

THE MUTUAL DISTRUST AND THE PROSPECTS FOR RESTORATION OF IRAN NUCLEAR DEAL

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Abstract

Despite the historic distrust between Iran and United States, signing of a landmark nuclear deal emerged as a hope for regional and international stability. This deal is supported by global powers and covered by UN Security Council Resolution but the unilateral withdrawal of Trump administration and Iran's partial withdrawal raised serious concerns for all stakeholders. However, Joe Biden's election as the US president brings hope that the deal will be revived. The victory of Iranian hardliners in the Parliamentary Elections of 2020 and the success of a conservative president in 2021, presents a gloomy scenario. The paper addresses the factors responsible for mutual distrust between the two nations and how, Tehran and Washington managed to overcome it for reaching a nuclear deal? The paper looks into the future of Joint Comprehensive Plan of Action. It highlights the attempts made to halt the Iranian nuclear program and emphasizes the significance of an Iranian Nuclear Deal. The options for Iran in the nuclear context are also under discussion in the wake of a recent rapprochement between Israel and Arab States.

Keywords: Iran, US, JCPOA, Distrust, Game Theory, Israel, NPT

Introduction

The Iranian Nuclear Program has been one of the major reasons for disharmony between Iran and United States. The uncertainty over Iran's nuclear ambitions has its roots in the 1979 revolution and its aftermath. Though Iran acquired nuclear knowledge and related facilities in late 1950s under the "Atoms for Peace" program initiated by the US, didn't pose any threat to the regional order back then.¹ Iran, under Pahlavi Monarch Muhammad Reza

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¹ Shinsuke Tomotsugu, "After the Hegemony of the "Atoms for Peace" Program: Multilateral Non-proliferation Policy under the Nixon and Ford Administrations,"

Shah, was not only an ally and in cliental relationship with the US,² but also emerged as the security guarantor for the US policies against the Soviet Union. Furthermore, by signing the Non-Proliferation Treaty (NPT) on July 1, 1968, Iran like other nations, not only addressed the proliferation concerns of international community but also increased the prospects of nuclear cooperation with the US. During that time India, Pakistan and Israel, all were struggling hard to get their hands on the bomb; Shah's intentions to make Iran a Nuclear State manifested³. The nuclear-armed Iran under Shah could have been a strengthening factor for the US against Soviet Union rather than a threat. But the domestic turmoil which led to the revolutionary stride within Iran transferred the nuclear technology to the new Islamic and anti-US government which became the source of enmity for the US. From there, the nuclear capability of Iran was perceived as a threat by the US and allies due to Iran's exclusion from the US camp, and its consistent opposition to the US policies in the region.

Since the revolution in Iran, West, mainly the US, has been trying to rein the nuclear ambitions of Iran and prevent Iran from reaching the threshold. Joint Comprehensive Plan of Action (JCPOA) was the first ever step that was taken towards resolving Iran's nuclear crisis to the satisfaction of each party. For Iran, it was important from the perspective of lifting up the sanctions. For the West, it guarantees the regional and world security by making Iran compliant to carrying out the non-military nuclear program only. However, the withdrawal of the US from the Iran Nuclear Deal in 2018 has compelled Iran to look for other options i.e. building up its military hardware and enriching the uranium beyond the deal's limits. This is because of the new round of sanctions by the US has seriously damaged the Iranian economy. Resultantly, the warning of partial withdrawal by Iran from the deal has already raised questions over its viability.

With the US having pulled out of the deal, Europe's failure to bring the US back and Iran's policy of partial withdrawal, the deal gives the impression to be sabotaged but in post Trump period Joe Biden administration has showed intentions to resuscitate it. The article first discusses the historical events regarding post-Revolution Iranian nuclear program and then analyses the scenario of partial withdrawal of Iran from the deal, and its impacts and

The Japanese Journal of American Studies, No. 27 (2016): 167-188, http://www.jaas.gr.jp/jjas/pdf/2016/08_TOMOTSUGU.pdf.

² Mark J. Gasiorowski, *U.S. Foreign Policy and the Shah: Building a Client State in Iran*, (Ithaca, NY: Cornell University Press, 1991), <https://doi.org/10.7591/9781501735387>.

³ Seyed Hossein Mousavian, *The Iranian Nuclear Crisis: A Memoir*, (Washington DC: Carnegie Endowment for International Peace, 2012), 50.

consequences for the region. The article also discusses the possibility of having another deal.

Theoretical Framework

The article analyses the case of Iran's nuclear deal through the prism of Game Theory. The theory was developed by Jon Von Neumann and Oskar Morgenstern in 1944 to solve the problems of economics primarily.⁴ However, the theory expands its scope in political science through the extensive development of sub-concepts. In international politics, game theory takes the states as players of the game that strategize their actions in response to the emerging situations. It provides a comprehension of available options, outcomes and pay offs to each player in order to assure the rational decision-making process. As per the theory, the actions of the states are dependent upon both their own decisions and the behaviour of other states i.e. independent and interdependent respectively.⁵ In the context of Iran's nuclear issue and the US-Iran adversarial relations, the prevailing developments are based upon two factors i.e. the mutual distrust of each other's actions and the overall unaltered scenario after any interactions. Hence, two sub-categories of Game Theory would address these problems – Prisoner's Dilemma and Zero Sum Game.

