OBAMA'S POLICY TOWARD IRAN: COMPARING FIRST AND SECOND TERM

Claudia Castiglioni

The election of Barak Obama in November 2008 unleashed hopes for a change in US policy toward Iran. Analysts and policy makers saw the appointment of the new administration as a window of opportunity to break the diplomatic deadlock and lay the ground for the long-awaited Grand Bargain between Washington and Tehran. As in the case of many of his predecessors, these expectations were to be affected, constrained and, ultimately, frustrated, by the changing regional and international context. The analysis will provide an assessment of the strategy, timing, and outcomes of Obama’s approach to Tehran from the great expectations of 2009 to the pragmatism of the second term. In doing so, it will consider the impact regional and domestic factors, such as the protests of June 2009, the outbreak of the Arab spring and, more recently, the election of the moderate Hassan Rouhani and the war in Syria, had on the evolution of US policy. Particular attention will be paid to the issue that most epitomized the contradictions and the obstacles both parties encountered in their attempts to normalize the relations: the nuclear dispute.

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A Promising Beginning

“... There will be many issues to discuss between our two countries, and we are willing to move forward without preconditions on the basis of mutual respect...”

“... We will show the courage to try and resolve our differences with other nations peacefully not because we are naïve about the dangers we face, but because engagement can more durably lift suspicion and fear...”

The two quotes date from the beginning of Obama’s two terms, respectively in 2009 and in 2013. The first one is drawn from the famous speech the president delivered at the Al-Azhar University in Cairo five months after taking office, when he tried to lay the foundations for a new course in US policy toward the Middle East. The second is a passage of his first State of the Union Address as a re-elected president in February 2013. They both stand as proofs of his effort on engagement and diplomacy in dealing with Iran, partially in contrast, at least in terms of language and approach, with his predecessor.

In his almost five years in office Barack Obama never meant to completely reverse the course George W. Bush pursued in his two terms at the White House and that led, from 2006 to 2008, to the adoption of US and international sanctions targeting the Iranian regime. As a Democratic candidate, Obama did share some of the assumptions that animated the policy of the Republican administration then in power: he stood clearly against any weaponization of Iranian nuclear program and reaffirmed his intention to do anything in his power to prevent Iran from acquiring the bomb. He also never ruled out the military option after exhausting all the negotiating efforts should Iran not abandon its nuclear ambitions.

Still, earlier as a candidate and later as a president, Obama tried to distance himself from his predecessor and from his Republican competitor John McCain by emphasising the importance of direct talks with the leadership in Tehran and of an “aggressive personal diplomacy” without preconditions. Before and after his election, Obama stated his willingness to carry out a serious, coordinated diplomatic effort able to change world opinion about American approach to Iran and strengthen US stance and credibility in the region.

1 “President Obama’ speech in Cairo: A New Beginning”, 4 June 2009.
2 “President Obama’ State of the Union Address”, 12 February 2013.
credibility in the region. The ultimate goal was, on the one hand, to apply to the Iranian case the logic of “diplomacy first” that it tried to convey during his electoral campaign as one of the pillars of his foreign policy. On the other, it was to reverse the policy of the previous administration and its refusal to dialogue as a form of punishment to hostile regimes. Both Bush and Obama wanted Iran to halt uranium enrichment and to give up its nuclear program: they also wanted to try the diplomatic route before opting for a military intervention. Yet Obama always rejected Bush’s hard line approach of restricting contacts with Tehran as a form of pressure on the Iranian regime and, in the combination of diplomacy and sanctions generally referred as “dual track approach”, tended to put more emphasis on the first compared to his predecessor.

By the time of Obama’ speech in Cairo, his administration had already given signs of what it mean by engagement and of the change in language and style it encompassed. In March 2009, in occasion of the Nowruz celebrations, the Persian New Year, Obama reached out to Iran in a video message offering the promise of a new beginning. The president strongly affirmed that the United States wanted the Islamic Republic of Iran to take its rightful place in the community of nations, a place that could not be reached through terror or arms, but rather through peaceful actions that demonstrate the true greatness of the Iranian people and civilization. A few days later, in an effort to enhance the president’s ice breaking gesture, Secretary of State Hilary Clinton invited Iran to the conference held in The Hague on Afghanistan. The choice was not accidental: since the early 2000s Afghanistan had represented one of the issues on which American and Iranian interests more strongly converged.

