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# Finding a way out of the nuclear dispute with Iran: back to basics

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## Two propositions

The international diplomatic, economic and intelligence conflict over Iran's nuclear program has now been in full flow for over a decade. Few crises have lasted this long at such tempo. It has involved complex games of diplomatic poker, missed opportunities and overplayed hands. Proposals have come and gone involving careful balancing of red lines and attempts to find common interest. With Hassan Rouhani's election and his clear and articulated desire to find a breakthrough in the deadlock, expressed last month at the United Nations General Assembly and on his historic phone call with President Obama subsequently, it is time to take a step back and look at the situation afresh. Seeing Rouhani as a chance to drive Iran into compromising its position, or

seeing him as simply a wolf in sheep's clothing, would be to miss the point and the opportunity. He has appealed to both his fellow Iranians and to the international community for flexibility and "wisdom" in their approach to the forthcoming nuclear negotiations. In this respect we would do well to heed him.

Theories abound as to how best to control Iran, thwart its rising influence and power in the region and beyond, contain its nuclear breakout capability and stop the broader proliferation of nuclear weapons across the region. But there remain open questions about the disagreement, Iran's true intentions, and what it all says about how we go about controlling nuclear proliferation. Lost amongst all the mutual mistrust and the complexity of the situation are

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what we perceive to be two relatively simple propositions that may be difficult for some to accept but that could hold the key to finding some form of resolution to this conflict:

1. By its full membership of all three global WMD conventions – the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention (CWC) and the Biological and Toxin Weapons Convention (BWC) Iran has already chosen a path that locks itself into a commitment to the international WMD non-proliferation agenda, opening the possibilities for a satisfactory agreement that are not there with states that resist joining the non-proliferation norm.
2. Perhaps more shockingly, nuclear weapons may not actually hold the intrinsic attraction we think they do to regional powers such as Iran, for a whole host of reasons, but that the actions of the global powers to limit Iran's access to technology and their own attachment to retaining nuclear weapons may have increased the attraction of the nuclear capability option to many Iranians.

Before we explain these assumptions further, we ought to review some of the more pertinent dimensions on the road to our current predicament, and ask how this all looks from an Iranian perspective.

### **Control and its unintended consequences**

Iran has had the fortune of occupying a strategic location at the crossroads of global trade for thousands of years, and has one of the world's largest deposits of oil and gas. Britain's control of Iranian oil during the Second World War was one of the lesser known determinants of the allies' victory over Germany, a key explanation for its intolerance of a progressive, elected government's attempts to nationalize the industry in the early 1950s. Many believe it was the West's installing a dictator, the Shah, and its subsequent uninterrupted support for him that ultimately led to the revolution in 1979. The history is well documented elsewhere, but one of the strongest themes that emerges from Iran's hostility to the West is the West's effort to

control the country and its wealth at the expense of ordinary Iranians.

Today's sanctions are seen by many Iranians in the light of this history, namely British-American attempts to limit Iran's access to technology by coercion. Back in the early 1950s Britain attempted to pressure Iran by using its privileged position on international bodies such as the U.N. Security Council and the International Court of Justice, imposing tight and swinging sanctions against Iran, citing its nationalization of the oil industry as a threat to international peace and security. There are similarities too in Britain's pressurizing the United States in the 1950s to join it in isolating Iran, in return for British support in the Korean War. Today's nuclear program is seen by many Iranians as a similar form of nationalization of a technology, and objected to on similar grounds. As such, they believe these attempts are to be resisted at all costs because it is without limit: today the nuclear program, tomorrow... well anything.

The eagerness with which some states seek to punish Iran for its gall and tactics in directly challenging the current distribution of power within the international community simply reinforces the Iranian narrative and their resolve to resist and break what they see as the illegitimate arrogance of the great powers they have long suffered under. And this perspective finds significant support from other parts of the international community who have in their own ways experienced something similar, though this sympathy is often muted by an equal fear of both the consequences arising from expressing it, and of the possibility that Iran may well be developing a nuclear weapons capability.

