The Madman Game on the Terrain of Unstable Peace: Reassessing the Twelve-Day War from the Perspective of International Criminal Law

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Abstract

The analysis of the Twelve-Day War as an instance of the collapse of unstable peace reveals the intersection of three fundamental components of the contemporary geo-legal order: the absence of a stable equilibrium in the international system, rational madness employed to attain strategic superiority, and the inability of international criminal law to achieve effective deterrence. Drawing on game theory and integrating the "madman game" with the "unstable peace game," this study analyzes the relationship among power, law, and crime within the framework of non-cooperative games. It demonstrates how legal rules may be transformed into instruments for legitimizing aggression during crises such as the Twelve-Day War. Adopting an analytical approach and theoretical modeling, the study applies game theory to international criminal law. It first explains the concepts of incomplete-information games and unstable Nash equilibrium and subsequently simulates the conduct of the principal actors within the legal environment through behavioral matrices and signaling analysis. Within this framework, legal variables, including Article 51 of the United Nations Charter and the right of self-defense, are treated as components of the game, and their transformation into power-oriented strategies is examined. The findings indicate that, under conditions of unstable peace, weak legal responses and incomplete information produce an unstable Nash equilibrium that favors the aggressor. Israel's projection of irrationality during the Twelve-Day War weakened legal deterrence, while the conduct of international institutions contributed to the consolidation of a "crime–justification–impunity" cycle. The results demonstrate that effective deterrence can be achieved only through the redefinition of the legal Nash equilibrium. By proposing a framework of "rational deterrence under conditions of unstable peace," the article recommends structural, institutional, and micro-level reforms intended to redirect the cycle of global criminality toward sustainable deterrence.

Keywords: madman game; game theory; international criminal law; Twelve-Day War; unstable peace; contemporary criminology.

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1. Introduction

The analysis of political and military decisions in international relations, particularly in situations where state conduct departs from predictable logic, is impossible without employing precise theoretical instruments such as game theory. Understanding political action requires an appreciation of the relationship among volition, environmental constraints, and social structure. In state decision-making under conditions of uncertainty, this relationship manifests itself as a calculation between strategic discretion and structural compulsion, resembling the logic of high-risk games in the international system (Kalamzadeh Eshratabad, 2012). Game theory demonstrates that actors operating under conditions of tension generally behave according to cost–benefit calculations rather than morality or normative rules. Within this framework, rationality is often accompanied by the violation of international rules because the maximization of interests may be achieved through destabilizing the legal or security order. From this perspective, international law is not an independent variable but rather a component of the power equation, whose effects depend on the positions of the actors and the responses of other participants. Game theory makes it possible to reconstruct the conduct of states such as Israel in the Twelve-Day War against the Islamic Republic of Iran through the logic of rationality under uncertainty.

Within this framework, the two models of the "Madman Game" and the "Unstable Peace Game" assume a central role. Organized collective conduct becomes susceptible to legal transgression whenever the regulatory system is weakened and effective oversight is absent. This condition can be explained through the logic of the Unstable Peace Game, in which rules function not as deterrents but as drivers of conflict (Sadeghnejad Naeini, 2017). The Madman Game concerns decision-making under conditions of incomplete information, in which an actor attempts to alter the deterrence equilibrium in its own favor by projecting irrational and unpredictable behavior and thereby generating fear. By contrast, the Unstable Peace Game describes a situation in which international law has been deprived of effective enforcement and institutional coherence, while legal rules have become instruments of interpretation and bargaining for dominant powers. The result is an unstable Nash equilibrium. The convergence of strategic madness and unstable peace constitutes the analytical foundation of this study.

The concept of "structural normlessness" indicates that when the deterrent function of rules is weakened, deviant conduct is systematically repeated (Kalantari et al., 2017). The Twelve-Day War between Israel and Iran constitutes a concrete example of this condition, in which weak supervisory institutions and an expansive interpretation of self-defense facilitated the justification of military operations. The minimal response of the international community demonstrated that international law had become subordinated to calculations of power. This article concludes that the attack resulted from the logic of an unstable legal order and the deliberate application of the Madman Strategy, and that revising the rules of the global game is a prerequisite for transitioning from unstable peace to effective deterrence.

