



Three Presidents, Three Flawed Iran Policies, and the Path Ahead

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With Russia's horrific onslaught against Ukraine, news reports of a likely breakthrough in Vienna negotiations for a renewed Iran nuclear deal may trigger sighs of relief.¹ Many will cheer an agreement that promises to restore a sane solution to a potentially combustible future problem, especially when Moscow's aggression is killing innocents today.

Sadly, that sense of relief is almost surely misplaced. Rather, we are likely to see a deal that leaves Iran closer to a nuclear weapons capability than even the original 2015 agreement. Faced with a determined adversary committed to a singular goal, the Biden administration appears to have followed the same approach that animated the Obama and Trump administrations—it blinked.



Like most tragedies, this bipartisan failure began on a positive note—President Obama’s impressive success in building a strong and effective international sanctions regime that forced Tehran to the bargaining table. But instead of using that leverage to press for an agreement that resolved the nuclear problem once and for all, the end of act 1 saw him squander that advantage for a limited accord that traded some years of Iranian nuclear restraint for binding promises to end international economic sanctions and lift prohibitions on everything from arms sales to ballistic missile development. “It’s this deal or war,” advocates argued tendentiously, and despite the fact that both houses of Congress voted against the agreement, the stacked rules of the review process they agreed to play by gave victory to the minority. With that, the Joint Comprehensive Plan of Action was born.



President Trump performed little better in act 2. He started on the right foot, correctly identifying many of the JCPOA’s faults and promising to reapply enough pressure to force Iran into negotiating a better deal. But rather than working with European allies toward that goal, he simply picked up his marbles and, with “America First” bravado, withdrew from the agreement and reimposed sanctions unilaterally. To the end, his administration expected that sanctions pressure would work as it had for Obama, though within a much tighter timeframe to achieve a more ambitious set of goals. Yet Tehran had learned to live with a level of pain it previously could not. And European partners barely hid their schadenfreude when reminding Washington that it had left the agreement and was therefore in no position to criticize Iran for its increasingly brazen violations of the JCPOA. In a truly risible diplomatic embarrassment, President Trump succeeded in convincing the world to isolate America rather than Iran, squandering immense leverage in the process.



Trump did take one bold step against Tehran’s blatant regional destabilization and terrorism, namely, the January 2020 targeted killing of Qasem Soleimani, which knocked back the elite Islamic

Revolutionary Guard Corps–Qods Force without triggering anywhere near as much blowback as critics feared. Unfortunately, however, that was a one-off step, not part of a concerted strategy to respond whenever Iran overreached. For instance, after Saudi Arabia’s Abqaiq separation plant was attacked in September 2019, Trump waved off the direct Iranian assault on the most valuable oil facility in the world as not America’s concern.

When President Biden came to office, he inherited the sanctions his predecessor had imposed and, while disapproving of their provenance, was wise enough to reject calls for dismantling them unilaterally. He realized there had to be consequences for Iran violating its commitments on enrichment, centrifuges, and uranium stockpiles, some of which were breached as early as June 2019. To his credit, he opted to keep sanctions in place as leverage to achieve what his aides called a “compliance for compliance” agreement, one in which all parties would return to the terms of the original accord. The new administration promised that such a deal would be the basis for a “longer, stronger” agreement that addressed two key deficiencies in the original JCPOA: its lifting of all restrictions on Iran’s ballistic missile program and its silence on Iran’s destabilizing regional activities, including support for terrorist groups and radical militias in Iraq, Gaza, Lebanon, Syria, and Yemen. Biden would get there, his aides said, by maintaining a tough, principled approach to provocations and assembling a negotiating team that included Republican thinkers and JCPOA skeptics.

