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Negotiations with a Rogue
U.S. - Iran Nonproliferation Engagement
By Brigitta Sanchez-O'Brien

Introduction: Nonproliferation in Iran

The end of World War II marked a decades-long race towards the modernization of superpowers, culminating in the threat of nuclear warfare at the height of the Cold War. Tensions between global powers sped the world into a new era of negotiating a stop to nuclear proliferation, and in many instances, attempting to remove the possibility of nuclear weapons altogether. Mounting extremism and the threat of terrorism in recent decades has fueled this effort further, catalyzing U.S. nonproliferation negotiations with the Islamic Republic of Iran concurrently. While attempted talks aggravated existing animosity, they also spurred harsher sanctions internationally. The latter of which produced enough global pressure to successfully negotiate confines on Iran's nuclear program. In an unprecedented display of diplomacy, the Joint Comprehensive Plan of Action (JCPOA) was signed in 2015 by Iran, the European Union, and the UN Security Council's five permanent members—China, Russia, UK, France, and the United States—and Germany (the P5+1). However, the Iran Nuclear Deal began its collapse three years later when President Donald Trump pulled the U.S. out of the JCPOA.

Though interactions have fluctuated, U.S.-Iranian relations remain hostile, intensified by Iranian outrage at Washington's decision to pull out of the deal and reinstate sanctions. Iran's Supreme Leader initially promised future retaliation and has subsequently violated the JCPOA with increasing boldness. The U.S. maximum pressure campaign is again targeting the Iranian economy, and with no deal in place, much of the world is left wondering what Iran would be capable of with a nuclear weapon. Diplomacy has worn thin and peace remains elusive as calls for renewed negotiations have been across the globe—without avail. Now is the time to return to the basic question asked when U.S.-Iranian talks first commenced decades ago: is alternative dispute resolution a legitimate means for settling this conflict? Despite Iran's rogue history with the U.S., and notwithstanding escalating pressures both internal and external to Iran, the answer is yes. Negotiation is possible, but only under very particular circumstances moving forward. This paper will provide proof for why this is the case and outline a forward-looking negotiation strategy for settling the Iran-nuclear issue.

U.S. Relations with A Rogue Iran

U.S.-Iranian relations were largely nonexistent until covert U.S.-led operations organized a coup in 1953, in Iran, to overthrow democratically elected Mohammed Mossadeq. This came in response to global oil supply concerns after Mossadeq's nationalization of the Anglo-Iranian Oil Company just a few years prior. With the insurrection complete, U.S.-backed Mohammed Reza Pahlevi, Shah of Iran, officially established U.S.-Iranian relations. This formal commitment provided the Shah economic and military support from the U.S. in exchange for Western-centric policies which were highly controversial amongst the people of Iran.

It was under Pahlevi's rule in 1957 that Iran began their nuclear development. Iran's foundational nuclear capabilities came as a result of the U.S. Atoms for Peace program—originally created as a bargaining tool for long term non-proliferation with allies. The U.S. would provide “research reactors, fuel and scientific training to developing countries wanting civilian nuclear programs”¹ in exchange for the developing country's cooperation to use those nuclear programs solely for energy and research purposes. Under the Shah, Iran became a charter member of the Nuclear Nonproliferation Treaty (NPT) in 1968—even before more prominent global players such as France and China joined.² U.S.-Iranian relations were at their strongest under Pahlevi, and many in the U.S. considered Iran a principal ally; a sentiment that was not reciprocated by a considerable amount of the Iranian people and religious rulers. As American influence within Iran grew more prominent, U.S.-Iran relations became viewed as increasingly unacceptable by the Iranian public. Unrest evolved into revolution in 1979, led by religious leader Ayatollah Khomeini. The Shah sought asylum in the States, and Iran opened its theocratic rule with an attack on the U.S. embassy in Tehran, taking sixty Americans hostage in a cardinal display of rogue behavior towards the United States.

