fear of an external enemy combined with an equally intense pride in [his] nation's natural capacity to face down the enemy."<sup>164</sup>

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<sup>161</sup> Reiter, "Preventive Attacks against Nuclear Programs and the 'success' at Osiraq," 362.

<sup>162</sup> Quoted in Solingen, *Nuclear Logics*, 147.

<sup>163</sup> Ibid.

<sup>164</sup> Hymans, "North Korea's Nuclear Neurosis."

## Egypt's Nuclear Strategy

Egypt is the only country in the Middle East that can convincingly be argued to have pursued nuclear weapons in reaction to Israel's nuclear capability. Egypt and Israel fought major military confrontations in 1948, 1956, 1967 and 1973. The two states share a border, Israel occupied the Sinai Peninsula for 15 years and Egypt perceived Israel as an enemy and security threat. In addition, Egypt is the most populous Arab country and views itself as a natural leader of the Arab world. Gamal Abdel Nasser valued the prestige nuclear weapons would give Egypt. In 1960, in response to the revelation of Israel's nuclear reactor in Dimona, Nasser delivered a speech at Port Said and declared:

If we are sure that Israel is making an atom bomb, it will mean the beginning of war between us and Israel, because we cannot permit Israel to manufacture an atom bomb. It is inevitable that we should attack the base of aggression even if we have to mobilize four million to destroy it.<sup>165</sup>

Rather than launch a preventive strike, however, Nasser built up Egypt's nuclear capability. Egypt was denied its request for nuclear devices from both China and the Soviet Union. Nasser failed to get a Soviet nuclear guarantee, a fact that created the incentive for an indigenous Egyptian deterrent. In the end, Nasser's nuclear ambitions were dashed by Egypt's defeat in the 1967 war with Israel. Gawdat Bahgat argues that Egyptian leaders never assigned a high value to nuclear weapons and were not seriously committed to building them in the first place.<sup>166</sup> In addition, Egypt's close relationship with the United States has reinforced the perception of the low utility of an indigenous nuclear deterrent.

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<sup>165</sup> Levite and Landau, "Arab Perceptions of Israel's Nuclear Posture, 1960-1967.", 54.

<sup>166</sup> Bahgat, *Proliferation of Nuclear Weapons in the Middle East*, 123.

Egypt signed the NPT in 1967 but put off ratifying the treaty in order to exert leverage on Israel to relinquish its nuclear weapons. In 1981, two years after signing a peace treaty with Israel, Egypt finally ratified the NPT. Since then, Cairo has chosen to base its security and prestige on championing a MENWFZ and pressuring Israel to join the NPT. Egyptian officials argue that the NPT cannot have any credibility with the countries in the region as long as Israel maintains its nuclear arsenal. “At the global level,” Nabil Fahmy writes, “we will witness the gradual erosion of the credibility of the regime itself, and at the regional level the continuation of creeping proliferation trends that will further undermine the efficacy of the nonproliferation regime.”<sup>167</sup>

There have been various efforts to negotiate mutual arms limitations agreements in the Middle East but none has produced any tangible results. On December 9, 1974, a Egyptian and Iranian proposal to create a NWFZ in the Middle East resulted in the adoption of United Nations General Assembly (UNGA) resolution 3263, which recommended the creation of a MENWFZ for the first time. The resolution’s aim was “to keep the countries of the region from becoming involved in a ruinous nuclear arms race.” Resolution 3263 states, “the establishment of nuclear-weapon-free zones with an adequate system of safeguards could accelerate the process toward nuclear disarmament and the ultimate goal of general and complete disarmament under effective international control.”<sup>168</sup> Since 1980, the UNGA has adopted annual resolutions calling for the establishment of a NWFZ in the Middle East. Israel abstained from voting on the resolution until 1980 when it endorsed the resolution for the first time.

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<sup>167</sup> Fahmy, “Prospects for Arms Control and Proliferation in the Middle East,” 4.

