

# Answering Rob Eshman's Questions on the Iran Deal

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**The bottom line is that if lawmakers are concerned about the nuclear agreement's flaws and are hungry for the administration to take sensible measures to fix them, the limited downside of voting no is greatly exceeded by the benefits of 'a better deal.'**

I am flattered that Rob Eshman would devote an entire column ([http://www.jewishjournal.com/rob\\_eshman/article/5\\_questions\\_for\\_robert\\_satloff](http://www.jewishjournal.com/rob_eshman/article/5_questions_for_robert_satloff)) to my analysis on the Iran nuclear agreement. Given all the wise men and women who opine on this topic, to attract such attention is quite a compliment.

I say this even if Rob's praise is half-hearted. For example, a recent article I wrote (<http://www.washingtoninstitute.org/policy-analysis/view/there-is-a-path-to-a-better-deal-with-iran>) in the *Atlantic* offers the path to a "better deal" -- "if only in its headline," he notes sardonically.

Still, he poses six serious questions that deserve serious replies. Let me first recap my argument. The abbreviated version is this: The Iran accord is not the perfect deal its advocates suggest it is. It suffers from major flaws both in its content and in terms of its implications.

For many of these flaws, fixes are available. In fact, much can be achieved either by unilateral U.S. action or coordinated efforts between the United States and its European allies.

Obviously, it would be best if this "better deal" were presented to Congress and the American people before the congressional vote on the agreement next month. However, the administration clings to the idea that no improvements are needed. There is little reason to believe the administration will implement these improvements before the vote.

Senators and Congressmen who recognize the achievements of the agreement but fear its risks and long for a "better deal" should not worry that the option of voting against the agreement will kill it altogether, as the president has

warned. In fact, a close reading of the agreement and the relevant U.S. legislation indicates that a "no" vote" has no operational impact for six-to-nine months, the length of time Iran is expected to take to fulfill its own core requirements under the deal. Only when those requirements have been certified is America, under the agreement, responsible for suspending nuclear-related sanctions. And the only practical implication of a "no vote" is to restrict the president's authority to do that.

Therefore, in the event of a "no vote" whose veto is overridden by Congress, a chastened President Obama will still have until sometime in early-to-mid 2016 to improve the deal and secure Congressional authorization for him to remain on schedule to waive sanctions once Iran fulfills its responsibilities.

Here, in brief, are Rob's five questions and my responses:

**What about Russia and China?** Rob is correct; I don't discuss them. That is because the Iran deal is already premised on them being troublemakers and I see no reason to contest that assumption. Specifically, the agreement creates an eight-member commission empowered to adjudicate disputes about implementation and execution of the deal. Decisions will be by majority vote. Why is this important? Because it assumes Russia and China will side with Iran; the key players on whom the United States needs to rely are the four others -- Britain, France, Germany and the European Union (which has its own independent vote). Regardless of bad Russian and Chinese behavior, the Euros are the key to effective monitoring, verification and imposition of penalties for Iranian violations. In terms of the Iran deal, cooperation with the Euros is essential; with Moscow and Beijing, it is only preferable.

**Is this plan really less risky?** I believe it is best to start any new cooperative endeavor -- from marriage to international arms control agreements -- with as much clarity and openness as possible. When the opportunity exists to fix problems now, it is almost always a mistake to wait and count on fixing problems in the future. So while the option of voting no to compel the administration to improve the deal may have risks, those short-term risks are likely to be less severe than beginning a long-term arrangement knowing that it is already deeply flawed.

**Would any deal be acceptable to Obama's Republican foes?** I don't know -- I focus on Middle East, not American, politics. But the best way to secure congressional approval would be for the president to present a comprehensive set of improvements to Congress and the American people before the vote. My suggestion for the second-best way to do this is for the administration to approach responsible Republican legislators, such as Senator Bob Corker and Congressman Ed Royce, chairmen of the relevant international relations committees, to reach an understanding now to extend the congressional review period to accommodate the president's efforts to improve the deal. Given the president's disparagement of these legislators as being akin to the "death to America" crowd in Tehran, earning their partnership isn't easy. But they are mature, thick-skinned legislators who take their responsibilities seriously.

**Can't Israel get a lot of these goodies now?** Only one of the proposed improvements concerns Israel directly -- an offer to provide Israel with the Massive Ordnance Penetrator (MOP), a terrifying weapon that would ensure Israel maintained its own independent non-nuclear deterrent against Iran. Perhaps it could negotiate for this in talks with the administration. But that misses the point -- the administration should be publicly offering it to Israel as a way to complement America's own deterrence. And, of course, the question misses the larger point: it is certainly acceptable for President Obama to assert that the Iran agreement enhances American security; it is quite another for him to disparage the assessment of the prime minister of another country (in this case, another democratic country -- and an ally, too) who believes that the agreement poses a mortal threat to that country.

**Doesn't Satloff's plan assume Iran will behave rationally by implementing its requirements even if U.S. sanctions relief would be uncertain?** First, as I wrote, I believe the benefits to Iran of UN and European sanctions relief, combined with the possibility of securing U.S. sanctions relief in the future, are so attractive that Iran is likely to follow through on its part of the deal even if Congress rejects the agreement. Second and more generally, I try to

avoid terms such as "rational" because their meaning is in the eye of the beholder. Does a suicide bomber behave rationally? Would the ayatollahs be rational if they launched a nuclear-tipped missile at Israel, killing millions and destroying much of the Jewish state, if it triggered an Israeli response that killed only 20 million Iranians, a quarter of the population? I am not suggesting this is in the cards. My point is to ask that we banish from our exchange discussion of rationality because one person's insanity may be another's rationality. Put differently, any usefulness the term has depends on often-inscrutable inputs -- what are the goals and objectives? -- not just the obviously discernible outputs.

At the conclusion of his article, Rob posed one last big question: **Is it better to take the deal as is or enter the "murky" world I describe?** The simple answer is that both worlds are murky. After all, the Iran agreement is premised on the idea that Iran will cheat and we -- our intelligence agencies, our monitoring systems, the IAEA -- have to find them and stop them. So there is enough murkiness to go around.

The bottom line is that if Senators and Congressmen believe the deal provides, as President Obama says, a fool-proof, "permanent" solution to the Iran nuclear problem, they should vote for it. If, however, Senators and Congressmen are concerned about the flaws in the agreement and are hungry for the administration to take sensible measures to fix them, I believe the limited downside risk of voting no is greatly exceeded by the benefits of "a better deal."

*Robert Satloff is executive director of The Washington Institute.* ❖

*Jewish Journal*

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