



Cato Handbook for Policymakers

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50. U.S. Policy toward Iran

Policymakers should

- press for direct diplomacy with the Iranian leadership;
- keep diplomatic aims limited to the Iranian nuclear program;
- evaluate and compose a “Plan B” in the event that diplomacy fails;
- seek advice from U.S. military leaders about the implications of military action against Iran;
- educate the public that there is little evidence the Iranian leadership would use nuclear weapons unprovoked; and
- make clear that the war power rests in the hand of Congress, and that it is not the prerogative of the president to launch military action unauthorized.

Diplomacy with Iran: Low Costs, Potentially High Rewards

On May 31, 2006, Secretary of State Condoleezza Rice held a press conference in the ornate Benjamin Franklin Room at the State Department to announce that the United States would be open to joining the European Union Three (EU3) negotiations on Iran’s nuclear program. This was intended to clarify that U.S. policy toward Iran was focused on changing the behavior of the Iranian regime, rather than changing the regime itself, as Tehran had long feared and as many in Washington had long advocated.

Since that time, nearly three years have passed, with no meaningful negotiations between the United States and Iran. The cause for this lost time has been the insistence that Iran suspend uranium enrichment before negotiations take place. The Western powers consider that a good faith gesture from Iran, but the Iranian side has made clear—since before the May 2006 offer—that it views suspension before negotiations as preemptive appeasement. True to form, Iran has refused to suspend enrichment,

and has even rebuffed a significantly more generous offer made in summer 2008 of a “freeze for freeze”: that the West would not add any new sanctions if Iran would not enhance its enrichment capabilities, attempting to balance the concessions.

Dropping this precondition and entering into talks with Iran would be a low-cost way of determining whether there is space for any diplomatic deal with Tehran. Since May 2006, Washington has insisted on suspension, and has nothing to show for it. Would it not have been better to have been negotiating all this time, even if the result was concluding that Iran was steadfastly opposed to a diplomatic solution?

Instead, Washington has sent a variety of mixed messages, causing the Iranians to wonder whether some U.S. officials were still holding out regime change as a possible option. In 2007 congressional testimony, former National Security Council official Flynt Leverett noted that in joining the EU3 proposal, the United States forced a significant revision: Washington declined to officially sign on “until all language dealing with explicit or implicit security guarantees” for Iran was taken out of the offer. This does not signal a genuine openness to a diplomatic outcome. There must be a candid willingness to “live with” the Iranian government for a deal to take place.

Recent statements from members of the U.S. intelligence community indicate that some in the U.S. government recognize that Iranian concerns over its national security are at the heart of Iran’s quest for a nuclear capability. Discussing Iran at a 2008 Center for National Policy event, the chairman of the National Intelligence Council, Thomas Fingar, admitted that Iran’s behavior is “certainly explicable in terms of an assessment of their security situation.” Accordingly, Fingar noted,

recognizing that Iran has real security concerns . . . is a useful starting point . . . since we are part of the reason Iran feels insecure, rightly or wrongly.

Some will protest that Iran’s truculence demonstrates that no diplomatic resolution is possible. Such speculation is irresponsible when the stakes are so high. Further, though things have changed since the time the offer was made, in 2003 Iran made an effort to reach out to the United States that was rebuffed by the White House. Reeling from the demonstration effect from the destruction of Iraq’s military by the United States, Tehran offered to open negotiations on a host of issues, including its nuclear program. This offer was not investigated by the White House, but it could indicate that there is some way to resolve the issue without either a U.S.-Iran war or a nuclear Iran.

Keeping Diplomacy Focused

Many advocates of direct U.S.-Iran diplomacy over the nuclear issue have argued that such engagement must include the range of issues lying between Washington and Tehran, including Iran's (and America's) involvement in Iraq, anti-Israel terrorism, Iran's behavior in the Persian Gulf, and a number of other points of disagreement. This thinking is misguided.

