

**Sometimes We Don't Want to Know: Kissinger and Nixon Finesse Israel's Bomb**

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Today's meeting is about intelligence and proliferation. Obviously, as nuclear power technology becomes more available throughout the world—and our own government is one of those pushing the process along—it becomes harder to keep track of everything and everyone to make sure they are not slipping down the path to weapons. This continual narrowing of the safety margin between nuclear power and nuclear weapons puts a high premium on better on better information on where the nuclear materials are, and on better intelligence on what everyone is up to, so as to be able to react in time if that becomes necessary. And so, the national laboratories are hard at work on what they call detection technologies—advanced materials accounting and schemes of intelligence indicators for weapons programs—in order to stay ahead of would-be bomb makers.

It's of course good to have more information and to get it promptly. There have been occasions when such information helped to thwart budding nuclear weapons programs. But can we count on more information to neutralize the security dangers of a large-scale expansion of nuclear power around the world? My own sense is that the answer is no, for a number of reasons. I'd like to talk today about one of the less obvious ones.

We all know that getting reliable information in real time on capabilities and intentions is difficult in itself. And even if you get it, there is a long step to effective international action. But it is also true that sometimes—contrary to the usual

assumption—major players don't want to get reliable information at all because it would force them to act, or otherwise face uncomfortable political consequences.

To digress for a moment, in the early days of the IAEA I talked with an inspector to get an idea about how the IAEA would react to clear evidence of bomb making. I asked the inspector the simple-minded question: what would he do during an inspection if he opened a suspicious door and found an illicit bomb. Would he call Vienna immediately? Did IAEA headquarters give him a special code? No, he said, there wasn't any point in that as he assumed if he found unambiguous evidence of bomb he would be killed immediately. I concluded he would not open any doors he didn't have to.

This was all a long time ago, and the IAEA has improved, but I think there is a point to the story, not only for the way individuals behave but also for the way countries do when confronted with awkward information. I want to tell you about how the United States handled one such instance.

The story in brief is this: In 1969 the new Nixon administration had to decide how it was going to deal with Israel's pursuit of nuclear weapons. It was the first test of the newly approved NPT. Henry Kissinger launched a policy review to develop options for President Nixon. In the end, at a private unrecorded meeting in September 1969 between Richard Nixon and Golda Meir, she apparently confessed to having the Bomb, and Nixon promised that as long as Israel kept it under wraps the United States wouldn't ask any more questions about it. After that, Israeli nuclear weapons disappeared from the US foreign policy agenda, and stayed off.

The story has been told by Avner Cohen, who used the 1969 Nixon-Meir meeting as the point of departure for his critique of Israel's policy of "opacity." He focused

mainly on the significance for the Israeli side. There is more of interest if you look at the 1969 decision from the US point of view, and especially in the kinds of arguments—rationalizations might be a better word—that participants made in Kissinger’s NSC policy review running up to the President’s decision.

First we need a bit of background.

It goes back to President Kennedy, who was probably the first and last US president to take proliferation seriously—in the sense that he believed it was dangerous to increase the number of nuclear states, period. He pressed the Israelis to agree to US inspections of Dimona to make sure it was not run for weapons. In practice, though, the inspections, which continued after Lyndon Johnson took over, became “visits” that the Israelis made sure did not come up with any incriminating information. For reasons that are difficult to understand the State Department, which ran the visits, did not send anyone who knew Hebrew, and why it put up with obvious Israeli obfuscation. I say surprising because Secretary of State Rusk was inclined to be tough with the Israelis on the nuclear issue. In any case, the Atomic Energy Commission experts sent on the Dimona “visits” seem to have gotten the idea that they were not supposed to make trouble, and they didn’t. This process set an unfortunate pattern.

President Johnson seemed to really care about the Nonproliferation Treaty, and he also seemed to really want Israel to sign it. But Johnson, acutely sensitive to domestic politics, was not about to press the Israelis. US Ambassador Barbour in Tel Aviv claimed that Johnson explained to him, in rather colorful language, that Barbour’s job was to keep Israeli nuclear weapons from becoming an issue. When Arnold Kramish, a former Rand colleague and then a fellow at the IISS in London, managed to get a back-channel

invitation to Dimona, he checked in with the Ambassador. Barbour was horrified because, as he explained, if Kramish learned anything and told Barbour, he would have to tell the President who would then have to react—which he didn't want to do. So Kramish didn't go and we didn't learn anything.

All the same, at the end of the Johnson administration the Secretaries of Defense and State were both prepared to go to the mat to stop Israeli deployment of nuclear weapons. In particular they were prepared to withhold the 50 F-4 Phantom aircraft—the top fighter in the world and one the Israelis wanted badly—until Israel pledged not to build nuclear weapons.

Israel offered instead its standard declaration that it would “not be the first country to introduce nuclear weapons into the Middle East.” Israeli Ambassador Rabin danced around about what this meant and finally said that in Israel's view an *unadvertised and untested* nuclear device would not be a nuclear weapon, which made explicit that Israel's standard declaration did not exclude physical possession of nuclear weapons.

As Defense, which conducted the negotiation, wouldn't yield, Rabin found American intermediaries to lobby the President. Johnson responded by ordering the Defense Department to approve the F-4 sale immediately. It did, but wrote into the approval letter that the United States retained the option to withhold delivery if Israel was not complying with our understanding of its pledge. Since the planes were not yet built, the final decision on exercising the cancellation clause was left to the incoming Nixon administration.

