

How to Get Out of the Iran Nuclear Deal

by John R. Bolton

August 28, 2017 at 3:00 pm

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Although candidate Donald Trump repeatedly criticized Barack Obama's Iran nuclear agreement, his administration has twice decided to remain in the deal. It so certified to Congress, most recently in July, as required by law. Before the second certification, Trump asked repeatedly for alternatives to acquiescing yet again in a policy he clearly abhorred. But no such options were forthcoming, despite "a sharp series of exchanges" between the president and his advisers, as the New York Times and similar press reports characterized it.

Many outside the administration wondered how this was possible: Was Trump in control, or were his advisers? Defining a compelling rationale to exit Obama's failed nuclear deal and elaborating a game plan to do so are quite easy. In fact, Steve Bannon asked me in late July to draw up just such a game plan for the president — the option he didn't have — which I did.

Here it is. It is only five pages long, but like instant coffee, it can be readily expanded to a comprehensive, hundred-page playbook if the administration were to decide to leave the Iran agreement. There is no need to wait for the next certification deadline in October. Trump can and should free America from this execrable deal at the earliest opportunity.

I offer the paper now as a public service, since staff changes at the White House have made presenting it to President Trump impossible. Although he was once kind

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FREE WANG QUANZHANG!

Wang was among the more than 300 human rights lawyers and activists detained in the "709 Crackdown" in 2015, the largest government crackdown on Chinese human rights lawyers and activists in history. Since then, most of the human rights lawyers arrested have been released or brought to trial, yet Wang has remained in custody without trial since July 10, 2015.



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enough to tell me "come in and see me any time," those days are now over.

If the president is never to see this option, so be it. But let it never be said that the option didn't exist.

Abrogating the Iran Deal: The Way Forward

I. Background

The Trump Administration is required to certify to Congress every 90 days that Iran is complying with the July 2015 nuclear deal (the Joint Comprehensive Plan of Action — JCPOA), and that this agreement is in the national-security interest of the United States.[1] While a comprehensive Iranian policy review is currently underway, America's Iran policy should not be frozen. The JCPOA is a threat to U.S. national-security interests, growing more serious by the day. If the President decides to abrogate the JCPOA, a comprehensive plan must be developed and executed to build domestic and international support for the new policy.

Under the Iran Nuclear Agreement Review Act of 2015, the President must certify every 90 days that:

- (i) Iran is transparently, verifiably, and fully implementing the agreement, including all related technical or additional agreements;
- (ii) Iran has not committed a material breach with respect to the agreement or, if Iran has committed a material breach, Iran has cured the material breach;
- (iii) Iran has not taken any action, including covert activities, that could significantly advance its nuclear weapons program; and
- (iv) Suspension of sanctions related to Iran pursuant to the agreement is –
 - (I) appropriate and proportionate to the specific and verifiable measures taken by Iran with respect to terminating its illicit nuclear program; and
 - (II) vital to the national-security interests of the United States.

U.S. leadership here is critical, especially through a diplomatic and public education effort to explain a decision not to certify and to abrogate the JCPOA. Like any global campaign, it must be persuasive, thorough, and accurate. Opponents, particularly those who participated in drafting and implementing the JCPOA, will argue

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strongly against such a decision, contending that it is reckless, ill-advised, and will have negative economic and security consequences.

Accordingly, we must explain the grave threat to the U.S. and our allies, particularly Israel. The JCPOA's vague and ambiguous wording; its manifest imbalance in Iran's direction; Iran's significant violations; and its continued, indeed, **increasingly, unacceptable conduct at the strategic level internationally** demonstrate convincingly that the JCPOA is not in the national-security interests of the United States. We can bolster the case for abrogation by providing new, declassified information on Iran's unacceptable behavior around the world.

But as with prior Presidential decisions, such as withdrawing from the 1972 ABM Treaty, a new "reality" will be created. We will need to assure the international community that the U.S. decision will in fact enhance international peace and security, unlike the JCPOA, the provisions of which shield Iran's ongoing efforts to develop deliverable nuclear weapons. **The Administration should announce that it is abrogating the JCPOA due to significant Iranian violations, Iran's unacceptable international conduct more broadly, and because the JCPOA threatens American national-security interests.**

The Administration's explanation in a "white paper" should stress the many dangerous concessions made to reach this deal, such as allowing Iran to continue to enrich uranium; allowing Iran to operate a heavy-water reactor; and allowing Iran to operate and develop advanced centrifuges while the JCPOA is in effect. Utterly inadequate verification and enforcement mechanisms and Iran's refusal to allow inspections of military sites also provide important reasons for the Administration's decision.