First, Iran continues to create new "facts on the ground" that give it bargaining leverage above what it possessed in 2003 when it probed Washington with its own diplomatic overture. There are many more centrifuges spinning in Natanz, for example, and other refinements in Iran's nuclear program are unknown. Despite the decrease in violence in Iraq, Iran still has very significant leverage there that could be used against the United States. Getting bogged down in issues such as Iran's behavior in the region or its abhorrent treatment of its own citizens, while well-intended, may well allow Iran to run out the clock and acquire either a nuclear capability or a plausible breakout option in which Iran could credibly threaten to withdraw from the Nuclear Nonproliferation Treaty and swiftly move to acquire one.

This development would not help ameliorate any of the ancillary issues that would be inserted into the negotiating process. U.S. policymakers need to ask themselves: If we could ensure a non-nuclear Iran by granting security guarantees and diplomatic recognition, would that be preferable to other likely outcomes? The answer seems clearly to be yes.

And What if Diplomacy Fails?

Policymakers should keep in mind that while diplomacy is a low-cost option, there is still the distinct possibility that even the best-calibrated diplomatic opening to Iran could fail. There is a long history of distrust between the two countries, and recent Iranian statements have tended toward a grandiosity that does not bode well for a mutually agreeable settlement. If negotiations fail, there are no good options. While this is an argument for giving diplomacy the highest priority, it also acknowledges that Washington must choose from a menu of bad choices rather than convincing itself that there is a good one.

While all responsible observers acknowledge that no conceivable military strike could eliminate Iran's nuclear program, supporters of the military option contend that it could retard the program enough to buy time. What

is to be done with this additional time, however, is an unanswered question. Considering that U.S. or allied military action against Iran would produce a rally-around-the-flag effect, shoring up the sitting government's legitimacy, it is unclear why this additional time would be beneficial. Iran would no doubt redouble its covert nuclear activities after such an attack and would likely throw out international monitors.

Moreover, the so-called "surgical strike" to which some observers have referred may leave scars more like those of a butter knife rather than a scalpel. According to an August 2008 report from the Institute for Science and International Security, an attack intended to significantly slow Iran's progress on its nuclear program would require "multiple strikes against many sites," and even so, such an attack would be "unlikely to significantly degrade Iran's ability to reconstitute its gas centrifuge program."

At the same time, there is a very serious risk that such strikes, intended as surgical, could precipitate a spiral of escalation that results in full-blown war with Iran. For one thing, in many hypothetical military scenarios, the target set quickly expands from the dozens of sites involved directly in the nuclear program to include Iranian air defenses, suspected chemical or biological weapons sites, and key nodes in Iran's Islamic Revolutionary Guard Corps and other locations. Iran, on the other hand, would no doubt feel compelled to respond, and has more than adequate means to do so, by means that include threatening or attacking U.S. supply lines through southern Iraq, swarming small boats or launching missiles against U.S. naval vessels or oil tankers in the Persian Gulf, or making good on Iran's near-constant threats that, if attacked, one of its first targets would be Israel.

According to numerous press reports, war games simulating a conflict between the United States and Iran always turn out badly. For example, in the 2002 Millennium Challenge game, a crafty marine general, Paul Van Riper, acted as the "red team" and used a variety of asymmetric tactics that wound up killing thousands of U.S. servicemen and sending 16 U.S. naval vessels to the bottom of the gulf. The military's response was to reset the game and prevent Van Riper from using the tactics he'd used before. Van Riper quit his position as commander of the red team, expressing his concern that Iran would certainly use similar tactics in any confrontation.

The U.S. military, in short, is well aware that they have no solution for the problem of Iran's nuclear program. Secretary of Defense Robert Gates summed up the military's view of potential war with Iran as "disas-

trous on a number of levels.” But the rhetorical stakes in U.S. policy discussions have been raised to existential heights by a number of commentators who have advanced the idea that the Iranian government’s hostile rhetoric and unrelenting defiance of the United States indicates that they are incapable of making decisions based on reasons of state; rather, these commentators insist that Iran is drawing on theological tenets to craft its foreign policy, and is not capable of being deterred from risky, aggressive policies that could lead to nuclear war.

Is the Iranian Government Suicidal?