After the 1979 Revolution, the Islamic Republic of Iran established its authoritarian rule marked by violence and human rights abuses, silencing all opposition at home and abroad. Iran also began their support of international terrorism, funding the creation and maintenance of Hezbollah, the Lebanese terrorist organization Iran continues to utilize for their own foreign policy purposes. During the late 1980s and 1990s, Iran shunned negotiations with the U.S. concerning their nuclear programs, and pursued both public and hidden relations with Pakistan, China, and eventually Russia to complete development instead. Considering Iran's use of terrorism to silence opposition and continued efforts towards nuclear proliferation, Iran comfortably ranks itself amongst the host of “pariah states”³ political scientists have observed since the 1970s. Many of which were later termed “rogue.” This was done in an effort to classify extremist regimes ideologically divorced from dominant western philosophy. This classification is one means by which political scientists have sought to influence and educate current and future diplomatic interactions with “rogues.”

Former Pentagon official Michael Rubin points to Iran's utilization of diplomacy as influenced by their rogue behavior: “For the ayatollahs, diplomacy is a tactic to divide the international community, pocket concessions, and hold off sanctions or military strikes.”⁴

¹ *Sixty Years of “Atoms for Peace” and Iran's Nuclear Program*, The Brookings Institute, <https://www.brookings.edu/blog/up-front/2013/12/18/sixty-years-of-atoms-for-peace-and-irans-nuclear-program/> 2013

² Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. New York: Simon & Schuster, 2013. 34

³ Rubin, Michael. *Dancing with the Devil: The Perils of Engaging Rogue Regimes*. New York: Encounter Books, 2015. 2

⁴ Rubin, Michael. *Dancing with the Devil: The Perils of Engaging Rogue Regimes*. 83

Because of Iran's indulgent support of terrorism, the U.S. approached Iran with great caution, oftentimes offering more leeway and higher tolerance for Iranian officials than they otherwise might have—evidenced by a long history of Western accommodation in the face of Iranian defiance. Daniel L. Byman, Senior Fellow at the Center for Middle East Policy at the Brookings Institution, explains this response: “Washington recognizes that if it pushes Iran's leaders, they can push back. Terrorism thus complicates U.S. planning for stopping Iran's nuclear program and other top priorities.”⁵ This hesitation to push too hard coupled with unfailing abandonment of diplomacy led the U.S. to historically attempt peace talks at almost all costs, instead of exercising stricter engagement policies to hold the Iranian regime accountable for their statements and actions. Iran has spurned negotiations with the U.S. since the hostage crisis during the Carter administration, and this pattern has continued through subsequent presidential administrations. In response to Iran's unpredictable interactions, the U.S. pivoted its focus to expanding sanctions, simultaneously pressuring China and Russia to minimize their collaboration with the rogue state as well, especially their support for Iran's nuclear program.

During President George W. Bush's incumbency in 2002, the National Council of Resistance of Iran (NCRI) came forward with the information that Iran was operating two nuclear facilities which were previously undisclosed. When the International Atomic Energy Agency (IAEA) inspected the facilities under stipulations of Iran's NPT agreement, the IAEA “found traces of enriched uranium hexafluoride in the centrifuges, indicating that the centrifuges had been used to enrich uranium [a necessary component for the assembly of a nuclear weapon], which violated Iran's Safeguard Agreement with the IAEA.”⁶ Expert of Middle Eastern affairs, Kenneth M. Pollack, points to this violation of Iran's safeguard agreement as one of the first of several red flags that have since led the U.S. and other nations to question whether Iran is truly interested in a nuclear program solely for peaceful purposes as they have continually claimed. Not only have they backed and funded various terrorist organizations and attacks, they have begun pursuing components of a nuclear weapon. Iran was found to have imported large quantities of Chinese hydrogen hexafluoride and acquired unreported centrifuges, technology, and research from Pakistan. Moreover, Iran successfully kept the use of centrifuges undisclosed from the rest of the world. Concerns have developed regarding Iran's unpredictable and violent behavior. Many nations are fearful as to what Iran would do if a nuclear option became available to them, especially in an already tense Middle Eastern region. Despite terrorist sympathies, Pollack says the world should not necessarily be concerned that Iran would arm terrorists with nuclear weapons. He also speculates that, despite it being a major concern, “the least likely scenario is that Iran would acquire nuclear weapons and use them immediately against Israel. The same goes for Saudi Arabia, Turkey, and any other neighbor or adversary of Iran.”⁷ Pollack argues that Iran is aware that attacking a U.S. ally could mean their complete destruction as a result of U.S. retaliation. Even so, Iran's history of unpredictable and at times seemingly irrational behavior, including support of jihad, leaves open the possibility that they may use a weapon if acquired.