After playing a crucial role in the overthrow of the Taliban, Tehran had actively participated in so-called Bonn process that aimed at stabilizing the country. Despite the changes that had taken place since then, especially as a consequence of the emergence of the nuclear dispute, the Afghan dossier continued to constitute a good framework for every attempt of direct contacts between Washington and Tehran. In this context we can locate the Cairo speech and the launch of Obama’s far-reaching diplomatic campaign in the Middle East. With regard to Iran the president emphasised the importance of escaping “the trap of the past” and moving forward toward a future of mutual respect. And, as Obama made clear, in this path toward a possible rapprochement, Iran’s nuclear ambitions played a crucial, inescapable, role: any reassessment of US policy toward Tehran or any diplomatic overture had to start from a settlement of the nuclear dispute.

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4 “President Obama’s Nowruz Message to the Iranian People”, 18 March 2009.
By the time Obama took office, the crisis over Iran’s nuclear program had entered an extremely difficult phase. Less than a year before, in July 2008, international talks had ended in deadlock despite the Bush administration’s decision to send senior American official William Burns to the table for the first time since the outbreak of the crisis in 2002. Iran rejected the proposals made by the negotiating team, the so-called P5+1 denouncing the preliminary request of suspension of its enrichment activities as illegitimate. As a result of the impasse, the Congress started to pressure the White House to revise upwards the sanctions already in place against the Iranian regime. Given these premises, Obama’s diplomatic efforts in this initial stage had to focus not only on engaging Tehran but also on preventing the Congress from adopting tougher sanctions before the administration had exhausted the option of direct negotiations.

The centrality of the nuclear issue in the diplomatic overture to Iran was reaffirmed in the policy review the State Department produced in April 2009 under the direction of the Hilary Clinton’ special envoy for the Middle East Dennis Ross. The review was carried out at the initiative of Obama in order to identify the how best to implement the new approach toward Iran launched by the administration and its promise for diplomacy. It ratified the shift to the so-called ‘hybrid option’ favored by Ross, a new formulation for the dual-track strategy based on the combination of tightening sanctions, including incentives to Russia and China to support the sanctions, while engaging Iran without preconditions.

This turned out to be a not so easy plan to follow, not only for the difficulties it presented domestically and internationally, but also as a consequence of the particularly bad timing it had to face. Less than a week after Obama delivered his speech in Cairo, in Iran the presidential elections took place. The landslide victory of the incumbent president, the ultra-conservative Mahmud Ahmadinejad and the widespread allegations of irregularities in the vote led to the explosion of popular protest throughout the country violently repressed by the police. The outbreak of the demonstrations, the fragility of the regime the episode revealed, especially in terms of popular consensus, posed consistent difficulties to Washington and seriously undermined any chance the Obama administration had in pursuing a better course with Iran. The explosion of protests forced Washington to take a stance over a delicate issue such as Tehran’s management of a domestic crisis erupted in the name of democracy and political rights.
eventually denounced the harsh repression of the protests and the human rights violation, but the priority given to the negotiations on the nuclear issue considerably limited the tone and the scope of his statements. The final result was to attract criticism from those, in Iran and in the international community, who were expecting a more decisive stance in favour of the protesters and, at the same time, to further complicate the engagement with the leadership in Tehran. On the domestic front, the election fallout created an opportunity for opponents of diplomacy in Washington to minimize the Obama administration’s political space for maneuvering and emphasize the limits of his strategy of engagement, providing strong impetus to revisit the issue of sanctions in the Congress5.

Putting the Dual Track Strategy into Practice

These limits became evident when the administration tried to put in practice one of the key points of its strategy with Tehran: diplomacy without preconditions. In October 2009 a new round of negotiations, the first since Obama assumed office, took place in Geneva. The event offered the chance for the first bilateral meeting between representatives of the two parties in decades: Undersecretary of State William Burns and Iranian chief negotiator Saeed Jalili held one-to-one talks during negotiations, marking the most substantive bilateral contact between the two countries for 30 years. The talks lead to a preliminary agreement on the so-called fuel-swap proposal: in return for a supply of fuel for the Tehran Research Reactor, Iran would ship out an equivalent amount of uranium enriched to 4%, totalling about 1,200 kilograms, accounting roughly 80% of Iran’s low-enriched-uranium (LEU) stockpile at that time. The US officials considered the meeting a success and the parties agreed to gather again in a few weeks to finalize the swap deal.