In prisoner's dilemma, two players A and B are provided with the situation separately in which their mutual cooperation would benefit both while if one defects, the other would have the repercussions while the first one would be benefitted.⁶ Since, both the players are sceptical of each other's action; they both tend to defect against the other in order to assure their respective interests. Nevertheless, such an approach would eventually be catastrophic for both the players. Similarly, both US and Iran view each other's actions with suspicion and try to maximize their own self-interest instead of going towards cooperation. Given the withdrawal of the US from Joint Comprehensive Plan of Action (JCPOA), the distrust is further deep-rooted into the psychologies of the US and Iranian policymakers. Hence, both the states tend to maximize their interests at the expense of the other. By sanctioning Iran's nuclear program, the US consolidates its partnership with the regional allies and tries to cripple Iran's economy to revise its regional policies. On the other hand, instead of complying with the US demands, Iran's behaviour is confrontational i.e. resuming the enrichment of Uranium.

Aligned with the aforementioned concept, the other subset of Game Theory i.e. Zero Sum Game highlights the future course of the Iran Nuclear

⁴ John Von Neumann, Oskar Morgenstern, *Theory of Games and Economic Behaviour*, (New Jersey: Princeton University Press, 1944).

⁵ Bellal Ahmed Bhuiyan, "An Overview of Game Theory and Some Applications," *Philosophy and Progress* LIX-LX, no. 1-2 (2016): 111-128.

⁶ Kenneth A. Oye, "Explaining Cooperation under Anarchy: Hypotheses and Strategies," *World Politics* 38, no. 1 (1985): 1-24.

Deal. Zero Sum Game is the situation in which the gains of one player are equal to the losses of another or vice versa. Hence, the net gain or loss remains zero.⁷ This approach highlights the continuous entanglement and the persistence of the conflict between the two players. Unlike this, in a non-zero sum game, both the players cooperate with each other to conclude a mediocre deal which would benefit both. The preconditions set by the US for Iran revolve around its missile program and regional policies in which Iran is not willing to concede. Such a scenario reflects the situation in which the conflict would persist. Hence, if the US manages to employ its policy against Iran successfully, this would provoke Iran to respond considering the loss it would have to bear. Thus, the vitality of the deal lies in cooperation and compromise while analysing the future of the deal.

Post-Revolution Iranian Motives

The nuclear program of Iran flourished before the revolution due to two main reasons. One was American assistance while the other was Shah's personal interest in acquiring nuclear weapons⁸. With the advent of the revolution, both of these factors were gone. The rift with the US led to the severed diplomatic relations which persists till today. The new regime in Iran, inspired by the religious tendencies, drew laws on the basis of Islamic Shariah. For them, any such weapon which would cause the mass destruction was strictly forbidden which led to the decision of Ayatollah Khomeini to issue a religious decree (fatwa) against use of nuclear weapons.⁹

The main logic for Iran's nuclear program in post 1979 era is peaceful purposes of nuclear technology like its use for agriculture, medicine and as an alternative source of cheap energy.¹⁰ Such objectives can be justified in wake of the US led European Union and UNSC sanctions against Iran. According to some western sources the war with Iraq and Saddam's chemical weapon attacks on Iranian cities where the US remained silent, pushed Iran to look for an enhanced security option. From there, the perceived revival of Iranian Nuclear Program occurred. Not only Iran opened up new research centres for nuclear program but also enhanced collaboration with China and Russia to equip itself with nuclear reactors; it was perceived by the US as a formation of anti-US

⁷ Peter G. Bennett, "Modelling Decisions in International Relations: Game Theory and Beyond," *Mershon International Studies Review* 39, no. 1 (1995): 19-52.

⁸ Md. Thowhidul Islam, "The Nuclearization of Iran and Policy of Russia," *Asian and African Studies* 22, no. 2 (2013): 248-278.

⁹ Rolf Mowatt Larssen, *Islam and the Bomb Religious Justification For and Against Nuclear Weapons*, (Cambridge: Belfer Center for Science and International Affairs, 2011), 50.

¹⁰ A. A. Gul, "Iran's Pursuit of Peaceful Nuclear Technology," *Pakistan Horizon* 65, No. 1 (January 2012): 35-52.

bloc.¹¹ Such collaborations were termed as peaceful and for civilian purposes by the Iranian authorities. The concerns, however, deepened due to ambiguity over Iranian nuclear sites which were inaccessible and led to various speculations. The US nuclear cooperation with Iran led it to have a blind eye towards the possibility of a nuclear Iran under Shah by believing that it would not be a threat to the US interests in the region.¹² However, drastic change of events and alliances after the revolution made the US concerned regarding Iranian Nuclear Program. The main factor behind the US suspicion was its inaccessibility to Iranian nuclear sites and its intentions of reviving nuclear program during Iran-Iraq War.

