

Is the P5+1 Nuclear Deal with Iran a Case of Buyers Regret? An Interview with Dr. Michael Rubin

by Jerry Gordon and Mike Bates (April 2015)




On a sun-splashed afternoon in the White House Rose Garden, April 2, 2015, President Obama announced a framework of a possible agreement between the P5+1 and the Islamic Republic of Iran. This was the uncertain result of 15 months of arduous and often contentious negotiations in Geneva and Lausanne, Switzerland following the acceptance by the parties of a Joint Plan of Action reached on November 24, 2013. Negotiations seeking to prevent Iran from achieving nuclear breakout have endured in various venues and forums for over 12 years. Yet, even this announcement is fraught with the daunting prospects of difficult negotiations and great uncertainty that a deal could finally be concluded. Critics cited major gaps in the framework. Among them were the ability of the International Atomic Energy Agency to identify and inspect nuclear developments sites, Iran's ability to retain and convert enriched material and sufficient centrifuges to produce nuclear weapons, resistance by Iran to disclosing requested information on previous military developments and retention of all nuclear enrichment infrastructure including the underground cavern at Fordow virtually impervious to air assault by the US or Israel and the questioned ability to "snap back sanctions" if Iran were caught cheating. The so-called parameters of the announced framework await the details in a final agreement to be reached by June 30, 2015. Yet, President Obama put a bold face on the framework as an "historic agreement" [saying](#):

"Today, after many months of tough, principled diplomacy, we have achieved the framework for that deal. And it is a good deal."

He said he is "convinced" that, if the framework leads to a final agreement, "it will make our country, our allies, and our world safer."

Two decades earlier, then President Clinton made **virtually** the same declaration about a similar framework for a deal with North Korea that ultimately failed to prevent the hermit

kingdom from producing and testing nuclear weapons and the missiles to deliver it. In fact, the Iranians admitted they were following the same negotiating strategy used by the North Koreans. The announcement by President Obama was immediately challenged by Israel Prime Minister Benjamin Netanyahu as a “bad deal” that threatened “the survival of Israel.” Congressional critics of the P5+1 framework suggested an early vote in mid-April 2015 on pending legislation to review whatever emerges as definitive on June 30th. Iranian Foreign Minister Javad Zarif in the Islamic republic’s Farsi statements criticized the State Department Fact Sheet of the announced framework as “lies.” Iran wanted an immediate lifting of all sanctions upon signing of a definitive agreement. Supreme Ruler Ayatollah Khamenei, who just prior to President Obama’s announcement at rally of hard liners in Tehran led a chorus of “death to America,” later indicated his indifference to a definitive nuclear deal [saying](#) on his website, “There has been nothing done and there is nothing binding I neither agree nor disagree.” Secretary of State Kerry in a PBS [interview](#) on April 8, 2015 said that Congress shouldn’t interfere with the Presidential diplomatic prerogatives, while at the same time suggesting that one of the major gaps identified in the framework, previous military developments at sites like Parchin, would be addressed in the final agreement. Kerry also warned Iran over its involvement in destabilizing Yemen reflected in Iranian naval vessels sent to Gulf of Aden to combat “pirates” while it spreads its hegemony in the Middle East. The US is now caught in a double bind. On the one hand, pursuing a diplomatic deal to prevent Iran from achieving nuclear breakout within few months time, while simultaneously supplying ally Saudi Arabia with weapons in a coalition air campaign against Iranian-backed Shia Houthi rebels in Yemen. President Obama’s sales pitches reflected in interviews with *New York Times* columnist Tom Friedman and NPR’s Morning Edition host Steve Inskeep didn’t help to clarify matters. The Friedman interview [revealed](#) conflicting statements about what he called “our best bet,” including one that he would prevent Iran from achieving nuclear breakout during his remaining term in office. The [NPR interview](#) had a statement from the President that Iran would have zero time to breakout in 10 to 13 years. Those statements added to the already heightened disquiet of America’s allies in the region, Israel, Saudi Arabia, the United Emirates and Egypt about the P5+1 deal. Against this background we reached out to Dr. Michael Rubin, resident scholar at the Washington, DC-based American Enterprise Institute and author of [“Dancing with the Devil: The Perils of Engaging Rogue Regimes.”](#)

 **Mike Bates:** Good afternoon and welcome back to Your Turn. We have with us in the studio Jerry Gordon, Senior Editor of the *New English Review* and its blog *The Iconoclast* and joining us by telephone is Resident Scholar of the American Enterprise Institute, Mike Rubin. Mike, welcome.



Michael Rubin: Thank you Mike.