Yet the optimism raised by the Geneva talks was to be short-lived. In occasion of the meeting held a couple of weeks later in Vienna to work out the details of the agreement, the Iranians questioned the very principle of the proposal, lamenting the lack of guarantees from the P5+1. At the same time, the Congress increased its push on the White House to move faster on the sanctions track, in spite the initial diplomatic success in Geneva. The pressure on the domestic front contributed to Washington’s decision to give an ultimatum to Tehran, which ended up accelerating the collapse of the negotiations. The Iranian leadership eventually failed to provide a final answer to the swap proposal, especially as a consequence of the domestic opposition to the agreement and of the divisions among Iranian

decision makers emerged after the June 2009 events. As Trita Parsi has argued: “The Obama administration took a calculated risk when it chose to engage the Iranian government so soon after the electoral scandal. Success could open up significant space for additional diplomacy, but failure, particularly if caused by repercussions of the election dispute, could risk giving the impression that diplomacy as a whole has been exhausted. At the end of the day, it was a risk that did not pay off for the president’s desire to resolve tensions with Iran through diplomacy”.

The first evidence that the climate had changed and that time for negotiations, at least in the P5+1 format, was over came in early 2010, when Tehran invoked the failure of the negotiations to justify the decision to begin the enriching uranium at the 20 per cent level; the decision paved the way for the progressive growth of the stockpiles of low-enriched-uranium and for the expansion of Iran’s enrichment activities. From this moment on, also as a consequence of the poor outcome of the negotiations around the swap deal, Washington stepped back from the forefront of negotiations with Iran: from 2010 to 2012 the major proposals to Iran would be made under the initiative of alternative brokers such as Brazil, Turkey, and Russia with limited or no support from Washington. In February Iranian decision to reject the US offer to help Tehran purchase medical isotopes on the world market, provoked Obama’s reaction and, together with the failure of the Vienna talks, marked the beginning of a new phase in US strategy toward Iran, centered on the so-called “second track”: pressure and sanctions. It was not a sudden shift, but rather a gradual realization that the initial attempt at dialogue had not yielded results, further alimented by the Congress’ push to give firm response to Tehran’s provocations. This new phase still implied a great deal of diplomacy, but this time toward the other members of the UN Security Council, fore and foremost China and Russia, asked to endorse the adoption of multilateral sanctions targeting Tehran’s nuclear program. The UN Resolutions would then provide a legal basis for Washington and its allies to impose additional measures on Iran. The diplomatic campaign was, in most of the cases, led personally by Obama and by his trusted Ambassador to the UN Susan Rice.

In this framework, in May 2010, came the announcement of Brazilian President Lula da Silva and Turkish Prime Minister Recep Tayyip Erdogan that they had stricken a deal with Iran based on the swap proposal of the previous October. The Obama administration was caught by surprise as it had just secured Russia and China’ support to a new round of UN sanctions. The State Department denied the relevance of the agreement and the administration almost entirely sided against the deal considered

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6 Ibidem, p. 147.
an unnecessary concession to Tehran in a phase of regained cohesion among the P5+1. By doing so, the Obama administration was making clear that the negotiations over the Iranian nuclear dispute should have been carried out either in the framework of the UNSC through the instrument of sanctions, or in bilateral talks between Washington and Tehran. No external broker was entitled to intervene in the issue, especially in the case of emerging powers with global ambitions. The UN Resolution 1929 imposing tougher sanctions on Iran was passed in early June 2010. The adoption of international measures cleared the ground for the action of the US Congress that two weeks later overwhelmingly approved extensive sanctions that went well beyond the UN Resolution.