Iranian attempts to make the nuclear plants functional and the US suspicion over it differed greatly in their respective assessments. For Iran, resuming its nuclear program and cooperation with China and Russia served three purposes. Firstly, it helped to overcome the energy crisis; eventually overcoming the economic hardships which erupted after the devastating war with Iraq. Secondly, to have the nuclear collaboration that would serve as a deterrent against the enemies. The unrestricted power given to Saddam by the US against Iran could only be countered by acquiring a similar supremacy over the technology i.e. nuclear arsenal against chemical weapons. Lastly, since Iran had always criticised the US for its duplicitous standards, turning towards East i.e. China and Russia, validated its role in international politics and strengthened its diplomatic posture to overcome the isolation.

Amidst such mistrust, it was vital to look for a diplomatic solution, which would be in accordance with the demands of each party. Two agreements between the international community and Iran over the Iranian nuclear program have been reached so far i.e. Paris Agreement and JCPOA. Both of these initiatives involved the compromise and compensation by both the parties, however, these agreements couldn't survive, partly due to the suspicion of each other's actions.

The Failure of Paris Agreement

Paris Agreement was the first ever effort to find the purposeful solution of Iranian Nuclear Program while offering incentives and demanding restrains from Iran. The agreement was finalized after the mutual consensus of three European states, United Kingdom, France and Germany. In exchange, Iran would be assisted by the international community for the development of its Civil Nuclear Program, granting Iran the international acceptance for its

¹¹ Anthony H. Cordesman, "Iran and Nuclear Weapons," *Centre for Strategic and International Studies*, March 24, 2000, https://csiswebsiteprod.s3.amazonaws.com/s3fspublic/legacy_files/files/media/csis/pubs/iranbackground032100.pdf.

¹² Rohan Alvandi, *Nixon, Kissinger, and the Shah: The United States and Iran in the Cold War*, (London: Oxford University Press, 2014), 138-140.

Nuclear Program.¹³ Prior to this, Iran's commitment to accepting IAEA's (International Atomic Energy Agency) Additional Protocols in 2003 also showed signs of Iran's conciliatory approach with the international community.¹⁴ However, Iran's persistence in not allowing the IAEA's inspection team to test the material at nuclear sites was followed by its withdrawal from the Paris Agreement after the election of Ahmadinejad as the President which depicted the gravity of scepticism over the persistence of such agreements. Eventually, two main factors led to its failure.

Absence of UNSC Resolution

The first reason was its incompetency of not having the legal binding.¹⁵ There was no UNSC resolution which would ratify it and bring the negotiating parties under the premises of international law. The US was not part of this agreement and it was more of a European led initiative to avoid any military catastrophe and to create the prospects of establishing the trade relations with energy rich Iran.

Non-Clarity of the Postulates

Second reason was the ambiguity in the postulates of the agreement. The agreement highlighted the necessity for Iran to quit the conversion activities of fission material. However, being the signatory of Non-Proliferation Treaty (NPT) Iran argued regarding its right to have the nuclear technology for peaceful purposes as cited in Article IV and Article V of NPT.¹⁶ This was deemed by European states as breach of the agreement as it could clandestinely tantamount to Iran's acquisition of nuclear weapons. Thus, by depriving Iran of enriching the uranium under NPT conditions, finally led to the disengagement between Iran and the European States.

¹³ Colette Mazzucelli, "EU3-Iranian Nuclear Diplomacy: Implications for US Policy in the Middle East," *EUROPEAN Union Miami Analysis* 4, no. 6 (2007): 1-10.

¹⁴ International Atomic Energy Agency, "Iran Signs Additional Protocol on Nuclear Safeguards," December 18, 2003, <https://www.iaea.org/newscenter/news/iran-signs-additional-protocol-nuclear-safeguards>.

¹⁵ IAEA, "Communication dated 26 November 2004 Received from the Permanent Representatives of France, Germany, the Islamic Republic of Iran and the United Kingdom Concerning the Agreement Signed in Paris on 15 November 2004," INFCIRC/637, (Vienna), November 26, 2004, <https://www.iaea.org/sites/default/files/publications/documents/infcircs/2004/infirc637.pdf>.

¹⁶ IAEA, "Treaty on the Non-Proliferation of Nuclear Weapons," INFCIRC/140, (London, Moscow, Washington), April 22, 1970, <https://www.iaea.org/sites/default/files/publications/documents/infcircs/1970/infirc140.pdf>.

JCPOA: The Purposeful Engagement

Joint Comprehensive Plan of Action (JCPOA), was concluded between five permanent members of UNSC in addition with Germany (P5 +1). Under this agreement, Iran was bound to keep the Uranium enrichment under 3.67 percent for 15 years and no further production of IR-1 centrifuges.¹⁷ In exchange, the UN, the US and EU imposed economic sanctions on Iran would be lifted in a systematic manner.¹⁸ The postulates of the deal were modelled in such style which could ensure the positive-sum-game for both sides.

Domestic Political Changes in the US and Iran

Since the beginning of his Presidency in 2008, Obama had taken a reconciliatory approach towards Iran while emphasizing upon the negotiations rather than the conflictual policy which marked a shift from the policies of his predecessors.¹⁹ Obama tried to engage Iran in direct talks which remained the pivot of his foreign policy throughout his tenure. From the Iranian end, victory of Reformist candidate, Hassan Rouhani, in the 2013 Presidential Elections, provided the ray of hope that the engagement would be reciprocated by Iranians. The telephonic conversation between Obama and Rouhani²⁰ indicated the willingness of both sides to find the diplomatic solution as it was the first time since 1979 that the talks at such high level had taken place between the two countries. Through this inter-subjectivity, both the parties agreed to have nuclear negotiations.