Additionally, proliferation leads to more proliferation. Iran is deeply committed to hegemonic pursuits in one of the most destabilized regions in the world.⁸ Scaling the conflict to a

⁵ Byman, Daniel L., “*Proxy Power: Understanding Iran's Use of Terrorism*.” Brookings Institute. July 28, 2016. <https://www.brookings.edu/opinions/proxy-power-understanding-irans-use-of-terrorism/>

⁶ Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. 39

⁷ Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. 66

⁸ Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. 10

race for nuclear weapons could prove to be the greatest mistake in Middle Eastern affairs to date. “We have made it very clear that if Iran acquires a nuclear capability, we’ll do everything we can to do the same,”⁹ Foreign Minister Adel al-Jubeir from Saudi Arabia told CNN. Keeping even the possibility of a nuclear weapon out of Iran as it currently stands is both of U.S. and global security interests. Iran’s propensity to take risks has varied over the years, but they have demonstrated a recurring hostility globally. Acquiring a nuclear weapon would amplify the threat Iran already poses to the rest of the world. What moderates Iran’s behavior from rivaling a more horrific level of destruction, similar to Hitler’s Germany, is the limited means at the regime’s disposal for advancing specific extremist ideologies.

Recognizing Iran as a threat to global security, the U.S. imposed stricter executive orders and congressional sanctions. Various UN Security Council Resolutions have also worked towards the same end and the Iranian economy suffered severely as a result. “The EU prohibition on purchasing Iranian oil—coupled with American and European efforts to convince China, India, Japan, South Korea, and other countries to reduce their own imports of Iranian oil” was largely successful, reducing Iranian oil exports by more than half from 2011 to 2012.¹⁰ However, this was also accompanied by unemployment rising to 36%, inflation peaking at 50%, and prices swelling 87-112%.¹¹ With pressures high on the Iranian government to do something about their economic situation, Iran signed the Joint Plan of Action in 2013. After years of economic deterioration, Iran’s negotiation efforts with France, Germany, and the U.K in the early 2000s expanded to include the U.S., Russia, China, and the EU. The Security Council’s P5+1 and the EU began a two-year process of peace talks with Iran towards what was later termed the Joint Comprehensive Plan of Action (JCPOA) or The Iran Nuclear Deal. Talks commenced on the condition that Iran would temporarily roll back certain aspects of its nuclear program development in exchange for a reduction in economic sanctions. This was the first global effort to resolve the threat of a nuclear Iran, as well as the first formal U.S.-Iranian agreement after failed diplomatic attempts since 1979. An achievement then Secretary of State, John Kerry, credited to the work of global sanctions.¹² The terms agreed to under the JCPOA were incremental in design, and would not be fully realized until Termination Day in October 2025, the tenth year anniversary of the plan’s adoption.¹³ The deal was created to restrict—but not end—Iranian nuclear development. Many restrictions would ease up in the last few years of the deal as well, further coinciding with removal of U.N., U.S., and EU sanctions. In a sign of reassurance, Iran agreed to regular inspections by the IAEA throughout.

The U.S. entered into the JCPOA under the Obama administration—a decision that sparked a considerable amount of domestic controversy. Iran’s human rights abuses had been left unaddressed and their support of terrorism was unaltered. However, President Obama steadfastly defended his participation in the JCPOA talks, arguing, “A nuclear-armed Iran is far more dangerous to Israel, to America, and to the world than an Iran that benefits from sanctions

⁹ “Iran Warns Trump: ‘You’ve Made a Mistake’ over Nuclear Deal.” BBC News. May 09, 2018. Accessed April 18, 2019. <https://www.bbc.com/news/world-us-canada-44057306>

¹⁰ Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. 133

¹¹ Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. 133

¹² Blair, David. “Iran Nuclear Deal Agreed at Geneva Talks.” The Telegraph. November 24, 2013. Accessed April 18, 2019. <https://www.telegraph.co.uk/news/worldnews/middleeast/iran/10470716/Iran-nuclear-deal-agreed-at-Geneva-talks.html>

