

The Joint Comprehensive Plan of Action (JCPOA) and the Military Balance in the Middle East

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Hearing on the Joint Comprehensive Plan of Action (JCPOA) and the Military Balance in the Middle East

The Permanent Revolution

More than three decades after its founding, the Islamic Republic remains an outlier in international relations. Most non-Western, revolutionary states eventually eschew a rigidly ideological foreign policy and accept the fundamental legitimacy of the international system. But Iran's leaders have remained committed to an ideology rooted in anti-Americanism and anti-Zionism. The resilience of Iran's Islamist enmities is striking. Iran's leadership continues to cling to radical policies even when such practices are detrimental to the country's other stated national interests and even when a sizable portion of the population rejects them.

The question then becomes why Iran's ruling elite continues to maintain this ideological template? After all, other revolutionary regimes, after initially using foreign policy for ideological purposes, later moved away from that approach. Why has China become more pragmatic but not Iran? The answer is that the Islamic Republic is different from its revolutionary counterparts in that the ideology of its state is its religion. It may

be a politicized and radicalized variation of Shia Islam, but religion is the official dogma. Revolutionary regimes usually change when their ardent supporters grow disillusioned and abandon their faith. It is, after all, much easier to be an ex-Marxist than an ex-Shia. In one instance, renouncing one's faith is political defection; in the other, apostasy. Although the Islamic Republic has become widely unpopular, for a small but fervent segment of the population it is still an important experiment in realizing God's will on earth.

Iran's revolution continues to challenge the concept of nation-state and the prevailing norms of the international system. The essence of the Islamic Republic's message is that the vitality of its vision at home is contingent on its relentless export. Moreover, because God's vision was not confined to a single nation, Iran's foreign policy would be an extension of its domestic revolutionary turmoil. For the clerical state, the global order is divided between two competing entities, nations whose priorities are defined by Western conventions; and Iran, whose ostensible purpose is to redeem a divine mandate. Of course, no country can persist on ideology alone. Iran has to operate its economy, deal with regional exigencies and meet the demands of its growing population. But its international relations would be characterized by revolutionary impulses continually struggling against the pull of pragmatism.

The Islamic Republic's internationalism has to have an antagonist, a foil against which to define itself. And a caricatured concept of the West has become the central pillar of the mullahs' Islamist imagination. The Western powers are rapacious imperialists determined to exploit the region's wealth for their own aggrandizement. Islamist themes soon followed, portraying the West as seeking to subjugate Muslims and impose its cultural template in the name of modernity. Disunity among Muslims, the autocracies populating the region, the failure of the Arab clerical class to assume the mantle of opposition and the young people's attraction to alien ideologies are seen as byproducts of a Western plot to sustain its dominance over Islam's realm.

In many ways, China's experience encapsulates the paradigm of the life cycle of a non-Western revolutionary state. Initially, the new regime rejects the existing state system and norms of international behavior. Foreign-policy decision making is dominated by ideological considerations, even if there are concessions made to pragmatic concerns. But, over time, a clear trajectory emerges. As new leaders come to power, the ideology is modified and later abandoned in favor of "normal" relations with other countries, usually to promote economic development and modernization.

Thus, Western policymakers continue to be puzzled over why Iran has not yet become a post-revolutionary country. What makes this case more peculiar is that by the late 1990s, Iran did appear to be following in the footsteps of states such as China and Vietnam. Yet this evolution was stymied by the resilience of the Islamic Republic's ideological mission. The institutional juggernaut of the revolution has contributed to this success, as has the elite molded in Ayatollah Ruhollah Khomeini's austere image. But Iran's foreign policy also has played a crucial role in sustaining this domestic ideological identity. A narrow segment of the conservative elite, commanding key institutions of the state, has fashioned a foreign policy designed to maintain the ideological character of the regime. And that remains a key ingredient in determining how the Islamic Republic thinks of itself and its role in a changing Middle East.