<sup>168</sup> Resolution 3263 of the United Nations General Assembly, December 9, 1974, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/738/65/IMG/NR073865.pdf?OpenElement>

On April 16, 1990, Egypt submitted a proposal to the UN outlining a comprehensive plan for a weapons-of-mass-destruction-free zone (WMDFZ) in the Middle East. A few months later, Mohamed Nabil Fahmy published an article in the *Bulletin of the Atomic Scientists* stating, “Egypt believes that creating an effective zone would reduce tension and generate impetus to resolving political conflict in the region, because it would exemplify the readiness of all countries to take into account the security concerns of others.”<sup>169</sup> Israeli scholar Gerald Steiner believes the so-called Mubarak Plan, “largely reflected the efforts of political leaders to gain political and diplomatic advantage through the appearance, if not the substance, of arms control.”<sup>170</sup> Nonetheless, the goal of creating a WMDFZ in the Middle East has been broadly endorsed by both the international community and states in the region. The annual resolution adopted by the UNGA endorsing a MENWFZ includes the proposals of the Mubarak Plan for a ban on all WMD. In 1991, UNSC resolution 687 stated that the actions taken to disarm Iraq “represent steps towards the goal of establishing in the Middle East *a zone free from weapons of mass destruction.*”<sup>171</sup>

To facilitate the goal expressed in UNCR 687, the Secretary-General released a report one year later titled, “Effective and Verifiable Measures Which Would Facilitate the Establishment of a Nuclear-Weapon-Free-Zone in the Middle East.” The report proposed the inclusion of, “the area extending from the Libyan Arab Jamahiriya in the West, to the Islamic Republic of Iran in the East, and from Syria in the North to the

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<sup>169</sup> Mohamed Nabil Fahmy, “Egypt’s Disarmament Initiative,” *Bulletin of the Atomic Scientists* 46, no. 9 (1990): 9.

<sup>170</sup> Steinberg, “Realism, Politics and Culture in Middle East Arms Control Negotiations,” *International Negotiations* 10 (2005): 22.

<sup>171</sup> UN S/RES/687 (1991) <http://www.fas.org/news/un/iraq/sres/sres0687.htm>

People's Democratic Republic of Yemen in the South.”<sup>172</sup> The report excludes Turkey from this zone because, “Turkey is a NATO member and it has been generally assumed that it has United States nuclear weapons stationed on its territory.”

There have been several different proposals for how to delimit the boundaries of a MENWFZ. Nabil Fahmy has proposed that the zone should not be determined by geographic coordinates such as the Latin American NWFZ, but rather by the countries that will be included within its limits. Fahmy proposes the following countries:

Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, the Palestinian Authority, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the United Arab Emirates and Yemen.<sup>173</sup>

Another perspective argue that a MENWFZ should begin with states in the core of the Middle East that might be involved in military confrontation in which nuclear weapons or threats could be used and later expand to other states in the region.

The only arms control conference to ever take place in the Middle East was the Arms Control and Regional Security (ACRS) multilateral working group that grew out of the Madrid Conference and Arab-Israeli peace process. Thirteen Arab states, Israel and a Palestinian delegation participated in the ACRS talks, along with several states outside the region, including the United States, Russia and Canada. Syria, Iran, Iraq and Libya, however, were not involved in the ACRS working group. The absence of these states affected the legitimacy and efficacy of the process and reflected their rejectionist stance

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<sup>172</sup> The UN Department of Disarmament Affairs, “Effective and Verifiable Measures Which Would Facilitate the Establishment of a Nuclear-Weapon-Free Zone in the Middle East,” 1991, <http://www.un.org/disarmament/HomePage/ODAPublications/DisarmamentStudySeries/PDF/SS-22.pdf>

<sup>173</sup> Nabil Fahmy and Patricia Lewis, “Possible Elements of an NWFZ Treaty in the Middle East,” in *Disarmament Forum*, vol. 2, 2011, 47–48.

toward normalized relations with Israel, a factor that will be difficult to resolve in any future regional arms control initiatives.

The ACRS agenda focused almost exclusively on confidence-building measures (CBMs), including CBMs about sharing information regarding military exercises and never addressed arms control issues relating to nuclear or conventional weapons. This stemmed from a fundamentally different approach to arms control and regional peace. The Egyptian representatives believed that progress in the Arab-Israeli peace process should be linked to the end of Israel's nuclear monopoly. Israeli officials, on the other hand, wanted progress toward regional peace to precede any discussion on arms control. The ACRS talks collapsed in part because of this disagreement about the sequencing of discussions on arms control and a MENWFZ. Egyptian diplomat Mohammed Shaker believes the ACRS working group, "would have been an ideal vehicle to promote and develop the proposal to establish a nuclear-weapon-free zone in the Middle East."<sup>174</sup> There has not been a meeting of the ACRS working group since September 1995.