Legality of the Deal

Unlike the Paris Agreement, JCPOA was validated due to its ratification from UNSC under Resolution 2231, hence making it a part of International Law, requiring each participant to endorse it. To prevent the deal from falling into jeopardy, proper mechanism was channelized to consolidate the power of deal and to stop the parties from unilateral withdrawal. Paragraph 36 of JCPOA, arguably hinted at the procedure which should have been adopted in case of any concerns shared by any party. Moreover, endorsing the UNSCR 2231, the

¹⁷ Arms Control Association, "The Joint Comprehensive Plan of Action (JCPOA) at a Glance," October 2020, <https://www.armscontrol.org/factsheets/JCPOA-at-a-glance>.

¹⁸ Ibid.

¹⁹ Claudia Castiglioni, "Obama's Policy toward Iran: Comparing First and Second Term," *ISPI Online*, no 220 (2013): 1-12.

²⁰ Jeff Mason, Louis Charbonneau, "Obama, Iran's Rouhani hold Historic Phone Call," *Reuters*, September 28, 2013, <https://www.reuters.com/article/us-un-assembly-iran/obama-irans-rouhani-hold-historic-phone-call-idusb98q16s20130928>.

Vienna Convention of 1969²¹ had also put the responsibility upon each party to fulfil the commitments made under JCPOA in accordance with law binding agreements.

The US Withdrawal: Rationale and the Failure of the Deal

Despite the extensively drafted work that went into finalisation of JCPOA, the US withdrew from the deal on May 18, 2018. It proved to be the provoking factor in the deterioration of US-Iran ties. Despite the consensus of each state, the withdrawal of the US left the space open for other actors to contemplate over the viability of the deal. The main two factors which led to the US' contradictory position over the deal have their roots in strategic decisions regarding the Middle East.

Strengthening the Ties with Israel and KSA

Israel and Saudi Arabia, the two main rivals of Iran in the Middle East, were the two strong voices which showed their discontent for the deal. The main reason behind their opposition was the regional dominance and mistrust of Iran. Both the states found the sanctions relief for Iran as a step towards Iranian influence over the region.²² Both Israel and KSA shared their concerns regarding Iranian sponsored non-state actors like Hamas and Hezbollah against Israel and Houthis against KSA. Thus, the sanctions relief would eventually add up to Iran's economy allow it to fund more freely to forge its interests against Israel and KSA. Furthermore, the deal didn't specify the obligation of dismantling the nuclear program of Iran wholeheartedly rather it only delayed the Iranian attempts to make the bomb by 10 years in centrifuge enrichment and fifteen years in uranium enrichment.²³

Hence, the fear of the abrogation of the deal was pretty much realistic as both Israel and KSA shared the important strategic partnership with the US in shaping a favourable regional order. Thus, the objections of both KSA and Israel on the Nuclear Deal were believed to be the accelerating factor for US withdrawal from JCPOA. The fears quickly materialised under Trump's presidency, which reflected the second feature in the failure of the deal.

Trump's Policy of Revisiting the Deal amidst Growing Iranian Influence

²¹ Nader Mardani and Mohammad Mehdi Hooshmand, "JCPOA; A Dialectical Paradigm of Treaty and other International Instruments," *Journal of Politics and Law* 9, no. 3 (2016): 70-84.

²² Kori Schake, "Missiles and More: Iran's Threats to Israel and the Middle East," *Strategika*, no. 35 (2016): 8-10.

²³ Paul K. Kerr and Kenneth Katzman, "Iran Nuclear Agreement and U.S. Exit," *Congressional Research Service*, Report No R43333 (Washington DC), July 2018, <https://fas.org/sgp/crs/nuke/R43333.pdf>.

Although IAEA's repeated assurances of Iran's commitments to the essence of deal had already nullified the claim of "Iran going nuclear"; yet Trump's rise to presidency was largely considered as a gloomy factor for the future of the deal. Being a vocal critic of the deal, Trump had always advocated abolishing the agreement which he believed to be the "worst, horrible and laughable" deal.²⁴ The main factor which contributed in his withdrawal from the deal was the growing Iranian influence over the region. The major source of power for Iran in the region lie not in the strength of its nuclear program, instead its missile program and funding of state and non-partners are the main causes of anxiety for the US. Iran's self-sufficiency in its missile programs and transfer of rockets to Hezbollah, Hamas and possibly to Houthis as well, had alarmed the entire region.²⁵ Such hurdles made it difficult for the US to implement its policies in Iraq and Syria. Thus, for the US and its allies, dismantling Iran's military nuclear program was not sufficient, instead, devising the alternative strategies to halt Iranian influence was deemed necessary by the US.

The US Post-Withdrawal Strategies

The main precursor for JCPOA was to make the region peaceful and to work in a collaborative manner. However, JCPOA benefitted Iran more than it has benefitted the US. The enhanced influence of Iran was seen by the US as the cause of disruption for its policies in the Middle East. As the US was unable to limit Iranian activities in the region, the US employed two alternative strategies in post withdrawal period to shape Iranian actions in accordance with its regional designs. However, both the strategies had backfired in the following manner.