All of this sounded terrific—and, apparently, was too good to be true. The administration may have maintained sanctions on paper but did little as Iran’s work-arounds more than doubled its oil exports, especially to China. Biden was more accepting of Israel’s counter-Iran operations than Obama was, but he did even less than Trump on responding directly to Iranian outrages. On Biden’s watch, Tehran accelerated its nuclear program, speeding past 20 percent to 60 percent enrichment—a step no nation has taken outside of a weapons program (for more on these technical matters, see The

Washington Institute’s Iran Nuclear Glossary²). The administration did nothing. When Iran brazenly attacked the merchant ship *Mercer Street*, killing two civilian seamen, the administration promised an eventual response, but none has been forthcoming. Only when Iranian proxies targeted U.S. forces in Iraq or Syria did the administration take some action—but, importantly, against those proxies, not their Iranian masters. That is a game Tehran could play forever.

As for the nuclear negotiations, final details will await the post-Vienna press conference, but this much is known. Months ago, U.S. officials stopped talking about a “longer, stronger” agreement; in the face of Iran’s diplomatic stubbornness, the administration dropped this formulation as even an aspirational goal. Moreover, U.S. negotiators have admitted that the deal will leave America and its allies with, at most, six months’ warning of a potential nuclear breakout—half of what President Obama proclaimed as a major achievement when he reached the original deal.³ And no official has even hinted that a new agreement will address longstanding problems such as Iran’s refusal to cooperate fully with International Atomic Energy Agency inspections, or the disturbing evidence that came to light when Israel released a trove of documents from Iran’s pilfered “nuclear archive”—including further proof of the regime’s once-active weaponization project and previously undocumented enrichment efforts. It is also worth noting that the administration never did assemble the promised “broad and diverse” negotiating team, and that key members of the more ideologically narrow team quit in recent weeks, reportedly in disagreement over strategy.⁴

The Biden team will surely contest the notion that it settled for a flawed deal. Instead, U.S. diplomats may hint that their threat to walk away from the talks by a date-certain was what finally pushed Iran over the finish line on solid terms. Yet it is hard to believe that Washington would choose to heighten tensions with Iran by suspending negotiations at a moment when Europe faces the menacing reality of war. And it is equally hard to believe that, by dangling a modest

shift in their demands, the Iranians could not keep the U.S. team at the bargaining table for weeks on end.

Indeed, two months ago, seven national security centrists committed to a peaceful resolution of the nuclear problem, myself included, released a statement expressing deep concern that Iran was stonewalling the talks as a cover to advance its program. The Iranians could do this, we argued, because they had little fear of the consequences of serially violating its commitments. “For the sake of our diplomatic effort to resolve this crisis,” we wrote, “it is vital to restore Iran’s fear that its current nuclear path will trigger the use of force against it by the United States.”⁵

Sadly, we appear to have been wrong. If reports are correct and white smoke is poised to emerge from Vienna, it is not because the United States increased its leverage in recent weeks to compel Iran to finally accept reasonable terms. By all accounts, the result will almost surely be a “less for more” agreement in which America recommit to the original timetable and sequencing of relief promised to Iran (e.g., on lifting economic sanctions and missile development bans), while Tehran temporarily reinstates certain caps on its nuclear program. Iran will be emboldened if it pays no additional cost for its violations of the deal, especially for approaching weapons-grade enrichment; in fact, it will get to enjoy scientific and research benefits from this achievement that can never be undone.

“Temporarily,” it is important to point out, meant one thing in 2015 and means something else in 2022. When Obama approved the original JCPOA, he could rest easy in the knowledge that responsibility for implementing the most substantial concessions would be his successors’ problems, not his. Seven years later, those problems are just around the corner. What the JCPOA terms “Transition Day”—the date by which all sanctions temporarily suspended by the agreement are legally terminated—is just twenty months away, in October 2023. Quite remarkably, it does not appear that Washington insisted that

this JCPOA clock stop ticking once Iran violated its commitments, so it will be President Biden’s distasteful task to ask Congress for permanent sanctions relief on Iran next year. Even with a “longer, stronger” agreement in hand, securing a legislated end to Iran sanctions promised to be an uphill battle; without it, watching the Biden White House lobby for the end of sanctions will not be a pretty sight.