Israeli scholar Emily Landau argues that CBMs were opposed by Arab states simply because they came to be identified with the Israeli position, rather than being understood as "serious arms control measures grounded in conceptual logic that posits improving the regional atmosphere is essential in order to approach WMD disarmament."<sup>175</sup> Egyptian diplomat Nabil Fahmy argues:

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<sup>174</sup> Mohamed I. Shaker, "The Middle East Issue: Possibilities of a Nuclear-Weapons-Free Zone," *Organismo Para La Proscripcion de Las Armas Nucleares En La América Latina Y El Caribe*, (2004).  
[http://www.baselpeaceoffice.org/sites/default/files/imce/menwfz/the\\_middle\\_east\\_possibilities\\_f\\_or\\_a\\_nwfz\\_by\\_mohamed\\_shaker.pdf](http://www.baselpeaceoffice.org/sites/default/files/imce/menwfz/the_middle_east_possibilities_f_or_a_nwfz_by_mohamed_shaker.pdf).

<sup>175</sup> Emily Landau, "Placing WMD in Context," *Arms Control Today*, September 2011, [https://www.armscontrol.org/2011\\_09/Placing\\_WMD\\_in\\_Context#2](https://www.armscontrol.org/2011_09/Placing_WMD_in_Context#2)

the perception that the ACRS process foundered solely because of disagreement on the nuclear issue is not entirely accurate. Rather, it was Israel's reluctance to address any form of arms control during these negotiations prior to achieving peace with all its neighbors that posed the problem.<sup>176</sup>

On May 11, 1995, at the NPT Review and Extension Conference (NPTREC), all the signatories to the treaty agreed to extend the NPT indefinitely. In the months leading up to the conference – before the ACRS talks ended – Egypt, joined by other Arab states and Iran, began to pressure Israel to change its policy on the NPT. In August 1994, Egyptian Foreign Minister Amr Mousa made his first official trip to Israel for the purpose of presenting his case for NPT accession. After the trip, Egyptian officials announced that they were going to seek the support of the Arab League and non-aligned movement (NAM) to link the extension of the NPT with Israel changing its nuclear policy. On March 23, 1995, Egypt hosted a special meeting of Arab League ministers in order to create a single Arab position for the NPTREC. Egyptian leaders also indicated that Egypt would withdraw from the NPT unless the issue of universality and Israeli non-membership was addressed specifically at the NPTREC. During this period, Shimon Peres presented a more specific version of the Israeli policy, pledging to “begin negotiation of a MENWFZ two years after bilateral peace agreements are signed with all states, including Iran.”<sup>177</sup>

Egypt tried to convince other Arab states to withhold support for the indefinite extension of the NPT unless the conference adopted a resolution that applied direct pressure on Israel. In his statement to the conference, the Syrian foreign minister declared, “Syria cannot agree to the extension of the NPT unless Israel accedes to the

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<sup>176</sup> Fahmy, “Prospects for Arms Control and Proliferation in the Middle East.”

<sup>177</sup> Steinberg, “Middle East Peace and the NPT Extension Decision.”



Treaty and subjects its nuclear installation to international inspection.”<sup>178</sup> Amr Mousa declared that:

the treaty as it stands today and in view of the absence of accession to it by a neighbor with well known nuclear capabilities, is incapable of safeguarding the national security of Egypt. Consequently, Egypt finds itself today in a position where she cannot support the indefinite extension of the Treaty.<sup>179</sup>

In the end, the NPTREC adopted a resolution on the Middle East that endorsed the establishment of a MENFZ and urged all countries in the region with unsafeguarded nuclear facilities –i.e. Israel – “to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards.”<sup>180</sup> Egyptian scholars and officials argue that the Egyptian position is based on national security threat perception, and not a desire for prestige and leadership in the Arab world. They argue that Israel’s undeclared nuclear weapons are “a serious threat to Egyptian national security because it means that Egypt must be totally dependent on Israel’s good intentions rather than a system of balance of power that guarantees military stability. No country in the world can be dependent on the good will of a former adversary”<sup>181</sup> From the Israeli perspective,

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<sup>178</sup> Ibid.

<sup>179</sup> Ibid.