There appears to be a widely held belief across the political spectrum in the United States and Europe that states that freely joined international non-proliferation regimes can be legitimately coerced into onerous measures beyond their treaty obligations. More onerous measures may be required across the board to give the assurance necessary for a strong international regime, but it leaves states on the receiving end wondering whether these systems are stacked in favor of those that already possess nuclear weapons or exist under their umbrella.

Let us be clear. No one can forcibly stop Iran from developing a nuclear weapon and missile capability should it choose to do so. Whilst the process may temporarily be slowed by sanctions, assassinations and cyber-attacks, or even by air-strikes, such actions only serve to re-enforce Iranians' resolve to continue their efforts, which have already led them to mastering the technology of uranium enrichment, and could push them even further in developing a nuclear weapon capability, against their own interests.

Such a situation can only be broken by a shift in approach towards a strategy that does not re-enforce the conflict, and Rouhani's election as President offers just such a hope.

### **R&R: Rights and responsibilities**

Iran was one of the first states to sign and ratify each of the WMD conventions. It signed the NPT in 1968 and ratified it in 1970, the year it entered into force; it signed the BWC in 1972 and ratified it in 1973, two years before it came into force; it signed the CWC in 1993 and ratified it in 1997, the year it came into force; and it was also in the first wave of signatories to the Comprehensive Test Ban Treaty (CTBT) in 1996, but has yet to ratify it. Although many of these commitments were made before the 1979 revolution, it has been bound by the constraints of each Treaty ever since and there has been no serious suggestion within Iran that it leave any of these treaties. But of course there are two caveats to this story: the first that a state may be a member of a convention but cheat on it; the second that these conventions may not be sufficient to prevent a state from developing a weapons capability and sit on the edge of deployment perfectly legally. Iran of course has been accused of both, but it is beyond the scope of this article to review the forests of books and articles written on this. It would serve little purpose. Indeed, this back and forth over these questions has only served to deepen the distrust and rancor that underlies the dispute. Rather, we look to the future possibilities of building sufficient good will to change the game.

It may yet be possible to persuade Iran to open up all its nuclear-related facilities fully, to accept round-the-clock monitoring and inspections, and the presence of foreign workers in every facility. Despite the bad feeling and the sense of

betrayal over previous arrangements felt in Tehran, with the right terms Iran may yet be persuaded to act as a non-proliferation laboratory, to establish the gold standard for assuring the international community of non-diversion that others should follow, and thereby close the gaps the current international arrangements suffer from. Iran may be willing for a fixed period to go beyond the obligations of the NPT and related instruments (such as the Additional Protocol) to reassure the international community. In one step, both weaknesses could be addressed: the possibility of cheating and the ability to legally pursue a weapons capability without breaking safeguards.

So what are the terms? Iran appears to be looking for the recognition of its rights under these conventions and the ability to freely exercise them without fear or favor; for others to also fulfill their treaty responsibilities; and to ensure that all states come under the norms that these conventions express. These terms will not be weakened by Hassan Rouhani. Indeed, he is likely to express them with greater clarity than his predecessors, in a choice that the international community will need to make. And of course, the implementation of terms on their own basis is in the interests of the collective.

This gives the international community the chance to explore with the emerging Iranian Administration how best to develop the application of these international conventions in a manner that both improves confidence and safeguards states' rights.

### **Isn't Iran after nuclear weapons?**

Iran reiterates that it is not seeking a nuclear arsenal, but few take that at face value, not least because of the mutual distrust in this situation. Whilst it makes sense for Iran to have a nuclear power program, its focus on developing dual-use enrichment technology years before it has constructed the power reactors that it would fuel, and the cost it appears willing to endure in cracking the barriers to development, only underlines peoples' suspicions. But be careful of concluding that this shows Iran is after a nuclear weapon – other explanations lie in Iran's desire to master this technology as an

important and symbolic step to a fully-independent nuclear program, itself a symbol of a modern state. The fact that the great powers have been attempting to limit Iran's access to this technology only increases its popularity amongst Iranians. Rather than jumping to conclusions one way or another, a rational conclusion would be that this is a question of risk, and that the international community would do well to consider its best chances to minimize that risk.