2. The Twelve-Day War in the Context of Game Theory

Legal and political structures themselves operate as producers of meaning and conduct within the field of power. Under these conditions, legal rules do not merely reflect reality but function as instruments for reproducing the dominant order, while the logic of power, as observed in the Madman Game and the Unstable Peace Game, employs law to legitimize its own actions (Razavi et al., 2016). Within the framework of game theory, the Twelve-Day War between Israel and Iran may be understood as a "multilevel game of power, law, and deterrence" in which states, international institutions, and public opinion all participate. In this game, Israel relied on the logic of the Madman Game and the projection of unpredictable conduct in an attempt to disrupt its adversary's psychological and security equilibrium, while the international community remained hesitant between an effective legal response and political considerations. The proposition that "the perception of irrationality enhances deterrence" increased the cost of legal action and produced an unstable Nash equilibrium among power, law, and deterrence—an equilibrium in which legal rules become instruments for legitimizing the dominant actor.

This arena is not limited to two states. It also includes other actors, such as the Security Council constrained by the veto, the International Criminal Court facing jurisdictional limitations and political conflict, the United States and its allies as indirect supporters, and public opinion and human rights institutions as reactive actors. This multi-actor game of incomplete information assumes the character of a signaling game in which sudden actions and limited threats are employed to manipulate the conduct of the opposing party and international perceptions of legitimacy.

The playing field is the system of international criminal law, an order that has become unstable because of weak enforcement, expansive interpretations of self-defense, and institutional dependence on major powers. During the Twelve-Day War, Israel invoked anticipatory self-defense under Article 51 of the Charter and exploited the ineffectiveness of the Security Council, thereby transforming law into an element of offensive tactics. Consequently, within the "Unstable Peace Game," international criminal law remains not an instrument of sustainable peace but a component of the logic of power competition.

2.1. Theoretical Foundations of Game Theory in International Relations

When confronted with conflicts between law and social reality, criminal justice systems have inevitably moved beyond traditional approaches and toward redefining crime and responsibility within a "critical and structure-oriented" framework. This resembles conditions prevailing in an unstable peace environment and the logic of non-cooperative games, in which law loses its deterrent function and becomes an instrument of power bargaining (Irani et al., 2015). Game theory provides a framework for analyzing the conduct of states and international institutions by examining strategic decisions not on the basis of morality or intentionalism but through instrumental rationality and the reciprocal interaction of interests. In non-cooperative games within international relations, actors enter interactions with incomplete information and conflicting objectives, and each action produces a counteraction whose outcome may contradict the collective interest. In such an environment, the concept of an unstable Nash equilibrium becomes significant. This refers to a condition in which no actor has an incentive to depart from its current strategy, although the continuation of that strategy cannot remain stable because of weak trust and the absence of enforcement mechanisms. Within international law, this fragile equilibrium manifests itself as a cycle of legal violation, legal response, and return to inaction—a cycle that suspends justice and renders peace temporary. Structural weaknesses in international institutions and differences in the costs imposed on strong and weak states for violating legal rules mean that power, rather than law, determines conduct. Theorists such as Thomas Schelling and Crawford have demonstrated that power relations in the international system are consistently structured as games with unstable equilibria, in which rational conduct does not necessarily conform to legal norms. This fundamental understanding constitutes the point of departure for analyzing the Twelve-Day War, in which the subordination of law to the logic of the game produced a new pattern of legitimizing violence.

2.2. The Madman Game: The Logic of Rational Madness and Behavioral Deterrence

In many international actions, the logic of power prevails over justice, and powerful states exploit legal lacunae to legitimize their conduct. This condition is also reflected in the Madman Game, in which the distortion of law becomes an instrument of deterrence (Danesh-Nari, 2013). In game theory, the Madman Game is a form of signaling game in which an actor increases the cost of its opponent's response by constructing an irrational image of itself. Beneath its apparent irrationality, this madness is rational, purposeful, and grounded in strategic uncertainty. Rooted in Nixon's strategic doctrines, this approach has been employed in international politics to alter psychological balances and deterrence relationships. Through ambiguous threats and high-risk behavior, the madman actor creates an atmosphere of fear and discourages the opposing party from responding explicitly. In this process, a fragile legal structure becomes an instrument for portraying unlawful action as legitimate, while international law is transformed into an arena of psychological warfare.