How is it that three very different presidents each came to office with sound ideas on Iran policy and powerful leverage to execute them, only to wilt and settle for deeply flawed agreements, as did Obama and Biden, or, in the case of Trump, invite the ignominy of irrelevance and isolation? One major reason is the inherent imbalance between a great power with numerous, often-competing global interests and a weak but determined local actor that views any real compromise as a betrayal of deeply held principles. To put it more simply, the stakes just matter more to Iran than to America, and successive U.S. administrations were not willing to confront that fact.

For example, when Iran’s oil sales increased dramatically, U.S. law authorized Biden to sanction the principal buyer, China. Yet that would have complicated an already tense relationship with Beijing and removed more oil from an already tight global market. In this instance, Iran read America’s political and economic map perfectly.

Similarly, from the start of nuclear diplomacy, Tehran has appeared to keenly appreciate America’s political circadian rhythm. It knows our presidential terms are four years long, interrupted halfway with legislative elections; it knows our leaders often prefer to kick the can down the road, trading long-term concessions for short-term gains rather than face the unpleasant prospect of confrontation and conflict. While this risked an erratic, tempestuous president

coming to office and ripping up the JCPOA, Iran was willing to play the long game, wait him out, and get rewarded with an updated agreement that, instead of penalizing Tehran for revving up its centrifuges and speeding toward bomb-level enrichment, is expected to affirm the original timetable of sanctions relief and easing of nuclear restrictions. In that context, the JCPOA's basic bargain—an eventual end to sanctions as well as nuclear, missile, and weapons restraints, all in exchange for temporary caps on proscribed nuclear activity—is, for Iran, a really good deal.

Looking back at nuclear diplomacy with Tehran over the past decade, it is this author's view that an acceptable diplomatic solution to the Iran nuclear problem was possible, and that U.S. negotiators could have used their leverage more effectively to achieve, from a U.S. perspective, a "really good deal." At the very least, such an agreement would have traded incremental and reversible sanctions relief for far longer restrictions on Iran's nuclear progress, far more intrusive and expansive inspections, and far broader restrictions on Iran's threatening non-nuclear activity, such as ballistic missile and drone development. With the right mix of pressure and incentives, the United States might even have achieved an agreement that provides Iran with nuclear fuel for a civilian energy program without legitimizing its enrichment capability—a notion that JCPOA advocates scoff at but never seriously tested at the bargaining table. After two bites at that apple, however, any such option is now closed.

Some critics of the new Iran nuclear deal will argue that the best next course of action is to urge a future president to withdraw from it, just in a more sensible manner than Trump did from the original. This would be unwise, however. Iran poses a serious security challenge today, requiring concerted U.S. leadership to coordinate allies and counter multiple layers of threat. Pegging U.S. strategy to the possibility that another president might rip up the agreement a second time in January 2025—an agreement to which our key European partners stayed committed through serial Iranian violations because they were angrier at seeing Trump

rip it up the first time—is a self-destructive approach that will likely undermine much of the important work that cannot wait. Imperfect and inadequate as the new JCPOA will be, building on it and doing what is possible to fill in the gaps is better than dreaming about ripping it apart again.

With a new deal on the horizon, the U.S. challenge will shift to five goals:

- **Ensure full and scrupulous enforcement of the agreement's terms, especially on robust inspection and verification of Iran's commitments.** It was tough enough to monitor Iranian scientists when they were still trying to master the enrichment process and produce advanced centrifuges. Now that they have achieved both of those breakthroughs in the past two years, it will be much more difficult to enforce an agreement that essentially expects them to make-believe those breakthroughs never happened.
- **Resuscitate President Biden's original goal of a "longer, stronger" agreement.** Iranians may be tough negotiators, but that does not alter the powerful rationale to seek a follow-up agreement that extends the JCPOA sunsets and expands the accord to new areas, including ballistic missile capabilities. The political reality is that without an enhanced deal, the administration stands little chance of convincing Congress to legislate the termination of sanctions as promised in the JCPOA. The challenge will be building enough leverage in the post-Vienna era to convince Tehran to return to the bargaining table. That will require substantive, visible progress on the next three goals.
- **Use the time before nuclear restrictions expire wisely and effectively to prepare for the day after.** This includes bolstering U.S. and allied intelligence capabilities, building new forms of leverage to convince Iran of the severe costs it would pay for pursuing anything but a peaceful nuclear program, and ensuring that

America and key local allies have the means and materiel to act—together if possible; independently, if necessary—to stop Tehran should it pursue a nuclear weapon.