In suggesting ways of going about this, first let us make an observation. It is often said that the world needs a great deal more empathy – that if we put ourselves in other's shoes more, it would be a better place. But this approach has its limits. Iranians are not the same people as Europeans, Americans, or indeed Israelis. They have a different historical experience, a different culture, a different interpretation of religion, a different set of norms and rules of life. True, there are common understandings, roots of faith and ethics can be shared. But they are not the same. The world looks different from Tehran than it does from London.

This is important in the nuclear sphere. British defense officials for example may look at the strategic situation within which Iran sits: U.S. forces in nine neighboring countries; one or two U.S. battle carrier groups in or near the Persian Gulf; U.S. nuclear-capable bombers based on Diego Garcia; two regional nuclear states Israel and Pakistan; the loss of a million Iranians when Iraq, supported by world powers, invaded Iran in 1980; the use of chemical weapons by Saddam Hussein against Iran using material and technology supplied by the West, resulting in 100,000 Iranians killed or injured, and the threat of military action from Israel and the United States... and they may conclude that the only rational approach would be for Iran to acquire a nuclear deterrent. And they may be right. But there are other dynamics, some specific to Iran, and some regional, which militate against acquisition, and the international community would do well to work with these rather than scorn them.

The possession and threat to use nuclear weapons and other forms of WMD is deemed forbidden and immoral by religious decree, articulated by a number of Grand Ayatollahs and by the Supreme Leader himself on several

occasions. This means that any individual scientists or military officials would be taking a grave risk if they were to go against this decree, even if instructed to do so by superiors – they would need exceptional reassurance. While some people claim that this could be reversed, it would require a great deal of confidence on the part of the Iranian leadership, as it could undermine their legitimacy. Based on such religious beliefs, Iran did not reciprocate Iraq by using chemical weapons during the war (1980-89), despite their ability to do so. This fact is the most valuable practical evidence about the credibility of the Fatwa. This is not just some arcane religious pronouncement, but rather a reflection of deeply held views born in part out of the Iranian experience as victims of Saddam Hussein's chemical weapons. This may be difficult to understand for some in secular states, or those whose religions have long ago made their symbiotic peace with the realist state, but a state whose very identity lies in the idea of religious revolution sees deep compromise involved in endorsing the immoral threat of the annihilation of thousands or millions of civilians.

Rather than discounting the Fatwa, we could encourage Iran to strengthen its international legitimacy, perhaps by 'secularizing' it through Parliamentary vote to reassure other states of its voracity.

### **Is the Samson option really that attractive?**

To a hammer everything looks like a nail. To a nuclear weapon state still attached to their logic of nuclear deterrence, every other state would want to acquire the magic (the security and status) they themselves feel they possess if they had the capability and were not prevented or dissuaded. Some believe a state like Iran that seeks to challenge states with far greater capabilities in every sphere would surely want the miracle weapon that will protect it from foreign military intervention. But this misses the point that Iran was able to resist eight years of war with an Iraq supported by the great powers and states throughout the region, even when Saddam Hussein resorted to the use of chemical weapons, without resorting to WMD itself. Possessing nuclear weapons may feel powerful to some, but to many states their possession comes with a huge cost beyond simply the financial. Other states see you as a

threat and respond in their own ways that harm your interests. You instantly become a target for other nuclear weapon states. Your moral authority within the international community, and internally, is harmed.

Even so, the experience of foreign military intervention is not encouraging. Some claim that we have seen the lessons from Libya and North Korea: you give up your WMD capability and you get invaded and overthrown; you keep them and demonstrate them on the world stage and you can hold your powerful adversaries to ransom. While it is highly unlikely that North Korea has a deliverable weapon and has several other factors in its favor, such a relationship with China, details are a luxury in the messaging game.