It was Nixon, by the way, who in early 1969 submitted the NPT to the Senate for approval. He had no particular attachment to the Treaty—it doesn't even rate a mention in his memoirs. He went along with it because he was persuaded the Treaty did not limit the America's freedom of action. He made clear he had no intention of pressing other countries to join. Perhaps surprisingly, others in the administration did take the Treaty seriously.

Meanwhile, Intelligence revealed that Israel was rapidly progressing toward nuclear weapons, and may already have produced some. It was also producing Jericho missiles, which because of their low accuracy could only have been intended for carrying nuclear warheads. Kissinger launched a policy study on how to deal with this first test of the universality of the new Treaty.

Parenthetically, Kissinger informed the President that there was “circumstantial evidence that some fissionable material available for Israel's weapons development was illegally obtained from the United States by about 1965.” This referred to the strong suspicion that the Israelis stole several hundred pounds of bomb grade uranium from the NUMEC plant in Apollo, Pennsylvania. (In a March 2010 Bulletin article I co-authored on this case we concluded this really did happen.) Nixon apparently did not react, even though earlier in the year he took a close interest in the possibility the company was involved in espionage.

The NSC study main participants—State and Defense, the Joint Chiefs, and the CIA—all concluded that Israeli nuclear weapons would make the Middle East more dangerous and would undermine nonproliferation efforts. Kissinger said the Israelis were the most likely country to actually use the weapons. The participants all agreed that a

major US effort to stop the Israelis was justified. But they didn't agree on what that meant.

In truth it was too late to stop manufacture of Israel's first bombs. Any possibility of keeping Israel from going any further depended entirely on the United States—on which Israel depended for advanced weapons—making this a firm condition of weapons supply.

The Defense Department and the Joint Chiefs, as they did under the previous administration, advocated withholding delivery of the F-4 Phantom jets to gain an Israeli commitment not to build nuclear weapons or nuclear missiles, *or at least not to deploy them.*

State took a softer line, arguing that it was more important to preserve political capital for Arab-Israeli peace negotiations. It supported keeping weapon sales and nuclear issues on separate tracks, which in practice meant approving delivery of the Phantoms and giving up on the nuclear issue. State rationalized that the Israelis had still not completed nuclear weapons, and fell back on wishful thinking that the Israelis probably only wanted a nuclear option and might stop on their own short of completed bombs.

In order to accommodate an Israeli signature on the NPT, which State still thought important, the Department offered a liberal interpretation of the NPT: that State would regard Israel to be in compliance “as long as Israel did not *complete* the manufacture of nuclear explosive devices.” And to provide protection for Israel from IAEA inspection, State offered to support what it called “a *reasonable interpretation* of Article III,” the NPT's inspection article. As lawyers say, hard cases make bad law.

Kissinger went even further. He wrote: “The entire group agreed that, at a minimum, *we want Israel to sign the NPT.*” He went on to say, however, that he didn’t expect this to make “any difference in Israel’s actual nuclear program because *Israel could produce warheads clandestinely.*” He thought it was useful to get Israel’s signature even though they would probably cheat. More surprisingly, he thought they would sign with the intent of cheating.

In the end, the touchstone of US seriousness about stopping Israel’s nuclear weapons program was—just as in the Johnson administration—a willingness to tie delivery of the F-4 Phantoms to the nuclear issue. This Kissinger did not propose to do. He argued the inevitable fierce domestic political response was too high a price to pay to uphold the principle of nonproliferation; perhaps because that is how he anticipated Nixon’s view.

Without the leverage of the Phantom deal, there was no chance whatsoever of getting the Israelis to pay attention. Absent that, the only thing left was to see what could be salvaged in terms of appearances, and that is what Kissinger turned to. He subtly shifted the study objectives from reality to perception, that is, from trying to stop the Israelis to avoiding the appearance of US complicity and preventing Israeli bombs from leading to Arab pressure on the Soviets to match it:

“While we might ideally like to halt Israeli possession,” Kissinger wrote, “what we really want at a minimum may be just to keep Israeli possession from becoming an established international fact.” In other words, if no one knows that Israel has bombs, that

was almost as good as if they didn't have them—and it was a lot cheaper in political capital.

To make this work both the United States and the Soviet Union had to pretend total ignorance. In the case of the US government, it would be best if the government really was ignorant of the truth, and so should stop asking questions. In short, after all the high-powered White House analyses of what to do about Israeli nuclear weapons, the answer was, don't ask.

In the end Nixon did in his private meeting with Mrs. Meir what he was on track to do anyhow, quite apart from any advice he got from Henry Kissinger. We don't know how explicit they were about the details, but probably not very. Nixon approved the sale of F-4 Phantoms, which he was committed to since the 1968 presidential campaign, and gave the Israelis a pass on their nuclear weapons. He didn't care much about the NPT, and ignored Kissinger's recommendation to pursue an Israeli signature. What mattered to Nixon most, as he made clear in a long memorandum to Kissinger that Nixon quotes in his memoirs, was that Israel stand fast with him against Soviet expansion, including in Vietnam, and also incidentally that the Israelis help him with the Jewish vote in the United States. That is what the 1969 Nixon-Meir deal was mainly about. It didn't have much to do with proliferation. And it wasn't the last time a US president looked the other way at nuclear developments that were awkward to react to. Intelligence is important in dealing with proliferation, but only if you want it.