- **Find the will to lead local partners—Arabs, Israelis, Turks, and Kurds—in the long struggle against Iranian influence and domination.**

If the past is prologue, Tehran will now step up its use of terrorism, coercion, and proxy attacks to advance its interests, believing the United States will be self-deterred from responding effectively due to fears of collapsing the nuclear deal. Unless Washington is willing to cede much of the region to Iranian control, it must actively compete with Tehran to prevent such an outcome.

- **Reach out to the Iranian people, who will hear their leaders tout the nuclear deal as a victory for the resilience of the Islamic Revolution.**

Experience shows that the regime will use the economic windfall of sanctions relief for one of two main expenditures: funding the increasingly narrow slice of the military on which it depends for its survival, or paying its regional mercenaries

to redouble their terrorist and subversive activities. Either way, the money will not be spent to improve the lives of the Iranian people or address systemic problems in their economy, society, or environment. Connecting with them to tell this story should be a high priority.

This is a weighty, complicated agenda that requires leadership, commitment, and constant tending. Thankfully, three developments work in its favor—the deepening cooperation between Israel and Arab states, especially (but not solely) within the framework of the Abraham Accords; Israel’s inclusion in U.S. Central Command, which facilitates operational coordination among America’s regional allies; and the growing estrangement of Iran’s proxies from local populations, as evidenced in Lebanon and Iraq, where Hezbollah and other Shia militias are facing unprecedented political pressure.

Of course, looking back over the past decade’s experience with Iran, the United States consistently had advantages and the outcome was less than optimal. Hopefully, the next decade will bring a different result. ❖

NOTES

- 1 See, e.g., Karen DeYoung, “Negotiations over the Iran Nuclear Impasse Are Close to the End, and a Deal Appears Possible,” *Washington Post*, February 2022, <https://www.washingtonpost.com/national-security/2022/02/23/iran-us-nuclear-deal/>.
- 2 Simon Henderson and Olli Heinonen, *Iran: A Nuclear Glossary*, Policy Focus 121 (Washington DC: Washington Institute, 2015), <https://www.washingtoninstitute.org/policy-analysis/nuclear-iran-glossary>.
- 3 “Time Running Out to Revive Nuclear Deal,” video, MSNBC, February 4, 2022, <https://www.msnbc.com/ayman-peacock/watch/time-running-out-to-revive-iran-nuclear-deal-132486725650>; Simon Henderson, “Iranian Nuclear Breakout: What It Is and How to Calculate It,” PolicyWatch 3457, Washington Institute for Near East Policy, March 25, 2021, <https://www.washingtoninstitute.org/policy-analysis/iranian-nuclear-breakout-what-it-and-how-calculate-it>.
- 4 Laura Kelly and Morgan Chalfant, “U.S. Says Only ‘Weeks’ Remain to Revive Nuclear Deal with Iran,” *The Hill*, February 1, 2022, <https://thehill.com/policy/international/592156-us-says-only-weeks-remain-to-revive-nuclear-deal-with-iran>.
- 5 Howard Berman, Michèle Flournoy, Jane Harman, Leon Panetta, David Petraeus, Dennis Ross, and Robert Satloff, “A Statement on Improving the Potential for a Diplomatic Resolution to the Iran Nuclear Challenge,” December 18, 2021, available at <https://www.washingtoninstitute.org/about/press-room/press-release/statement-improving-potential-diplomatic-resolution-iran-nuclear>.

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