Even the previous Administration knew the JCPOA was so disadvantageous to the United States that it feared to submit the agreement for Senate ratification. Moreover, key American allies in the Middle East directly affected by this agreement, especially Israel and the Gulf states, did not have their legitimate interests adequately taken into account. The explanation must also demonstrate the linkage between Iran and North Korea.

We must also highlight **Iran's unacceptable behavior, such as its role as the world's central banker for international terrorism, including its directions and control over Hezbollah and its actions in Iraq, Syria, and Lebanon. The reasons Ronald Reagan named Iran as a state sponsor of terrorism in 1984 remain fully applicable today.**

II. Campaign Plan Components

There are four basic elements to the development and implementation of the campaign plan to decertify and abrogate the Iran nuclear deal:

1. Early, quiet consultations with key players such as the U.K., France, Germany, Israel, and Saudi Arabia, to tell them we are going to abrogate the deal based on outright violations and other unacceptable Iranian behavior, and seek their input.
2. Prepare the documented strategic case for withdrawal through a detailed white paper (including declassified intelligence as appropriate) explaining why the deal is harmful to U.S. national interests, how Iran has violated it, and why Iran's behavior more broadly has only worsened since the deal was agreed.
3. A greatly expanded diplomatic campaign should immediately follow the announcement, especially in Europe and the Middle East, and we should ensure continued emphasis on the Iran threat as a top diplomatic and strategic priority.
4. Develop and execute Congressional and public diplomacy efforts to build domestic and foreign support.

III. Execution Concepts and Tactics

1. Early, quiet consultations with key players
It is critical that a worldwide effort be initiated to inform our allies, partners, and others about Iran's unacceptable behavior. While this effort could well leak to the press, it is nonetheless critical that we inform and consult with our allies and partners at the earliest possible moment, and, where appropriate, build into our effort their concerns and suggestions.

This quiet effort will articulate the nature and details of the violations and the type of relationship the U.S. foresees in the future, thereby laying the foundation for imposing new sanctions barring the transfer of nuclear and missile technology or dual use technology to Iran. With Israel and selected others, we will discuss military options. With others in the Gulf region, we can also discuss means to address their concerns from Iran's menacing behavior.

The advance consultations could begin with private calls by the President, followed by more extensive discussions in capitals by senior Administration envoys. Promptly elaborating a comprehensive tactical diplomatic plan should be a high priority.

2. Prepare the documented strategic case

The White House, coordinating all other relevant Federal agencies, must forcefully articulate the strong case regarding U.S. national-security interests. The effort should produce a "white paper" that will be the starting point for the diplomatic and domestic discussion of the Administration decision to abrogate the JCPOA, and why Iran must be denied access to nuclear technology indefinitely. The white paper should be an unclassified, written statement of the Administration's case, prepared faultlessly, with scrupulous attention to accuracy and candor. It should not be limited to the inadequacies of the JCPOA as written, or Iran's violations, but cover the entire range of Iran's continuing unacceptable international behavior.

Although the white paper will not be issued until the announcement of the decision to abrogate the JCPOA, initiating work on drafting the document is the highest priority, and its completion will dictate the timing of the abrogation announcement.

A thorough review and declassification strategy, including both U.S. and foreign intelligence in our possession should be initiated to ensure that the public has as much information as possible about Iranian behavior that is currently classified, consistent with protecting intelligence sources and methods. We should be prepared to "name names" and expose the underbelly of the Iranian Revolutionary Guard business activities and how they are central to the efforts that undermine American and allied national interests. In particular, we should consider

declassifying information related to activities such as the Iran-North Korea partnership, and how they undermine fundamental interests of our allies and partners.

3. Greatly expanded diplomatic campaign post-announcement

The Administration, through the NSC process, should develop a tactical plan that uses all available diplomatic tools to build support for our decision, including what actions we recommend other countries to take. But America must provide the leadership. It will take substantial time and effort and will require a "full court press" by U.S. embassies worldwide and officials in Washington to drive the process forward. We should ensure that U.S. officials fully understand the decision, and its finality, to help ensure the most positive impact with their interlocutors.