1. 1.3. The Terrain of Unstable Peace and the Logic of Strategically Legitimizing Legal Violations

The structure of power in social and legal systems does not merely observe crime; it also constructs its meaning and determines what conduct is classified as criminal. Consequently, legal rules and concepts may become instruments in the hands of powerful actors for justifying unlawful conduct. In the Madman Game and the Unstable Peace Game, law similarly becomes an arena for reproducing power and legitimizing aggression (Sadeghi Fasaei & Parvin, 2011). The Unstable Peace Game model in international law depicts a system in which genuine deterrence has been replaced by superficial stability—a terrain in which legal rules operate not as mechanisms of control but as instruments of interpretation and bargaining. As political will to enforce the law diminishes, the cost of violation also declines, and the system moves toward an unstable Nash equilibrium: a temporary state of quiescence preceding collapse. In such an environment, dominant powers employ expansive interpretations

of legal concepts—including self-defense, imminent threat, and anticipatory security—to justify aggressive actions under the guise of legality. This logic is embodied in the following equation:

Madman Game + Unstable Peace = Strategic Legitimization of Illegal Force

More precisely, when the projection of madness as a psychological instrument occurs on the terrain of unstable peace as a fragile legal environment, the ultimate outcome is the strategic legitimization of legal violations. This process arises not from an accidental defect in law but from the purposeful exploitation of its lacunae. The work of Iranian legal scholars reinforces the proposition that until a legal system incorporates the regulation of the costs and benefits of actors' conduct into its theoretical analysis, it will create an arena for the recurrent reproduction of violations and responses rather than sustainable peace (Kalamzadeh Eshratabad, 2012). Accordingly, the final outcome of this section is a model capable of explaining Israel's conduct during the Twelve-Day War as a product of instrumental rationality within an unstable peace environment.

3. The Terrain of Unstable Peace in the Structures of International Law and International Criminal Law

The "terrain of unstable peace" in international law and international criminal law is an arena in which legal rules and principles themselves become variables in the game and, rather than guaranteeing peace, facilitate the legitimization of its violation. Within this structure, expansive interpretations of concepts such as anticipatory self-defense and the limited jurisdiction of institutions such as the Security Council and the International Criminal Court disrupt the balance between law and power in favor of the aggressor. The result is an unstable Nash equilibrium in which legal violations are regarded not as exceptions but as rational strategies through which actors pursue survival and geopolitical interests.

3.1. The Fragile Legal Terrain and the Disruption of the Unstable Legal Equilibrium

The terrain of unstable peace in international law is an arena in which legal rules and principles themselves become variables in the game and, rather than establishing order, form part of the equation of instability. In this context, the concept of an "unstable legal equilibrium" means that the rules prohibiting the use of force or guaranteeing collective justice appear permanent and definitive but, in practice, remain dependent on the political will of powerful states and expansive interpretations of general principles. The most prominent manifestation of this phenomenon is Article 51 of the Charter of the United Nations, which recognizes the right of self-defense as an exception to the prohibition on the use of force. In the hands of political actors, however, it has been transformed into authorization for anticipatory attacks, drone operations, and responses to asymmetric threats. This divergence between legal text and practice shifts the structure of the game from a "cooperative Nash equilibrium" to an "unstable Nash equilibrium" because law becomes an instrument for justifying conduct rather than restraining it. During the Twelve-Day War, this unstable legal logic enabled Israel to invoke anticipatory self-defense selectively and portray its offensive attack as legitimate. Rules that should constitute a refuge for justice have thus become dynamic and unstable variables whose functions depend on the interests of the actors rather than ethical principles or normative obligations.

3.2. The Unstable Peace Game Matrix in the International Legal System

When the structure of international criminal law is analyzed as an interactive matrix, its cells reflect reciprocal choices between "states and legal institutions" and "aggressors and victims." Within this matrix, Cell C—representing a weak legal response to active aggression—constitutes the focal point of unstable peace. In this situation, institutions are characterized by delay or an absence of political will, while the aggressor state calculates that the costs of punishment are low and therefore regards aggression as rational. The Security Council, because of the veto mechanism, and international courts, because of jurisdictional limitations, frequently operate in this position. The consequence is the reproduction of the "crime–negotiation–oblivion" cycle and the formation of an unstable Nash equilibrium in which changing strategy is not cost-effective for any actor. Transitioning to sustainable peace requires an increase in the costs of violating the law.