Bates: We want to talk about what is happening or not happening or about to happen or whatever with this Iranian deal.



Jerry Gordon: Michael, good to have you back. Why in your opinion is this a bad deal?

Rubin: There are a few reasons why it's a bad deal. First of all it's not clear what the deal actually is. While most people who see it positively will point to what President Obama has said or what the State Department fact sheet said, the Iranians have a completely different understanding of what the deal was. At least when we had our negotiations with North Korea everyone agreed on what the text of the deal was. The second problem with the deal is that it's not as foolproof as President Obama has claimed. Verification is going to be near impossible.

Bates: Well and that North Korea deal didn't exactly work out anyway. On October 21, 1994 Bill Clinton's speech sounded an awful lot like Barack Obama's speech from the other day and guess who's got nuclear weapons? North Korea.

Rubin: One of the Iranian nuclear negotiators Hossein Mousavian has actually said that North Korea is an example to emulate rather than a regime to condemn. At the same time it's important to recognize that just as Barack Obama and his Administration have really exhibited great personal animosity toward Israeli Prime Minister Benjamin Netanyahu, the same thing happened back in 1994 when the South Korean President Kim Young Sam decided to criticize the deal saying it's naive and it's not airtight.

Bates: And time proved that they were correct.

Rubin: Absolutely. Now one of the problems with the verification is that it's the job of the International Atomic Energy Agency to verify. There are two problems here. Number one, the Iranians have said that their cooperation with the International Atomic Energy Agency is voluntary only and, number two, by the bylaws of the International Atomic Energy Agency, it is only allowed to inspect declared nuclear sites. If there is a secret site they have no power of inspection.

Bates: And even the declared site, it's scheduled, not surprise right?

Rubin: Absolutely. The Iranians have resisted any sort of surprise inspection. There are other issues which also haven't been addressed. There is a difference in the translation for example when it comes to the Arak heavy water reactor which produces plutonium as a by-product. President Obama has said plutonium production is going to be eliminated. The Iranians have said that plutonium production is going to be reduced. Well, the difference between eliminated and reduced is the difference between zero nuclear weapons and multiple nuclear weapons.

Gordon: Michael, what do you think Congress is going to be doing next week? Are they really going to be screwing up some courage so that they can pass some legislation saying they want to review this deal?

Rubin: It will be discussed, but I don't see any substantive action until we see what the deal becomes once the negotiators go back to work. This leads to another problem. In order to square the circle on the discrepancies between the U.S. and Iranian understandings, President Obama and Secretary of State John Kerry may offer even further concessions. It may turn out that even Democrats in Congress are going to say, "Hey, you are giving away too much." You know some people compare President Obama and the nuclear deal to Neville Chamberlain and Munich 1938. I actually think that's unfair because Neville Chamberlain was negotiating from a position of weakness; President Obama has been negotiating from a position of strength and giving away all the goods despite that.

Bates: And Adolph Hitler in 1938 did not say he was going to exterminate all of the Jews, the Iranians have so there are huge differences between those comparisons. Even though I still think it's a valid comparison.

Rubin: Absolutely. Actually, some people will say, and President Obama has hinted at this with regard to deterrence, that Iran is deterrable. I agree they are not a suicidal regime but what if they are terminally ill? What if you have a situation where they have nuclear weapons? It is not going to be ordinary Iranians celebrating in the street who control them;

rather, it is going to be the Islamic Revolutionary Guard Corps. If the regime is starting to collapse all around them like what happened in Romania in 1989 with Ceausescu, what's to stop that most ideologically pure unit of the Revolutionary Guards from launching nuclear weapons knowing the regime is going to change tomorrow anyway. That's where deterrence breaks down and unfortunately it's a scenario which President Obama doesn't take into account.

Bates: Not only are that but the Iranians are the world's largest sponsor of international terrorism, a fact that is acknowledged by the United Nations. It's not that I like the UN, but the left seems to, so you would think they would accept that as fact and their terrorist proxies have used every arrow in their quiver. If the Iranians get nuclear weapon who is to say that a terrorist proxy wouldn't smuggle one into some country and detonate it? And then the Iranians have deniability.