Our embassies worldwide should demarche their host governments with talking points (tailored as may be necessary) and data to explain and justify abrogating JCPOA. We will need parallel efforts at the United Nations and other appropriate multilateral organizations. Our embassies should not limit themselves to delivering the demarche, however, but should undertake extensive public diplomacy as well.

After explaining and justifying the decision to abrogate the deal, the next objective should be to recreate a new counter-proliferation coalition to replace the one squandered by the previous Administration, including our European allies, Israel, and the Gulf states. In that regard, we should solicit suggestions for imposing new sanctions on Iran and other measures in response to its nuclear and ballistic-missile programs, sponsorship of terrorism, and generally belligerent behavior, including its meddling in Iraq and Syria.

Russia and China obviously warrant careful attention in the post-announcement campaign. They could be informed just prior to the public announcement as a courtesy, but should not be part of the pre-announcement diplomatic effort described above. We should welcome their full engagement to eliminate these threats, but we will move ahead with or without them.

Iran is not likely to seek further negotiations once the JCPOA is abrogated, but the Administration may wish to consider rhetorically leaving that possibility open in order to demonstrate Iran's actual underlying intention to develop deliverable nuclear weapons, an intention that has never flagged.

In preparation for the diplomatic campaign, the NSC interagency process should review U.S. foreign-assistance programs as they might assist our efforts. The DNI should prepare a comprehensive, worldwide list of companies and activities that aid Iran's terrorist activities.

4. Develop and execute Congressional and public diplomacy efforts

The Administration should have a Capitol Hill plan to inform members of Congress already concerned about Iran, and develop momentum for imposing broad sanctions against Iran, **far more comprehensive than the pinprick sanctions favored under prior Administrations.** Strong congressional support will be critical. We should be prepared to link Iranian behavior around the world, **including its relationship with North Korea, and its terrorist activities.** And we should demonstrate the linkage between Iranian behavior and missile proliferation as part of the overall effort that justifies a national-security determination that U.S. interests would not be furthered with the JCPOA.

Unilateral U.S. sanctions should be imposed outside the framework of Security Council Resolution 2231 so that Iran's defenders cannot water them down; multilateral sanctions from others who support us can follow quickly.

The Administration should also encourage discussions in Congress and in public debate for further steps that might be taken to go beyond the abrogation decision.

These further steps, advanced for discussion purposes and to stimulate debate, should collectively demonstrate our resolve to limit Iran's malicious activities and global adventurism. Some would relate directly to Iran; others would protect our allies and partners more broadly from the nuclear proliferation and terrorist threats, such as providing F-35s to Israel or THAAD resources to Japan. Other actions could include:

End all landing and docking rights for all Iranian aircraft and ships at key allied ports;
End all visas for Iranians, including so called "scholarly," student, sports, or other exchanges;
Demand payment with a set deadline on outstanding U.S. federal-court judgments against Iran for terrorism, including 9/11;
Announce U.S. support for the democratic Iranian opposition;
Expedite delivery of bunker-buster bombs;
Announce U.S. support for Kurdish national aspirations, including Kurds in Iran, Iraq, and Syria;
Provide assistance to Balochis, Khuzestan Arabs, Kurds, and others — also to internal resistance among labor unions, students, and women's groups;
Actively organize opposition to Iranian political objectives in the U.N.

IV. Conclusion

This effort should be the Administration's highest diplomatic priority, commanding all necessary time, attention, and resources. We can no longer wait to eliminate the threat posed by Iran. The Administration's justification of its decision will demonstrate to the world that we understand the threat to our civilization; we must act and encourage others to meet their responsibilities as well.



A May 17, 2016 meeting between then U.S. Secretary of State John Kerry and Iranian Foreign Minister Javad Zarif in Vienna, Austria, to discuss the implementation of the Joint Comprehensive Plan of Action. (Image source: U.S. State Department)

John R. Bolton, former U.S. Ambassador to the United Nations, is Chairman of Gatestone Institute, a senior fellow at the American Enterprise Institute, and author of "Surrender Is Not an Option: Defending America at the United Nations and Abroad".

[1] Although this paper will refer to "the JCPOA," the abrogation decision should also encompass the July 14, 2015, statement by the Security Council's five permanent members and Germany, attached as Annex B to Security Council Resolution 2231. The JCPOA is attached as Annex A to Resolution 2231.

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Publius Maximus IV • Aug 29, 2017 at 15:52

Ambassador Bolton,

Why can't you present your plan to POTUS. He got rid of a good man .. Gorka.