3.2.1. The Game Matrix Within the Framework of Game Theory

Within a game-theoretical matrix, the existing structure of international criminal law can be represented as a bilateral game between two principal actors:

Horizontal axis (columns): Aggressors/victims have two principal strategies:

1. Active aggression (A)
2. Inaction or compliance with legal rules (B)

Vertical axis (rows): States/international legal institutions, such as the Security Council and the ICC, have two principal strategies:

2. Effective legal response (1)
3. Weak legal response or delayed action (2)

Table 1. International Criminal Law Game Matrix: Unstable Peace

International criminal law game matrix—unstable peace	Aggressor: Active aggression (A)	Aggressor: Inaction/compliance with legal rules (B)
Legal institution: Effective response (1)	Cell A—Stable Nash equilibrium: Both actors comply with the logic of legal rules. By responding rapidly, the legal institution increases the costs of aggression, and the aggressor has no incentive to violate the law. Sustainable peace and a rules-based order prevail.	Cell B—Deterrent stability or temporary cooperation: The legal institution remains active, but because no aggression has occurred, no conflict emerges. The cost of deviation is high, and peace remains in a desirable equilibrium.
Legal institution: Weak response or inaction (2)	Cell C—Unstable Nash equilibrium, the focal point of unstable peace: A weak response undermines the legitimacy of law and allows aggression to continue. The costs of violation remain lower than the benefits of aggression. Institutions respond belatedly or submit to political pressure. This point continually reproduces the "crime–negotiation–oblivion" game.	Cell D—Superficial calm/negative equilibrium: Neither actor undertakes active measures, but the legal structure remains weak. Peace is temporary and fragile and lacks structural transformation. The slightest shock returns the game to Cell C.

Analysis of the Nash equilibria in the matrix:

Cell A—Stable Nash equilibrium: An effective legal response to aggression represents the highest degree of institutional rationality. The cost of violating the law exceeds its benefits, and sustainable peace is established through transparency, genuine enforcement mechanisms, and collective political will.

Cell B—Quasi-stable equilibrium: Peace exists without aggression but remains vulnerable. The opportunistic aggressor continues to comply with the law because the cost of violation is high, although institutional erosion remains possible.

Cell C—Unstable peace: The aggressor initiates aggression because institutional responses are inexpensive and weak. This condition constitutes a short-term Nash equilibrium, but it is fragile and self-destructive. The Twelve-Day War occurred within this cell.

Cell D—Negative equilibrium: Superficial calm exists without deterrence. Mutual expectations allow any minor change to return the system to Cell C.

At the macro level, Cell C reflects the current condition of international criminal law, in which the balance between law and power is unstable and interest-driven. Only by changing the variables of the game—raising the cost of legal violations, increasing transparency, and reengineering enforcement mechanisms—can actors be moved from Cell C to Cell A and released from the cycle of reproduced crime and institutional inaction. Otherwise, global peace will remain within an unstable Nash equilibrium: an equilibrium that is rational but unethical.

3.3. The Role of Reactive Actors and Low-Cost Strategies in Legal Institutions

By revealing the institutional dependence of the International Criminal Court and supervisory institutions on structures of power, transnational criminology demonstrates that these organizations are primarily reactive rather than preventive when confronted with large-scale atrocities. This condition corresponds to the logic of a defective Nash equilibrium in which the cost of action is calculated in relation to the perceived benefits of inaction, thereby perpetuating the cycle of atrocity (Razavifard, 2025). Within the framework of game theory, the Security Council, the ICC, and human rights institutions are reactive actors pursuing low-cost strategies. Because of their dependence on major powers and their politicization, they lack ex ante deterrent capacity. The veto and jurisdictional limitations transform international criminal law into a slow and defensive mechanism that investigates crimes only after the consolidation of power rather than at the time of their commission.

3.4. The Crime of Aggression as an Example of the Intersection of Law and Power on Unstable Terrain

When supervisory and legal systems become subject to the influence of power, the boundary between law and its violation collapses, and conduct contrary to legal norms is reproduced under the appearance of legitimacy. Within this framework, the crime of aggression becomes a linguistic instrument of legitimization, while under conditions of unstable peace, law itself provides the foundation for lawbreaking (Mousavifard, Hedaei, et al., 2024). Despite its general prohibition under the Charter of the United Nations, aggression is justified through expansive interpretations of anticipatory self-defense under Article 51. Aggressor states manipulate the concepts of threat and security to portray violations as lawful. During the Twelve-Day War, Israel exploited this lacuna and selected rational lawbreaking. The inability of international criminal law to exercise deterrence transforms law into an unstable variable and renders peace temporary.

3.5. From War Crimes to Crimes Against Humanity: The Failure of Deterrence Within the Cycle of Crime

Whenever the structures of law and power delay their response to systematic threats, as in the Unstable Peace Game, institutional inaction not only fails to deter but also facilitates the rational repetition of crime (Ramazdan, 2017). Within this framework, war crimes, crimes against humanity, and genocide also emerge within the unstable equilibrium of the legal system. War crimes are addressed belatedly because of weaknesses in immediate monitoring and evidence collection; crimes against humanity become susceptible to political maneuvering through expansive interpretations; and genocide results from the failure to identify discriminatory patterns at an early stage. These crimes become part of a cycle of rational lawbreaking in which legal silence is less costly than active intervention.

