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ESSAY: IRAN AND THE MILITARY OPTION

Dr. Gregory P. Noone[†]

When politicians, pundits, and prognosticators discuss the “military option” for Iran it is important to understand that it will in all likelihood result in a full scale international armed conflict. If the “military option” mission is to eliminate Iran’s nuclear capabilities, there is no one target to destroy, bomb, or obliterate that will render Iran’s nuclear program dead therefore making such an option unlikely to be quick or efficient. A conflict with Iran would involve an extensive air campaign and probably result in Iran launching missiles at Israel and Eastern Europe. The Persian Gulf would effectively be closed off as a result of maritime combat and the worldwide threat of terrorist attacks would have far reaching consequences. The cost of armed conflict with Iran is incalculable with the potential to further destabilize the region as well as the global economy.

The purpose of this essay is not to analyze the agreed upon Joint Comprehensive Plan of Action nuclear agreement of July 2015 between the E3/EU+3 (mainly China, France, Germany, Russia, the United Kingdom, and the United States of America) with the Islamic Republic of Iran.¹ Other authors have taken on that task. The purpose of this essay is to understand what exactly the “military option” means in practice with regards to destroying Iran’s nuclear program.

Let’s be clear: when politicians, pundits, and prognosticators discuss the “military option” for Iran we are in fact discussing a full on war. If the mission is to eliminate Iran’s nuclear capabilities, there

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1. Eric Pichon, *Nuclear Deal with Iran—What Are the Implications of the 14 July 2015 Agreement?*, EUR. PARLIAMENTARY RES. SERV. BLOG (Sept. 2, 2015), <http://epthinktank.eu/2015/09/02/nuclear-deal-with-iran-what-are-the-implications-of-the-14-july-2015-agreement/> [<https://perma.cc/P8ZH-2Y3Z>].

is no one target to destroy, bomb, or obliterate that will render Iran's nuclear program dead. Iran deliberately and effectively spread its nuclear program throughout the country, as well as placed it deep underground, in order to avoid this very scenario.² Iran learned its lesson from the successful 1981 Israeli air strike on the Osirek nuclear reactor that was under construction in Iraq.³ Not only will a single air mission not work, even with the Massive Ordnance Penetrator, capable of destroying underground facilities, it is highly unlikely that a sustained air campaign alone will succeed.⁴ Instead, combat troops will be required on the ground, in a very inhospitable terrain, in order to achieve the mission of annihilating Iran's nuclear capability. In other words, the "military option" for Iran will consist of significant military action resembling in fact and in law—armed conflict and the invasion of a sovereign nation.

First and foremost, the United States possesses the most powerful and professional military in the history of the world and is far superior to Iran's military.⁵ However, never underestimate the enemy—especially on its home soil. Facing an opposing force in a conventional military arena is not a problem for the United States military, but there are many ways countries may counter overwhelming force and Iran is no different.

Iran has an aging anti-aircraft capacity, but any air campaign would still require degrading its radar, anti-aircraft firepower, and air force.⁶ This is not impossible by any means, as the US air power

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2. See James S. Robbins, *A Grim Prognosis: If Diplomacy Fails, Halting Iran's Nuclear Weapons Ambitions Could Mean a Larger War Than the U.S. Is Willing to Take on*, U.S. NEWS & WORLD REP. (Apr. 4, 2015), <http://www.usnews.com/opinion/blogs/world-report/2015/04/24/ending-irans-nuclear-program-would-require-more-than-a-few-airstrikes> [https://perma.cc/3E2R-J8CY] ("Iran has no such singlepoint [sic],high vulnerability target, and Warden, [a U.S. Air Force combat veteran], notes that Tehran has 'done a nice job of camouflaging [its nuclear program], concealing it, putting it deep underground.'").
 3. *Id.*
 4. Adam Entous & Julian E. Barnes, *Pentagon Seeks Mightier Bomb vs. Iran*, WALL ST. J. (Jan. 28, 2012), <http://www.wsj.com/articles/SB10001424052970203363504577187420287098692> [https://perma.cc/XJ6D-GLBR].
 5. *E.g.*, *Who's afraid of America?*, ECONOMIST (June 13, 2015), <http://www.economist.com/news/international/21654066-military-playing-field-more-even-it-has-been-many-years-big> [https://perma.cc/VL28-ZXR8].
 6. Elisabeth Bumiller, *Iran Raid Seen as a Huge Task for Israeli Jets*, N.Y. TIMES (Feb. 19, 2012), http://www.nytimes.com/2012/02/20/world/middleeast/iran-raid-seen-as-complex-task-for-israeli-military.html?_r=0 [https://perma.cc/VQK4-9T3N].