<sup>180</sup> NPT Review and Extension Conference, 1995, Resolution on the Middle East, [http://www.un.org/disarmament/WMD/Nuclear/1995-NPT/pdf/Resolution\\_MiddleEast.pdf](http://www.un.org/disarmament/WMD/Nuclear/1995-NPT/pdf/Resolution_MiddleEast.pdf)

<sup>181</sup> Aly, “In the Shadow of Israeli Nuclear Bombs,” 156.

the multiplicity of conflicts, and the stated Egyptian objective of reducing Israel to its 'natural size,' indicate that Cairo's campaign on the NPT was not fundamentally motivated by threat perceptions but rather is means of slowing the process of normalization between Israel and other Arab states in the effort to enhance Egypt's own power in the region. For Egypt the NPTREC, the ACRS process and bilateral discussions with Israel were not seen as the basis for stability that would serve the interests of all states in the region but rather an arena of conflict in a broader zero-sum game.<sup>182</sup>

At the 2010 NPT Review Conference, Egypt again led members of the NAM in threatening to withhold support for the conference's final document unless a resolution on the MENWFZ was included. A consensus decision was reached to convene a conference in 2012 on the establishment of a MENWFZ. Israel, however, ended up refusing to attend the conference scheduled to take place in Helsinki, Finland. A researcher at the James Martin Center for Nonproliferation Studies observed: "Egypt will have to make a strategic decision. What is more important to them: To start a regional security dialogue or isolate Israel?"<sup>183</sup> Emily Landau argues that the failure to agree to the terms of the 2012 conference results from, "The stark incongruence between the goal of creating a Weapons of Mass Destruction-free zone (WMDFZ) in the Middle East and the somber realities on the ground in this region."<sup>184</sup>

Egyptian and Israeli officials also disagree on what procedures should be used to verify compliance with non-proliferation in a MENWFZ. Although NWFZ are regional treaties, Egypt has supported the IAEA and framework of the NPT as a safeguard system in the Middle East. In light of the record of violations in the region, Israeli officials reject a regional NWFZ that depends on a global mechanism for verification of compliance. In

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<sup>182</sup> Steinberg, "Middle East Peace and the NPT Extension Decision," 26.

<sup>183</sup> NTI *Global Security Newswire* website, "Arab League Threatens Nonproliferation Event Boycott," February 21, 2014, <http://www.nti.org/gsn/article/arab-states-threaten-boycott-nonproliferation-conference/>

<sup>184</sup> Emily B. Landau, "Egypt, Israel, and the WMDFZ Conference for the Middle East: Setting the Record Straight," *Israel Journal of Foreign Affairs* VII 1 (2013): 1992–95.

addition, Israeli officials tend to view international organizations as inherently biased against the Jewish state are not likely to depend on them for security. Israeli policymakers endorse a system modeled on the Brazil-Argentine bilateral inspections framework and argue, “that states that reject mutual inspection are essentially rejecting regional coexistence.”<sup>185</sup>

The Israeli thinking on a future MENWFZ can be summed up: “Disarmament is not fundamentally a technical discussion but rather a political transformation.”<sup>186</sup> Iranian and Arab leaders, led by Egypt, believe disarmament will create the conditions for peace and therefore disagree on the sequence of steps to be taken toward a MENWFZ. Nabil Fahmy argues that the United States and Soviet Union conducted arms control agreements during the Cold War and that the five existing NWFZs were negotiated while there was still conflict in the respective regions. Fahmy concludes, “All of these cases disprove the argument that arms control must be placed on hold pending the resolution of geopolitical conflicts. To the contrary, the record suggests that the arms control process can assist in mitigating such conflicts.”<sup>187</sup>

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<sup>185</sup> Steinberg, “Realism, Politics and Culture in Middle East Arms Control Negotiations,” 6.

<sup>186</sup> Levite, “Global Zero.”

<sup>187</sup> Fahmy, “Prospects for Arms Control and Proliferation in the Middle East.”

## Chapter Four

### Obstacles to a Middle East Nuclear-Weapon-Free Zone

More countries in the Middle East have pursued nuclear weapons than in any other region of the world. Nuclear weapons are generally considered political tools with no offensive military value; leaders in the Middle East, however, have contemplated using nuclear weapons in war. Iraq's crash program leading up to the 1991 Gulf War was motivated by Saddam Hussein's desire to use nuclear weapons against Israeli cities or American troops. Israeli military officials also considered using nuclear weapons during the 1973 Yom Kippur War. When Defense Minister Moshe Dayan feared Israel would be overrun by the Syrian and Egyptian militaries he began talking about "The end of the third kingdom" and proposed using Israel's weapon of last resort to forestall national destruction.<sup>188</sup> Instead, Prime Minister Gold Meir convinced the United States to resupply Israel with arms and avoided a potentially catastrophic decision. These instances demonstrate that in a high-conflict region like the Middle East nuclear weapons could end up being used in war. Nuclear disarmament and abolition are the only way to guarantee the security of the region from the devastation of nuclear weapons.