Iran and the New Middle East in the Aftermath of the Nuclear Agreement

For much of the past three decades, the Islamic Republic's inflammatory rhetoric and aggressive posture concealed the reality of its strategic loneliness. Iran is, after all, a Persian nation surrounded by Arab states who were suspicious of its revolution and its proclaimed objectives. The Gulf sheikdoms arrayed themselves behind the American shield, Iraq sustained its animosity toward Iran long after the end of its war, and the incumbent Sunni republics maintained a steady belligerence. Iran nurtured its lethal Hezbollah protégé and aided Palestinian rejectionist groups, but appeared hemmed in by the wall of Arab hostility. All this changed when Iraq was reclaimed by the Shias and the Arab Spring shook the foundations of the Sunni order. Today, the guardians of the Islamic Republic see a unique opportunity to project their power in a region beset by unpredictable transitions.

The key actors defining Iran's regional policy are not its urbane diplomats mingling with their Western counterparts in Europe, but the Revolutionary Guards, particularly the famed Quds Brigade. For the commander of the Quds Brigade, General Qassim Soleimani, the struggle to evict America from the region began in Iraq. "After the fall of Saddam, there was talk by various individuals that they should manage Iraq, but with Iraq's religious leaders and Iran's influence, America could not reach that goal," proclaimed Soleimani. The struggle moved on and today "Syria is the frontline of resistance." For the hardliners, the Sunni states attempting to dislodge Assad is really a means of weakening Iran. The survival and success of the Assad dynasty is now a central element of Iran's foreign policy.

The question then becomes what impact the nuclear deal will have on Iran and its regional surge. How will the Islamic Republic spend the billions of dollars it would receive as a result of the accord? Proponents of agreement insist that Iran will funnel much of this newfound wealth into its depleted economy. By their telling, even during dire economic times, Iran prioritized funding for its malign activities and thus does not need to steer new money in their direction. Such a curious justification overlooks how Iran's regional policies, and its internal dynamics, are undergoing momentous changes.

Supreme Leader Ali Khamenei stands as one of the most successful Persian imperialists in the history of modern Iran. In the 1970s, at the height of his power, the shah did not enjoy a commanding influence in Iraq. Lebanon's factional politics continued to elude him, the Assad dynasty was no mere subsidiary of Iran, and the Persian Gulf emirates resisted his pretensions. Today, Khamenei has essential control of much of the Iraqi state, he is the most important external actor in Syria, and Hezbollah provides him with not just a means of manipulating Lebanon's politics, but also shock troops who can be deployed on various war fronts. In the Gulf, the United States' crumbling alliances offer Iran many tempting opportunities.

Proponents of the view that Iran will not become a more aggressive regional power in the aftermath of a deal ignore how the Middle East has evolved since the Arab awakenings of 2011. The post-colonial Arab state system that featured the dominant nations of Egypt and Iraq is no more. Egypt is too preoccupied with internal squabbles to offer regional leadership while Iraq is a fragmented nation ruled by a Shia government ostracized from Sunni Arab councils. Iran has embarked on a dramatic new mission and is seeking to project its power into corners of the Middle East in ways that were never possible before. This is not traditional Iranian foreign policy with its sponsorship of terrorism and support for rejectionist groups targeting Israel; imperialism beckons the mullahs, but it is also economically burdensome. Without an arms control

agreement and the financial rewards it will bring—such as sanctions relief, the release of funds entrapped abroad, and new investments—Iran would find it difficult to subsidize this imperial surge.

Still, the claim that Iran will invest a portion of the economic spoils of a deal on domestic needs is not entirely wrong. President Hassan Rouhani belongs to the wing of Iranian politics that has long been attracted to the so-called China model, whereby a regime purchases domestic consent by providing a measure of economic opportunity to its stifled citizenry. Two years into Rouhani's tenure, his government stands as one of the most repressive in the post-revolutionary period. Many civil society activists languish in prison, media censorship has continued unabated, and the intelligence services remain abusive and unaccountable. The state cannot sustain such an oppressive order without ameliorating some of its constituents' misfortunes. It may come to pass that Iran, with its small, badly mismanaged economy, will not be able to emulate China's authoritarian model, especially since the Green Movement that enlivened Iran six years ago continues to cast a long shadow. But to have any hope of success in his aims, Rouhani needs an arms control agreement as much as Khamenei's Islamist imperialism.