This simple proposition has enormous appeal, not least in Iran. But ultimately this comes down to national security: one has to ask the question whether nuclear weapons actually do play out as a positive asset to a state looking to strengthen their hand in the Middle East in the 21<sup>st</sup> century.

When India and Pakistan tested their nuclear weapons there were mass celebrations in the streets (despite their questionable success). Zulfikar Bhutto had said that Pakistanis would be prepared to eat grass if it meant they had nuclear weapons, and it appears he was right. But has it really helped them gain the independence they crave? With their country swarming with U.S. attack drones killing Pakistanis with apparent impunity despite official protests, the evidence is far from conclusive. Possessing their precious nuclear weapons may have been a source of pride for Pakistanis, but that effect has become somewhat tarnished and irrelevant 15 years on. Nuclear Pakistan, with several times the population, has no more regional influence than non-nuclear Iran, whose influence lies more in its soft power and its stability.

The possession of nuclear weapons gives access to a small club of states that have the capability of doing unimaginable damage to cities and to the global order... it also harms a state's reputation with non-nuclear weapon states and the people potentially targeted by these weapons. Far from cowering under the nuclear shadow, such targets react with anger

and distrust. As a revolutionary state appealing to the popular street across the Middle East, this is hardly an effective strategy for Iran.

True, there are strong motivations to pursue dual-capable technologies and thereby poke a stick in the eye of the great powers who apply unjust double-standards, but this is not the same as fully intending to cross a line and develop nuclear weapons. Iran's acquiring nuclear weapons would undermine its strategy of building friends elsewhere within the international community, and further justify the strategies of their adversaries.

So there's a cost for Iran to acquiring nuclear weapons... what of the benefits? Nuclear weapons have a very limited application; they are all-or-nothing weapons that require a state to cross a line that any sane person would view with horror. More recent historical studies of crisis decision-making in the Cold War are starting to suggest that the fear of nuclear use had less impact on decisions than previously supposed; except in the most exceptional circumstances such as the Cuban missile crisis their use was seen as incredible. Leaders were willing to call their opponent's bluff and look for bargaining chips, in the face of the nuclear threat. And if that were the case in the Cold War, when the widespread popular assumption was not a question of whether there would be a nuclear war, but when, then what about today, when few are able to contemplate such a horrific outcome?

In the Middle East in particular, where populations are interspersed and distances are short, the effects of the weapon cannot be limited to one people – nuclear weapons landing in Israel would blight Egypt, Jordan, Lebanon and Syria... and of course kill millions of Palestinians. In all likelihood, far more Muslims than Jews would die. How would that look for the self-appointed leader of the Islamic world? And how would it help the Palestinian cause if their homeland were destroyed and uninhabitable for hundreds of years?

As former lead nuclear negotiator, and leader with a long pedigree, Hassan Rouhani is extremely experienced in the ways of nuclear politics, and has thought through all these dimensions. He understands the logic of all of this. However, he may yet take Iran down a

course that leads to nuclear ambiguity, and ultimately the possession of a nuclear arsenal. Why is this so?

### Action and reaction

When one's more powerful detractors resort to certain capabilities and attempt to deny you access to them, these technologies and postures take on a certain attraction. The threats to attack Iran because of its nuclear program not only strengthen Iran's resolve, they may open up a psychological temptation in Iran to overcome their qualms and acquire the forbidden.

But there are more restraints. Just as it is beyond the power of the international community to forcibly prevent Iran from developing nuclear weapons, so too would it be impossible for Iran to prevent other states from acquiring them, or reacting in unpredictable ways detrimental to Iran's security and status.

Were Iran to introduce nuclear weapons into the Persian Gulf region, there is little doubt in Tehran that they would drive the Gulf Cooperation Council (GCC) states further into the arms of the West, they would face an increased threat from foreign military forces. They could possibly trigger a proliferation of nuclear weapons throughout the region leading to a chaotic form of unstable multi-polar deterrence complicated by outside powers with unpredictable asymmetries of technology. Far from increasing Iran's relative security and regional status, this would be extremely harmful to it.