Israel's ambiguous nuclear deterrent is frequently cited as the cause of nuclear ambitions in the Middle East and every leader in the region that has pursued nuclear weapons has claimed the need to deter Israel. This view is often taken for granted by academics and policymakers. One scholar argues:

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<sup>188</sup> Avner Cohen, "The Last Nuclear Moment," *The New York Times*, October 2, 2003, <http://www.nytimes.com/2003/10/06/opinion/the-last-nuclear-moment.html>

It is no secret that Israel's nuclear capability, since its presumed inception in the early 1970s, has been the foremost incentive for the Arab world and Iran to embark upon developing their own "equalizers," which have taken the form of chemical or biological weapons programs and missile delivery systems as well as the clandestine attempts to develop nuclear weapons.<sup>189</sup>

Israel's ambiguous nuclear capabilities even provided Muammar Qaddafi with a pretext for pursuing a nuclear weapons program. Iranian officials often cite Israel's nuclear posture as the main incentive for Tehran's nuclear program. In 1991, the deputy president of Iran argued that because Israel has nuclear weapons, "the Muslims states, too, should be equipped with the same capacity."<sup>190</sup> Anti-Israel rhetoric is valuable currency for leaders in the Middle East and conceals the true motives of their nuclear ambitions. The need to deter Israel is the only way to justify a nuclear policy that has a ruinous effect on the economy and exposes the country to military attack. In addition, hostile rhetoric directed at the Jewish state and a policy that promises to threaten its existence has the added benefit of bolstering a leader's rejectionist, anti-Zionist credentials. Iraqi and Iranian leaders justified their nuclear programs by arguing the need to deter Israel despite the fact that both countries considered each other a greater security threat than Israel.

The focus on Israel's undeclared nuclear weapons as the source of regional proliferation and instability has defined every regional proposal for the establishment of a MENWFZ. The evidence shows, however, that leaders have been motivated by domestic political incentives, as well as Arab-Arab and Arab-Iranian conflict. Kenneth Waltz's argument for an Iranian bomb is also based on the false assumption that Israel is the center of all conflict in the region. Neither a balance of military power in the Middle East nor nuclear abolition can mitigate the domestic sources of nuclear ambition. The pride

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<sup>189</sup> Kibaroglu, "Good for the Shah, Banned for the Mullahs," (232)

<sup>190</sup> Solingen, *Nuclear Logics*, 167.

and prestige associated with nuclear capability, as well as leader psychology and regime survival strategy explain nuclear pursuit in Iraq and Iran more than the need to deter Israel.

A regional non-proliferation regime cannot alter a leader's perceived utility of nuclear weapons if the source of his ambition is nationalist pride or an inward-looking strategy of regime survival that benefits from international isolation. Arms control treaties are designed to mitigate the security dilemma by creating transparency and lowering the cost of cooperation. But these measures only make sense if security threats are the incentive for an arms race in the first place. Emily Landau points out the inconsistency of addressing domestic sources of proliferation with arms control treaties:

The prevailing assumption in regional arms control efforts is that states are equally threatened and defensively oriented with regard to WMD, and that their fears in this regard can be overcome if they are able to better communicate, clarify intentions, and reduce uncertainties. However, this assumption is challenged by the fact that Iran is driven primarily by its regional hegemonic ambitions, not concerns for its security per se.<sup>191</sup>

The lesson learned from Saddam Hussein's pursuit of nuclear weapons is that a willing state can break its NPT obligation and not only deceive verification and compliance measures but also manipulate them to conceal a military program. The inability of nuclear verification and compliance procedures to guarantee non-proliferation was foreseen at the beginning of the nuclear age. In 1946, Bernard Baruch presented a U.S. proposal for the abolition of nuclear weapons to the UN General Assembly. The Baruch Plan was based on the Acheson-Lilienthal report, which stated: "There is no prospect of security against atomic warfare in a system of international agreements to

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<sup>191</sup> Emily B. Landau, "When Neorealism Meets the Middle East," *Strategic Assessment* 15. n. 3 October (2012).

outlaw such weapons controlled only by a system which relies on inspection and similar police-like methods.” The diffusion of nuclear technology and its proliferation by illicit black market networks makes a regime of inspections even more problematic than when the report was released nearly 70 years ago.