To some extent, the passing of Resolution 1929 marked both the highest point and the end of Obama’s diplomacy on the Iranian issue in his first term in office. As argued by Trita Parsi, “A year and a half into his presidency, President Barack Obama was celebrating not the diplomatic victory he had been seeking, but rather the imposition of sanctions he had hoped to avoid”. By securing the approval of UN sanctions before an intervention of the Congress that would strongly undermine his role of negotiator, he gave proof of strength vis-à-vis its domestic and international interlocutors. He also achieved at least one of the goals he set in 2008: the priority on multilateralism under the UN umbrella over any unilateral measure. Yet this partial victory cannot overshadow the shortcomings of his diplomatic campaign. Obama did manage to establish direct contacts with the Iranian leadership in occasion of the Geneva talks but failed in his major purpose: addressing the impasse of the negotiations over Iranian nuclear program with a new approach and in the framework of an ambitious reassessment of US-Iranian relations. To some extent Obama also fell short on another key-point of his strategy of engagement: the idea to enter in direct talks with the Tehran leadership without preconditions. It’s true that at the beginning of his presidency he tried to avoid the antagonist language his predecessor had been accused of, opting for a style of communication based on mutual respect. Still when asked to put in practice this approach and enter the negotiations without precondition, Obama fulfilled this goal only partially. He never dropped the idea of Iranian suspension of all its enrichment activities and he never accepted to recognize Tehran’s nuclear rights under the NPT, as the Europeans negotiators did in the early 2000s. These elements proved to be crucial in the failure of the negotiations as the Iranians used them to justify their refusal to the P5+1 proposals. As it has been argued, there were gestures that marked his departure.

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from the Bush years, yet the degree of the departure should not be exaggerated\(^8\).

At the beginning of his presidency Obama was attracted by what would be later labeled as the “Grand Bargain”: the idea that diplomacy on the nuclear issue should have been part of broader negotiations encompassing other issues such as Iran’s role in the region, its involvement in the Syrian dossier, and the future of the country’s neighbors, Iraq and Afghanistan. Two years after he took office domestic and international constrains, bad timing, and some weaknesses in his overall strategy frustrated his efforts, turning him in what has been described as a “progressive pragmatist”, progressive when possible, pragmatist when necessary\(^9\). The Iranian case proved to be one of the major expressions of this shift toward pragmatism. Many factors induced the president to do so: the pressures coming from regional allies, fore and foremost Israel and Saudi Arabia, the difficult search for compromise with the other members of the UN Security Council, especially Moscow and China, and the drain of resources and energies on many other initiatives the administration embarked on. Still the more serious challenge that the Obama administration had to cope with was domestic, namely the pressure coming from Capitol Hill that, as a result of the 2010 Congressional elections, was dominated by the Republicans. “The Obama administration has fought Congress on Iran sanctions for much of its time in office” wrote Jay Solomon in the Wall Street Journal in October 2013\(^{10}\). The other crucial constrain came from the interlocutor: the Iranian government. Seriously affected in its internal cohesion by the struggle between its main centers of power, domestically and internationally delegitimized by the events of June 2009, determined to continue in its nuclear policy but also faced with growing isolation, the government in Tehran proved to be a difficult and divided counterpart to deal with. This would be the most relevant, maybe the only one, element bound to change in the first year of his second mandate.

From mid-2010 to the beginning of the 2012 electoral campaign the administration did not launch any major initiative to address the Iranian crisis, except from an escalation of sanctions. The outbreak of the Arab Spring in early 2011, tough adding incentives for Tehran’s involvement in the stabilization of the region, further diverted energies and resources from the Iranian dossier. In January 2012 Obama obtained European

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backing for a new round of sanctions that included an embargo on Iranian oil that entered into force in July. In April the P5+1 and Iran renewed negotiations after more than two years after the failure of the swap proposal and agreed to work on a step-by-step process with reciprocal actions of confidence building. Yet the upcoming elections in the US and in Iran complicated the negotiations and made difficult for the two presidents to commit to any deal in the midst of the electoral competition; in this context favoring the stalemate emerged as the only possible choice for both parties.