Economic Sanctions with a Maximum Pressure Campaign

The US imposition of sanctions upon Iran came under effect on May 2018 that were targeted to hit Iranian energy, trade, shipping, banking sectors and various other fronts. One year after the deal, the sanctioning prevailed with no solution and compromise from either side. The US imposed sanctions also made the US allies, who were buying Iranian oil, obliged to cut their dealings with Iran. Evidently, Iranian economy, for which the oil trade is the backbone, suffered greatly. By putting the economic sanctions, the US hoped to pressurize Iran for revising the Nuclear Deal. Iran had already experienced the

²⁴ BBC, "Trump on Iran Deal: Worst, Horrible, Laughable," April 26, 2018, <https://www.bbc.com/news/av/world-us-canada-41587428>.

²⁵ Robert Einhorn and Vann H. Van Diepen, "Constraining Iran's Missile Capabilities," *Brookings Institute* (Washington DC), March 2019, https://www.brookings.edu/wpcontent/uploads/2019/03/FP_20190321_missile_program_WEB.pdf.

social unrest by the end of 2019 due to faltering economy.²⁶ However, the US attempt of sanctioning Iran didn't have any impact on Iran's behaviour; instead, it created the dilemma for the US in two ways

Firstly, the absence of Iranian oil would put more pressure on other oil-producing countries especially the US allies like KSA and UAE. Second would be Iranian threat to block the Strait of Hormuz- the choke point for oil trade.

Another aspect that the US administration misperceived was the Iranian domestic outrage against the regime. More than the regime, Iranians considered the US sanctions as the cause of their sufferings. The US plan of regime change in Iran could backfire as Iranian State would utilize every means necessary to inculcate the anti-American sentiments within the society. This is because of its credibility regarding the fulfilment of commitments it made under the JCPOA. Furthermore, due to sanctions, current observers have highlighted that it is the public who is suffering more than the Iranian government, which would give the opportunity to hardliners to consolidate their position within the social fabric of Iran.²⁷

Military Confrontation: Launching Direct Attacks on Iranian Targets

The second approach is the US military attacks against Iran. The tensions between the two sparked dramatically after the US strike on January 03, 2020, which killed Qasem Soleimani, the head of Quds Force of IRGC. It was the first incident when the US had directly attacked and killed the Iranian official. Prior to that, the US drone was also caught flying near the Iranian territory which was downed by Iranian authorities leaving the US much frustrated. The decision of targeting General Soleimani was aimed at signalling Iran the consequences of its continued deviant behaviour against the US interests. However, this proved to be the last nail in the coffin for the US troubles in the region. Not only Iran emerged as the victor by yielding the diplomatic, moral and regional support but its response was equally detrimental for the US when the largest military base holding the US troops in Iraq was attacked by Iranian missiles.²⁸ Additionally, Iraqi parliament's

²⁶ Seth G. Jones and Danika Newlee, "Iran's Protests and the Threat to Domestic Stability," *CSIS* (Washington DC), November 2019, https://csis-website-prod.s3.amazonaws.com/s3fspublic/publication/Jones_IranProtestsStability_FINAL.pdf.

²⁷ Human Rights Watch, "Maximum Pressure: US Economic Sanctions Harm Iranians' Right to Health," October 29, 2019, <https://www.hrw.org/report/2019/10/29/maximum-pressure/us-economic-sanctions-harm-iranians-right-health>.

²⁸ Christopher M. Blanchard, "Iraq and U.S. Policy," *Congressional Research Services*, Report no IF10404 (Washington DC), December 2020, <https://fas.org/sgp/crs/mideast/IF10404.pdf>.

decision of expelling the US troops from its soil also favoured Iran. Nevertheless, as the frustration of the US grew, two developments complicated the situation for Iran. Firstly, there was rapprochement between Israel and the Gulf States i.e. Bahrain and UAE. The development signals towards the formation of the US-led bloc to counter the Iranian threat in the region. The second development is the killing of Iranian Nuclear Scientist, Mohsen Fakhrizadeh, in November 2020²⁹ that is attributed to Israel's covert operation. Prior to this, Iranian nuclear site at Natanz also caught fire on June 30, which was assumed to be a cyber-attack by either the US or Israel.³⁰ Such developments signified the increasingly militaristic approach of directly contesting Iran, both regionally and internally, in order to force it to suspend its nuclear program.

Iran's Post-Withdrawal Options

Since the withdrawal of the US, Iran has been threatening to abandon the deal. To understand the severity of the situation, it is vital to analyse the statements of Iranian Supreme Leader Ayatollah Khamenei. Principally, the current Supreme Leader follows the footsteps of his predecessor, Ayatollah Khomeini in establishing the immoral basis for nuclear weapons under Islamic Jurisprudence.³¹ However, the concerning issue is the ambiguity of the speech which states the "using of Nuclear weapons" is forbidden but does not mention any case of stockpiling them for deterrence purpose.³² The practical implication of this was demonstrated when Iran vowed to abandon its commitment under the JCPOA after the killing of General Soleimani.³³ Following are the possible post-Iranian withdrawal scenarios that are likely to prevail.