3.6. The Balance Between Law and Power as the Source of International Crime in the Existing Order

Unequal and discriminatory structures not only provide the conditions for violations but also produce crime within a system in which law operates to preserve power. Under conditions of unstable peace, this situation legitimizes the rational reproduction of crime (Danesh-Nari & Khajavi Fakhrdavood, 2024). The analysis demonstrates that the balance between law and power is itself a source of international crime because law, rather than functioning as a neutral regulatory mechanism, serves the existing order. Despite its ethical foundations, international criminal law has, in practice, become an instrument of political bargaining, while expansive interpretations of legal rules and delayed institutional responses intensify instability. Within this framework, global peace remains in an unstable Nash equilibrium, and law becomes part of the game of power.

4. Analysis of the Madman Game in the Twelve-Day War

In critical criminology, the use of media to exert psychological influence transforms the “symbolic display of power” into a strategic weapon. Thus, in the Madman Game, Israel’s calculated madness served as an instrument for engineering fear rather than representing a departure from rationality (Mousavifard, Bahador, et al., 2024). During the Twelve-Day War, Israel increased the costs of response for other actors by projecting uncontrollability and establishing a logic based on the “fear of madness.” Consistent with Thomas Schelling’s theory, this conduct weakened deterrence and legal institutions through ambiguous rhetoric and disproportionate action. The result was an unstable Nash equilibrium in which the cost of collective action appeared greater than the cost imposed on the aggressor for violating the law, while peace assumed a merely superficial political character.

4.1. Reconstructing Israel’s Behavioral Signals Within the Madman Game

In critical criminology, the media is not merely a means of transmitting information. Through the selective representation of violence, it becomes a mechanism of social control and the production of risk perceptions. In the Madman Game, Israel similarly employed the media to construct an image of irrational rationality and legitimize psychological violence (Khajeh Nouri & Asiaei, 2024). During the Twelve-Day War, Israel employed the Madman Game comprehensively, shifting the conflict from the military sphere to the psychological domain. In an environment of incomplete information, unpredictable

signals—including threatening rhetoric, attacks on civilian targets, and disproportionate strikes—increased the adversary's perceived risk. The selective dissemination of information also transformed law and transparency into instruments of cognitive warfare.

4.2. Responses of Opposing Actors Under Incomplete Information and Ambiguous Equilibrium

Within structures in which power prevails over rationality, the silence of actors forms part of the reproduction of domination. In the Madman Game, the failure of international institutions to respond to Israel's high-risk conduct similarly reinforced perceptions of dominance and perpetuated the unstable equilibrium (Khaghani Esfahani, 2023). Iran and international institutions regarded silence as a rational choice within an environment of incomplete information because they sought to avoid escalating the crisis. This condition produced a temporary Nash equilibrium in which the aggressor benefited from the continuation of aggression. Ambiguous responses by the United Nations and the Security Council reinforced Israel's signals and reduced the cost of continuing the war.

4.3. Behavioral Conformity With International Legal Rules and the Structural Violation of Fundamental Principles

In contexts characterized by unequal power and interests, law is transformed from an instrument of justice into an instrument for legitimizing domination. During the Twelve-Day War, Israel employed a cost–benefit calculation to transform legal violations into a rational strategy, thereby collapsing the boundary between law and power (Danesh-Nari et al., 2023). From the perspective of international law, the Madman Game resulted in the violation of the prohibition on the use of force under Article 2(4) and the expansive interpretation of Article 51 of the Charter. The targeting of infrastructure and the disproportionate use of force also created potential instances of war crimes. Aware of the weaknesses of the ICC and the Security Council, Israel selected a strategy of "calculated legal violation," reflecting an unstable Nash equilibrium and the reduction of law to a tactical instrument.

4.4. Institutional Weaknesses of the Security Council and the ICC: Reducing the Costs of Criminal Conduct

When structures of power and enforcement institutions become connected to political and economic interests, their supervisory functions are emptied of substance, and the legal order becomes part of a criminogenic cycle. Within the Unstable Peace Game, this condition results in the collapse of deterrence and the rationalization of legal violations (Darabpour & Mirkamali, 2023). In this context, the Security Council refrained from binding action because of conflicting interests and the likelihood of a United States veto, while the International Criminal Court was paralyzed by its dependence on state cooperation. From the perspective of game theory, these institutions pursued low-cost strategies and shifted the game from deterrence toward instability. This cycle institutionalizes global indifference to repeated violations and renders the cost of lawlessness lower than the cost of compliance.

