

Why a Nuclear Deal with Iran Is So Hard

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Articles & Testimony

The requirements of a credible, sustainable agreement are at odds with Tehran's goal of confirming its status as a nuclear threshold state while preserving ambiguity about its capabilities.

It should have come as no surprise when talks between Iran and the P5+1 in Geneva two weeks ago ended without an interim confidence-building agreement -- apparently because the Islamic Republic could not accept a revised draft agreement that did not recognize its "right to enrich." Negotiations with Iran have always been difficult, protracted affairs -- in this case, made more fraught by differences between France and the other members of the P5+1. Diplomacy has been further complicated by the fact that Tehran hopes to use negotiations to confirm (if not legitimize) its status as a nuclear threshold state, while preserving a degree of ambiguity regarding its actual capabilities -- an outcome that the P5+1 is not likely to -- or at least should not -- agree to. Finding a way through these thickets will be key if nuclear diplomacy with Iran is to succeed.

WHAT THE NEGOTIATIONS ARE REALLY ABOUT

Although Iran's diplomats continue to emphasize that the Islamic Republic's interest in nuclear technology stems mainly from a desire to produce clean energy, one can get a better sense of the factors driving its nuclear program from [an infographic on Supreme Leader Ali Khamenei's website \(http://farsi.khamenei.ir/ndata/news/19965/B/13910308_0219965.jpg\)](http://farsi.khamenei.ir/ndata/news/19965/B/13910308_0219965.jpg) that describes how the regime's ultimate decision maker thinks about the matter.

Based on a content analysis of 44 of Khamenei's speeches on the topic since 2004, it identifies a dozen major achievements of Iran's policy of "nuclear resistance." Two pertain to the production of electricity and the freeing of Iranian oil for export; the remaining ten, however, describe how the nuclear program has contributed to Iran's independence, enabled it to resist alleged efforts by the West to keep the Muslim world weak and backwards, and enhanced the Islamic Republic's power, prestige, and influence in the Muslim world and beyond. The infographic

makes clear that the regime considers the nuclear program to be key to the country's future as a regional and aspiring great power.

Iran's nuclear program has, in fact, relatively little to do with the peaceful uses of nuclear energy. After all, Iran has built only one nuclear power plant that has operated only fitfully, and it has invested little in the infrastructure needed for a bona fide nuclear-energy program. Rather, its nuclear program has much more to do with Iran's place in the world, while nuclear negotiations are about the degree of nuclear latency (i.e., proximity to the bomb) the international community is willing to tolerate in the Islamic Republic. There should be no illusions about that.

THE GOALS OF TEHRAN'S NUCLEAR PROGRAM

This reading of Tehran's nuclear aspirations is borne out by its actions, which provide important insights into its nuclear strategy. Its past weapons research and development work (as documented by the IAEA) and its construction of a secret underground enrichment facility at Natanz (before its existence was exposed in 2002) suggest that Iran was pursuing a clandestine parallel nuclear program at that time. If Tehran could have secretly built a bomb without getting caught, it might have done so, unveiling this capability only in the event of a crisis or war. (The model for this may have been South Africa, which had secretly produced half a dozen nuclear devices by the late 1980s, intending to keep them secret. Only the end of apartheid brought the program to light.)

In its early negotiations with the EU3 which started following the exposure of Natanz, Tehran's goal was to deflect pressure, to deter preventive military action (believing that it would not be attacked as long as it was talking with the West), and to buy time to complete the critical facilities needed to enable a nuclear breakout.

Iran subsequently tried to build another secret underground enrichment facility at Fordow, whose existence was revealed by the United States in 2009. Twice burned, Tehran may have concluded that a parallel clandestine program is not a viable option at this time, though there are indications that some weapons research and development work continued. But there are no discernible signs that Tehran is building clandestine facilities elsewhere at this time, despite declaring in November 2009 that it would build ten more underground facilities like that at Fordow. Indeed, it would be the height of folly for it to do so while high-stakes negotiations are underway.

Thus, Tehran's goal is probably to continue to expand and upgrade its nuclear infrastructure so that if it were to decide to build a bomb, its nuclear infrastructure would be so vast, dispersed, and hardened that an effective Israeli or American strike would no longer be possible. Such a bombproof nuclear program would make Iran a nuclear threshold state with a rapid breakout capability, allowing it to, in effect, achieve "nuclear deterrence without the bomb" (since the United States and others would tread lightly every time there is a crisis with Iran, lest the latter exercise its nuclear option) -- or with the bomb, should it eventually opt to break out of the Nuclear Nonproliferation Treaty (NPT).