Iran's best hope is to reach out across the region and the world to deepen relationships through such organizations as the Non-aligned Movement, and strengthen cooperative diplomatic regimes such as the NPT. This is not consistent with a nuclear weapons program. It would also be in the interests of the international community to pull Iran more closely into such relationships rather than to isolate it – an approach more likely to encourage radical anti-social behavior in response.

### Leverage over Israel

At a BASIC roundtable on these matters convened in Istanbul in late March 2013 to discuss nuclear non-proliferation and

deterrence in the Persian Gulf region, and in particular how states might promote an effective process to develop a Middle East zone free of nuclear weapons and other WMD, the issue of leverage over Israel was repeatedly raised. How can Israel most effectively be persuaded to join the negotiations in good faith? So many of the Arab diplomatic tactics in relation to encouraging Israel into the non-proliferation regime have been to exert leverage – for example by refusing to participate in agreeing an Additional Protocol with the IAEA, refusing to sign the CWC, or threatening a boycott of NPT meetings. Such reactions are understandable, but change little in Israel, or even the United States. So where is the *effective* leverage? Or is there another strategy?

We have recently seen in NATO the clear case of member states retaining outdated nuclear weapons not because they have deterrence value but rather because states (erroneously) believe they can be used as effective bargaining chips with the Russians over their own tactical nuclear weapons. Ironically, arms control may slow down opportunities for potentially clear-headed security calculations on the practical usage of these weapons.

Seeking leverage over Israel in order to force them to the negotiating table may actually be granting their nuclear weapons undue value. In 1967 the Arabs amassed on the border ready to attack Israel, apparently undeterred by the knowledge that Israel had already deployed nuclear weapons. Should they be any more concerned today given the widespread belief that Israel has many more thermonuclear devices and could soon be deploying them on German-built submarines, if they are not already? The fact that Israel already has escalation dominance through superior conventional forces would suggest that these nuclear forces are irrelevant... but the larger fact is that Israel's nuclear weapons are unusable because there are no truly credible scenarios where their use would not cause Israel far more damage than the threat it seeks to deter.

It is time for regional states to call Israel's bluff, not by attacking the country, but simply by completely discounting any deterrent or status value attached to their nuclear weapons; see them as the safety and diplomatic liability they

are for all states. The invitation to Israel would be for it to get rid of those nuclear weapons not out of fairness (though it is surely unfair that their nuclear monopoly should be implicitly defended by the United States when Iran is persecuted for its civilian program), nor for arms control reasons (though these are strong), but simply on the grounds that their arsenal is an irrelevant extravagance, a symbol of Israel's isolation and delinquency that harms one state above all others – Israel itself. It is perhaps time for Israel's neighbors to ridicule its nuclear weapons possession.

### **Conclusions: think positive**

Outcomes in the Middle East are dominated by pessimists who assume the worst of their competitors and more powerful external actors. We assume that because the region has been beset by conflict and bloodshed that this will always be the case. Our imagination and our optimism is stifled. Given the history and the depths of distrust, this is hardly surprising, and sometimes those assumptions are well-founded.

But every so often events can surprise us in positive ways, and Iran's recent election should be doing just that right now. We have the freedom to escape the apparent traps we think we are in, and find new approaches that better meet our objectives to strengthen security and manage power relationships. We are not starting from scratch. Many years of diplomatic effort have gone into developing non-proliferation regimes, and a majority of states in the Middle East have ratified them. But their indefinite support cannot be taken for granted, when others in the region break those norms with impunity. It is better to work with the grain, recognize the rights that go with membership of these regimes, and cooperate with states that are developing dual-use technology to strengthen inspection and verification procedures. This is what President Rouhani is likely to be asking when he presents Iran's package of proposals on the nuclear file, and we would do well to heed him.