4.5. The Role of Western Third-Party Actors in Shaping the Unstable Equilibrium

The legitimacy of systems of justice collapses when the logic of costs and benefits prevails over justice. During the Twelve-Day War, the Western response was guided not by the protection of law but by a "perceptual and strategic transaction" with the aggressor, thereby disrupting unstable peace (Mozaffari Anari & Aminizadeh, 2022). Through diplomatic silence, expansive interpretations of self-defense, and indirect assistance, Western states altered the equilibrium in Israel's favor. The entry of a third-party actor possessing "high signaling power" tilted the Nash equilibrium, while supportive messages functioned as behavioral rewards for the aggressor. Through selective representation, Western media portrayed Israel's actions as defensive and produced a "reverse deterrence equilibrium." This intervention increased the aggressor's payoff, rendered institutions such as the ICC passive, and transformed international law into an instrument of psychological warfare.

4.6. The Failure of Legal Deterrence and the Transformation of Law Into an Instrument of Psychological Warfare

When holders of power employ law to preserve their interests, justice is emptied of substance, and the legal structure becomes an instrument for legitimizing violations. During the Twelve-Day War, this condition was institutionalized through the rational logic of violation and delayed institutional responses, thereby perpetuating unstable peace (Anonymous, 2021). In this war, the international criminal justice mechanism became a variable within the game rather than an instrument of deterrence. Israel's conduct was based on rational calculation in a low-cost environment, and the "unstable Nash equilibrium" replaced the legal order. The Security Council and the ICC became passive, while third-party actors facilitated legitimization through informal messages. Consequently, law was reduced to an instrument of perception management, and the violation of legal rules came to be regarded as a rational choice.

4.7. Matrix for Analyzing the Madman Game in the Twelve-Day War

This matrix reflects the structure of actions and reactions among three principal levels:

1. The aggressor actor, Israel, with two strategies: "active signaling of madness" and "limited rational conduct"
2. The opposing actors—Iran, Arab states, and international institutions—with two strategies: "active legal/deterrent response" and "weak response or tactical silence"
3. Third-party actors—Western states and media–political coalitions—that perform moderating or escalatory roles within the game environment

Table 2. Matrix for Analyzing the Madman Game in the Twelve-Day War

International institutions and opposing actors	Israel: Limited rational conduct (A)	Israel: Signaling madness and unpredictable conduct (B)
Active legal/deterrent response (1)	Cell A—Stable Nash equilibrium: A rapid legal and political response by the international community and the Security Council substantially increases the cost of aggression. Israel is compelled to abandon psychological tactics to preserve its position. The cost of violating the law exceeds the military benefits; therefore, a stable Nash equilibrium emerges. The conduct of the parties complies with international criminal law, deterrence is effective, rational logic prevails, and the perception of madness becomes ineffective.	Cell B—Precarious deterrence: Israel initiates its madman conduct, but rapid responses, the publication of field data, and public opinion partially restrain it. The resulting equilibrium is semi-stable because every act of aggression encounters the threat of a response, although legal institutions remain reluctant to issue binding decisions. Peace is preserved but rests on an infrastructure of fear and mistrust.
Weak response/tactical silence (2)	Cell C—Unstable Nash equilibrium/unstable peace: Israel outwardly complies with rational conduct by invoking self-defense, but because of weak and delayed institutional responses, it gradually expands the scope of its attacks. Neither party has a short-term incentive to alter its conduct, but this position is structurally unstable because any political or media shock may cause peace to collapse. This cell reflects the actual conditions of the Twelve-Day War, in which law retained its outward appearance while power dominated the field.	Cell D—Lawless equilibrium: Israel's madman conduct is accompanied by institutional silence and political interpretations advanced by Western states. The international community refrains from open criticism, the media portray the attack as legitimate, and criminal justice institutions become ineffective. This condition represents the final stage in the collapse of unstable peace, in which law becomes a psychological instrument of the aggressor and deterrence approaches zero.

4.7.1. Theoretical Analysis of the Matrix Cells

Cell A—Stable Nash equilibrium: This is an equilibrium in which legal institutions, public opinion, and the threat of a collective response raise the cost of using force to the highest possible level. Through rational calculation, the aggressor recognizes that actual madness would result in certain losses. This condition represents sustainable rules-based peace.