Rubin: I happen to think that's unlikely but it's still a good point. Still, here's a more basic problem: If Iran gets nuclear weapons, they may become so overconfident behind their own nuclear deterrence that they are going to start to lash out in other ways. Here's another big misunderstanding which President Obama has with regard to Iran. He looks at Iran as a normal state, as a status quo power. He doesn't understand the Islamic Republic is ideological. He doesn't understand it is a revisionist regime. The Iranians used to describe themselves as a regional power. Then, about five years ago, they started talking about themselves as a pan-regional power meaning not only the Persian Gulf but the Indian Ocean as well. Ever since this past November they have started talking about their Eastern boundaries, their strategic boundaries, being the Mediterranean and the Gulf of Aden. With some of the Iranian assistance we see going to Hamas, Hezbollah and now proxy groups going into Yemen, we know that it wasn't just mere rhetoric. They actually mean it.

Gordon: Michael, what is it that Americans should take away from Obama's sale pitch that we have seen over the course of this weekend with Tom Friedman and this morning on NPR?

Rubin: Well actually I kind of hope President Obama gets out there and speaks up more because every time he does we find out something new about the agreement. For example he told Tom Friedman, in his *New York Times* interview, that Iran would not develop nuclear weapons on Obama's watch. But Obama's watch runs out in twenty months and therefore that's not something that the Israelis or the Saudis or anyone else in the region wants to hear. It almost seems as if Obama is acknowledging that Iran is going to get nuclear weapons and he's going to kick the responsibility down to whoever comes next. Then when he talked to Steven Inskeep at National Public Radio, he got himself into trouble because he acknowledged that after ten years the Iranian breakout time could go down to zero. That, too, is not something anyone in the region

wants to hear. Even President Obama can't put lipstick on a pig.

Bates: What is Congress going to do or maybe a better question is what is Congress' legal role in this because the sanctions that have been imposed on Iran were done through a legislative act. It is the law. Does that law allow the President to unilaterally lift those sanctions when he thinks that they can be lifted or does it require a change in the law?

Rubin: Unfortunately President Obama holds more cards in this regard for a few reasons. Number one, the most biting sanctions on Iran were actually imposed by executive order by both President Clinton and President Bush. These include all of the sanctions against investment in Iran's oil industry. Congress has imposed some sanctions, but these often come with a waiver. President Obama in theory could waive them every six months. What I actually worry about, and we saw this with regards to the PLO, is even when Congress put in legislation that if there was any evidence that the PLO was conducting terrorism, that all American aid would need to be cut off, the State Department simply looked at this intelligence, ignored it, and lied to Congress. I'm not sure Congress has any means around that sort of duplicity.

Gordon: Michael, are you telling us that even if there is a deal on the table by June 30th that Congress will be in no position to squawk about it?

Rubin: No, what I was talking about is where the ball is in Obama's court. With that said, if Congress was really serious, they could take action. The question is whether the Democrats recognize that President Obama is a lame duck. He's a sinking ship. As the presidential campaign gets going, Democrats are going to be looking towards the future with a new leader rather than casting their lot with President Obama. What worries me with regard to President Obama is we see the real unvarnished Barack Obama. The ideological Barack Obama. So it might not only be with regard to Cuba and Iran that President Obama is going to act unilaterally. It could also be unilaterally recognizing Palestinian independence in the West Bank and Gaza.

Gordon: Michael, how unified are the Israelis behind Prime Minister Netanyahu's objections to this deal?

Rubin: I'm not an Israel analyst but the latest elections show that the security concerns which the Israelis have are real and they are not just limited toward conservatives within the Israeli political context. Look, the Israelis have lived in the post-Oslo era through right wing governments and left wing governments. They understand that terrorism can't be simply wished away with Washington rhetoric. You know in the eighteen months after the Oslo Accords were signed, three times more Israelis were killed in terrorist attacks than in the eighteen months before the Oslo Accords were signed. I lived in Israel while doing a post

doctorate at Hebrew University in 2001 and 2002. That was the height of the terrorist campaign and it was only because of the construction of the security fence that terrorism declined ninety percent. It wasn't because of some sea change among the Palestinians.

Bates: So what do you see the Israeli government doing other than complaining?

Rubin: I'm not sure how much options they really do have. However, the important thing to recognize is it's just not just the Israelis. It's the Saudis who are upset, it's the Kuwaitis, it's the United Arab Emirates, and it's the Egyptians. You have real unity in the Middle East for the first time in decades. However everything is in flux. Up is down and black is white. Now the big rejectionist states are not only Iran but also Turkey. Unfortunately President Obama defined President Recep Tayyip Erdoğan as one of his top five foreign friends.

Bates: Mike Rubin, we've got to run for the news and then we know you have to run. We appreciate you giving us the time that you did. We've been talking with Mike Rubin, Resident Scholar of the American Enterprise Institute. You can find him online at www.aei.org or on twitter at @mrubin1971.

[Listen](#) to the 1330amWEBY interview with Michael Rubin.

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