The Second Term: New Opportunities and Old Obstacles

During the 2012 electoral campaign a good deal of attention was devoted to the Iranian issue. Voicing the frustration coming from Capitol Hill and from some US allies in the region, Republican candidates, led by Mitt Romney, emphasised the threat coming from Tehran, accused the Obama administration of passiveness, and repeatedly reaffirmed their intention to use military action to prevent Iran from acquiring nuclear weapons. The incumbent president, though without outlining a new strategy of engagement, reiterated his reluctance to this course of action trying, at the same time, to defend himself from the accusations of not having done enough to stop Iran from joining the nuclear club. At the end of his first term in office the president was, once again, facing the pressure coming from the Congress, where the Republicans had confirmed their dominant position after the 2012 elections. The P5+1 negotiations renewed in Istanbul in April 2012, though opening a slim window of opportunity, seemed once again stuck in both parties’ preconditions and reciprocal mistrust. The signals coming from Tehran did not look rosier. After months of skirmishes and at the eve of the 2013 elections, the struggle between President Ahmadinejad and Supreme Leader Ali Khamenei, the main protagonists of Iranian political scene, had openly come to the surface, further jeopardizing any chance to get of a deal with Tehran.

In this quite discouraging context and with the memory of the shortcomings of the previous four years still fresh, Obama’s victory in November 2012 was nevertheless seen as an opportunity to capitalize, and raised some new hopes. At the beginning of the second mandate, the administration was asked to reverse America’s failing strategy toward Iran and to finally fulfill the goals established in 2008 and not met because of the June 2009 events and because of the administration own mismanagements and mistakes. Yet with the pressure coming from the Congress and from the allies and with the upcoming vote in Iran, Obama and his very active new Secretary of State John Kerry could do little in the aftermath of the elections to get the negotiations out of the stalemate. Both Washington and Tehran’s inability to drop some of their
preconditions, fore and foremost US call for the suspension of all Iranian enrichment activities and Tehran’s request to acknowledge Iran’s nuclear rights, continued to make any progress nearly impossible. The result was that throughout the first months of 2013 the two parties failed to take any meaningful steps toward an agreement.

The gridlock was to be broken only in June 2013 when an unexpected change took place in Iran bound to profoundly alter the course of the negotiations. The victory of the moderate and long-term advocate of engagement Hassan Rohani in Iranian presidential elections greatly increased the chances to put diplomacy back on track and, once again, raised hopes both in the US and in the international community. “Now a lot of the stars are lining up differently”, Stephen Walt wrote in Foreign Affairs in September 2013. Negotiations were re-launched in Geneva in October and on November 24 the P5+1 and Iran signed an interim agreement that undoubtedly constitutes a crucial first step in the direction of a comprehensive settlement of the crisis. While it’s definitely too early to predict the final outcome of the current diplomatic effort, it might be possible to make an initial comparison between the policy Obama pursued during his first mandate and the one he has been conducting in the first year of the second one, trying to assess the evolution occurred in the administration’s policy toward Iran, in presence of domestic constrains, shifting international patterns, and an unexpected change within the leadership of its negotiating counterpart.

Looking back to the past five years, it emerges clearly that Obama’ strategy did not change from the first to the second mandate as much as it changed from the first to the second phase of the first term. The shift toward pragmatism, the political capital the administration invested to convince the other permanent members of the UN Security Council to endorse Washington’s initiatives, and the difficulties it had in engaging directly with Iran that marked the transition occurred in mid-2010 continue to represent key elements in the president’ strategy after his re-election. Another element that remained almost unchanged is the language: despite the hardening of the debate and the difficulties in keeping diplomacy on track, the administration always tried to avoid the confrontational tones of the Congress and, to some extent, of his predecessor, as showed by the opening quotes. This sometimes resulted in Obama adopting a weak stance on issues such as human right violations, as demonstrated in occasion of the 2009 protests. Yet it also contributed in keeping the dialogue alive throughout the years, up to the current round of negotiations. Another element of continuity between the two terms can

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11 S.M. WALT, Iran is the Real Prize for Obama’s Foreign Policy?, «Foreign Policy», 16 September 2013.
be found in the attitude of the Congress: both in 2009-2010 and today Obama and his staff had to engage in a draining battle with Capitol Hill in order to prevent it from acting before the White House had exhausted all the multilateral options. In 2009-2010 the results were mixed: while the pressure coming from Washington strongly curtailed Obama’s room for maneuver in Geneva and in Vienna, the administration managed to obtain the adoption of Resolution 1929 before any unilateral initiative was taken by the Congress. Today, as the P5+1 struggle to get to a permanent agreement with Iran, US Senate decided to put off a vote on new Iranian sanctions that could have undermined the administration’s diplomatic effort. At the same time the senators urged Obama to reject any definitive settlement with Iran that does not include a tangible rollback of its nuclear weapons program, under the slogan “no deal is better than a bad deal”.