People view the acquisition of nuclear weapons by Iran with alarm. And quite right, it would be a major step backwards for everyone's security and risk sparking a destabilizing arms race that can only lead to the use of nuclear weapons in

the end, bar a miracle. But the approach taken by many members of the international community only serves to bestow upon nuclear weapons a power they do not naturally possess, and thereby unintentionally encourages this proliferation. It is time to change the tune of nuclear deterrence.

This can best be done by the nuclear weapon states moving away from an 'us-and-them' strategy of technology denial while remaining attached to their own arsenals. Coercing Iran to give up its civilian nuclear power ambitions for fear they could be used to acquire the magic the nuclear weapon states claim for themselves will be a self-defeating strategy. If nuclear deterrence actually has the value many ascribe to it, then nuclear proliferation is inevitable, and with it, the eventual use of nuclear weapons.

The U.S. intelligence community's latest combined National Intelligence Estimate finds that Iran has no nuclear bomb, has not diverted fissile material, nor recently engaged in efforts to weaponize its capabilities, and has not yet made any decision to do so. The case against Iran is based upon fear of the possibilities rather than any legitimate proof of intention to break out of its NPT responsibilities. The same cannot be said of some other NPT members and their Treaty responsibilities. 43 years after the NPT came into force and 23 years after the end of the Cold War, the five nuclear weapon states, with over 20,000 nuclear warheads held among them, still act as if the Treaty gives them some form of indefinite legitimacy in their possession, and show little intent to engage in serious disarmament (beyond reductions in the numbers of warheads). India, Pakistan and Israel are allowed to develop their nuclear arsenals outside the NPT and thus severely undermine the Treaty, sometimes under the protection and implicit support of the United States (Israel), or where penalties are shallow and brief, only for the state to be accepted later into the nuclear club (India).

It is time to open up a global cross-cultural and honest strategic dialogue about the role of nuclear deterrence in the twenty-first century, and the damage it does to the national security both of states targeted by nuclear weapons, and those engaged in the targeting. We need officials, analysts and academics to come together from the states with nuclear weapons

and those with the potential capabilities to develop them to address this issue not just from a moral, legalistic or idealistic disarmament and non-proliferation angle, though this is indeed an important dimension, but also from a hard-nosed military utility angle, and from an angle of safety and security. It is also important to consider the humanitarian impacts of the use of nuclear weapons, as this would serve to better underline just how unusable they are.

We need to have a more honest debate around how the current strategy pursued by the international community is unintentionally driving Iranian responses that further deepen international suspicions. But we also need to discuss more openly why the acquisition of nuclear weapons by Iran would dramatically and directly undermine Iranian security and Iranian soft power amongst the constituencies it cares about.

The possession of nuclear weapons is not a national right, whether that state is in or out of the NPT, of whatever status. The universal norm against the use of nuclear weapons has been building up over the decades, particularly since the end of the Cold War. We need to extend that norm to possession by any state. The security impact from possession and thus threat is international, and is an important but under-recognized block to the essential cooperative diplomacy required to address all the great global issues of our time – such as the management of ecosystems under pressure from growing populations and ever-increasing consumption, rising pollution, financial stress, poverty and migration.

Therefore the broader international community has a right to comment on and consider cooperative measures that further constrain programs through mutual international agreement. But this agenda would be stronger if it not only came out of principled agendas that identify shared interests in restraint, but also if such an international debate identified the direct and indirect costs from a nuclear weapons program to the state involved, and the weaknesses of the benefits obtained.

We believe that such a project would do more to address the risks associated with Iran's nuclear program, dampen those ambitions there may be in Iran to acquire nuclear weapons, and also do more to bring about nuclear disarmament within those states that already deploy nuclear weapons, than either additional sanctions and threats of military attack on the one hand, or any number of protest marches on the other. It is time to stop simply pointing the finger at others' failures to comply with our demands that they put our security ahead of their own national security or that of the international community (whether they be Iran or Israel, for example), but rather to engage in authentic dialogue about the role of nuclear deterrence in each and every state's security calculations in today's world.



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