Cell B—Precarious deterrence: This condition reflects a balance between madness and limited restraint. The aggressor attempts to test the boundaries of threat, but a partially active response prevents the expansion of the war. Although order is preserved, the actors remain in a "high-risk equilibrium" because of their shared fear of catastrophe. In the literature on deterrence games, this condition is recognized as an equilibrium of mutual fear.

Cell C—Unstable Nash equilibrium: This represents the actual point of equilibrium in the Twelve-Day War. Israel moves from quasi-rational conduct—performative claims of defense—toward controlled madness, while the silence and delay of legal institutions reduce the cost of violation. No actor has an incentive to change its conduct immediately: the aggressor benefits; institutions avoid direct confrontation; and Western actors interpret their silence as preserving the balance. Theoretically, this

is the condition of "unstable peace" in the international model, which retains the appearance of a legal order while reproducing the crime–negotiation–oblivion cycle in practice.

Cell D—Collapse of equilibrium/complete lawlessness: This condition emerges when "calculated madness" becomes a behavioral norm and other actors accept this new rationality. International law is then transformed into an instrument for controlling perceptions, while crime becomes the new language of politics. This condition exemplifies lawless rationality, in which the logic of power replaces the logic of legal rules.

In the Twelve-Day War, the stable Nash equilibrium represented by Cell A would require a decisive, unified global legal and political response based on collective will. Under such conditions, the cost of violating international rules would be substantially greater than the benefits of aggression, and the aggressor would rationally conclude that madman conduct is not merely ineffective but also costly. Information transparency, the active participation of international institutions, and consensus among states would produce effective deterrence and consolidate a legal peace. During the Twelve-Day War, however, this equilibrium remained limited to declarations and rhetorical positions, while no binding legal or enforcement response was observed.

By contrast, the unstable Nash equilibrium represented by Cell C accurately reflects the realities of the battlefield. The international community adopted a weak response, while Western states altered the logic of the game in favor of the aggressor through silence or political justification. Israel's conduct, which was based on a "rational calculation of madness," was implicitly tolerated by international institutions because the political risks of confrontation were high and the costs of inaction were low. No actor was willing to change the prevailing situation, resulting in the collapse of legal deterrence. Consequently, aggression was portrayed not as a legal violation but as a legitimate strategic action, and the legal order collapsed within the boundaries of unstable peace.

Israel's conduct during the Twelve-Day War constitutes a clear example of the application of a multilevel signaling game in international politics. Within this model, "deliberate ignorance, the projection of audacity, and the rational assessment of lawlessness" are employed as calculated strategies to alter the perceptions of the adversary and international institutions. The theoretical structure of the game may be represented as follows:

$$U_{\text{Israel}}(\text{Violation}) > U_{\text{Israel}}(\text{Compliance})$$

Provided that:

$$Cost_{\text{Legal Reaction}} < Benefit_{\text{Perceived Power + Fear}}$$

Within this framework, the expected utility derived from violating international legal rules exceeds that associated with legal compliance for as long as the global legal response remains inexpensive and incapable of imposing actual losses. The relationship between the cost of the legal response and the benefits derived from perceived power and fear determines the trajectory of the game. The lower the cost of the international response and the greater the psychological or military benefits, the more likely the aggressor is to remain within an unstable Nash equilibrium. Moving the game from this fragile condition toward a stable equilibrium is possible only when the cost function is reversed—that is, when the aggregate legal, political, and reputational costs of violation exceed its short-term military benefits and genuine deterrence is created at the moment of commission. In the absence of such structural redefinition, every similar war will return to Cell C, and international peace will continue to be reproduced within the orbit of "madman rationality" and the legitimization of aggression.

5. Conclusion and Redesigning the Rules of Deterrence in the International Criminal Legal System

In every decision-making situation, the criminal actor rationally evaluates the costs and benefits of violating the law. Under conditions of legal weakness or ambiguity, crime becomes a logical option. This pattern also produced an unstable equilibrium between the benefits of aggression and the costs of legal compliance during the Twelve-Day War (Rezaei Shouraki, 2020). The Twelve-Day War constitutes a concentrated example of the contemporary geo-legal game in which the absence of a stable equilibrium, rational madness under incomplete information, and the incapacity of international criminal law converge, transforming law from an adjudicator into part of the playing field. Under these conditions, the balance between power and law shifts in favor of the high-risk actor, and peace becomes unstable.