¹³ “Fact Sheets & Briefs.” The Joint Comprehensive Plan of Action (JCPOA) at a Glance | Arms Control Association. Accessed April 18, 2019. <https://www.armscontrol.org/factsheets/JCPOA-at-a-glance>

relief.”¹⁴ He believed that slowing their nuclear development would bring stability at the close of the deal’s fifteen-year mark, and that if Iran were willing to accept the deal, the U.S. should be committed to accept it as well. He went so far as to analogize his engagement with Iran to that of President Nixon’s break-through with China in 1972. Springing on already fraying Soviet Union-Chinese relations, Nixon reached out to China in its isolation and began what he saw as a long transformative campaign. “The world cannot be safe until China changes. Thus, our aim, to the extent that we can influence events, should be to induce change. The way to do this is to persuade China that it must change: that it cannot satisfy its imperial ambitions.”¹⁵ Iranian-American policy analyst Karim Sadjadpour commented on Nixon’s success, crediting it to the fact that “...Mao had made a fundamental decision about his strategic shift, and he opened relations with the United States after concluding that the Soviet Union was a fundamental challenge to both of them.”¹⁶ Despite Obama’s claimed comparison, no such strategic shift ever came from the Iranian government and certainly not from their Supreme Leader. In fact, Iran has been openly hostile towards the U.S. since its revolution in 1979, with a very vocal “Death to America” rhetoric exemplifying the leading, albeit extreme, Iranian sentiment. Ayatollah Khamenei, for the first time in all the years of employing the use of that rhetoric, clarified last year that it was in reference to American leaders—not the American people. However, regardless of how far-reaching the sentiment is intended, this is one such display of fundamental ideologies at odds with successful negotiations between Iran and the U.S. Iran sat down to talk and eventually signed into the JCPOA due to economic and domestic pressure caused by the harsh effects of international sanctions. However, this “buying in” never came with a change in rogue behavior. There was never a shift in the nation’s domestic discourse on the JCPOA, let alone any on the acceptance of friendly relations with the United States. Perhaps longer-term change could have come as a result of Obama’s engagement and implementation of the deal. It is hard to make that argument, however, given the interruption of implementation when the U.S. departed from the JCPOA in 2018.

Negotiation with Iran & JCPOA Opposition

From the early days on his campaign trail, President Trump openly opposed the Iran Nuclear Deal. He continuously reminded Americans of Iran’s ballistic missile launches in violation of the JCPOA and argued that the deal in no way mitigated Iran’s ability to build a nuclear weapon, it merely delayed the possibility. He spoke of leaving the JCPOA on multiple occasions and was reluctant to renew the U.S. commitment as stipulated under the deal. Finally, Trump gave the European allies an ultimatum of 120 days to renegotiate the deal to fix the glaring flaws he found within it, or else he would pull the U.S. from the agreement. On May 8, 2018 President Trump announced an official departure, saying it would make America safer, and by November 2018, U.S. sanctions on Iran were reinstated and expanded.

A year prior to the U.S.’s departure from the Iran Nuclear Deal, Iran launched its first missile test since Trump had come into office, sparking renewed controversy over the breach of a Security Council resolution. The resolution in reference came at the close of the JCPOA and

¹⁴ "Remarks by the President on the Iran Nuclear Deal." National Archives and Records Administration. Accessed April 18, 2019. <https://obamawhitehouse.archives.gov/the-press-office/2015/08/05/remarks-president-iran-nuclear-deal>

¹⁵ Bosco, Joseph. "The One China Policy: What Would Nixon Do?" The Diplomat. January 05, 2017. Accessed April 18, 2019. <https://thediplomat.com/2017/01/the-one-china-policy-what-would-nixon-do/>