The Cessation of Diplomatic Efforts

The US, by its withdrawal, has made Iranian allegations upon the US as "*not trustworthy state*" legitimate. By imposing sanctions, the US has made Iran's economy suffer which has brought Iranian reformist President, Hassan

²⁹ BBC, "Mohsen Fakhrizadeh: Iran Scientist Killed by Remote-Controlled Weapon," November 30, 2020, <https://www.bbc.com/news/world-middle-east-55128970>.

³⁰ Jiyar Gol, "Iran Blasts: What is behind Mysterious Fires at Key Sites?" *BBC*, July 6, 2020, <https://www.bbc.com/news/world-middle-east-53305940>.

³¹ Michael Eisenstadt, Medhi Khalaji, "Nuclear Fatwa Religion and Politics in Iran's Proliferation Strategy," *The Washington Institute for Near East Policy*, Policy Focus no. 115 (Washington DC), September 2011, <https://www.washingtoninstitute.org/media/3344>.

³² Ibid.

³³ Robert Einhorn, "Averting a New Iranian Nuclear Crisis," *Brookings*, Policy Focus (Washington DC), January 2020, https://www.brookings.edu/wp-content/uploads/2020/01/Einhorn_Policy2020_Averting-a-new-Iranian-nuclear-crisis.pdf.

Rouhani under the fiery criticism as it has worked against his election campaign narrative of bringing prosperity and economic stability. Resultantly, the hardliners have become more confident in their claim of opposing any interaction with the West and the US.³⁴ Furthermore, Iran has repeatedly emphasized upon its JCPOA commitments conditioning the reciprocity from other JCPOA parties, now called P4+1. However, in order to thwart the US sanctions, Iran has given up its compliance over some of the JCPOA postulates, including the exceeding of JCPOA limits on heavy water stockpiles and the concentration of uranium stockpiles.³⁵ The action is aimed to force the US to re-join the deal.

Halting the Attempts of Non-Proliferation

Withdrawing from the Iranian Nuclear Deal would inevitably pose the daunting challenge for diplomatic proceedings with North Korea over its nuclear program. Any talks with North Korea would carry with itself the eccentric, untrustworthy and suspicious picture of the US. The trust deficit would make it difficult for both the US and North Korea to come to any conclusion as the glimpse of it was already shown in Vietnam where the negotiations met with a disastrous end.³⁶ Apart from the non-proliferation, the US image as the non-partisan party over the international issues would receive a damaging blow which would further obstruct the US from bringing other states, both aligned and nonaligned, to convergence over any international issue.

Furthermore, the killing of Iranian General Soleimani and Nuclear Scientist, Fakhrizadeh, could change the official posturing of Iran regarding Nuclear weapons. The example of Libyan President Gaddafi is evident whose overthrow occurred only after his abandoning of nuclear stockpiles. Being sceptical of the US actions, Iran might look towards officially acquiring the weapons to bring in the deterrence factor and once it would happen, the entire region would be engulfed in nuclear race. Iran has already breached the 3.67

³⁴ Maximilian Hoell, "If the JCPOA Collapses: Implications for Nuclear Non-Proliferation and International Security," *European Leadership Network*, Global Security Policy Brief (London), December 2018, <https://www.europeanleadershipnetwork.org/wp-content/uploads/2018/12/If-the-JCPOA-Collapses-Maximilian-Hoell-Updated-08012019.pdf>.

³⁵ Kenneth Katzman, Kathleen J. McNinnis and Clayton Thomas, "U.S.-Iran Conflict and Implications for U.S. Policy," *Congressional Research Services*, Report R45795 (Washington DC), May 8, 2020, <https://fas.org/sgp/crs/mideast/R45795.pdf>.

³⁶ Choe Sang-Hun, "North Korea Threatens to Scuttle Talks with US and Resume Tests," *New York Times*, March 15, 2019, <https://www.nytimes.com/2019/03/15/world/asia/north-korea-kim-jong-un-nuclear.html>.

per cent limit on uranium enrichment and has started to develop the new centrifuges against the essence of the deal.³⁷

Non- Credibility of EU+3

The party which is caught in-between the US-Iran scuffle is undoubtedly the European states. On the one hand, they are determined to protect the deal while on the other they are unable to convince the US to return to the agreement, hence, leaving Iran hopeless from their conduct. Europe's inability to provide Iran the assurances has made Iran frustrated. Moreover, Iran has been under the impression since its inception as Islamic Republic that Europeans like Americans are equally untrustworthy.³⁸ This posture of Europe would make Iran more inclined towards China and Russia resulting in the formation of an alternative bloc. Furthermore, Europe's incompetence in taking any concrete steps in the face of the US withdrawal reflected its weakening status³⁹ in the international politics. The tensions between Iran and EU arose prominently after the confiscation of Iran's oil tanker at Strait of Gibraltar by British Navy and Iran's subsequent seizure of British naval vessels in July 2019.⁴⁰ The standoff between Iran and EU further intensified after the EU's statement of "putting the deal under threat" in response to Iranian activity of enriching uranium to 20 per cent at its underground Fordow facility.⁴¹ The consistent attempts by EU for forcing Iran to observe JCPOA limitations, while displaying its incapacity in bringing the US to the deal, exhibits the negative response in sustaining the deal.

