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For War Hawks, Iran Deal Dump Is Music to the Ears

By Daniel Larison
October 13, 2017

Donald Trump is expected to tell Congress as early as Friday that he will not to re-certify Iran's compliance with the 2015 nuclear deal, otherwise known as the Joint Comprehensive Plan of Action (JCPOA).

The Iran Nuclear Review Agreement Act, also known as Corker-Cardin, obliges the president to make this certification every 90 days. If he does not, Congress has a period of 60 days when it's able to reimpose nuclear-related sanctions that had been lifted as part of the nuclear deal. Despite grudgingly agreeing to approve the deal twice earlier this year, the president made plain over the summer that he didn't believe Iran was in compliance and would not certify again. While decertification will not mean an immediate U.S. withdrawal from the agreement, it will set into motion a process that's very likely to lead to the same result, and send a clear signal of the administration's determination to be rid of the deal in its current form.

This is folly.

While the administration claims it's seeking to pressure Iran into making more concessions, the pursuit of an imaginary "better" deal is designed to create political cover for reneging on U.S. obligations later on. None of the other parties to the nuclear deal is willing to renegotiate it, and our European allies have been adamant that they will continue to respect the agreement even if the U.S. reneges. Issuing new demands and calling for renegotiation when none of our allies

wants to reopen the matter will obviously fail, and will put unnecessary strain on relations with those governments.

There is no “better” deal to be had, in any case. The “flaws” in the current deal that the administration has criticized aren’t going to be “fixed” because there would have been no agreement without them. For example, the expiration of some restrictions on Iran’s nuclear program in 10 or 15 years is a normal part of any arms control agreement, and no government would accept severe restrictions in perpetuity. Demanding that sunset clauses be removed from the deal is demanding something that we already know Iran would never accept.

The decertification decision will kick the issue to Congress. Some Republican members, including Congressman Ed Royce and Senator Rand Paul, have expressed a preference to keep the deal in place so long as Iran remains in compliance. Hard-line opponents of the deal may not rush to reimpose sanctions right away, but it seems implausible that the same people who have fought tooth and nail against the agreement will miss their chance to blow it up. And if Congress does produce sanctions legislation in the next two months, it is fanciful to think Trump would veto a bill to keep an agreement he hates alive.

A leading proponent of decertification in the Senate, Arkansas Senator Tom Cotton, delivered a speech at the Council on Foreign Relations last week in which he laid out the views of the deal’s hardline opponents. Cotton was among the fiercest and loudest opponents of the agreement before it was made, and he has continued to look for ways to sabotage it. In his speech ^[1], Cotton made clear he isn’t really interested in getting a “better” deal with Tehran because he doesn’t think any deal with them has merit. He wants to create conditions that justify reneging on the agreement and then pursuing a more aggressive policy towards Iran, up to and including regime change. Nicholas Miller came ^[2] to the same conclusion.

At first glance, the desire to undermine the agreement makes no sense. The International Atomic Energy Agency (IAEA) has verified that Iran is complying with the deal’s terms in eight consecutive reports over the last two years. The agency’s inspections of Iran’s nuclear facilities are among the most thorough and extensive in the world. The deal appears to be working just as its creators intended, making it practically impossible for Iran to build a nuclear weapon. Despite all that, Trump insists it is one of the worst agreements ever made. To understand why Iran hawks loathe the JCPOA so much, we have to remember that it deprived them of their main pretext for launching an attack on Iran, and as long as the deal remains intact it creates an obstacle to war and the pursuit of regime change.

The immediate costs of decertification for the U.S. will include the loss of the trust of our allies, increased tensions with Iran, and much greater skepticism from all other governments the next time America wants to negotiate a major international agreement. If decertification leads to the U.S. breaching our obligations under the nuclear deal, as seems likely, all these costs will increase, and so will the chances of war with Iran.