Saddam Hussein was able to hide unsafeguarded facilities in plain site and his deception proves the need for a robust regional compliance and verification system in the Middle East. Nonetheless, Egyptian proposals for a MENWFZ have repeatedly suggested that the IAEA Safeguards Agreement is capable of verifying a state’s compliance with its non-proliferation obligations. Relying on an international framework is not only insufficient to convince Israel to disarm but would not ultimately inspire confidence in other Middle East states and could provoke a country to pursue a weapons program or a strategy of hedging, as Iran has done.

Iran has not engaged in any nuclear activities that are proscribed the NPT. Instead Iran has remained committed to the norm of non-proliferation while developing its technical and scientific base. The international community has utilized diplomatic and economic tools to increase the amount of time it would take Iran to “break out” of its treaty obligations and pursue a crash program to build a bomb. Any country that operates nuclear fuel cycle facilities is capable of developing latent nuclear weapons capability as a strategy of nuclear hedging. If and when the country makes the political decision to build a bomb there may not be sufficient notice to stop it. A MENWFZ will have to be based on a system of safeguards capable of creating a sufficient and credible obstacle to the development of “break out” nuclear capacity.

Another important lesson to learn from Iran's nuclear program is that inspectors can only verify the correctness and completeness of declared facilities. In 2003, Iran's Natanz uranium enrichment facility was discovered and in 2009, Tehran revealed the existence of another clandestine uranium enrichment facility at Fordow. The existence of these facilities was not known by the IAEA or national intelligence agencies. There is the real possibility that Iran is still maintaining a covert enrichment facility.

In the end, only political incentives, and not the control of technology, can create the necessary conditions for a MENWFZ. The Middle East is the least democratic region in the world and although there is no evidence that autocratic regimes are more likely to pursue nuclear weapons, they are more likely to fight wars with other autocracies. The insight of the liberal democratic peace theory, which shows that democracies do not fight wars with each other, can shed light on states' nuclear weapons ambitions. Etel Solingen observes: "Of all the nuclear aspirants in the second nuclear age, no democracy appears to have considered or acquired nuclear weapons for the purpose of deterring other democracies."<sup>192</sup> The Israeli approach to establishing a MENWFZ does not emphasize democratic governance per se, but it does focus on establishing peaceful and normalized relations in the region. Egyptian initiatives have consistently overlooked both domestic political and diplomatic themes and instead focus exclusively on disarming Israel. Israeli disarmament and the abolition of nuclear weapons in the Middle East would make the region safer but it would not eliminate the incentives of nuclear pursuit in the Middle East. Only transparent democratic governance and peaceful interstate relations can eliminate the perceived utility of nuclear weapons in the Middle East.

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<sup>192</sup> Solingen, *Nuclear Logics*, 38.



## Conclusion

Iran and 18 members of the Arab League, including Bahrain, Iraq, Kuwait, Lebanon, Libya, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates and Yemen do not recognize the State of Israel. Egypt was kicked out of the Arab League in 1979 for signing a peace treaty with the Jewish state. This hostility toward Israel and to states that accept its existence has played out in Middle East arms control negotiations, which often become an exercise in gamesmanship and thinly veiled hostility. MENWFZ negotiations often exacerbate the conflict that states are trying to resolve. Israel is the only state that will have to take concrete steps toward disarmament in order to establish a MENWFZ. Shimon Peres has expressed Israel's willingness to disarm. "Give me peace, and we will give up the atom." Peres said. "That's the whole story. If we achieve regional peace, I think we can make the whole Middle East free of any nuclear threat."<sup>193</sup> Nonetheless, Arab and Iranian proposals continue to insist that the first step to regional peace must be Israeli nuclear transparency and disarmament. In an influential essay on nuclear proliferation, Richard Betts argued, "To demand that a government forgo nuclear weapons is to demand that it compromises its own sovereignty. To expect it to do so without any compensating quid pro quo would not only be condescending but naive."<sup>194</sup> Israeli officials want normalized diplomatic relations with all states in the region before initiating negotiation on a NWFZ. For states to expect Israel to disarm without meeting these basic requirements is not only condescending but naïve.

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<sup>193</sup> Ibid. 196.

<sup>194</sup> Betts, "Paranoids, Pygmies, Pariahs & Nonproliferation."

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