The op-ed pages of American newspapers have been littered for years with dire proclamations of war, nuclear war, and holocaust in the Middle East if Iran were to acquire a nuclear capability. While there are numerous undesirable aspects to a nuclear-armed Iran, they ought to be examined coldly and in the context of the flawed thinking that led to the Iraq war. Viewed dispassionately, it becomes clear that undesirable as it would be, a nuclear Iran is hardly the searing danger that ubiquitous media commentators have made it out to be.

A number of knowledgeable observers have pointed to the flaws in the Iran-as-suicide-nation thinking, chief among them Israeli observers. It was Reuven Pedatzur of Tel Aviv University who noted that “past experience shows that the radical Iranian regime, headed by the most extreme of them all, Ayatollah Khomeini, behaved with absolute rationality at the moment of truth.” And it was Tzipi Livni, then Israel’s foreign minister, who made clear in a November 2007 interview in *Haaretz* that she did not view Iranian nuclear weapons as posing an existential threat to Israel. And if they do not pose an existential threat to Israel, they certainly do not pose such a threat to the United States.

The threat that would be posed by Iranian nuclear weapons is not so much a theologically induced nuclear first strike than it is the potential for a nuclear-armed Iran to constrain American foreign policy in the Middle East. Washington fears that if Tehran acquires a nuclear capability, a number of foreign policy options previously available to the United States—including first among them regime change in Iran—would be foreclosed.

This analysis is true, but it is unclear that those foreclosed options would have served U.S. interests in the first place. The most pressing dilemma that could be posed by a nuclear Iran would be the feeling in Iran that it was impervious to American or Israeli retaliation, and that Iran

could ramp up its provocative and destabilizing behaviors in the region, such as support for Hezbollah or attempting to expand its influence in Iraq.

These concerns are genuine and serious, but they must be juxtaposed against the policy options that stand before us in the current context of U.S. policy toward Iran. Diplomacy, war, or acquiescence and deterrence are the three policy choices with currency in Washington. The negative consequences of acquiescence and deterrence highlight the importance of at least making a straightforward attempt at diplomacy without preconditions. But the negative consequences of a third U.S. war against a Muslim state in less than a decade make a strong case for deterrence as preferable to war.

Acknowledgment of the Constitutional Assignment of the War Power

Whatever policymakers should decide, it is past time for legislators in both parties to reassert their constitutional prerogative as the rightful holders of the war power. The last country against whom the United States declared war was Romania in World War II, although there have been numerous U.S. wars since that time. The Founders believed that keeping the war power in the hands of Congress as opposed to the president would tie decisions over war and peace more closely to the will of the people.

Since the mid-20th century, however, Congress has abrogated its duty as the institution with the power to make war, in part because of the perverse political calculations that come into play. Politically, the incentives are almost always in favor of war. When a legislator votes to grant the president authorization to use military force, he or she has essentially delegated authority from Congress to the president. If the war goes well, the legislator can claim vindication. If the war goes poorly, he or she can criticize the conduct of the war, and disavow responsibility for the outcome. A formal declaration of war would force legislators to confront the gravity of decisions over war and peace, and create a firm record of their stands on the question that could be used by voters to judge legislative performance.

However difficult the politics of the question, in order to make more prudent decisions about war and peace, and in order to honor their pledge to uphold and defend the Constitution, legislators must face the difficult decisions of war and peace should the question come up in the context of Iran or any other country. If legislators continue to abrogate their powers, their institution will atrophy, and the outcome the Founders were seeking to prevent—a unilateral presidential prerogative to make war at

will—will become ever more entrenched in American politics. One hopes the Iran scenario does not come to pass, but regardless, Congress should stand up to retake its rightful role.

Suggested Readings

- Albright, David, Paul Brannan, and Jacqueline Shire. “Can Military Strikes Destroy Iran’s Gas Centrifuge Program? Probably Not.” *ISIS Report*, August 7, 2008.
- Carpenter, Ted Galen. “Iran’s Nuclear Program: America’s Policy Options.” Cato Policy Analysis no. 578, September 18, 2006.
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- Hemmer, Christopher. “Responding to a Nuclear Iran.” *Parameters*, Autumn 2007.
- Logan, Justin. “The Bottom Line on Iran: The Costs and Benefits of Preventive War versus Deterrence.” Cato Policy Analysis no. 583, December 4, 2006.

—Prepared by Justin Logan