consisting of U.S. Navy, U.S. Marine Corps, and U.S. Air Force assets are far superior to any other nations', including Iran's.⁷ But success will come with a cost; Iranians possess the Russian manufactured S-300 long-range surface-to-air missile system and reportedly purchased and received shipment on five additional S-300 systems in December 2015/January 2016.⁸ The S-300 is a sophisticated and effective weapon system that could be deployed to protect valuable targets and/or deny access to Iranian airspace. The fact of the matter is that there is always a "golden BB" out there somewhere—pilots and planes will be lost. As a result, additional forces will be needed on standby to rescue downed pilots and will also be immediately placed in harm's way.

The effort to eliminate Iran's anti-aircraft capacity is simply the prelude for the real target—Iran's powerful ballistic missile capability, featuring the mobile and quick to launch Sejil I and II surface-to-surface ballistic missile.⁹ To eliminate this threat, Iran's ballistic missile launchers, delivery systems and production would need to be destroyed. Iran's ballistic missile capability must be degraded as quickly and as early as possible during the air campaign because Iran will start launching missiles at numerous targets. Iran's missiles can reach Israel, an obvious target for Iran, but also as far as Southeastern/Eastern Europe, and any number of U.S. and allied assets in between.¹⁰ Ballistic missile defense systems (e.g. Patriot and sea-based Aegis warships) deployed in the region to protect allies would only limit the damage.

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7. *Compare The World Fact Book: United States*, U.S. CENT. INTELL. AGENCY, available at <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html> [<https://perma.cc/QLG6-MKS3>] (listing of all military branches in the US military - military expenditures as 4.35 percent of GDP in 2012); *The World Fact Book: Iran*, U.S. CENT. INTELL. AGENCY, available at <https://www.cia.gov/library/publications/the-world-factbook/geos/ir.html> [<https://perma.cc/UE6U-LNXX>] (listing of all military branches in the Iranian military).
 8. Sneha Shankar, *Russia to Hand Over First Set of S-300 Defense Missile System to Iran on Thursday*, INT'L BUS. TIMES (Feb. 17, 2016), <http://www.ibtimes.com/russia-hand-over-first-set-s-300-defense-missile-system-iran-thursday-2310525> [<https://perma.cc/JQU5-4PUE>].
 9. *See generally* Anthony H. Cordesman & Bryan Gold, *The Gulf Military Balance Volume II: The Missile and Nuclear Dimensions*, CTR. STRATEGIC & INT'L STUD. (Dec. 9, 2013), http://csis.org/files/publication/131207_gulf_military_balance.pdf [<https://perma.cc/PP7H-JWKW>].
 10. *See* Michael Elleman, *Iran's Ballistic Missile Program*, U.S. INST. PEACE (Aug. 2015), <http://iranprimer.usip.org/resource/irans-ballistic-missile-program> [<https://perma.cc/4CB4-9SFR>].

If Iran were to selectively target lawful military objectives in accordance with the Law of Armed Conflict, the missiles could do significant damage. If Iran chooses to be less selective and willingly violates the Law of Armed Conflict, it could rein terror from above on numerous civilian centers. Iran has spent so much time outside of the international “family of nations” that it is not beyond anyone’s imagination that it could view an attack from the U.S. and its allies as a true existential threat, and adhere to Bismarck’s maxim of not obeying the law in the face of losing one’s nation.¹¹

Lastly, with respect to any air campaign, after striking any targets with air power a battle damage assessment would be necessary to determine whether the target was destroyed, damaged, or missed. In other words, does the target need to be hit again and if so—how hard? The battle damage assessment may be accomplished with satellites, reconnaissance aircraft, and ground presence.¹² Accurate battle damage assessments are critical, and may be accomplished, but potentially with a cost to planes, pilots, and combat forces on the ground.