¹⁶ Sanger, David E. "Obama's Leap of Faith on Iran." The New York Times. December 21, 2017. Accessed April 18, 2019. <https://www.nytimes.com/2015/07/15/world/middleeast/iran-nuclear-deal-us.html>

stipulated that all activity relating to ballistic missiles capable of carrying a nuclear weapon was impermissible, including launches of such missiles. According to a New York Times article published at the time, Iran purportedly said that the lack of a nuclear weapons program simultaneously implied the lack of missile design to carry any such weapon.¹⁷ This was more of a loophole than legitimate explanation in the eyes of President Trump who viewed Iran's continued launches as a sign of defiance. A larger cause for abandoning the JCPOA, however, came in Trump's support of a larger crowd of American opposition, the camp shared by former Secretary of State Henry Kissinger. A Wall Street Journal published an op-ed written by Kissinger and George Shultz in 2013 where both point to the drawn-out nature of the JCPOA to have been to its discredit. The deal was signed after nearly a decade of negotiations and the time span of those talks played out in favor of the Iranian government. Negotiations became for the sake of saving negotiations in the face of Iranian obstinance to a deal. Kissinger and Shultz commented on the JCPOA negotiations saying, "If the ruling group in Iran is genuinely prepared to enter into cooperative relations with the United States and the rest of the world, the U.S. should welcome and encourage that shift. But progress should be judged by a change of program, not of tone."¹⁸ The fact that the JCPOA settled on pausing Iran's nuclear program as opposed to shutting it down, or even dismantling significant parts of it, explains not only who wielded more leverage during the JCPOA negotiations, but who maintains that leverage today. Iran, unwilling to concede more than oversight and some delay for their program, came out on top, maintaining most benefits from before negotiations, as well as acquiring sanctions relief and revenue linked to several lifted sanctions. Revenue Iran was free to spend in whatever way they wished—on public or clandestine investments. This is the fuller context of the rationale that led President Trump to walk away from the JCPOA. In terms of stopping Iran from acquiring nuclear weapons, alone, it was decidedly a bad deal.

In his book *On Compromise and Rotten Compromise*, Professor Avishi Margalit outlines two categorically illegitimate compromises, the first in relation to the content of the deal, and the second in relation to whom the deal is attempted with. Margalit says some actions are too reprehensible to compromise on. And some deals may ask one to negotiate with someone who is so far below one's threshold of reason and shared principles that any kind of compromise is hardly possible and morally unjustifiable. It could be argued that Iran is one such relation given their commitment to hegemony in the Middle East and the terrorism that accompanies that level of commitment. Their identity as a rogue regime makes interaction, especially in the way of diplomatic relations, very unadvisable without significant signs of reassurance to a commitment to peace. This draws attention to content; the JCPOA was negotiated to allow Iran to operate their nuclear facilities in a peaceful manner, minimizing their production abilities and limiting expansionary efforts. Before the JCPOA, "Tehran would have needed two to three months to produce enough weapons-grade HEU for a nuclear weapon."¹⁹ After the JCPOA, that breakout time was stretched to a year. Since Iran has broken further away from JCPOA restrictions, an IAEA report from November 2019 reported Iran's breakout time is now somewhere between 6-

¹⁷ Sanger, David E. "Iran Launches a Missile, Testing Trump's Vows of Strict Enforcement." The New York Times. January 30, 2017. Accessed April 18, 2019. https://www.nytimes.com/2017/01/30/world/middleeast/iran-missile-test.html?_r=0&module=inline

¹⁸ Kissinger, Henry A., and George P. Shultz. "Kissinger and Shultz: What a Final Iran Deal Must Do." The Wall Street Journal. December 02, 2013. Accessed April 18, 2019. <https://www.wsj.com/articles/what-a-final-iran-deal-must-dowhat-a-final-iran-deal-must-do-1386022915>

¹⁹ Congressional Research Service: *Iran's Nuclear Program: Status*. Updated April 1, 2019

10 months.²⁰ This is in the event Iran would attempt assembling a nuclear weapon— a weapon in violation of their NPT agreement.

