



Iran's Nuclear Weapons Fatwa Is a Myth

February 17, 2015 **James S. Robbins** *U.S. News & World Report*

Related Categories: Islamic Extremism; Terrorism; Iran

President Barack Obama said a nuclear deal with Iran is possible if Tehran truly considers nuclear weapons un-Islamic. But is this true? And does it matter?

Last week, at a joint news conference with German Chancellor Angela Merkel, Obama said that it was time for Iran to reach a decision on "a deal that allows them to have peaceful nuclear power but gives us the absolute assurance that is verifiable that they are not pursuing a nuclear weapon." He added that "if in fact what they claim is true, which is they have no aspiration to get a nuclear weapon, that in fact, according to their Supreme Leader [Ayatollah Ali Khamenei], it would be contrary to their faith to obtain a nuclear weapon, if that is true, there should be the possibility of getting a deal."

Obama was referring to a purported fatwa by Khamenei, declaring nuclear weapons to be "haram," religiously forbidden under Islamic law. In fact, the president has mentioned the fatwa several times in the past few years, including in his September 2013 speech to the United Nations, for good reason. It is helpful for the U.S. government to point this out since, by the words of its own leader, it would be hypocritical for Iran to push ahead with weapons development.

There's just one small problem: The fatwa may not exist at all. Although Iranian officials have referred to it repeatedly, it has not been published. By contrast, all of Khamenei's other fatwas have been. Moreover, Iran has given conflicting dates for its issue, including 2003, 2004, 2005 and 2012.

The nearest thing to an official text can be found on the web page of Iran's Permanent Mission to the United Nations. This version, dated Feb. 19, 2012, declares that "The Iranian nation has never pursued and will never pursue nuclear weapons. There is no doubt that the decision makers in the countries opposing us know well that Iran is not after nuclear weapons, because the Islamic Republic, logically, religiously and theoretically, considers the possession of nuclear weapons a grave sin and believes the proliferation of such weapons is senseless, destructive and dangerous."

That's all well and good, but it is not exactly a fatwa. It makes no reference to the Quran or any other Islamic text or tradition, as other religious edicts traditionally do. It reads more like a statement of government policy, and as such, can be changed with the circumstances. In fact, even genuine fatwas can be amended and changed by circumstances.

Pakistan, the only Muslim majority country with nuclear weapons, has never questioned whether Muslims could possess or use the bomb. Former Prime Minister Zulfikar Ali Bhutto, who first espoused the concept of the "Islamic Bomb," wrote in 1977 that "the Christian, Jewish and Hindu civilizations have [nuclear] capability. The communist powers also possess it. Only the Islamic civilization was without it, but that position was about to change." When Pakistan tested its first nuclear weapon in 1998, Iran did not condemn but congratulated it. Iran's views on nuclear weapons at that time were encapsulated by then-Vice President Sayed Ayatollah Mohajerani, who told an Islamic conference in 1992, "since Israel continues to possess nuclear weapons, we, the Muslims, must cooperate to produce an atomic bomb, regardless of U.N. efforts to prevent proliferation."

So what changed? Iran has offered no religious argument condemning nuclear weapons but has important strategic reasons for appearing to do so. Iranian leaders began to mention the supposed fatwa around 2003, after the advent of Operation Iraqi Freedom and the overthrow of Saddam Hussein's regime. The legal basis for the international effort against Saddam was countering his weapons of mass destruction program. With coalition troops occupying Iran's eastern and western flanks in Afghanistan and Iraq, it was a good time for Tehran not only to deny it was seeking nuclear capability but to make it appear that nuclear weapons were abhorrent to its faith. So the fatwa entered the international debate, without actually being issued.

It would be a mistake for international negotiators to think that they can "get to yes" simply because Iran considers nuclear weapons forbidden. If this was true, there would be no need for the discussion in the first place. Tehran would not be engaging in activities that are solely geared towards producing nuclear weapons.

In fact, Iran will only say nuclear weapons are un-Islamic so long as it does not possess them. Once Iran is nuclear-capable, expect a new explanation for why the "senseless, destructive and dangerous" proliferation of nuclear weapons required Tehran to develop one of its own, to defend Iran against international aggression and safeguard the gains of its Islamic Revolution.