Iran, however, is not limited to air defense and missiles. Arguably, Iran’s military is most dangerous on the water. The only entrance and exit into the Persian Gulf is through the Strait of Hormuz.¹³ The Strait of Hormuz is an international strait under the United Nations Convention on the Law of the Sea (UNCLOS III), and therefore, all nations have unfettered access through the right of Transit Passage.¹⁴

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11. For an explanation of Bismarck’s maxim, see generally Joan Edan Friedlander, *Corporation and Kulturkampf: Time Culture as Illegal Fiction*, 29 CONN. L. REV. 31, 89 (1996).
 12. U.S. JOINT FORCES COMMAND JOINT WARFIGHTING CENTER, COMMANDER’S HANDBOOK FOR JOINT BATTLE DAMAGE ASSESSMENT, I-1 (June 1, 2004), http://www.dtic.mil/doctrine/doctrine/jwfc/hbk_jbda.pdf [<http://perma.cc/UTF9-ER5T>].
 13. Abdul Jalil Zayd Marhoon, *How Security In Strait of Hormuz Brings US, Iran Closer*, AL-MONITOR (June 23, 2015), <http://www.al-monitor.com/pulse/originals/2015/06/gulf-arab-security-coordination-hormuz-strait.html#> [<http://perma.cc/Z9S8-DTLN>].
 14. United Nations Convention on the Law of the Sea art. 37, *opened for signature* Dec. 10, 1982, 21 I.L.M. 1261, 1833 U.N.T.S. 397 (entered into force Nov. 16, 1994); see also Nilufer Oral, *Transit Passage Rights in the Strait of Hormuz and Iran’s Threats to Block the Passage of Oil Tankers*, AM. SOCIETY INT’L L. (May 3, 2012), available at <https://www.asil.org/insights/volume/16/issue/16/transit-passage-rights-strait-hormuz-and-iran%E2%80%99s-threats-block-passage> [<https://perma.cc/B7JA-JGUQ>] (“According to UNCLOS, the transit passage regime applies to âstraits [sic] which are used for international navigation between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone.[] Iran, by its own declaration, is obliged to respect the transit passage

However, Iran's Islamic Revolutionary Guards Corps (IRGC) Navy—a hardline entity in Iranian internal politics—views this narrow and shallow strait as a strategic choke point, where all ships must pass, thereby rendering them vulnerable.¹⁵ The Persian Gulf is an important waterway for supporting any potential attack on Iran and it is perhaps even more important to the global economy by supplying approximately twenty percent of the world's oil (roughly 16.5 billion barrels per day travel through the Strait).¹⁶ Removing that much oil from the global market, however, would not have the same effect it would have had if this occurred thirty years ago, because of the many non-OPEC producers today. With that said, the uncertainty of when the Strait would reopen to commercial traffic could influence the markets in a negative fashion.

The IRGC Navy has numerous weapons at its disposal when trying to make things difficult for the U.S. Navy and allied navies. Mines are a standard feature of Persian Gulf warfare and would likely be deployed again in an effort to shut down the Strait.¹⁷ Iran also possesses approximately two-dozen midget submarines that are difficult to detect and have mine and torpedo capabilities.¹⁸ The IRGC Navy has scores of high-speed small attack boats with torpedo

rights of all vessels flying the flag of states party to UNCLOS, both commercial and military.”).

15. Kenneth Katman et al, *Iran's Threat to the Strait of Hormuz*, CONG. RES. SERV. 5 (Jan. 23, 2012), <https://www.fas.org/sgp/crs/mideast/R42335.pdf> [<http://perma.cc/5UVG-NTEZ>].
16. *Strait of Hormuz is chokepoint for 20% of world's oil*, U.S. ENERGY INFO. ADMIN. (Sept. 5, 2012), *available at* <https://www.eia.gov/todayinenergy/detail.cfm?id=7830> [<http://perma.cc/PVT3-P7KA>].
17. See David Wood, *U.S., Iran Poised for Mine Warfare In the Persian Gulf*, HUFFINGTON POST (Feb. 28, 2012), http://www.huffingtonpost.com/2012/02/27/us-iran-mine-warfare-persian-gulf_n_1304107.html [<http://perma.cc/JWY5-F4D5>] (providing an example of Iran's use of mine warfare in the Persian Gulf in the recent past).
18. See *Fact Sheet: Iran's Submarine Force*, INST. FOR THE STUDY WAR (June 21, 2012), *available at* <http://www.understandingwar.org/reference/fact-sheet-irans-submarine-force> [<https://perma.cc/BGV3-J9U4>] (stating that Iran has around 19 Ghadir Class Submarines which are difficult to detect and track and are capable of firing large torpedoes and mines); Sam LaGrone, *Iran Launches New Submarine Class*, USNI NEWS, (Nov. 27, 2013), <http://news.usni.org/2013/11/27/iran-launches-new-submarine-class> [<https://perma.cc/HV9L-BGLB>] (calling the submarines “Ghadir-class midget submarine[s]”).