Has the palace guard taken over and left Cesar a puppet and feckless figurehead?

Reply->

TRM • Aug 29, 2017 at 12:43

This plan would require a coherence and organization that the Trump Admins shows absolutely no sign of having.

Unless you can document actual violations of the letter of the agreement, don't expect anybody to follow.

Reply->

Fiona • Aug 29, 2017 at 09:47

Begin this now President Trump - you have a big enough problem in North Korea without adding a nuclear Iran to America's threats.

Reply->

James Luce • Aug 29, 2017 at 03:37

Ambassador Bolton's comments articulate, the specific and evident deficiencies of the JCPOA and suggest how the US might abrogate this agreement. However, several mysteries remain unexplained. First, why did the US and our allies agree to the JCPOA in the first place? One answer is that this agreement is our modern-day Munich. When faced with an alarming and arming opponent we wimped out (then and now) and signed a deal that was guaranteed not to work but which postponed going to war for a few months (Munich) or for a few years (JCPOA). Shame on us for repeating an old mistake. Second, nobody has articulated what the goal is regarding the future of Iran. Until we know where we're going how can there be a rational plan? Iran/Persia was the top dog in the Middle East several different times over the last several thousand years and

has been one of the top dogs throughout much of history. It wants to be top dog again. Are we going to stop it? If so, why are we going to stop it? Again...what is our goal? Third, the history of nuclear proliferation proves that the US does not have the will to prevent other countries from obtaining nuclear weapons capability. We were the sole nuclear power in 1945. There are now eight other nuclear-armed countries, only three of which are allied with us. What socio-political changes have occurred that rationally leads anyone to believe that the US now has the will to do what it takes to prevent yet another enemy from acquiring nuclear weapons?

Reply->

Dajjal • Aug 29, 2017 at 03:32

Bolton should replace Tillerson.

Reply->

Salomon Schinasi • Aug 29, 2017 at 03:09

This abrogation plan is excellent and Donald Trump should move quickly to have Congressional agreement on it.

Unfortunately unless all Republican Congressmen and some Democrats support this plan it will be dead in the water.

Which Republican Congressman at the present time is ready and willing to champion this plan? Is it Mitch McConnell or Paul Ryan?

Reply->

ROLAND MARTIN • Aug 28, 2017 at 23:51

Reading John Bolton's "Background" to abrogating the Iran Deal would seem to be sufficient to obviate any need for any further discussion. If, under the "Agreement Review Act - 2015, "The President must certify 'every 90 days' that Iran has not committed 'a material breach', it has not taken any action 'that could significantly advance its nuclear weapons program' , it follows that if 'certainty', which means absolute, without question, is a requirement, this agreement has been abrogated for years. The world has only to look at Iran's intercontinental missile program, attach to it its nuclear technical staff in North Korea, combine the two with the absence of transparency, to note that multiple "material breaches" and steady "advancement of its nuclear weapons development has been ongoing for years.

It is well past time to stop playing blind-man's-bluff, or pin-the-tail-on-the-donkey, this fraught nuclear deal must be declared null and void... and abrogated to boot.

rhm

Reply->

Garrick Carpenter • Aug 28, 2017 at 21:01

President Trump would be well advised to peruse Mr.Bolten's suggestions, to do nothing is a sign of acquiescence.

Reply->

Michael Fox • Aug 28, 2017 at 20:49

The first clue that things were not as they should be in the earliest days of the Trump presidency was the lack of naming

John Bolton to a key WH cabinet position. Who owned Donald Trump's ear when the short list of possible cabinet members and key advisors was presented to him. Recent internal departures and newly appointed officials show an obvious shift away from core conservative values and a tilt toward the swamp. Candidate Trump's commitment to immediately tearing up the blatantly flawed deal with Iran is not going to happen. And then there is North Korea and a host of other promises made to the voters that are no longer on the stove top. Trump the populist is becoming Trump the traditionalist. The voters who elected him look like they have just bought the latest new and improved version of political snake oil....and so it goes.

Reply->

R. Wayne Fournier • Aug 28, 2017 at 20:36

For our children's future I pray that Mr. Bolton's 5-page call to action is implemented quickly. Please get this on the president's desk ASAP! And may all of his advisers agree and support this.

Reply->

Robert B Sklaroff MD • Aug 28, 2017 at 19:51

The easiest way to do it is to declare the Iran-Nuke Capitulation-Pact to be ILLEGAL.