The much-discussed terms of the impending agreement with Iran thus offer the theocracy all that it wants. The accord would concede a vast enrichment capacity, as well as accepting both a heavy water plant and a well-fortified underground enrichment facility that the United States once vowed to shutter. It would permit an elaborate research and development program while relying on an inspection regime that falls short of indispensable "anytime, anywhere" access. In the meantime, the sanctions architecture will be diminished, and the notion of ever "snapping back" sanctions into place once they are lifted is delusional. And because the agreement itself would be term-limited, there would be no practical limits on Iran's nuclear ambitions upon its expiration.

Containing Iran and Maintaining the Joint Comprehensive Plan of Action

The defenders of the nuclear agreement with Iran insist that the United States can still hold Iran accountable for its pernicious policies, regardless of an accord. Such assurances miss the point that maintenance of an arms control agreement is not always consistent with a coercive policy.

Signing a nuclear agreement with a nation acknowledges that that state is a responsible actor. The Joint Comprehensive Plan of Action suggests that the Islamic Republic will be left with a substantial nuclear infrastructure that is likely to grow, over time, in size and sophistication. By concluding an accord with Iran, the Obama administration is effectively vouching that the clerical regime is a suitable custodian of nuclear technologies and that it can be trusted with a program that may eventually reach an industrial scale. A nuclear agreement would not only legitimize Iran's program but also signal to the region that the United States sees Iran as a power whose claims have to be taken into account.

In the American imagination, arms control and détente are joined. Many in Washington are likely to call for improved relations with Iran given the deal. If the two powers can settle the nuclear issue, this thinking holds, then surely they can cooperate on topics of common concern such as the rise of Islamic State and ending Syria's civil war. A superpower that has grown tired of the burdens of the Arab world can reasonably turn to a seemingly responsible stakeholder to stabilize the region. Now, consider that in the 1970s the United States, feeling overstretched, turned to another arms-control partner, the Soviet Union, for help

extracting itself from Southeast Asia. The history of such actions isn't the only concern here: The notion of constraining Iran has no place in a policy that looks for areas of cooperation between the two states.

Even if the United States were determined to hold the line and push back against Iran's actions in the region, in the wake of a nuclear deal it may not have the necessary coercive power. For much of the past three decades, Washington has responded to Iranian terrorism and regional aggression by applying economic sanctions. But a nuclear agreement would commit the United States to lessening the financial pressure on Iran. Today, Iran is segregated from the global financial markets and sanctions inhibit its central bank. But with such sanctions revoked under an accord, future U.S. presidents' coercive options will be sparse. Subsequent administrations may have no choice but to use force or accommodate Iran, whatever its actions.

Unlike the United States, revolutionary regimes that enter nuclear agreements tend to see them as pathways to asserting power. During the heydays of arms control in the 1970s, the Soviet Union embarked on one of the most aggressive stages of its foreign policy. Moscow and its proxies took up the cause of militant actors throughout the Third World. And as part of the Helsinki Accords, the Kremlin obtained from Washington a formal recognition of its sphere of influence in Eastern Europe. The decade ended with the Soviet invasion of Afghanistan—the first time the Soviet Union had invaded a country outside Eastern Europe. In retrospect, these were a series of foolish and costly decisions. The Soviet experience, however, belies the notion that arms-control accords moderate ideological regimes.

The Islamic Republic looks upon the United States as a crestfallen imperial state seeking to dispense with its Arab inheritance. A staple of Supreme Leader Ayatollah Ali Khamenei's rhetoric is that the United States is a declining power, beset by problems at home. In his telling, it is the United States that needed an arms control agreement as a means of paving its exit from the Middle East. With Iran's actions and posture suggesting it is about to embark on its own expansive imperial mission, there might be little in way of coercive leverage that Washington can bring to bear. A hegemonic Iran may yet be the most consequential legacy of a nuclear accord.

The Road Ahead

The United States cannot have a viable strategy of pushing back on Iran without reconsidering key aspects of the JCPOA. As the JCPOA stands today, it is one of the most technologically permissive arms control accords in history. And it is an agreement that is likely to spark a cascade of proliferation as Iran's rivals and enemies seek to match its capabilities. However, a number of revisions to the agreement can help in strengthening it and ensuring that it is a less-deficient accord.