³⁷ Kelsey Davenport and Julia Masterson, "Iran's Nuclear Program Remains on Steady Trajectory," *Arms Control Association*, September 10, 2020, <https://www.armscontrol.org/blog/2020-09-10/irans-nuclear-program-remains-steady-trajectory>.

³⁸ Khamenei, "Vicious European Countries should not be Trusted: Imam Khamenei," September 26, 2019, <https://english.khamenei.ir/news/7066/Vicious-European-countries-should-not-be-trusted-Imam-Khamenei>.

³⁹ Robert Czulda, "European Failure to Safeguard Iran Deal Shows EU is Still a Paper Tiger," *The Atlantic Council*, August 14, 2018, <https://www.atlanticcouncil.org/blogs/iransource/european-failure-to-safeguard-iran-deal-shows-eu-is-still-a-paper-tiger/>.

⁴⁰ Michael Wolgelenter, "British-Flagged Tanker Leaves Iran, Two Months After It Was Seized," *New York Times*, September 27, 2019, <https://www.nytimes.com/2019/09/27/world/middleeast/iran-uk-oil-tanker-stena-impero.html>.

⁴¹ Euracity, "EU Warns Iran Enrichment would Threaten Nuclear Deal," January 04, 2021, <https://www.euractiv.com/section/global-europe/news/eu-warns-iran-enrichment-would-threaten-nuclear-deal/>.

Iran Nuclear Deal in Post-Trump Era

The defeat of President Trump in 2020 Presidential Elections and the victory of Democratic candidate, Joe Biden, have led many experts into believing that the Iran Nuclear Deal might be saved from falling into jeopardy. Joe Biden has played an instrumental role as Obama's Vice President in concluding the deal with Iran and has vowed to restore the diplomatic efforts with Iran.

During his election campaign, Joe Biden repeatedly promised to re-enter the JCPOA which Obama negotiated in 2015 and Trump withdrew in 2018.⁴² Joe Biden's victory in the presidential elections increased the prospects that the US and Iran will return to full compliance with the 2015 nuclear deal. After assuming power, Joe Biden launched new diplomacy to get both Tehran and Washington to fully comply with the 2015 nuclear deal. Iran refused to meet directly with the United States unless it first lifted sanctions imposed by the Trump administration. After weeks of behind-the-scenes efforts, the E.U. announced on April 2, 2021 that it would convene indirect talks including the six major world powers and Iran.

It was expected that Biden's administration would try to conclude the dialogues before Iran's Presidential elections on Jun 18, 2021-as concluding dialogue with moderate Iranian President Rouhani was much easier, and it could provide chance of success of moderates in coming presidential elections in Iran. But historic distrust and tough attitude of both the parties delayed dialogue which appeared as one of the important factors in moderate Rouhani's defeat and ultra conservative Ebrahim Raisi's success in June 21, Presidential elections. Ultimately Iranian representative announced that Iran would not return to Vienna for a seventh round of talks until after Raisi's inauguration.

Biden's attempt to restore JCPOA faces challenges in three aspects. First, Biden's plan of returning to JCPOA is conditioned on Iran's "strict compliance" with JCPOA provisions.⁴³ On the contrary, Iran demanded the unconditional return of the US to the deal and rejected the possibility of any further negotiations.⁴⁴ Second, Biden is also considering new geopolitical realities in the Middle East and has vowed to work closely with Israel to counter

⁴² Garrett Nada, "Joe Biden on Iran," *The Iran Primer*, United States Institutes of Peace, May 10, 2021 Original: November 9, 2020, <https://iranprimer.usip.org/blog/2020/nov/09/joe-biden-iran>.

⁴³ Paul Fraioli (ed.), "Prospects for the Iran Nuclear Deal," *Strategic Comments* 26, No. 8 (2020): i-iii

⁴⁴ Reuters, "Supreme Leader Dismisses Talks as Iran Looks to Post-Trump Future," November 24, 2020, <https://www.reuters.com/article/iran-usa-sanctions-int/supreme-leader-dismisses-talks-as-iran-looks-to-post-trump-future-idUSKBN284130>.

Iran's "destabilizing activities" in the region.⁴⁵ The final challenge is the domestic political landscape of Iran. The triumph of an ultra-conservative cleric, Ebrahim Raisi, in Iranian Presidential Elections of 2021 has made the prospects of mutually agreed deal between the US and Iran further complicated. Hence, aforementioned challenges have led to the persistence of conflict in the US-Iran relations.

Nevertheless, two important factors could play as intervening variables in this regard. Firstly, the hard-line approach of Iran after the elections might be softened due to the dire economic situation. Apart from other reasons, one major element which led to the defeat of Iranian Reformists was their failure in fulfilling the promises of a better economy. Resultantly, the new administration of Raisi faces the pressure to deliver the economic benefits to the masses. This would ultimately force them to give up some of their demands and strike a new deal with the US. Secondly, the US policy of having minimum interference in the Middle Eastern affairs is likely to prevail during the Biden Administration. Considering this fact, the US would guarantee the regional security framework of its allies to take up the responsibility of their own security while lessening the Iranian threat through a deal. One manifestation of this has already been observed in the secret talks held between Iran and Saudi Arabia in Iraq on April 8, 2021.