Opponents to the JCPOA call the deal a “rotten compromise” because there were no long-term reassurances made by Iran to guarantee they would not pursue a nuclear weapon. Though Iran continually said their plants were for civilian use only, this is a hard claim to reconcile with the approach they have taken for nuclear development thus far. Not only are the Iranian nuclear facilities much larger than necessary to support a civilian program, but their past behavior has shown they consistently diverted resources away from their singular civilian nuclear power plant to build uranium enrichment programs instead, something Pollack says is indicative of a military, not a civilian program. Additionally, he adds, “Iran sits on the second-largest natural gas reserves in the world. Natural gas is cheaper and an easier method of generating power than nuclear.”²¹ Despite this insight into Iran’s past nuclear pursuits, the U.S. moved forward with the JCPOA which lessens the Iranian program’s output, but in no way reduces its potential. This is a major deficiency on Washington’s part, though there is no moral breach here that necessarily would constitute a rotten deal, at least not in terms of substance. It did, however, severely undermine what many put forth as the real American bottom line on the Iranian-nuclear issue: to ensure no room for Iran to acquire a weapon.

At the height of the Cold War standoff in 1986, President Ronald Reagan met Mikhail Gorbachev at a summit in Reykjavik to negotiate peace between the U.S. and Soviet Russia. The talks primarily consisted of arms control which included a ban that would end development of the U.S.’s budding Strategic Defense Initiative (SDI), the first outer space anti-ballistic defense effort. Reagan refused to include banning R&D on the SDI program, identifying this line of defense as his non-negotiable bottom line. Gorbachev, suspicious of Reagan’s commitment to the SDI and fearing the advantage it would provide the U.S. against the Soviet Union, insisted that it be given up in exchange for an end to the nuclear standoff. In what was considered one of the most shocking moments of the Cold War, President Reagan walked away from the deal. He wanted an end to the war, but not at the cost of compromising what he saw as America’s best interest. In walking away, however, he opened the door for later talks in 1987 where, after mounting Soviet economic pressures, Gorbachev dropped the issue and signed the Intermediate-Range Nuclear Forces (INF) Treaty, a vastly better negotiation in the eyes of the United States.

Some compare Trump’s departure from the Iran Nuclear Deal to Reagan’s walking out on the Reykjavik Summit. Trump’s bottom line is that he wants real concessions from Iran to ensure that whatever civilian nuclear program they will pursue will be downsized, or at the very least, dismantled in part. He wants a better, lasting deal, one that does not expire after fifteen years, and one which provides more long-term security against Iran’s nuclear development.²² That was Trump’s bottom line, one that he was willing to walk away over. The trouble with the comparison, however, is that Reagan walked away from a proposed deal, while President Trump walked away from a deal already in place, causing international alarm for the reliability of U.S. involvement moving forward. President Trump acted on his bottom line, but walking away from an established deal did not give him any of the advantages it would have potentially given

²⁰ Albright, David, and Stricker, Andrea, IAEA Iran Safeguards Report Analysis: Iran Commits Multiple Violations of The Nuclear Deal, Several Non-Reversible, November 13, 2019, Research Memo

²¹ Pollack, Kenneth M. *Unthinkable: Iran, the Bomb, and American Strategy*. 41

²² Maloney, Suzanne. “*Trump Wants a Bigger, Better Deal with Iran. What Does Tehran Want?*” Brookings. August 08, 2018. Accessed April 18, 2019. <https://www.brookings.edu/blog/order-from-chaos/2018/08/08/trump-wants-a-bigger-better-deal-with-iran-what-does-tehran-want/>

President Obama had he been the U.S. president to walk away and wait for sanctions to pressure Iran into conceding more.

Negotiation Proposal

The U.S. has remained outside of the JCPOA, and despite Iran's promised future retaliation, President Trump has stuck by his decision. Under the Trump administration, America has maintained its maximum pressure campaign by expanding sanctions, declaring the Islamic Revolutionary Guard Corps a terrorist organization,²³ and most recently targeting IRGC's General Qasem Soleimani. Despite tensions, however, alternative dispute resolution remains a feasible option for resolving U.S.-Iranian differences. Though not in the manner previously pursued under Obama's appeasement, nor in the manner in which President Trump has continued to pursue his own all-encompassing deal with Iran. Instead, if peace talks with Iran are to be both successful and effective, they must be pursued under a new framework. One informed by previous mistakes—built on checks and assurances.