and missile capabilities.¹⁹ Lastly, the IRGC Navy has the supersonic Khalij-e Fars anti-ship ballistic missile (referred to as the “carrier killer”) that Iran boasts as accurate and devastating.²⁰ All of these assets make maritime operations in this region difficult and extremely dangerous. Success will be achieved on the seas but will come at a steep price.

Finally, there is the reality of worldwide asymmetric retaliation from the terrorist organizations Iran supports such as Hezbollah and Hamas²¹—not to mention the possibility of “lone wolf” terrorist attacks across Europe and North America. The versatility and reach of Hezbollah (e.g. the attack on the *Asociación Mutual Israelita Argentina* in 1994)²² makes it one of the most feared weapons in Iran’s arsenal. Therefore, it should be of little comfort that because military action could not possibly eliminate **all** nuclear material, any potentially remaining material could be made available for terrorist attacks.

CONCLUSION

In the final analysis, an attack would in all likelihood make the Iranians more determined to be a nuclear power so that no one in the future will dare attack them again. It would make most Iranians more extreme on the nuclear issue and quiet any moderating voices in the country. The agreement gives us a more durable solution than any “military option” ever could. Another positive, if not cynical view, is that the agreement provides access to their nuclear facilities for a

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19. Berenice Baker, *Iran’s fast attack craft fleet: behind the hyperbole*, NAVAL-TECHNOLOGY.COM (Jan. 17, 2013), available at <http://www.naval-technology.com/features/featureiran-fast-attack-craft-fleet-behind-hyperbole/> [https://perma.cc/8B7B-PTWY].
 20. Zachary Keck, *Meet Iran’s “Carrier Killer”: The Khalij Fars*, DIPLOMAT (May 13, 2013), <http://thediplomat.com/2013/05/meet-irans-carrier-killer-the-khalij-fars/> [https://perma.cc/G3YV-KKDM].
 21. See *Chapter 3: Country Reports on Terrorism 2014*, U.S. DEP’T STATE (Apr. 2015), available at <http://www.state.gov/j/ct/rls/crt/2014/239410.htm> [https://perma.cc/W6VT-WALC] (stating that “Iran has historically provided weapons, training, and funding to Hamas and other Palestinian terrorist groups,” and that “[s]ince the end of the 2006 Israeli-Hizballah conflict, Iran has also assisted in rearming Lebanese Hizballah, in direct violation of UNSCR 1701. General Amir Ali Hajizadeh, head of the IRGC Aerospace Force stated in November that “The IRGC and Hezbollah are a single apparatus jointed together”).
 22. *Iran charged over Argentina bomb*, BBC News (Oct, 25, 2006), <http://news.bbc.co.uk/2/hi/americas/6085768.stm> [https://perma.cc/5V8F-N9BJ].

better intelligence picture on where everything is located if in the future the U.S. and its allies needs to consider military action.

On the international level, Iran is arguably an important player in countering ISIS/ISIL (a.k.a. Daesh) and a U.S. attack on Iran may give this brutal terrorist organization more space to operate. Domestically, the cost in blood and treasure in Iraq and Afghanistan was staggering with nearly 7,000 troops making the ultimate sacrifice and an estimated cost of \$6 trillion in fifteen years of combat.²³ Moreover, the dollar amount doesn't factor in the long-term cost of veterans' healthcare, rendering the cost of armed conflict with Iran incalculable.

Ultimately, any military strike may destabilize the entire region and result in wider conflict as well as have a consequential effect on the global economy. This is more than simply putting bombs on a target. Any military action will have a significant and far reaching impact on the region and beyond.

23. *Face of the Fallen*, WASH. POST, <http://apps.washingtonpost.com/national/fallen/> [<https://perma.cc/CY3X-TAMR>]; Mark Thompson, *The True Cost of the Afghanistan War May Surprise You*, TIME (Jan. 1, 2015), <http://time.com/3651697/afghanistan-war-cost/> [<https://perma.cc/8CCE-JWCC>].