My colleague Eric Edelman and I recently proposed that the United States should return to the negotiating table and revisit some of the most problematic aspects of this agreement:

1. One of the most problematic aspects of the JCPOA is its sunset clause whereby the most essential restraints on Iran's program begin to fade in a decade. The United States should insist that upon the expiration of the sunset clause, the P5 + 1 countries and Iran should vote on whether to extend the agreement for an additional 10 years. A majority vote every 10 years should determine the longevity of the treaty and not some arbitrary time-clock. The precedent for such a move is the Nuclear Non-

Proliferation Treaty (NPT) itself. After the NPT expired after 25 years, it was not simply cast aside but all member states voted to extend it in perpetuity.

2. Limit Iran's centrifuges to IR-1s: The other disturbing aspect of the JCPOA is its research and development stipulations. Under the current agreement, Iran will have a right to begin installing advanced IR-8 centrifuges starting year 8. These machines operate approximately 17 times faster than Iran's current stock of centrifuges, allowing the Islamic Republic to dramatically increase its enrichment capacity. Moreover, given how few such machines will be needed to enrich uranium, Iran can easily develop small, surreptitious installations that may escape detection. By limiting Iran to its more primitive models, we can best guard against a sneak out option.
3. A more intrusive inspection regime: There has been much debate about "anytime anywhere" inspections versus the current plan that calls for an elaborate procedures and a 24-day waiting period. The inspection modality should resemble to the extent possible the South African model. When South Africa finally renounced its nuclear weapons, it provided the IAEA a full accounting of its previous nuclear history and access to its military installations. South Africa declared that it was prepared to offer the IAEA anytime, anywhere access. In practice, this meant that the inspectors could visit sites in South Africa in as little as a day. South Africa was determined to disarm and thus had no qualms about such extraordinary procedures. If Iran is similarly committed to proving its goodwill, it should concede to such a verification system.
4. The JCPOA has sensibly stipulated that all of Iran's spent fuel from its plutonium production will be sent out permanently. A similar procedure should be in place for Iran's enriched uranium. In essence, the enrichment aspect of the agreement should mirror its plutonium dimension.
5. The agreement must also address Iran's ballistic missile arsenal. The delivery systems are an indispensable aspect of Iran's nuclear weapons program. It is inconceivable that the pathways to Iran's nuclear weapons aspirations can be obstructed without addressing this important pillar of that program.

These and other measures can best forestall an Iranian bomb and stem the proliferation cascade in the Middle East. These steps are fairly modest and reasonable. It is unlikely that America's negotiating partners would disagree that these measures strengthen the agreement and perhaps anchor it on a bipartisan footing. I believe that the European states would support the United States should it want to revise aspects of this agreement. Nor do I think that a Russian Federation that views Iran's oil sector as competitive to its own petroleum industry will strenuously object. And if these powers agree, China will not obstruct a consensus rooted on simple but important set of demands. The one way that Congress can ensure that the executive branch returns to the negotiating table is to disapprove the JCPOA as it currently stands. There are ample precedents in the history of arms control whereby congressional objections has led U.S. diplomats to return to the table. During the Cold War, Senator Henry Jackson refused to approve SALT I unless the Nixon Administration agreed to his amendment that all future arms control accords between the United States and the Soviet Union must aim for strategic parity. His amendment expressed a sense of Congress that requested "the President to seek future treaty that, inter alia, would not limit the United States to levels of inter-continental strategic forces inferior to the limits provided for the Soviet Union." The Threshold Test Ban Treaty of 1974 was also initially blocked by the Senate because of concerns over Soviet compliance. To

ease congressional anxieties, the Nixon/Ford administrations had to engage in two additional years of negotiations. During the presidency of Bill Clinton, the Senate agreed to the ratification of the Chemical Weapons Test Ban Treaty only after inclusion of 28 conditions.

These and many other such examples testify to the important role that Congress has played in ensuring that the United States negotiates the best possible agreement. Given the enormous flaws of the JCPOA and the enormity of its importance, the Congress should aim to do no less.