What did change from Obama’s first engagement effort is the interlocutor: if the events of June 2009, the lack of cohesion among Iranian centers of power they brought to surface, and Ahmadinejad’s confrontational posture might be among the most relevant factors that undermined the administration’s tentative engagement with Iran during his first term, the unexpected change in leadership recently occurred in Tehran has been pivotal in creating the conditions for what could be considered as the best occasion to reach a comprehensive solution in a decade. This, for its part, produced a dramatic change in the diplomatic atmosphere that has affected US negotiating policy and lowered the walls of mistrust and suspicion among the parties.

The Obama administration has more than one incentive to finally bring the Iranian dispute to a close and re-establish a permanent dialogue with Tehran: as it has been argued, US relationship with Iran might become as one of the few achievements in Obama’s record in foreign policy since the beginning of his second mandate12. Furthermore as the Syria crisis deepens, it becomes increasingly clear that diplomacy is the only way to achieve long lasting resolution to the security challenges the United States faces in the Middle East. In this context a working relation or an improvement in the dialogue with Tehran would make it easier to deal with the various areas of friction that remain in the region13. In order to increase the chances of a definitive agreement, the administration has to go back to some of the elements that animated his first engagement effort, foremost the so-called “Big for big approach”, and frame any step forward in the future negotiations in a grand bargain on the perspective normalization of Iran’s place in the international community. Obama

12 Ibidem.
13 T.R. PICKERING – J. TUCHMAN MATHEWS, A new way forward is now possible with Iran, Cleveland.com, 13 September 2013.
must also invest the same amount of energy and political capital he put in
his first mandate in the relation with the allies and with the other
permanent members of the UN Security Council to guarantee the cohesion
among the negotiating team. At the same time he has to introduce some
novelties or work on some points that emerged as his major weaknesses
during the first term.

First, the administration should be more clear in its long-term vision of
any strategy of engagement with Tehran and on the future of US-Iranian
relations in case a definitive deal is achieved. This should stem not only
from a critique of what were considered the flaws in Bush’s policy, but also
from an autonomous grand strategy for the region. Despite Obama’s
frequent speeches and overtures at the beginning of his presidency, this
often lacked during the negotiations, undermining his position vis-à-vis
not only the Iranian counterpart, but also his opponents at home. Second,
the president has to firmly defend the tactic shift toward an acceptance of
Iran’s enrichment activities, under the limits imposed by the NPT and the
IAEA, finally relinquishing once for all the zero enrichment option.
Even more important maybe, the administration will have to prove its strength
in dealing with the reaction and the possible scepticism of the Congress
toward a future, comprehensive settlement of the dispute. In this sense
Obama must show more assertiveness than he did in 2009 and fend off
accusations that the negotiators have given away too much to Iran in
return for too little. The electoral success of last November and the
chances it provided should help him in that, together with the activism
and the assertiveness of his new Secretary of State, but a lot will depend
on evolution of the other issues, fore and foremost the Syrian crisis. “In a
system in which the president’s powers are constrained, he will face
pressures that could prove irreconcilable. His drive to open doors... is
bound to clash with the hard liners’ unbending attitude.” This remark,
appeared in an article published in June 2013 in the Financial Times on
the constrains affecting the action of Rohani, can aptly synthetized also
the challenges Obama continues to face in the pursuit of a definitive deal with Tehran. In this lies, maybe, the main variable of the on-going
negotiations: and this might turn out to be the major point on which the
president will establish his legacy on the Iranian dossier.

14 M. GREEN, The biggest victim of the Bush’s legacy? The left capacity for strategic
thought. The Shadow Government on Foreign Policy, 25 April 2013.
16 R. KHALAF – N. BOZORGMEHR, Hassan Rohani- Iran’s president elect, «Financial
Time», 21 June 2013.