Historically, the U.S. has been unable to trust Iran at their word. Moving forward, talks will lack credibility if Iran does not provide outwards signs of good faith and proof of cooperation by way of actions mirroring their rhetoric and vice versa. Simultaneously, the U.S. ought to abide by the same principle. Creating red lines, formalizing boundaries, and actually holding Iran accountable to those boundaries will be vital towards establishing legitimacy of intentions and action. If Iran begins to skirt boundaries or publicly denounces the U.S. during peace talks, the U.S. and allies must abide by their own terms and reimpose relevant sanctions. Otherwise diplomacy is undermined and talks for peace will accomplish little beyond making headlines. Negotiation between the U.S. and Iran is possible, but only within firm checks on the process and under new leadership. President Trump has increasingly isolated the U.S. from several global powers, and antagonized Khamenei to a point where the Supreme Leader has publicly renounced any chance of negotiations with President Trump and his administration. The reality of the matter is that talks will not progress forward in a meaningful nor productive way under current Iranian and U.S. leadership. In light of this political climate, the following negotiation proposal is made with President Trump's successor in mind.

Because Iran is a rogue regime, it is best to pursue negotiations through a collective global endeavor. The P5+ Germany and the EU, as in the case of the JCPOA, is the kind of negotiation effort the U.S. would need to pursue because their combined pressure alone creates enough leverage to negotiate with Iran. Moreover, their collective power is capable of ensuring terms of the deal are enforced. Washington's collaboration with the rest of the world to establish an alliance with unified interests is the first task in a forward-looking strategy to address Iran's nuclear activity.

Iran has prioritized sanctions relief and retaining their right as a sovereign nation to develop a nuclear program. Acknowledging that the U.S. is no longer a member of the JCPOA, let us assume President Trump's successor also wants to clarify the textual ballistic missile stipulations within the JCPOA, and "fix" other sections of the deal to reduce the chance of Iran building a nuclear weapon in the long run. If this assumption were true, the best solution for meeting both these interests would be to further negotiate, as opposed to renegotiate or dissolve the JCPOA.

²³ Wong, Edward, and Eric Schmitt. "Trump Designates Iran's Revolutionary Guard a Foreign Terrorist Group." *The New York Times*. April 08, 2019. Accessed April 18, 2019. <https://www.nytimes.com/2019/04/08/world/middleeast/trump-iran-revolutionary-guard-corps.html>

As mentioned earlier, the U.S. would need to prioritize talking to relevant global powers in the JCPOA. The nature of these talks, rather compromises, would determine if and how talks with Iran could commence. If global powers are unwilling to sanction Iran to a point where some agreement can be reached, then talks with Iran are off the table altogether. As previously presented, there is no leverage unless the international community is a united front. If only a few, or, worst case scenario, none at all want to be part of further negotiations with the U.S. and Iran, then the U.S. is left with a short list of options for engagement with Iran. Diplomatic talks is not one of them. If, however, the international community agrees to work with the U.S. in returning to the framework of the JCPOA, and if sanctions utilized for bringing Iran back to that framework can be agreed to, then the international community, collectively, can move towards further negotiations with Iran. Entering back into the JCPOA is in the U.S.'s best interest in order to have a say in negotiating Iran's nuclear program. It would also benefit the rest of the global powers in the lifting of U.S. sanctions, and the threat of tariffs and secondary sanctions. If the P5, Germany, and the EU agreed to an arrangement leading to further negotiation, Iran would be compelled to cooperate, or suffer all pre-JCPOA reinstated. It is in Iran's best interest for all post-breaking-of-the-JCPOA sanctions to be lifted, and for the maximum pressure campaign to ease. Furthermore, the U.S. could work towards a bipartisan plan that could win over Congressional support, offering further reassurance to Iran, and gaining broader international buy-in. In order for any of these assurances to be offered by the U.S., however, Iran must also be willing to do the same. Because they have not remained in accordance with JCPOA standards, Iran, in a display of good faith, would need to return to the deal. An IAEA inspection could verify such a return and should be used as a precondition for resuming talks with Iran.