THE STRATEGIC LOGIC OF TEHRAN'S NUCLEAR DIPLOMACY

Iran's nuclear redlines have been carefully designed to advance this objective. The most important of these is Tehran's insistence that the P5+1 recognize its so-called "inalienable right to enrich." (Such a right does not formally exist in the NPT, which speaks of the "inalienable right...to develop research, production and use of nuclear energy for peaceful purposes.") Recognition of such a putative "right to enrich" would legitimize Iran's efforts to develop advanced enrichment capabilities and large stockpiles of enriched uranium. (It could also undermine global nonproliferation efforts by spurring the spread of enrichment technologies to countries that have thus far eschewed such a capability -- such as the UAE.)

Foreign Minister Mohammad Javad Zarif's statement this past weekend that "Not only do we consider that Iran's right to enrich is unnegotiable, but we see no need for that to be recognized as 'a right', because this right is inalienable and all countries must respect that," does not change the basic point that any decision by the P5+1 to

acquiesce to an Iranian enrichment capability would be spun by Tehran as a tacit acknowledgment of such a right.

While in the past Iran has expressed a willingness to give up part of its stockpile of enriched uranium in exchange for reactor fuel, prior to the recent round of negotiations in Geneva, senior negotiator Abbas Araghchi rejected demands that Iran ship out its stockpile of enriched uranium, stating that "we will negotiate regarding the form, amount, and various levels of enrichment, but the shipping of materials out of the country is our red line." So Iran will likely insist on retaining its stockpile of enriched uranium -- an essential component of any effort to achieve a latent breakout capability.

Iranian officials have also intimated that the Islamic Republic might accept restrictions on the number of centrifuges and level of enrichment. It is unlikely, however, to accept limitations on the type and quality of centrifuges it can deploy. There are centrifuges in use elsewhere that are more than one hundred times more efficient than Iran's, and it may hope to eventually produce such advanced machines. This would enable it to compensate for any numerical cap it agrees to by substituting quality for quantity. Should Iran develop more efficient centrifuges, it also would be much easier to make small, hard-to-detect clandestine enrichment plants.

To assuage such concerns, President Rouhani has offered "greater transparency" as a confidence building measure, though other officials such as Iranian Atomic Energy Organization chief Ali Akbar Salehi have proffered this with a caveat: that all monitoring activities be consistent with existing international regulations, laws, and treaties, and be approved by Iran's parliament. So, while Iran might ultimately agree to implement the IAEA's Additional Protocol (which many former nuclear inspectors consider inadequate), it is unlikely to accept more intrusive, tailored monitoring arrangements that would, in its eyes, reflect a discriminatory double standard toward Iran. (This has been Iran's long-standing position toward monitoring arrangements in past arms control negotiations.) A monitoring regime that provides just enough transparency to convey how quickly Iran could break out of the NPT, but not enough to catch a breakout in time to stop it, would undermine, rather than build, confidence -- though it would advance Iran's goal of being widely seen as a nuclear threshold state.

Ironically, it is the issue that is almost never mentioned that may have the greatest potential to sink a deal: Iran's refusal to cooperate with the IAEA's efforts to investigate possible military dimensions of its nuclear program. Tehran has repeatedly proffered offers of marginally greater transparency regarding its current nuclear activities, and declarations foreswearing any interest in nuclear weapons (such as the supreme leader's nuclear fatwa), as a substitute for cooperation on this issue. The reason is not hard to discern: any acknowledgement by Iran that it had a nuclear weapons program would blow up the regime's carefully constructed nuclear narrative: that allegations about an Iranian nuclear-weapons program are part of an American-Zionist conspiracy to isolate Iran and keep the Muslim world weak and in thrall to the West.

For a regime that is all about spin and image management, the admission that the concerns of the international community were not misplaced, and the consequent gutting of its nuclear narrative would be a devastating blow. And it would make a deal even harder to reach -- though it is hard to imagine a credible, sustainable deal without resolution of this issue. For any deal that overlooks Iranian stonewalling about the past will only encourage further Iranian stonewalling in the future.

CONCLUSIONS

For all these reasons, it will be difficult to square the requirements of a credible, sustainable agreement -- forthrightness regarding past nuclear activities, real transparency concerning current and future activities, and meaningful limits on enrichment and reprocessing -- with the Islamic Republic's goal of confirming its status as a nuclear threshold state while preserving a degree of ambiguity regarding its capabilities. And it will take more than "heroic flexibility" (to use Ayatollah Khamenei's phrase) to obtain such an agreement. Rather, it will require nothing

less than for Iran to truly embrace the goal of nuclear energy for peaceful purposes, by confirming its declaratory commitment to this goal with deeds to match. That would truly be change to believe in.

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