It must be recognized that multiple secret-agreements weren't revealed to Congress, per Corker-Cardin.

Thus, as per multiple op-eds composed since 5/2015, it should simply be abandoned as inconsistent with the Constitution.

<http://www.jpost.com/Opinion/The-House-must-sue-to-block-illegal-Iran-pact-440942>

Reply->

Juanita Skelton • Aug 28, 2017 at 19:51

Thank you, Mr. Bolton. This is an extraordinary effort on your part to assist our nation in abrogating a very bad deal for us and our allies, partners, and involved entities world wide.

Your statements seem to say that, now, we have an administration, that is so chaotic, that we may never be able, as a nation, to bring about any appropriate measures. I have wished that Mr. Trump had reduced his first term to the most important priorities. Those are as follows: abrogating the JCPOA, reducing immigration problems, and dealing with North Korea.

Instead we have an administration that is so entrenched in Republican unilateral domination. The politics of "winning" is the only strategy that counts in Washington. Petulant children seem to be demanding "barbecued pork" all in a very self-serving fashion. Accomplishing sound policy FOR THE NATION, is not on the horizon.

We have grave foreign concerns. All we seem to be able to do is the "blame game", wallow in "fake news theory", and shuffle people in and out of positions of administrative responsibilities. Thank you for responding to a huge complex issue with such clarity. You are a great wealth of knowledge and analytical thought. A great national treasure sits at the feet of it's

government, striving to serve! I hope someone can humble himself to reach out for sound aid before it is too late.

Reply->

Bisley • Aug 28, 2017 at 19:45

Trump is being co-opted -- he has let nearly all the people who supported him, agreed with him, and helped him to get elected, be pushed out of government, beginning with Gen. Flynn, and recently Sebastian Gorka. He's gotten very bad advice on the appointments he's made from whoever it is that he listens to. He's kept many of Obama's people in government, surrounded himself and filled too many offices with establishment Republicans and leftist Democrats. He's rid himself of the people who were trying to help him, and taken his political enemies on board -- the information and advice filtered through these people will not present him with viable options outside of what they want him to do. If Flynn was running the NSC, and Bolton, instead of Tillerson, was at State, Trump would be getting different information and advice, and making different decisions -- and the Iran deal would probably have already been rejected.

Reply->

Chuck • Aug 28, 2017 at 19:32

We all need to thank Ambassador Bolton for his efforts to end this sham "diplomacy" as well as the North Korean situation. As sure as sunrise, we will be in some degree of war with NOKO and Iran. We can thank President Truman for showing "that maverick bastard MacArthur" who's boss, so 50 years later we have to pussyfoot around Kim and China and fear for some city being taken out. And we can thank whomever pulled the strings to save the Ayatollah Khomeini when he left Paris for Tehran lo these many years ago - a bullet in Paris or an air-to-air missile for his triumphant return flight would have sacrificed a few innocents to eliminate that particular bastard, but look at the millions since who could have lived, thanks to some bold decision-making. We are as weak in spirit as the Brits before the Blitz - "just be nice and we will be spared". Sure, of course. Ambassador Bolton, please go knock on the President's door - I think Tillerson misses being treated like God after 6 months of Govt. Service.

Reply->

Geo9 • Aug 28, 2017 at 17:57

I keep wondering why John Bolton is not Secretary of State?!? Perfect Plan!

Reply->

Francis Meyrick • Aug 28, 2017 at 17:13

Good for you, Mr Bolton. Thank you for sharing. This whole deal stinks, and one just marvels at how the United States was sleep-walked, zombie style, into such a pitifully one-sided, paper-thin 'bargain'. But then we look at the key players and authors of this mess, and we know why. I pity Mr Trump. What a horrible mess to inherit. And whatever he does, the ritual screams of Media

led hysteria follow him on principle. I believe he WILL shoulder the burden, and face the harsh facts. Mr President, we support you. Grasp that nettle.

Reply->

barry • Aug 28, 2017 at 17:12

Strongly disagree with this call for action, possibly war, against Iran. Remember the nuclear deal was not just Obama-Iran or US-Iran but multinational, and everyone else thinks it is working to stop any chance for Iran to obtain a nuclear weapon any time soon. We would have no support from allies, Russia, China, or even the American people for action against Iran, it would be a disaster, and we have enough of those already! Even Trump should be reluctant to take this on.

Reply->

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