However, the aforementioned two factors are expected to have the minimal influence in reframing the trust between the US and Iran due to the on-going regional rifts. Since 2020, Iran has witnessed various security lapses which are linked with the Israel spy agency, Mossad. The assassination of Iranian nuclear scientist in November 2020 and the attacks on the major nuclear site at Natanz in July 2020 and April 2021 reflect the increasingly aggressive stance of Israel against the Iranian nuclear program. The attacks are aimed to provoke Iranian response in subduing the efforts of nuclear talks. Moreover, the escalation in Gaza (May 9-21, 2021), in which Hamas and Palestinian Islamic Jihad fired rockets in reaction to the Israeli airstrikes, has been attributed to the Iranian sponsorship of these organizations.⁴⁶ The current situation in this regard, is intricate as neither side trusts the intentions of the other. As US is pivotal for assuring Israel's security and Iran is sensitive about its nuclear program, the geopolitical events across the Middle East present a gloomy picture for reconciliation between the US and Iran over the success of a viable nuclear deal. Another important factor which can seriously influence the dialogue process w.r.t JCPOA between Iran and the US is the recent culmination of negotiations between Beijing and Tehran to sign a

⁴⁵ CNN, "Joe Biden: There's a Smarter Way to be Tough on Iran," September 13, 2020, <https://edition.cnn.com/2020/09/13/opinions/smarter-way-to-be-tough-on-iran-joe-biden/index.html>.

⁴⁶ Kasra Aarabi, "Don't Let Iran's Regime Win the Battle of Hearts and Minds in Gaza," *The Washington Institute*, June 1, 2021, <https://www.washingtoninstitute.org/pdf/view/16799/en>.

twenty-five-years \$400 billion strategic and economic partnership on March 27, 2021.⁴⁷ Despite the US sanctions against Iran, Beijing has signed this accord with Tehran, bringing both the US rivals closer to each other. Importance of lifting the US sanctions has comparatively fallen for Iran and it can enhance Tehran's power to bargain with Washington. Moreover US withdrawal from Afghanistan is also increasing Iran's regional status.

Conclusion

In the international arena, the states act as players and utilize ways which allow them the maximum utility. Hence, states act rationally and keep adopting new strategies. Considering game theory, U.S. and Iran are players of the game that strategize their actions in response to the emerging situations towards JCPOA. Both the rival players bear in mind the comprehension of available options, outcomes and pay offs for each while engaging in rational decision-making process. Mutual distrust between Washington and Tehran is creating Prisoner's Dilemma, and situation appear as a Zero Sum Game etc. The negotiations between P5+1 and Iran were generally aimed at resolving the Middle Eastern crisis. However, in Trump's Presidency, the perception of the US administration changed as there was no clear postulate in the deal to limit the Iranian missile program? Resultantly, the re-imposition of sanctions brought both the US and Iran in confrontation with each other. Under such circumstances, not only Iran responded with determination but the attitude of European states also made the US a warring dragon.

The deterioration of the relations between Iran and the US has alarmed the region of the new conflict. Though the possibility of an all-out war is least, but Iran will continue to play its cards strategically through proxies. On the other hand, the current situation depicts the diminishing role of the US in the region and it might burden the regional allies like Israel and KSA to manage the situation on their own. This continuous persistence of Iran will bring it into conflict with regional states while in the absence of the US, Iran would have a bright chance to dominate the region.

The imbalance of regional status quo towards either side may provoke the counteraction and the new crisis could emerge. To prevent any new catastrophic event, it is vital for both the US and Iran to ensure the interaction on consistent basis. The failure to do so will have implications for both sides. For the US, putting any further pressure on Iran will unmistakably bring the latter closer to China and Russia. China has already pledged to invest \$400 billion dollars in Iran. The investments of China will prove helpful to Iran as it continues to suffer economically in the wake of the US sanctions. Hence, the partnership between Iran and China is expected to bolster the mutual relations

⁴⁷ Ezgi Uzun, "ANALYSIS - The Iran-China Deal amid the Global Power Transition," Anadolu Agency, April, 14, 2021, <https://www.aa.com.tr/en/analysis/analysis-the-iran-china-deal-amid-the-global-power-transition/2208353>.

and will challenge the US regional primacy in the Middle East. For Iran, the turning down of the US invitation for negotiations comes at the cost of further economic hardships. The recent waves of protests reflected the growing resentments of Iranian population against the hardships.

Hence, it is vital for both the US and Iran to reengage in productive manners to revitalize the deal. The back channel diplomacy has been active in this regard and steps are being taken. It is noted that the US and Iran might eventually come to the negotiation table. However, the damage which has been done during the Trump's Presidency is difficult to compensate. Furthermore, the reengagement comes with a lot of challenges i.e. the strengthened footprints of other global powers in the region and the greater resistance from the US allies. Nevertheless, the solution to the ever-growing tensions is the compromise from both the sides. Conclusively, although the chances of deal being restored to pre-withdrawal status are high in Biden's Presidency yet the actual circumstances on the ground, especially the geopolitical dynamics on regional and international level as well as dominance of hardliners in Iran, make the sustainability of such a deal quite grim.