While a complete nuclear program shut down would not be acceptable to Iran, the U.S. could offer a nearly complete removal of sanctions and increased trade agreements in exchange for Iran to dismantle their nuclear program to civilian size, and remove all stored centrifuges already not allowed operable under the JCPOA terms. A ballistic missile clarification ought to be pursued next, where limitation or elimination of launches could serve as proof that Iran is sincerely interested in peacefully building up their nation and not trying to exert military force to achieve greater hegemony in the region. In addition to abiding by this term of the agreement, the U.S. ought to lead the other global powers to explicitly acknowledge all UN Resolutions applicable to Iran as red lines and inform Iran that a breach of any would result in a snapback of sanctions. It is imperative that both the U.S. and other global powers follow through with these, or whatever boundaries would be drawn up. Especially given Iran's history of testing the limits of U.S. terms and willingness to enforce red lines. A failure to meet either would undermine all negotiations and whatever deal is able to be reached in the end.

In line with U.S. interests for the future of non-proliferation efforts, this deal ought to be negotiated as a long-term plan. Proposed as a deal that would be revisited, not completed, in another twenty years in addition to the initial fifteen, with IAEA inspections throughout. This would be a deal of containment, made with the acknowledgement that so long as the Iranian regime established under fundamentalist ideologies in 1979 remained in power, Iran could not be left completely alone to expand their nuclear program.

While hardliners still largely run the government in Iran, their younger generations have displayed increasing opposition to the Ayatollah's management, beginning primarily in 2009, but reviving and increasing further in 2017. The people of Iran ought to be remembered amidst these talks—they are the ones who suffer from international sanctions. At the same time, however, growing anxiety over these sanctions is what has motivated them to pressure their government

into more substantial cooperation with the West. Given this current internal climate in Iran, the hope for this deal of containment is twofold. Firstly, if the regime wants to remain in power, they need to abide by their deals with the West so as to keep their people from overthrowing the 1979 regime. And secondly, pursuing long-term containment increases the chances that Iran may eventually experience an internal transformation, which, without any Western involvement, could be a very good thing both for the Iranian people and the rest of the world. As mentioned previously, it is Iran's regime that poses the biggest threat and not necessarily an advanced nuclear program in and of itself. In the event that a more moderate rule of ideology was to govern Iran, the U.S. and global powers could reassess the deal, asking whether Iran could be trusted to act as a stable member of the international community.

Of course, these conclusions are predicated on the assumption that Iran will heed international sanctions and return to the deal and sit through further negotiations. Iran may refuse any or all of those steps of negotiation, and instead settle to independently seek covert nuclear aid from Russia as they did in the past.²⁴ This would certainly be extreme behavior on their part, which, though not unusual for Iran, is very unlikely given their domestic pressures to save their economy. In the event that they did refuse further negotiation, the U.S. ought to draw allies away from a broken JCPOA altogether. And in place of an agreement and to the degree progress is discernible from IAEA inspections and gathered intelligence, the U.S. ought to consider other means of preventing Iran from assembling a nuclear weapon. With the collaboration of the international community wherever possible. Force, though a highly unfavorable choice to say the least, is one extreme measure that ought to be considered in a worst-case scenario where and if it is concluded Iran is assembling nuclear weapon. Negotiations are not always successful. Neither are they always an appropriate response to resolving particular conflicts. More extreme responses outside of diplomacy and alternative dispute resolution are rarely politically popular, which is why they are historically adopted as a last resort. In the event an agreement is not reached, and Iran continued to build a nuclear program, the U.S. would be tasked with weighing the tradeoffs of continuing to pursue "peace talks" or looking to other means of preventing a nuclear Iran.

Conclusion: Containment Working Towards Peace

As long as Iran displays rogue behavior in upholding the ideology of their regime, nuclear nonproliferation remains a principal concern for U.S. and global security. While alternative dispute resolution methods have had mixed results in the past, there is a good chance of their success under new leadership and defined boundaries. If guided appropriately by the necessary pressures, negotiations could produce a plan of containment that may very well provide a suitable answer to a nuclear Iran. Moreover, younger Iranian generations have begun to openly resent the ideology which fueled the 1979 Revolution. Protests and growing cohesiveness amongst the people of Iran has begun what appears to be a gradual shift towards reforming to a more moderate regime—and if the rest of the world can contain Iran long enough, they may just succeed.

²⁴ "Iran." Nuclear Threat Initiative - Ten Years of Building a Safer World. Accessed April 18, 2019. <https://www.nti.org/learn/countries/iran/nuclear/>

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