The alignment of legal structures with a calculating criminal mentality rationalizes offending whenever the actual costs of violation remain lower than its benefits. During the Twelve-Day War, this logic weakened deterrence (Rezaeinejad & Rezaei Shouraki, 2021). The analysis demonstrates that the weakness of deterrence is not merely institutional but also the product of a defective Nash equilibrium that allows the aggressor to regard compliance with the law as irrational. Structural deterrence must therefore be adopted as the principal strategy, meaning that the costs of transgression should increase automatically across legal, political, economic, and reputational dimensions. This requires strict legal rules, real-time transparency, and the prohibition of expansive interpretations of self-defense so that criminal conduct is removed from the realm of political flexibility.

In situations resembling the Chicken Game, actors reproduce the cycle of unstable peace by preferring high-risk conduct and failing to reform the rules (Salimi et al., 2022). At the macro level, reforming the Charter of the United Nations and redefining Article 51 to establish an absolute prohibition on anticipatory self-defense are necessary. Simultaneously, an automatic Security Council early-warning system, the independence of adjudicatory institutions, and rapid responsiveness in place of inaction should constitute the foundations of effective deterrence. Only under these conditions will compliance with legal rules arise from the logic of political survival.

The manipulation of legal rules and the exploitation of asymmetric information shift the equilibrium in favor of the dominant power and facilitate systematic legal violations. This mechanism was also evident during the Twelve-Day War (Gholami & Gholami, 2021). At the interinstitutional level, redesigning the deterrent order requires strengthening multilateral institutions and improving monitoring through data-driven systems, artificial intelligence, and immediate-warning networks. The establishment of a comprehensive digital evidence repository, regional courts, and preventive coalitions would increase the costs of concealment and transform the game from reactive to predictive.

At the micro level, the absence of technical and legal safeguards erodes trust and shifts the equilibrium against justice (Kiani Qaleh-No, 2022). Training personnel in international humanitarian law, protecting whistleblowers, safeguarding data, and establishing encrypted networks and time-stamped documentation systems would prevent the destruction of evidence of crimes and increase the social cost of inaction.

The logic of game theory demonstrates that changing the informational equilibrium in any competition shifts actors' conduct from the level of purely rational calculation toward public performance and reputational balancing. In such an environment, the instantaneous disclosure of conduct not only disrupts the aggressor's strategy but also raises the reputational cost of violating legal rules substantially above its short-term benefits (Golparvar & Shahabi, 2011). A vital component of this redesign is the real-time exposure of the aggressor's conduct. In the contemporary world, the interval between the commission of an atrocity and its global disclosure should not exceed a few minutes because even a limited delay provides a unique opportunity for aggression to continue. Combining surveillance technologies, independent media, and social networks with official verification mechanisms, such as confirmation by an international prosecutor's office or human rights institutions, may create a new form of transparency—one that is not merely descriptive but deterrent. When every unlawful act is immediately documented and disseminated globally, the psychological function of threats as instruments of strategic action is reduced. In game-theoretical terms, such exposure alters the informational equilibrium of the game in such a manner that "violating the law" is transformed from a strategy into an "act of self-destruction." This is the point at which the power of media and technology becomes aligned with the logic of justice.

Under the logic of "penal rationality," each actor weighs pleasure against pain and chooses crime when its benefits exceed its anticipated costs. Consequently, the Nash equilibrium can be shifted from benefiting criminality toward benefiting compliance only by restructuring legal rules and increasing the actual cost of violations (Maddah, 2020). Ultimately, redesigning deterrence must lead to the redefinition of the Nash equilibrium within the international legal system—an equilibrium in which the commission of an international crime is under no circumstances more beneficial than compliance with the law. When the utility functions of actors are restructured so that the political, economic, and reputational costs of violations exceed every possible benefit, deterrence advances from the reactive level to the level of rational deterrence. This redefinition establishes the theoretical foundation for a new framework in international criminal law that may be termed the "Theory of Rational Deterrence in an Unstable Peace Environment." This theory creates a connection among game theory, surveillance

technology, and legal engineering and provides a pathway out of the crime–response–oblivion cycle. Such a structure no longer waits for justice after the commission of an atrocity. Instead, it activates justice at the moment the crime occurs and restores sustainable peace not as an aspiration but as the fundamental logic governing the game of global actors.

Ethical Considerations

All procedures performed in this study were under the ethical standards.

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Conflict of Interest

The authors report no conflict of interest.

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